ANNO VICESIMO SEPTIMO & VICESIMO OCTAVO

VICTORIÆ REGINÆ.

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Cap. ccxix.

An Act to authorize the *London and Blackwall* Railway Company to enlarge certain of their Stations and Works, and for other Purposes.

[25th *July* 1864.]

WHEREAS it is expedient that the *London and Blackwall* Railway Company (in this Act called the Company) should be authorized to purchase additional Lands for the Purposes of their Railway and for the Enlargement of their *Fenchurch Street* Station: And whereas it is expedient that the Company should be authorized to raise further Sums of Money, and that some of the Provisions of the Acts relating to the Company 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, as follows; (that is to say,)

Interpretation of Terms.

1. In this Act the Expression "the Widening" means and includes the Widenings, Enlargements, and other Works by this Act authorized, the Expression "the Undertaking of the Company" means and includes the existing Lines of Railway, Stations, Works, and

Property of the Company, and the Widenings and Enlargements and other Works authorized by this Act, unless there be something in the Subject or Context repugnant to or inconsistent with such Construction.

Short Title.

2. In citing this Act for any Purpose it shall be sufficient to use the Expression "*London and Blackwall* Railway Act, 1864."

8 & 9 Vict. cc. 18. & 20., 23 & 24 Vict. c. 106., and 26 & 27 Vict. c. 92. incorporated.

3. "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," "The Railways Clauses Consolidation Act, 1845," and Part I. of "The Railways Clauses Act, 1863," are incorporated with and form Part of this Act.

Same Meanings to Words in this Act as in incorporated Acts.

4. The several Words and Expressions to which by the Acts incorporated with this Act Meanings are assigned have in this Act the same respective Meanings, unless there be in the Subject or Context something repugnant to or inconsistent with such Construction.

Power to make Extension Railway according to deposited Plans.

5. And whereas Plans and Sections of the Enlargement of the *Fenchurch Street* Station and the Widening of the Railway in the Parish of *Stepney* describing the Lands which by virtue of this Act are intended to be or may be taken or used for the Purposes thereof, and also Books of Reference to such Plans containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of such Lands have been deposited with the Clerk of the Peace for the County of *Middlesex* and with the Clerk of the Peace for the City of *London*: Therefore, subject to the Provisions contained in this Act and in the Acts wholly or partially incorporated herewith, and to the Power of Deviation in such Acts and this Act, it shall be lawful for the Company to enlarge the *Fenchurch Street* Station and to widen the Railway and Works in the Parish of *Stepney* in, upon, or over 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 described upon the said Plans and in the said Books of Reference as may be necessary for such Purposes: Provided always, that for the Enlargement of the *Fenchurch Street* Station the Company shall not take under the Powers of this Act any Lands situate to the Westward or on the Western Side of either *London Street* or *New London Street*.

As to certain Plans deposited with Vestry Clerks and Clerks of District Boards.

6. And whereas by "The Railways Clauses Consolidation Act, 1845," it is provided that a Certificate of any Omission, Misstatement, or erroneous Description in certain Plans and Books of Reference therein referred to should be deposited with the Parish Clerks of the several Parishes in *England* in which the Lands affected thereby should

should be situate, and it is also provided that certain Plans and Sections of such Alterations in the original Plans and Sections as shall have been approved of by Parliament should also be deposited with the Clerks of the several Parishes, and be retained and produced by them for Inspection in manner therein mentioned: And whereas, in compliance with the present Standing Orders of both Houses of Parliament, the several Plans, Sections, and other Documents heretofore required to be deposited with the Parish Clerks are, in respect of Lands in any Parish comprised in "The Metropolis Management Act, 1855," to be deposited with the Vestry Clerk, if the Parish be in Schedule (A.) to that Act, and with the Clerk of the Board of Works for the District if the Parish be in Schedule (B.) of such Act: Therefore, with reference to and for all the Purposes of this Act, in all the Provisions of "The Railways Clauses Consolidation Act, 1845," relating to the Matters aforesaid, the Expression "Parish Clerks of the several Parishes" or "Clerks of the several Parishes" shall be read and construed as if in that Act the Expression "Vestry Clerk of the Parish" (if the Parish be in the said Schedule (A.)) and "Clerk of the Board of Works of the District" (if the Parish be in Schedule (B.) of the said Metropolis Management Act,) as the Case may be, had been used and inserted in lieu of the Expression "Parish Clerks" or "Clerks of the several Parishes," as the Case may be.

Describing Works.

7. The Works which the Company may make under the Powers of this Act are the following:

The Widening, Enlargement, and Improvement of a Part of the *London and Blackwall* Railway on the Southern Side thereof, and of the Stations, Sidings, and other Accommodation, commencing at or near *Dorset Street* in the Parish of *Saint Dunstan Stebonheath* otherwise *Stepney*, and terminating at or near *Regent Street* in the same Parish:

The Enlargement and Improvement of the *Fenchurch Street* Station of the *London and Blackwall* Railway in the Parishes of *Saint Olave Hart Street*, *Saint Katherine Coleman*, and *Allhallows Staining*, *Mark Lane*, or some of them, in the City of *London*.

Questions of disputed Compensation in London to be heard in the Lord Mayor's Court.

8. In every Case in which any Question of disputed Compensation shall be required to be determined by the Verdict of a Jury in the City of *London* or the Liberties thereof, the Jury shall be required to appear before the Court of the Mayor and Aldermen of the City of *London* to be holden in the Outer Chamber of the Guildhall of the said City according to the Custom of the said City, at a Time to be appointed by the said Court, and all the Directions and Provisions contained in "The Lands Clauses Consolidation Act, 1845," in respect to the Settlement of disputed Compensation by Juries appearing before the Sheriff, Coroner, or other Person shall extend and be applied with respect to the Settlement of any such Questions of disputed

disputed Compensation under this Act by Juries appearing before the said Court of Mayor and Aldermen as aforesaid, and the said Court shall give Judgment for the Purchase Money or Compensation assessed by such Jury, and a Verdict and Judgment shall be signed by the Registrar of the said Court of Mayor and Aldermen, and entered among the Records of the said Court, and the said Registrar shall settle the Costs of every such Inquiry.

Period for Completion of Works.

9. If the Widening shall not be completed within Five Years from the passing of this Act, the Powers by this Act or by the Acts incorporated herewith granted to the Company for executing the same shall cease to be exercised, except as to so much of the said Works as shall then be completed.

Provisions of 2 & 3 Vict. c. xcv. for indemnifying Rectors and Impropriators of Tithes extended to this Act.

10. The Provisions contained in the Act of the Second and Third Years of the Reign of Her present Majesty, intituled *An Act for extending the Line of the Railway between* London *and* Blackwall *called* "*The* Commercial *Railway*," *and for amending the Acts relating thereto*, for indemnifying Rectors and Impropriators of Tithes in the City of *London* and the Liberties thereof, shall apply to this Act as fully and effectually as if those Provisions were repeated in this Act with a special Reference to the Parishes in the said City in which Works are by this Act authorized to be made.

Certain Provisions of 23 & 24 Vict. c. cxxiii. to apply to new Works.

11. The following Sections of "The *London and Blackwall* Railway Act, 1860," shall, so far as applicable, extend and apply to this Act and the Works and Purposes hereby authorized in as full and as complete a Manner as if they were re-enacted in this Act with Reference to such Works and Purposes; (that is to say,)

Section 11. Compulsory Powers to apply where Company required to buy the whole of a House or Manufactory:
Section 15. Company to restore Streets:
Section 16. Company to restore Sewers, Drains, &c.:
Section 17. Deficiencies of local Rates to be made good:
Section 18. For Protection of Sewers in City of *London*:
Section 19. Prescribing Manner of crossing Streets in *London*:
Section 22. Arches to be lighted by Day and Night:
Section 23. Penalties and Rates to be recovered by Commissioners of Sewers of the City of *London*:
Section 28. Penalties, &c. to be recovered by District Boards of Works.

For Protection of Sewers of Metropolitan and other Boards.

12. Where any of the intended Works to be done under or by virtue of this Act shall or may pass over, under, or by the Side of or so as prejudicially to interfere with any Sewer, Drain, Watercourse, Defence, or Work under the Jurisdiction or Control of the Metropolitan Board of Works, or of any Vestry or District Board constituted under "The Metropolis Local Management Act, 1845," or any Act or Acts amending

ing the same or extending the Powers thereof, or with any Sewers or Works to be made or executed by the said Boards or Vestry or either of them, or shall or may in any way prejudicially affect the Sewerage or Drainage of the Districts under their or either of their Control, the Company shall not commence such Work until they shall have given to the said Metropolitan Board, or to the District Board or Vestry, as the Case may be, Fourteen Days previous Notice in Writing of their Intention to commence the same by leaving such Notice at the principal Office of such Board or Vestry, as the Case may be, for the Time being, with a Plan and Section showing the Course and Inclination thereof and other necessary Particulars relating thereto, and until such Board or Vestry respectively shall have signified their Approval of the same, unless such Board or Vestry, as the Case may be, do not signify their Approval, Disapproval, or other Directions within Fourteen Days after Service of the said Plans, Sections, and Particulars as aforesaid, and the Company shall comply with and conform to all Orders, Directions, and Regulations of the said Metropolitan Board, and of the respective Boards or Vestries, in the Execution of the said Works, and shall provide by new, altered, or substituted Works in such Manner as such Boards or Vestries respectively may deem necessary for the proper Protection of and for preventing Injury or Impediment to the Sewers and Works herein-before referred to by or by reason of the said intended Works or any Part thereof, and shall save harmless the said Metropolitan Board, District Board, and Vestry respectively against all and every the Expense to be occasioned thereby; and all such Works shall be done by or under the Direction, Superintendence, and Control of the Engineer, or other Officer or Officers of the said Metropolitan Board, District Board, or Vestry, as the Case may be, at the Cost, Charges, and Expenses in all respects of the Company, and all Costs, Charges, and Expenses which the said Metropolitan Board or any District Board or Vestry may be put to by reason of the Works of the Company, whether in the Execution of the Works, the Preparation or Examination of Plans or Designs, Superintendence, or otherwise, shall be paid to such Boards or Vestry by the Company on Demand, and when any new, altered, or substituted Works as aforesaid, or any Works or Defence connected therewith, shall be completed by or at the Costs, Charges, or Expenses of the Company under the Provisions of this Act, the same shall thereafter be as fully and completely under the Direction, Jurisdiction, and Control of the said Metropolitan Board, District Boards, and Vestry respectively, as the Case may be, as any Sewers or Works now or hereafter may be; and nothing in this Act shall extend to prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities vested or to be vested in the said Metropolitan Board, District Boards, and Vestries, or any or either of them, or their Successors, but that all such Rights, Powers, and Authorities shall be as valid and effectual as if this Act had not been passed.

As to Construction of Bridges over public Streets within the Limits of the Metropolis.

13. In the Construction of the Works authorized by this Act the following Rules shall be observed:

1. Except as herein otherwise provided, wherever the Widening of the Railway shall be carried across any public Carriage Road or public Street within the Limits of the Metropolis as defined by "The Metropolis Management Amendment Act, 1862," it shall be made there and shall thenceforth be maintained so as not to lessen the present clear Width of such Road or Street, including the Footway (where a Footway now exists):
2. The Bridges or Arches over the public Carriage Roads or Streets shall be of the same Height as those of the existing Railway over the same Roads or Streets:
3. No Abutments or Piers shall project beyond the general Line of Frontage of the adjoining Houses: Provided always, that where there are Gardens or Forecourts in front of Houses, and the Distance between the Houses is great, the Company shall erect and maintain Side Openings, supported with Columns back to the general Line of the Frontages of the Houses:
4. All Bridges shall be Water-tight and so constructed as to, so far as is practicable, deaden the Sound of Engines, Carriages, and Traffic passing over them:
5. The Company shall not commence the Erection of any Bridge proposed to be constructed for the Purpose of carrying the Railway over any Road, or Street, or Way, within the Area under the Jurisdiction of the Metropolitan Board of Works, until they shall have given to the said Metropolitan Board of Works Twenty-one Days Notice in Writing of their Intention to commence the same by leaving such Notice at the Office of the said Board, with Plans, Elevations, Sections, and other necessary Particulars of the Construction of the said Bridges, and until the said Board shall have signified their Approval of the same, unless the Board fail to signify such Approval, or their Disapproval, or other Directions within Twenty-one Days after Service of the said Notice and Delivery of the said Plans, Elevations, Sections, and other Particulars as aforesaid:
6. The Company shall comply with and conform to all Directions and Regulations of the said Board in the Erection and subsequent Maintenance of the said Bridges and Works connected therewith, and shall save harmless the said Metropolitan Board of Works against all and every Expense to be occasioned thereby; and all such Works shall, subject to the Provisions of this Act, be done by or under the Direction, Superintendence, and Control of the Engineer, or other Officer or Officers of the said Metropolitan Board of Works, at the Costs, Charges, and Expenses in all respects of the said Company; and all Costs, Charges, and Expenses which the said Metropolitan Board

Board may be put to by reason of the Works of the Company, whether in the Execution of Works, the Preparation or Examination of Plans or Designs, Superintendence, or otherwise, shall be paid to the said Board by the Company on Demand.

All Works connected with East London Waterworks Company to be executed to Satisfaction, &c. of their Engineer.

14. And whereas the Works by this Act authorized or some of them will or may intersect or otherwise interfere with divers Streets, Roads, and Places in the Parishes along, in, or under which the Mains, Pipes, Plugs, and other Apparatus and Works of the *East London* Waterworks Company are laid, and it may be necessary for the Purposes of this Act to alter or otherwise interfere with the said Mains, Pipes, Plugs, Apparatus, and other Works, and it is expedient that Provision should be made for preventing any Interruption in the Supply of Water by the *East London* Company by reason of such Alteration or Interference: Therefore all Works, Matters, or Things which, under the Provisions of "The Railways Clauses Consolidation Act, 1845," or of this Act, the Company may be empowered or required to do or execute with reference to or affecting the Mains, Pipes, Plugs, Apparatus, or other Works of the *East London* Company, shall be done and executed by and at the Cost of the Company, but to the reasonable Satisfaction and under the sole Direction of and in such Manner as shall be required by the Principal Engineer for the Time being of the *East London* Company; and such Works, Matters, or other Things shall not be commenced until after Twenty-one Days previous Notice thereof in Writing shall have been given to the *East London* Company by leaving such Notice at their principal Office for the Time being, nor until the Company shall have provided to the Satisfaction of the Engineer for the Time being of the *East London* Company all such temporary Works and Conveniences as shall be necessary for the Preservation and Continuance of an uninterrupted Supply of Water to the District supplied by the Mains, Pipes, Apparatus, or other Works proposed to be altered or interfered with: Provided always, that if the *East London* Company shall elect themselves to execute any Portion of the said Works, Matters, and Things which the Company may be empowered or required to do or execute with reference to or affecting the said Mains, Pipes, Apparatus, or other Works of the *East London* Company, and of such their Election shall give Seven Days Notice in Writing to the Company by leaving the same at their head Office in *London*, the *East London* Company may themselves execute that Portion of the said Works, Matters, and Things, and the Expense of and incident to the executing the same shall be repaid by the Company to the *East London* Company on Demand, and such Expense may be recovered from the Company in any Court of competent Jurisdiction.

Penalty for interrupting the Supply of Water.

15. If any Interruption whatsoever in the Supply of Water by the Mains and Pipes of the *East London* Company shall be in any way occasioned by the Company, or by any Act or Omission of them or of

of their Contractors, Agents, Workmen, or Servants, or of any Person or Persons in their Employ, the Company shall forfeit and pay to the *East London* Company for their Use and Benefit the Sum of Fifty Pounds for every Hour during which such Interruption shall continue, such Sum to be recovered by the *East London* Company in any Court of competent Jurisdiction.

Company to pay all Damages sustained by East London Waterworks Company.

16. Notwithstanding anything in this Act contained, the Company shall be responsible for and make good to the *East London* Company all Costs, Losses, Damages, and Expenses which may be occasioned to the *East London* Company, or to any of the Mains, Pipes, Plugs, Apparatus, Property, Works, and Conveniences thereof, or to the Supply of Water by the *East London* Company, or to any Person or Persons now or at any Time hereafter to be supplied by them or otherwise, by reason of the Execution or Failure of any of the intended Railways and Works, or of any Act or Omission of the Company or of any of the Contractors, Agents, Workmen, or Servants, or any of the Persons in their Employ, or of their Contractors or others, and the Company will effectually indemnify and hold harmless the *East London* Company from all Claims and Demands upon or against them by reason of such Execution or Failure or of any such Act or Omission.

Prescribing Manner of crossing Streets by Railways and Widening.

17. In crossing all Streets or public Ways, Courts or Alleys, the Widening of the *London and Blackwall* Railway on the Southern Side thereof from *Dorset Street* to *Regent Street* in the Hamlet of *Ratcliff*, within the Limits of the *Limehouse* District, shall be carried over the said Streets or public Ways, Courts or Alleys, by straight Girder Bridges of not less than Sixteen Feet clear in Height, and shall be so formed as to leave a clear open Space for such Streets or Ways, Courts or Alleys; and all the Bridges underneath the Widening shall span across the whole Width of the respective Streets or public Ways, Courts or Alleys, which the said Widening may cross, so that no Part of the Abutment, Piers, or any other Obstruction shall stand or encroach upon any Part of the Carriage or Foot Ways, or project beyond the Fronts of the Houses and Premises in the said Streets or public Ways, Courts or Alleys, abutting on the Widening; and the present Level of the Streets and public Ways, Courts and Alleys, shall not in any Manner be altered or interfered with without the previous Consent in Writing of the District Board having Jurisdiction over the same: Provided always, that the Foundations of the Piers of the said Bridges shall be built so deep in the Ground as not to be injurious to the Sewers; provided also, that all the Bridges of the Widening across any such Street or public Way, Court or Alley, shall be so constructed as that Water shall not run or come through any of the said Bridges upon any Street or public Way, Court or Alley.

Company to hoard in Ground.

18. If, by reason of any of the Works hereby authorized within the Limits of the *Limehouse* District, any Ground shall be thrown open by the said Company to any Street, Court, Alley, or public Place,

Place, the Company shall forthwith inclose and keep inclosed the same, in a Line with the Houses in such Streets, Courts, Alleys, or public Places adjoining thereto, with good sufficient close Hoarding or Brick Walls not less than Seven Feet in Height, and the Company shall also inclose and keep inclosed in like Manner the Arches under the Widening which shall abut upon or open on to any Street or other public Place within the Limits of the said District; and in default, after Ten Days Notice in Writing by the Board of Works for the said District requiring the Company so to do, the said Board may so inclose the same, and recover the Costs and Expenses incurred thereby from the Company.

Company not to obstruct Roads and to guard and protect the Works.

19. The Company shall not permit or suffer any Materials, Rubbish, or other Matter or Thing to be laid, shot, or placed by any of their Contractors, Agents, or Workmen upon any of the Streets or public Ways, Courts or Alleys, within or under the Control of the Board of Works for the *Limehouse* District, except so far as may be necessary for any of the Works to be done under this Act, and so as not to obstruct the passing of Carriages or to interfere with the Footway on one Side of any Street or public Way, Court or Alley, whilst the Footway on the other Side thereof is obstructed by the Company as aforesaid, and the said Company shall forfeit to the said Board of Works the Sum of Two Pounds for every Day that any Materials, Rubbish, or other Matter or Thing shall be laid, shot, or placed as aforesaid, or any Obstruction or any interfering shall take place; and for the Purpose of preventing Accidents during the Progress of the Works to be done under this Act the Company shall well and sufficiently guard and protect such Works with Lights, Fences, and Watchmen, and otherwise, and they shall forfeit to the said Board of Works the Sum of Two Pounds for every Day that such Works shall not be lighted, guarded, and protected as aforesaid.

Company to pay for Paving in Streets stopped up.

20. In case any Street or public Way, Court or Alley, in the *Limehouse* District shall be stopped up by the Company under the Authority of this Act, the said Company shall pay to the said Board of Works the Value of such Paving Stones and other Materials, Works, Matters, and Things in the said Streets, public Ways, Courts, or Alleys as are the Property of or vested in the said Board of Works, such Value, in the event of Difference, to be determined by reference in the Manner provided by "The Railways Clauses Consolidation Act, 1845," with respect to the Settlement of Disputes by Arbitration.

Company to pay Board of Works Costs which they may incur.

21. The Company shall, on Demand, pay to the said Board of Works for the *Limehouse* District all the Costs, Charges, and Expenses which they may reasonably incur by reason of the Company's Works, or in the Preparation or Examination of Plans or Designs, Superintendence, or otherwise.

General Saving of Rights of Board of Works.

22. Excepting only as by this Act is expressly provided, this Act shall not take away, alter, lessen, prejudice, or affect any of the Rights, Powers, or Authorities vested in the Board of Works for the *Limehouse* District, but all such Rights, Powers, and Authorities shall be as valid and effectual to all Intents and Purposes as if this Act had not been passed.

Restrictions as to Enlargement of Fenchurch Street Station.

23. In enlarging the *Fenchurch Street* Station, under the Powers of this Act, the Company shall not extend their Railway to the Westward, nor widen the Railway or the Viaduct, or the Arches upon which the same is to be carried, to a greater Extent than Forty-five Feet from the Boundary of their present Works.

As to Expressions "Superior Courts," &c.

24. The Expression "Superior Courts" or "Court of competent Jurisdiction," or any other like Expression in this Act, shall read and have effect as if the Debt or Demand with respect to which the Expression is used were a simple Contract Debt, and not a Debt or Demand created by Statute.

Power to Company to raise additional Capital.

25. The Company may from Time to Time raise (in addition to the Sums of Money which they are already authorized to raise) any further Sums not exceeding in the whole Seventy-five thousand Pounds by the Creation of new Shares in their Undertaking, and such Shares may be issued either as new Ordinary Shares or new Ordinary Stock in the Capital of the Company, or as new Preference Shares or new Preference Stock, as the Company from Time to Time think proper: Provided that the Company shall not issue any Share or Stock created under the Authority of this Act, nor shall any Share or Stock vest in the Person accepting the same, unless and until a Sum not being less than One Fifth Part of the Amount of such Share shall have been paid in respect thereof.

Parts of 26 & 27 Vict. c. 118. incorporated.

26. Part I. and Part II. of "The Companies Clauses Act, 1863," are incorporated with this Act.

Limit of Amount and Number of Calls.

27. The Amount of any One Call to be made upon the Shares created under the Powers of this Act shall not exceed One Fourth of the Amount of such Shares, and there shall be an Interval of Two Months at least between every Two successive Calls, and not more than Three Fourths of the Amount of each Share shall be called up in any One Year.

As to Votes of Proprietors of Shares.

28. The Proprietors of any Shares to be issued under the Authority 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 the same had been ordinary Stock of the Company.

29. The

Qualification, &c. for new Shares.

29. The new Shares to which any preferential Dividend shall be attached, or the Stock into which the same may be converted, shall not confer upon the Holders thereof any Right to vote at any Meeting of the Company or a Qualification for the Office of Director.

Power to borrow on Mortgage or by Issue of Debenture Stock.

30. The Company may from Time to Time under the Powers of this Act borrow any additional Sum of Money not exceeding Twenty-four thousand five hundred Pounds either by Mortgage of their Undertaking or by the Issue of Debenture Stock in pursuance of the Powers and subject to the Provisions and Restrictions contained in "The *London and Blackwall* Railway Act, 1860," but no Part of that Sum shall be borrowed or raised on Debenture Stock until the whole of the additional Capital by this Act authorized to be raised by new Shares is *bonâ fide* subscribed for or taken, and One Half thereof is paid up, and until the Company shall prove to the Justice who is to certify under the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that Shares for all such additional Capital or Stock has been subscribed for *bonâ fide* and has been issued, and that Twenty *per Cent.* on each Share or Portion of Stock has been paid on or before the Issue and Acceptance thereof, and that every Share or Portion of Stock is held by the Subscribers or their Assigns and that such Subscribers and their Assigns are legally liable for the same, of which Proof having been given, the Certificate of such Justice under that Section shall be sufficient Evidence.

Existing Mortgages to have Priority.

31. All Mortgages granted by the Company before the passing of this Act, and which shall be subsisting at the Time of the passing thereof, shall during the Continuance of such Mortgages have Priority over any Mortgages to be created by virtue of this Act.

Application of Sums raised under this Act.

32. All and every Part of the Monies which the Company are by this Act authorized to raise by new Shares or on Mortgage shall be applied only to the Purposes of the Undertaking of the Company.

Company may apply Money for Purposes of Act.

33. The Company may apply for the Purposes of this Act any Monies from Time to Time belonging to them which they may have raised or may have been authorized to raise under the Powers of any Act or Acts relating to their Undertaking, and which may not be required for the Purposes for which the same were authorized to be raised.

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

34. The Clauses and Provisions of "The Companies Clauses Consolidation Act, 1845,"

With respect to the Distribution of the Capital of the Company into Shares;

With respect to the Transfer or Transmission of Shares;

With respect to the Payment of Subscriptions and Means of enforcing the Payment of Calls;

With respect to the Forfeiture of Shares for Nonpayment of Calls;

With

With respect to the borrowing of Money by the Company on Mortgage or Bond;

With respect to the Conversion of the borrowed Money into Capital;

With respect to the Consolidation of Shares into Stock;

With respect to the Remedies of the Creditors of the Company against Shareholders, and with respect to affording Access to the Special Act;

shall be incorporated with this Act, and shall apply to all Shares created, and to Mortgages granted and Money borrowed under the Powers of this Act.

Interest not to be paid on Calls paid up.

35. It shall not be lawful for the Company, out of any Money by this Act or by any other Act relating to the Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest or Dividend to any Shareholder on the Amount of 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 Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

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

36. It shall not be lawful for the Company, out of any Money by this Act authorized to be raised for the Purposes of such Act, 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 to execute any other Work or Undertaking.

Railway, &c. not exempt from Provisions of present and future General Acts.

37. Nothing herein contained shall be deemed or construed to exempt the Railway or the Company from the Provisions of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during 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 to be taken by the Company, or of the Rates for small Parcels.

Expenses of Act.

38. All the Costs, Charges, and Expenses of applying for, obtaining, and passing this Act, or preparatory or incident thereto, shall be paid by the Company.

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