Points of Crossing.

and permanently maintain either a Station or Lodge at the Points where the Railway crosses the before-mentioned Roads on the Level, and the 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 on such Roads, as may from Time to Time be made by the Board of Trade; and if the Company fail to erect or at all Times to maintain any such Station or Lodge, or to appoint a proper Person to watch or superintend the Crossing at 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.

Land, if required, to be taken by Agreement only.

III. Provided always, That nothing in this Act contained shall authorize the *Chester and Holyhead* or *London and North-western* Railway Companies to take compulsorily any Lands or any Estate or Interest therein, but it shall be lawful for any Person who by the Lands Clauses Consolidation Act, 1845, is capacitated to sell Land, to agree with the said Companies, or either of them, for the Sale and Purchase of any Land required for the Purposes of this Act, or in connexion therewith.

Compensation to Owners, &c. of Houses and Premises injuriously affected by the Alteration of the Tramway into a Railway.

IV. If there be any Owner or Occupier of any Houses or Premises adjoining the said Railway who shall complain of any Injury by the Use of Locomotive Engines on the said Railway as aforesaid, the Owner, Occupier, or other Person interested therein shall receive from the Company such Compensation for such Injury (if any) sustained by him or them as shall be determined under the Provisions of the several Sections with respect to the Settlement of Disputes by Arbitration of the Companies Clauses Consolidation Act, 1845, hereby incorporated with this Act.

CAP. LXI.

An Act to make further Provision concerning the Court for Divorce and Matrimonial Causes. [13th *August* 1859.]

'WHEREAS it is expedient to make further Provision concerning "The Court for Divorce and Matrimonial Causes," established by the Act of the Session holden in the Twentieth and Twenty-first Years of Her Majesty, Chapter Eighty-five:' Be it therefore 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:

20 & 21 Vict. c. 85.

Judges of the Queen's Bench, &c. to be Judges of the Court for Divorce.

I. In addition to the Judges mentioned in Section Eight of the said Act, all the Judges for the Time being of the Courts of Queen's Bench, Common Pleas, and Exchequer respectively, not already made Judges of the Court for Divorce and Matrimonial Causes, shall be Judges of such Court.

Judge Ordinary and Eight of the other Judges to appoint the Sittings of the full Court.

II. The Judge Ordinary of the said Court, and Eight or more of the other Judges thereof, shall, from Time to Time, by General Orders for this Purpose, appoint so many Sittings of the full Court in every Year, and at such Times as may appear to them necessary or convenient for disposing of the Matters arising in the said Court which may not be heard and determined by the Judge Ordinary alone; and the Judges of the said Court shall, by a Rota or otherwise as they may deem most convenient, make Provision for the Attendance of the requisite Number of Judges to make a full Court at the Times so appointed for the Sittings of the full Court.

Precedence of the Judge Ordinary.

III. The Judge Ordinary shall have Place and Precedence in the said Court next after the Lord Chief Baron of Her Majesty's Court of Exchequer.

IV. The

IV. The Court after a final Decree of Judicial Separation, Nullity of Marriage, or Dissolution of Marriage, may upon Application (by Petition) for this Purpose make, from Time to Time, all such Orders and Provision with respect to the Custody, Maintenance, and Education of the Children the Marriage of whose Parents was the Subject of the Decree, or for placing such Children under the Protection of the Court of Chancery, as might have been made by such final Decree or by Interim Orders in case the Proceedings for obtaining such Decree were still pending; and all Orders under this Enactment may be made by the Judge Ordinary alone or with One or more of the other Judges of the Court.

The Court may make Orders as to Custody of Children after a final Decree of Separation.

20 & 21 Vict. c. 85.

V. The Court after a final Decree of Nullity of Marriage or Dissolution of Marriage may inquire into the Existence of ante-nuptial or post-nuptial Settlements made on the Parties whose Marriage is the Subject of the Decree, and may make such Orders with reference to the Application of the whole or a Portion of the Property settled either for the Benefit of the Children of the Marriage or of their respective Parents as to the Court shall seem fit.

As to Marriage Settlements of Parties after final Decree of Nullity of Marriage.

VI. On any Petition presented by a Wife, praying that her Marriage may be dissolved by reason of her Husband having been guilty of Adultery coupled with Cruelty, or of Adultery coupled with Desertion, the Husband and Wife respectively shall be competent and compellable to give Evidence of or relating to such Cruelty or Desertion.

On a Petition by Wife, &c., Husband and Wife competent to give Evidence.

VII. The Right of Appeal to the House of Lords given by the Fifty-sixth Section of the recited Act shall extend to all Sentences and Final Judgments on Petitions under the Legitimacy Declaration Act, 1858.

Extension of Right of Appeal to House of Lords.

CAP. LXII.

An Act to amend the *Irish* Bankruptcy and Insolvency Act (1857).

[13th *August* 1859.]

'WHEREAS by the *Irish* Bankrupt and Insolvent Act, 1857, unclaimed Dividends made before the passing of the said Act are exempted from the Operation of its Two hundred and ninety-fourth Section, but no Provision is thereby made for the Disposal of such unclaimed Dividends, and it is expedient to amend the said Act by supplying the said Omission:' 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 the present Parliament assembled, and by the Authority of the same, as follows:

20 & 21 Vict. c. 60.

I. The Court may order that Dividends which have been declared before the passing of the said *Irish* Bankrupt and Insolvent Act, 1857, and which have remained unclaimed for the Space of Three Years from the Declaration thereof, shall be divided and paid amongst the other Creditors, in manner provided by the Sixth of *William* the Fourth, Chapter Fourteen, Section One hundred and twenty-eight.

Application of unclaimed Dividends, &c. 6 W. 4. c. 14. s. 128.

II. The said recited Act and this Act shall be treated and construed as One Act.

Acts to be construed as One Act.

CAP. LXIII.

An Act to afford Facilities for the more certain Ascertainment of the Law administered in one Part of Her Majesty's Dominions when pleaded in the Courts of another Part thereof.

[13th *August* 1859.]

'WHEREAS great Improvement in the Administration of the Law would ensue if Facilities were afforded for more certainly ascertaining the Law administered in one Part of Her Majesty's Dominions when pleaded in the Courts of another Part thereof;'