ANNO DECIMO QUINTO

VICTORIÆ REGINÆ.

Cap. XXV.

An Act for defining and regulating the Capital of the *Norfolk* Railway Company, and for authorizing Arrangements with the *Halesworth, Beccles, and Haddiscoe* Railway Company, and for other Purposes. [28th *May* 1852.]

WHEREAS an Act was passed in the Fifth Year of the Reign of Her present Majesty, intituled *An Act for making a Railway from* Great Yarmouth *to* Norwich *in the County of* Norfolk, whereby the *Yarmouth and Norwich* Railway Company were incorporated, and authorized to raise a Capital of One hundred and fifty thousand Pounds by the Creation of Shares, and Fifty thousand Pounds by Mortgage of their Undertaking: And whereas the whole of the Share Capital of One hundred and fifty thousand Pounds thereby authorized to be raised was duly subscribed and paid up: And whereas an Act was passed in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act to amend and enlarge some of the Provisions of the Act authorizing the Construction of the* Yarmouth and Norwich *Railway, and to authorize the Construction of certain new Works in connexion therewith*, whereby the said Company were authorized to raise a further Capital of Thirty-seven thousand five hundred Pounds by the Creation of Shares, and Twelve thousand five hundred Pounds by Mortgage of their Undertaking: And whereas the Share Capital of Thirty-seven

5 & 6 Vict. c. 82.

7 & 8 Vict. c. 4.

thousand five hundred Pounds authorized by the last-recited Act was duly subscribed and paid up: And whereas another Act was passed in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act for making a Railway from* Norwich *to* Brandon, *with a Branch to* Thetford, whereby the *Norwich and Brandon* Railway Company were incorporated, and authorized to raise a Capital of Three hundred and eighty thousand Pounds by the Creation of Shares, and One hundred and twenty-six thousand Pounds by Mortgage of their Undertaking: And whereas the whole of the Share Capital of Three hundred and eighty thousand Pounds authorized by the last-recited Act was duly subscribed and paid up: And whereas an Act was passed in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act for altering the Line of the* Norwich and Brandon *Railway, and for making a Branch therefrom to* East Dereham *in the County of* Norfolk, whereby the *Norwich and Brandon* Railway Company were authorized to raise a further Capital of Two hundred and twenty thousand Pounds by the Creation of Shares, and Seventy-three thousand three hundred Pounds by Mortgage of their Undertaking: And whereas the whole of the Share Capital of Two hundred and twenty thousand Pounds authorized by the last-recited Act was duly subscribed and paid up, with the Exception of a Sum of Eight hundred and thirty-eight Pounds remaining unpaid on account of Calls: And whereas another Act was passed in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act for the Consolidation of the* Yarmouth and Norwich *and* Norwich and Brandon *Railway Companies, and for authorizing the Construction of certain Works at* Norwich *in connexion with the* Yarmouth and Norwich *Railway*, whereby the *Yarmouth and Norwich* and *Norwich and Brandon* Railway Companies were united and re-incorporated under the Name of the *Norfolk* Railway Company, and were authorized to raise a further Capital of Forty thousand Pounds by the Creation of Shares, and Thirteen thousand Pounds by Mortgage of the united Undertaking: And whereas the additional Capital authorized by the last-recited Act was not raised, and the Works thereby authorized have not been executed: And whereas by "The *Norfolk* Railway Extensions (*Dereham, Wells, and Blakeney* Branch) Act, 1846," the *Norfolk* Railway Company were authorized to raise a further Capital of Three hundred thousand Pounds by the Creation of Shares, upon such Terms and in such Manner as might be or might have been agreed upon at any General Meeting or Meetings of the Company specially convened for the Purpose, and to borrow One hundred thousand Pounds on Mortgage of their Undertakings: And whereas the said Company, acting under the Authority of the last-recited Act, at a General Meeting held on the Thirteenth Day of *August* One thousand eight hundred and forty-six, and specially convened for the Purpose, created Fifteen thousand Shares of Twenty Pounds

7 & 8 Vict. c. 15.

8 & 9 Vict. c. 126.

8 & 9 Vict. c. 41.

9 & 10 Vict. c. 169.

Pounds each, bearing a preferential Dividend at the Rate of Five Pounds *per Centum per Annum*, but without any further Participation in the Profits of the Undertaking, whereby they raised the additional Capital of Three hundred thousand Pounds thereby authorized, the whole of which was duly subscribed and paid up, with the Exception of a Sum of Two thousand one hundred and twenty-three Pounds Fifteen Shillings remaining unpaid on account of Calls: And whereas by "The *Norfolk* Railway (*Diss* Branch Railway) Act, 1847," the *Norfolk* Railway Company were authorized to raise a further Capital of One hundred and sixty thousand Pounds by the Creation of Shares, and to borrow on Mortgage of their Undertaking to the Extent of One Third of the Amount of such further Capital: And whereas no Part of the Capital authorized by the last-recited Act has been raised, and the Branch Railway thereby authorized has not been made: And whereas by "The *Norfolk* Railway (*Yarmouth* Extension) Act, 1847," the *Norfolk* Railway Company were authorized to raise a further Capital of Seventy-five thousand Pounds by the Creation of Shares, upon such Terms and in such Manner as might be or might have been agreed upon at any General Meeting or Meetings of the Company specially convened for the Purpose, and to borrow Twenty-five thousand Pounds on Mortgage of their Undertaking: And whereas by "The *Norfolk* Railway (*Reedham and Diss* Branches) Act, 1847," the *Norfolk* Railway Company were authorized to raise a further Capital of Four hundred and thirty thousand Pounds by the Creation of Shares, Part of which were to be appropriated to and amongst such of the Shareholders or Scripholders in an Undertaking called the *Waveney Valley and Great Yarmouth* Railway Company as should have executed the Subscription Contract for the Railway thereby authorized (who are herein-after referred to as the *Waveney Valley* Shareholders), and the Residue of such new Shares was to be appropriated among the Shareholders of the *Norfolk* Railway Company in such Manner as should be determined by the Vote of a General Meeting of the Company; and the said Company were also authorized to borrow on Mortgage of their Undertaking to the Extent of One Third Part of the Amount of such further Capital; And whereas, in pursuance of the last-recited Act, Twenty thousand Shares of Twenty Pounds each were created at a General Meeting of the Company held on the Twenty-fourth Day of *August* One thousand eight hundred and forty-seven, and appropriated to and amongst the said *Waveney Valley* Shareholders, and Eighteen thousand four hundred and ninety of such Shares were accordingly subscribed for and taken by them, and a Deposit of Two Pounds paid upon each Share: And whereas at the same Meeting held on the Twenty-fourth Day of *August* One thousand eight hundred and forty-seven the said Company, acting under the Authority of the last-recited Act, as respected the Sum of Thirty thousand Pounds remaining to be raised

10 & 11 Vict. c. 94.

10 & 11 Vict. c. 99.

10 & 11 Vict. c. 64.

under

under the same, and under the Authority of "The *Norfolk* Railway (*Yarmouth* Extension) Act, 1847," as respected the Sum of Seventy-five thousand Pounds, created Twenty-one thousand Shares of Five Pounds each bearing a Preference Interest of Five Pounds Ten Shillings *per Centum per Annum*, but without further Participation in Profits, whereby they raised an additional Capital of One hundred and five thousand Pounds, the whole of which was duly subscribed and paid up: And whereas by "The *Norfolk* Railway Amendment Act, 1848," the *Norfolk* Railway Company were authorized to raise a further Capital of Two hundred and fifty thousand Pounds by the Creation of Shares bearing a guaranteed Rate of Interest not exceeding Ten Pounds *per Centum*; provided that any Guarantee of Dividend which might be granted in respect of such new Shares by virtue of that Act should not prejudice or affect any Guarantee of Dividend or Interest which might have been granted by the Company by or in pursuance of any Act of Parliament passed prior to the passing of that Act, and to borrow Eighty-three thousand Pounds on Mortgage of their Undertaking: And whereas the said Company have not at present exercised the Powers conferred upon them by the last-recited Act: And whereas an Act was passed in the Eighth and Ninth Years of the Reign of Her present Majesty, called "The *Lowestoft* Railway and Harbour Act, 1845," whereby "The *Lowestoft* Railway and Harbour Company" were incorporated, and authorized to raise a Capital of One hundred and twenty thousand Pounds by the Creation of Shares, and Forty thousand Pounds by Mortgage of their Undertaking: And whereas the said Share Capital of One hundred and twenty thousand Pounds was duly subscribed and paid up, with the Exception of a Sum of One thousand three hundred and sixteen Pounds remaining unpaid in respect of Calls: And whereas an Act was passed in the the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act for enabling the* Norfolk *Railway Company to purchase or lease the* Lowestoft *Railway*, *Harbour*, *and Navigation*, whereby the Powers of the last-recited Act for making the Works thereby authorized were transferred to the *Norfolk* Railway Company, and it was enacted that as soon as such Works should be completed the same should vest in the *Norfolk* Railway Company, and that the *Norfolk* Railway Company should by half-yearly Payments pay to the *Lowestoft* Railway and Harbour Company a Rent that should be equal to Four Pounds *per Centum per Annum* on the Capital of One hundred and twenty thousand Pounds by the last-recited Act authorized to be raised, or so much thereof as should have been expended in such Works, and should also pay the *Lowestoft* Railway and Harbour Company One Moiety of the surplus Profits which should arise from the working of the *Lowestoft* Railway, Harbour, and Navigation, after the Payments therein mentioned, with Powers to the *Norfolk* Railway Company at any Time thereafter to redeem or purchase such Rent and Moiety of surplus Profits, and to raise,

11 & 12 Vict. c. 30.

8 & 9 Vict. c. 45.

9 & 10 Vict. c. 132.

raise, in such Manner as they might deem fit, any further Sum of Money which might be necessary for the Completion of such Purchase; and by the same Act the *Norfolk* Railway Company were authorized to exercise the Powers of borrowing on Mortgage or Bond by the last-recited Act given to the *Lowestoft* Railway and Harbour Company: And whereas by "The *Lowestoft* Railway Alteration Act, 1847," the *Lowestoft* Railway and Harbour Company were authorized to raise a further Capital of One hundred and twenty thousand Pounds by the Creation of Shares, and such additional Capital was to be considered in all respects as Part of the general Capital of the last-named Company, and the same Company were also authorized to raise a further Sum of Forty thousand Pounds by Mortgage of their Undertaking: And whereas, in pursuance of the last-recited Act, the *Lowestoft* Railway and Harbour Company, at a General Meeting held on the Twenty-eighth Day of *August* One thousand eight hundred and forty-seven, created Six thousand Shares of Twenty Pounds each, for the Purpose of raising the additional Capital of One hundred and twenty thousand Pounds thereby authorized, and the *Norfolk* Railway Company, by Resolution of a General Meeting held on the Twenty-fourth Day of *August* One thousand eight hundred and forty-seven, agreed to guarantee to the Subscribers for such Shares a fixed Dividend at the Rate of Six Pounds *per Centum per Annum*, but without further Participation in Profits; and the whole of such Shares were subscribed for and paid up accordingly, upon the Faith of such Guarantee: And whereas the *Norfolk* Railway Company have, by and out of the Monies raised under and by virtue of the last-recited Acts, completed the Railway, Harbour, and Work thereby authorized to be made, and the same are now vested in them: And whereas the said *Norfolk* Railway Company, acting in exercise of the Powers given to them by the said several recited Acts or some of them, of converting Loan into Capital, did, at a General Meeting held on the Ninth Day of *February* One thousand eight hundred and forty-six, create Thirty-nine thousand three hundred and seventy-five Shares of Two Pounds each, amounting to the Sum of Seventy-eight thousand seven hundred and fifty Pounds, for the Purpose of reducing so much of the Mortgage Debt of the Company, and the whole of such Shares have been subscribed for and fully paid up; and the said Company did, in further Exercise of the same Powers, and for the like Purpose, at a General Meeting held on the Twenty-third Day of *February* One thousand eight hundred and forty-seven, create Nine thousand eight hundred and fifty Shares of Twenty Pounds each, for the Purpose of reducing so much of the Mortgage Debt of the Company, and the whole of such Shares were subscribed for, and One hundred and thirteen thousand eight hundred and ninety-seven Pounds Ten Shillings has been received in respect thereof, and there remains the Sum of Five Pounds *per* Share to be

10 & 11 Vict. c. 98.

called for upon such last-mentioned Shares so subscribed for as aforesaid: And whereas the Railway and Branch authorized by "The *Norfolk* Railway (*Reedham and Diss* Branches) Act, 1847," have not been made, and the Time limited for compulsory Purchase of Land has expired, and the Period limited for the Completion of such Railway and Branch will expire on the Twenty-fifth Day of *June* One thousand eight hundred and fifty-two: And whereas Disputes and Differences have subsisted between the said *Waveney Valley* Shareholders and the *Norfolk* Railway Company; and in order to put an end to the same it has been agreed that the Liability of the said Shareholders in respect of the Shares so subscribed for by them as aforesaid shall be limited to the Two Pounds *per* Share already paid thereon, and that no further Call shall be made upon such Shares, and that in respect of such Two Pounds *per* Share they shall be entitled to receive a fixed Dividend at the Rate of Five Pounds *per Centum per Annum*, to be paid in preference to any Dividend upon the general Capital of the Company, but subsequent and without Preference to the several preference and guaranteed Shares herein-before mentioned, and the Shares to be created under the Provision of this Act for paying off the Mortgage Debt of the Company, and it is expedient that the said Company should be authorized to carry the said Agreement into effect: And whereas the Shares raised by the *Norfolk* Railway Company by virtue of the several Acts before recited (exclusive of the Preference Shares herein-before mentioned, and of the Shares created for paying off Loans which have not yet been fully paid up,) have been converted into a general Capital Stock of the nominal Value of Eight hundred and sixty-six thousand two hundred and fifty Pounds, and the total Capital of the Company in Shares and Stock, including therein the *Waveney Valley* Shares, as proposed to be reduced, is of the nominal Value of One million five hundred and five thousand two hundred and thirty Pounds: And whereas the said Company, in exercise of the Powers given to them by the said several recited Acts, have borrowed on Mortgage the Sum of Three hundred and eighty-one thousand six hundred and ninety-five Pounds, and they have also borrowed the further Sum of Eighty thousand Pounds, by virtue of the Powers given to them by the several recited Acts relating to the *Lowestoft* Railway and Harbour: And whereas Doubts have been entertained as to the Validity of the Preference Shares created by the *Norfolk* Railway Company, and of the Guarantee by them of the Shares created under the Authority of "The *Lowestoft* Railway Alteration Act, 1847," and whether the said Company have not exceeded their Powers of borrowing on Mortgage, and it is expedient that such Doubts should be removed: And whereas the Time fixed by many of the Mortgages granted by the Company for Payment of the Sums thereby secured has expired, and it is expedient that the *Norfolk* Railway Company should be authorized

authorized to create Preference Shares, to be a First Charge on the Undertaking after the existing Mortgages, and to bear a guaranteed Rate of Dividend not exceeding Five Pounds *per Centum per Annum*, for the Purpose of raising Money to pay off the said Mortgage Debt: And whereas by "The *Halesworth, Beccles, and Haddiscoe* Railway Act, 1851," the *Halesworth, Beccles, and Haddiscoe* Railway Company were incorporated, and authorized to make a Railway from the *Lowestoft* Railway to *Beccles* and *Halesworth*: And whereas the said Railway might be conveniently used or worked by the *Norfolk* Railway Company; and it is expedient that the said Company, and the *Halesworth, Beccles, and Haddiscoe* Railway Company, should be authorized to make Agreements for the Use of the said Railway by the *Norfolk* Railway Company, and for a Division or Apportionment of the Profits arising therefrom between the said Companies: And whereas the Objects aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and of the Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,) 14 & 15 Vict. c. 26.

Interpretation of Terms.

I. That in construing this Act the following Words and Expressions shall have the Meanings hereby respectively assigned them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

That the Expression "the Company" shall mean the *Norfolk* Railway Company:

The Expression "the Directors" shall mean Directors of the *Norfolk* Railway Company.

Payment of Dividends on preference and guaranteed Shares declared valid.

II. That all the Preference Shares created by the Company, and also the Guarantee by the Company of the Shares in the *Lowestoft* Railway and Harbour Company, are hereby declared to be valid and effectual in the Law to all Intents and Purposes whatsoever, and the Dividends on such several Shares shall be paid in preference to and before any Dividend shall be declared and paid on the general Capital of the Company, and such several Shares shall be classed and take Priority as between themselves according to the Order of Time in which the same have been created.

Confirmation of Mortgages.

III. That all Mortgages granted by the *Yarmouth and Norwich* Railway Company and *Norwich and Brandon* Railway Company respectively prior to the Union of the said Companies, and subsequently by the *Norfolk* Railway Company, or by the *Lowestoft* Railway and Harbour Company, in exercise of the Powers of any of the recited Acts, and

and which shall remain unpaid at the Time of the passing of this Act, shall be good and valid for all Intents and Purposes whatsoever.

Reducing Amount of the Waveney Valley Shares.

IV. That the Shares of the nominal Value of Twenty Pounds each created by the Company under the Authority of "The *Norfolk* Railway (*Reedham and Diss* Branches) Act, 1847," shall henceforth be of the nominal Value of Two Pounds each and no more, and it shall not be lawful for the Company to make any further Call upon the Proprietors of such Shares in respect thereof, and the One thousand five hundred and ten of the said Shares remaining unsubscribed for shall be cancelled, and they are hereby cancelled accordingly.

Certificates of Waveney Valley Shares.

V. That the Certificates of the said Shares shall, notwithstanding the Alteration in the nominal Value of such Shares, under the Provisions of this Act, continue in full Force for all Purposes and shall be read and construed as if the Sum of Two Pounds had been mentioned therein as the nominal Value of each such Share, instead of the Sum of Twenty Pounds; but nevertheless it shall be lawful for the Proprietor of any of the said Shares to cause the Certificate or Certificates for the same to be exchanged for a new Certificate or new Certificates, in like Manner as he could have done if such Certificate or Certificates had been worn out or damaged; and every new Certificate of any of the said Shares which shall be given to the Party entitled to the same, after the passing of this Act, shall state the nominal Value of the Share to be Two Pounds.

Waveney Valley Shares to be entitled to guaranteed Dividends of 5*l.* per Cent.

VI. That the *Waveney Valley* Shares shall be and are hereby declared to be Preference Shares of the Company, ranking after all the preference and guaranteed Shares of the Company herein-before mentioned, including the *Lowestoft* Railway and Harbour Shares, such Shares respectively being the only Shares or Stock in respect of which any Preference or Priority in the Payment of Interest or Dividend has been granted by the Company, and also after the Shares to be created under the Provisions of this Act for paying off the Mortgage Debt of the Company, and shall entitle the Holders thereof to Dividends at the Rate of Five Pounds *per Centum per Annum*, but to no further Interest or Participation in the Profits of the Company.

Power to create Preference Shares for paying off Mortgages.

VII. That it shall be lawful for the Company from Time to Time, with the Consent of Three Fifths of the Votes of the Shareholders present in Person or by Proxy at any General Meeting or Meetings specially convened for the Purpose, to create Preference Shares, for the Purpose of raising such Sum or Sums of Money as shall be necessary for paying off or discharging the Principal Monies secured by Mortgages granted by the Company under any of the herein-before recited Acts, or for which they shall be liable

at

at the Time of the Creation thereof; and such Shares shall be called "*Norfolk* Railway Debenture Shares," and shall be the First Charge upon the Undertaking of the Company, subject only to Mortgages remaining unpaid at the Time of the Creation of such Shares, and shall be of such Number and Amount, and entitle the Holders thereof to such Amount of fixed Dividend, not exceeding Five Pounds *per Centum per Annum*, and shall be subject and liable to such Terms and Conditions with respect to the Payment of Calls, and to the Redemption or Commutation of such Shares, and otherwise howsoever, as shall be determined at any such Meeting or Meetings; and the Dividend upon such last-mentioned Shares shall be paid in preference to and before any Dividend shall be paid upon the existing Preference Shares of the Company and the Guaranteed Shares of the *Lowestoft* Railway and Harbour Company.

Shares to be offered to Proprietors of new 20*l.* Shares.

VIII. That every Proprietor of new Twenty-pound Shares created at the General Meeting held on the Twenty-third Day of *February* One thousand eight hundred and forty-seven shall have the Option of subscribing for such last-mentioned "Debenture Shares" in the Proportion of Ten Pounds for each new Twenty-pound Share held by him; and every Proprietor of new Twenty-pound Shares who shall subscribe for "Debenture Shares" in the Proportion aforesaid shall be exonerated and discharged from the Payment of the Five Pounds still remaining uncalled upon such new Twenty-pound Shares, and the new Twenty-pound Shares of every Proprietor so subscribing as aforesaid shall thenceforth be considered as Shares of Fifteen Pounds only, and shall be treated as such, for all Intents and Purposes whatsoever: Provided always, that the Option of every Proprietor of new Twenty-pound Shares to subscribe for such "Debenture Shares" shall be notified by him in Writing to the Secretary of the Company within One Month after Notice shall have been given to him or sent by the Post of the Creation of such "Debenture Shares," and if such Option shall not be declared within the Time so limited it shall be lawful for the Directors to appropriate such Shares to any Person who may be willing to take the same: Provided also, that nothing in this Act contained shall prevent the Company from making and enforcing the Payment of Calls against such of the Proprietors of new Twenty-pound Shares as shall not avail themselves of the Option hereby so given to them of subscribing for such "Debenture Shares."

Money to be applied in Discharge of Mortgage Debt.

IX. That all Monies to be raised by the last-mentioned Shares or Stock shall be applied, so far as the same will extend, in the Redemption and Payment off of the said Mortgage Debt of the Company, when and as the same shall become due, and to no other Purpose whatsoever, and until the same can be so applied the same shall be carried to a separate Account with the Bankers of the Company for the Time being,

being, or to be appointed for the Purpose, in the Name of the Chairman and Three other Directors of the said Company to be nominated by the Board of Directors, and the Monies so paid in shall not be liable to Attachment by any Custom of the City of *London* or otherwise, or be subject to any Suit, Process, or other Proceeding by any general Creditor of the Company which shall have the Effect of diverting it from the Object to which it is so specially appropriated as aforesaid.

Mortgages may be taken in Exchange for Shares.

X. That the Directors may take in exchange for Debenture Shares of equal Value any Mortgage granted by the Company, or for which the Company shall be liable at the Time of the Creation of such Shares, or a Release or Acquittance for any Part of the Principal Money secured by any such Mortgage; and every Mortgage so taken in exchange shall be forthwith cancelled, and the Principal Money secured thereby, or for which any Release and Acquittance as aforesaid shall be given to the Directors, shall for all the Purposes of this Act be considered as repaid by Money raised by means of the said Debenture Shares.

Money paid off by Debenture Shares not to be re-borrowed.

XI. That it shall not be lawful for the Company to re-borrow the Money that shall be paid off by means of the said Debenture Shares.

Certain Provisions of 8 & 9 Vict. c. 16. as to Shares incorporated with this Act.

XII. That the Provisions of the Companies Clauses Consolidation Act, 1845, with respect to the several Matters following, (that is to say,) the Distribution of the Capital of the Company into Shares, the Transfer or Transmission of Shares, the Payment of Subscriptions, and the Means of enforcing the Payment of Calls, and the Forfeiture of Shares for Nonpayment of Calls, shall, subject to the Provisions of this Act, be incorporated herewith; and in construing such Provisions for the Purposes of this Act the Expression "the Company" shall mean the *Norfolk* Railway Company, and the Expressions "the Capital of the Company" and "Shares" shall mean the *Norfolk* Railway Debenture Shares, and no other Shares or Part of the Capital of the Company, and the Word "Shareholders" shall mean Holders of such Shares.

Preference Shareholders not to vote at Meetings.

XIII. That the Holders of preference or guaranteed Shares of the Company shall not be entitled to vote at any General Meeting of the Company, except on Questions in which their Interests may be specially affected.

Act not to prejudice existing Powers for raising further Capital.

XIV. That nothing in this Act contained shall be held or construed to take away, prejudice, or affect the Powers conferred upon the Company by the recited Acts passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act for enabling the* Norfolk *Railway Company to purchase or lease the* Lowestoft *Railway*, *Harbour*, *and Navigation*, for

for raising Money by the Creation of Shares, for purchasing or redeeming the said Undertaking, or the Rent and surplus Profits thereby required to be paid to the *Lowestoft* Railway and Harbour Company, or any other Powers for raising Money by the Creation of Shares conferred upon the Company by the recited Acts or any of them (except the said *Norfolk* Railway (*Reedham and Diss* Branches) Act, 1847), but every such Power, except as aforesaid, shall, notwithstanding the passing of this Act, continue in full Force as if this Act had not been passed.

Power to certain Railway Companies to enter into Contracts.

XV. That it shall be lawful for the said *Norfolk* Railway Company, and also for the *Halesworth, Beccles, and Haddiscoe* Railway Company, by and with the Authority and Approbation of Three Fifths in Value of the Proprietors present, either personally or by Proxy, at some General Meeting of each of the said Companies specially convened for the Purpose, from Time to Time to make and enter into Contracts or Agreements for working and using the Railway by the said "*Halesworth, Haddiscoe, and Beccles* Railway Act, 1851," authorized to be constructed, or any Part or Parts thereof respectively, or for the Maintenance and Repair thereof, or for or in respect of the Traffic passing along the same or any Part thereof and also along the *Norfolk* Railway or any Part thereof, as the said Companies may deem advisable, subject to the Provisions of the Railways Clauses Consolidation Act.

Interest not to be paid on Calls paid up.

XVI. That it shall not be lawful for the Company, out of any Money by this Act or 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 Dividends to any Shareholders 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 the Company's Capital.

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

Railways to be subject to the Provi-

XVIII. Whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance*

sions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., 9 & 10 Vict. c. 57., and 14 & 15 Vict. c. 64.

Conveyance of the Mails by Railway; and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways*; and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops*; and another Act was passed in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways*; and an Act was passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act for regulating the Gauge of Railways*; and an Act was passed in the Session of Parliament held in the Fourteenth and Fifteenth Years of the Reign of Her present Majesty, intituled *An Act to repeal the 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 *Norfolk* Railway Company, or *Halesworth, Beccles, and Haddiscoe* Railway Company respectively, or either of them, from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railways and Companies respectively so far as the same shall be applicable thereto.

Railways, &c. not exempt from Provisions of future General Acts.

XIX. That nothing herein contained shall be deemed to exempt the *Norfolk* Railway, or the *Halesworth, Beccles, and Haddiscoe* Railway, or either of the said Companies, from the Provisions of any General Act relating to this Act, or 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 pass during the present 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 on the said Railways.

Expenses of Act.

XX. That all Costs, Charges, and Expenses of and incidental to the obtaining of this Act and preparatory thereto shall be paid by the Directors of the *Norfolk* Railway Company out of any Monies belonging to the Company.

Short Title.

XXI. That the Short Title of this Act shall be, "*Norfolk* Railway (Regulation of Capital) Act, 1852," which shall be a sufficient Description thereof in all Documents and for all Purposes.

LONDON:
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