ANNO TRICESIMO

VICTORIÆ REGINÆ.

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Cap. xxxi.

An Act to cancel Two Bonds entered into by the *Norwich and Spalding* Railway Company; and for other Purposes relating to the Company.

[31st *May* 1867.]

WHEREAS by "The *Norwich and Spalding* Railway Act, 1853," a Company was incorporated "for making a "Railway from *Spalding* to *Sutton Bridge* and *Wisbeach*," and were authorized to raise for that Purpose by Shares the Sum of 170,000*l.*; and by the 11th Section of the same Act Provision is made for the Deposit in certain Contingencies with the Solicitor to the Lords Commissioners of Her Majesty's Treasury of a Bond in twice the Amount of 12,702*l.* 7*s.* 3*d.*, conditioned for Payment to Her Majesty, Her Heirs or Successors, of the said Sum, if the Company should not, within the Time limited for the Completion of the Railway authorized by the said Act, either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Board of Trade that they had paid up One Half of the Amount of the Capital authorized by the said Act to be raised by means of Shares, and had expended for the Purposes of the said Act a Sum equal in Amount to One Half of such Capital: And whereas in pursuance of the said Provision a Bond bearing Date the 28th Day

16 & 17 Vict. c. cxxiv.

of *March* 1855 was so deposited with the said Solicitor, and is now in his Hands, and a further Bond bearing Date the 17th Day of *April* 1855 was also so deposited with the said Solicitor, and is also now in his Hands: And whereas owing to the Circumstances attending the War with *Russia*, and from other Causes, the Company were unable to raise and expend within the Time so limited the necessary Capital for fulfilling the Conditions of the said Two Bonds, and the Time granted to the Company for the Completion of their Railway having expired, an Act was passed in the Year 1859 to enable "the *Norwich and* "*Spalding* Railway Company to extend their Railway from *Holbeach* "to *Sutton Bridge* in *Lincolnshire*," and the Company have in fact completed their Railway from *Spalding* through *Holbeach* to *Sutton Bridge*, and the same has long been opened for public Traffic, and the Company have expended on the said Undertaking a Sum exceeding 179,000*l.*: And whereas by the 25th Section of the said Act of 1853 it is enacted as follows, "It shall not be lawful for the Company to "open for Traffic any Portion of the Railways hereby authorized until "they shall be *bonâ fide* proceeding with a view to the Construction "and Completion of that Portion of the Railway to *Wisbeach* which "lies between *Sutton Saint Mary* and the Parish of *Wisbeach Saint* "*Peter*;" and by the 17th Section of the said Act of 1859 it is enacted, "that after the Expiration of Four Years from the passing of "the said Act it shall not be lawful for the Company to declare or "make any Dividend unless they shall have completed a Railway "Communication between *Spalding* and *Wisbeach* so as to join there "the *Eastern Counties* Railway or the *East Anglian* Railways:" And whereas in the Year 1860 the Company promoted a Bill to authorize them to extend their Railway on the Eastern Side of the River *Nene* to the *East Anglian* Railway at *Wisbeach*, but the said Bill was rejected by the Select Committee of the House of Commons to whom it was referred, and in Two following Sessions of Parliament, namely, in the Years 1862 and 1863, the Company promoted Bills to extend their Railway to *Wisbeach* on the Western or *Lincolnshire* Side of the River *Nene* without Success; but in the Year 1863 the *Peterborough, Wisbeach, and Sutton* Railway Act was passed, which fulfilled the Objects of extending, and the said Railway does in fact extend, the *Norwich and Spalding* Railway to *Wisbeach*, and the Committee of the House of Commons, when rejecting the Bill promoted by the Company and passing the *Peterborough, Wisbeach, and Sutton* Railway Bill, declared through their Chairman that the Company had prosecuted their Bill *bonâ fide*, in pursuance of the said Obligation imposed upon them by the said Act of 1859: And whereas it is expedient that in the Circumstances aforesaid the said Two Bonds should be cancelled, and it is also expedient that the said 25th Section of the said Act of 1853 and the 17th Section of the said Act of 1859 should be repealed: But inasmuch as these Objects cannot be effected without

22 & 23 Vict. c. cxviii.

without the Authority of Parliament, may it 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:

Short Title.

1. This Act may for all Purposes be cited as "The *Norwich and Spalding* Railway Act, 1867."

Cancelling certain Bonds.

2. At any Time after the passing of this Act the Solicitor to the said Lords Commissioners, on being thereunto required in Writing by the Company, may and shall cancel and deliver up to the Company the Bonds so executed as aforesaid by the Company and deposited with the said Solicitor, and the proper Officer of the Court of Common Pleas may and shall, upon the Production of the said Bonds so cancelled, enter up Satisfaction on the Record of such Bonds, and thereupon the Bonds or Obligations shall be discharged, and the Lands thereby affected shall be released and exonerated from all Claims in respect thereof.

Sect. 25. of 16 & 17 Vict. c. cxxiv. and Sect. 17. of 22 & 23 Vict. c. cxviii. repealed.

3. The 25th Section of "The *Norwich and Spalding* Railway Act, 1853," and the 17th Section of "The *Norwich and Spalding* Railway Act, 1859," are hereby repealed.

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

4. Nothing herein contained shall exempt the *Norwich and Spalding* Railway Company from the Provisions of any present or future General Act relating to Railways, or to the better or more impartial Audit of the Accounts of Railway Companies, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges by the said Acts relating to the Company, or either of them, authorized, or of the Rates for small Parcels thereby authorized.

Expenses of Act.

5. All the Costs, Charges, and Expenses of and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Company.

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