ANNO VICESIMO SEXTO & VICESIMO SEPTIMO

VICTORIÆ REGINÆ.

****

Cap. lxxxiii.

An Act for authorizing the *Saffron Walden* Railway Company to make and maintain Railways to the *Great Eastern* Railway at *Bartlow*; to raise further Monies; and for other Purposes.

[22d *June* 1863.]

WHEREAS by the *Saffron Walden* Railway Act, 1861, the *Saffron Walden* Railway Company (herein-after called "the Company") were incorporated, and were authorized to make and maintain the *Saffron Walden* Railway, and to raise a Capital of Twenty-five thousand Pounds in Shares and Eight thousand Pounds by borrowing: And whereas the making of a Railway which would connect the *Saffron Walden* Railway with the *Great Eastern* Railway at *Bartlow* would be of local and general Advantage: And whereas the Company are willing at their own Expense to carry into effect the Undertaking by this Act authorized: And whereas Plans and Sections showing the Lines and Levels of the intended Railways, and Books of Reference to the Plans containing the Names of the Owners in and through which those Railways are to be made and maintained, have been deposited with the respective Clerks of the Peace for the County of *Essex* and the Clerk of the Peace for the County of *Cambridge*, and those Plans, Sections, and

24 & 25 Vict. c. clxxviii.

Saffron Walden Railway Extension Act, 1863.

Books of Reference are in this Act referred to as the deposited Plans, Sections, and Books of Reference: And whereas it is expedient that Facilities be afforded for Traffic passing over the Railways by this Act authorized, and also over the Railways of the *Great Eastern* Railway Company, and that the *Great Eastern* Railway Company be authorized to subscribe to the Undertaking: And whereas it is expedient that Working and Traffic and other Arrangements between the Company and the *Great Eastern* Railway Company be authorized: And whereas it is expedient that the Company be authorized to raise Monies for the Purposes of this Act: And whereas the Objects of this Act cannot be attained 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,)

Short Title.

1. This Act may for all Purposes be cited as "*Saffron Walden* Railway Extension Act, 1863."

8 & 9 Vict. cc. 18. & 20., 22 & 23 Vict. c. 59., and 23 & 24 Vict. c. 106. incorporated.

2. "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," and "The Railways Clauses Consolidation Act, 1845," and "The Railway Companies Arbitration Act, 1859," (save so far as any of the Sections and Provisions of those Acts respectively are by this Act expressly varied or excepted,) are respectively incorporated with this Act.

Same Meaning to Words in Incorporated Acts as in this Act.

3. 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 excluded by the Subject or Context.

Power to take and use Lands.

4. Subject to the Provisions of this Act, the Company from Time to Time may for the Purposes of the Works by this Act authorized enter upon, take, and use such of the Lands shown on the deposited Plans and described in the deposited Books of Reference as they think fit.

Powers for compulsory Purchases limited.

5. The Powers of the Company under this Act for the compulsory Purchase of Lands shall not be exercised after the Expiration of Two Years after the passing of this Act.

Period for Completion of Railways.

6. The Lines of Railway by this Act authorized shall be completed within Four Years after passing of this Act, and on the Expiration of that Period the Powers of the Company for making the Lines of Railway or otherwise in relation thereto shall cease to be exercised, except as to so much thereof as is then completed.

7. In

Lands for extraordinary Purposes.

7. In addition to the other Lands which the Company are authorized to purchase they from Time to Time, by Agreement, may purchase or acquire for any of the extraordinary Purposes expressed in "The Railways Clauses Consolidation Act, 1845," incorporated with this Act, any Quantity of Land not exceeding Three Acres.

Power to make Railway according to deposited Plans.

8. Subject to the Provisions of this Act, the Company from Time to Time may make and maintain the several Lines of Railway and Works by this Act authorized, and so far as they are shown on the deposited Plans may make and maintain them in the Lines, and according to the Levels, and in and upon the Lands respectively shown on the deposited Plans and Sections.

Railway and Works authorized by this Act.

9. The Lines of Railway and Works by this Act authorized to be made and maintained by the Company comprise the following Lines of Railway, with all proper and sufficient Sidings, Stations, Approaches, Buildings, Works, and Conveniences connected therewith; (that is to say,)

Firstly, a Railway commencing in the Parish of *Saffron Walden* in the County of *Essex* by a Junction with the authorized Line of the Company, and terminating in the Parish of *Bartlow* in the County of *Cambridge* by a Junction with the authorized Line of the *Great Eastern* Railway from *Clare* to *Shelford*:

Secondly, a Railway commencing by a Junction with the said intended Railway firstly described in the Parish of *Ashdon* in the County of *Essex*, and terminating in the same Parish by a Junction with the authorized Line of the *Great Eastern* Railway from *Clare* to *Shelford*.

Railways authorized Part of Company's Undertaking.

10. The Railways and Works by this Act authorized to be made and maintained by the Company shall for the Purposes of Tolls, Fares, Rates, and Charges, and all other Purposes whatsoever, be Part of the *Saffron Walden* Railway, constituting the general Undertaking of the Company, as if the Railways by this Act authorized had originally formed Part thereof, and the Capital and other Monies of the Company shall be applicable for the making and Maintenance thereof accordingly.

Repeal of Toll Clauses in original Act.

11. Sections 25, 26, 27, 28, 29, and 30 of the *Saffron Walden* Railway Act, 1861, are by this Act repealed.

Tolls.

12. The Company may demand and take for the Use of their Railways, and for the Supply of Carriages, Waggons, or Trucks, any Tolls not exceeding the following; (that is to say,)

For Passengers.

First, in respect of Passengers conveyed upon the Railways, or any Part thereof, as follows:

For every Person Twopence Halfpenny *per* Mile, and if conveyed in or upon a Carriage belonging to the Company an additional Sum of One Penny *per* Mile:

Second,

For Animals.

Second, in respect of Animals conveyed upon the Railways, or any Part thereof, as follows:

Class 1. For every Horse, Mule, or other Beast of Draught or Burden, Threepence *per* Mile, and if conveyed in or upon a Carriage belonging to the Company an additional Sum of One Penny *per* Mile:

Class 2. For every Ox, Cow, Bull, or Neat Cattle, Twopence *per* Head *per* Mile, and if conveyed in or upon a Carriage belonging to the Company an additional Sum of One Penny *per* Mile:

Class 3. For every Calf, Pig, Sheep, Lamb, and other small Animal, One Penny each *per* Mile, and if conveyed in or upon a Carriage belonging to the Company an additional Sum of One Halfpenny *per* Mile:

Tonnage on Articles of Merchandise.

Third, in respect of Goods and other Things conveyed upon the Railways, or any Part thereof, as follows:

Class 4. For all Coals, Coke, Culm, Cannel, Ironstone, Iron Ore, Pig Iron, Bar Iron, Rod Iron, Sheet Iron, Hoop Iron, Plates of Iron, Slabs, Bullets and rolled Iron, Limestone, Chalk, Lime, Bricks, Sand, Fireclay, Cinders, Slag, and Stone, *per* Ton *per* Mile One Penny Farthing, and if conveyed in a Carriage belonging to the Company an additional Sum *per* Ton *per* Mile of One Halfpenny:

Class 5. For all Dung, Compost, and all Sorts of Manure, and all undressed Materials for the Repair of public Roads or Highways, Charcoal, Stones for building, pitching, and paving, Tiles, Slates, and Clay (except Fireclay), and for Wrought Iron not otherwise specifically classed herein, and for heavy Iron Castings, including Railway Chairs, *per* Ton *per* Mile One Penny Farthing, and if conveyed in a Carriage belonging to the Company an additional Sum *per* Ton *per* Mile of One Halfpenny:

Class 6. For all Sugar, Salt, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, Deals, and Metals (except Iron), Nails, Anvils, Vices, and Chains, and for light Iron Castings, *per* Ton *per* Mile Twopence Halfpenny, and if conveyed in a Carriage belonging to the Company an additional Sum *per* Ton *per* Mile of Three Farthings:

Class 7. For Cotton and other Wools, Drugs, and manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, or Things, *per* Ton *per* Mile Threepence, and if conveyed in a Carriage belonging to the Company an additional Sum *per* Ton *per* Mile of One Penny; for every Carriage of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, Fivepence *per* Mile, and if conveyed on a Truck or Platform belonging to the Company an additional Sum *per* Mile of One Penny, and a Sum of One Penny Halfpenny *per* Mile for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh.

13. The

Tolls for propelling Power.

13. The Company may demand for the Use of Engines for propelling Carriages on their Railways, any Sum not exceeding One Penny Farthing *per* Mile for each Passenger or Animal, or for each Ton of Goods or other Articles.

Maximum Rates of Charge for Passengers.

14. The maximum Rates of Charge to be made by the Company for the Conveyance of Passengers along their Railways, including the Tolls for the Use of the Railways, and of Carriages, and for locomotive Power, and every other Expense incidental to such Conveyance, shall not exceed the following Sums; (that is to say,)

For every Passenger conveyed in a First-class Carriage, Twopence Halfpenny *per* Mile:

For every Passenger conveyed in a Second-class Carriage, One Penny Three Farthings *per* Mile:

For every Passenger conveyed in a Third-class Carriage, One Penny *per* Mile.

For Animals and Goods.

15. And the maximum Rates of Charges to be made by the Company for the Conveyance of Animals and Goods, including the Tolls for the Use of the Railways, and Waggons or Trucks, and for locomotive Power, and every other Expense incidental to such Conveyance, except a reasonable Sum for loading, covering, and unloading of Goods at any terminal Station, of such Goods, and for Delivery and Collection, and any other Services incidental to the Duty or Business of a Carrier, where such Services, or any of them, are or is performed by the Company, shall not exceed the Amounts mentioned in the following Table; (that is to say,)

For every Animal in Class 1, Fourpence *per* Mile;

For every Animal in Class 2, Threepence *per* Mile;

For every Animal in Class 3, One Penny Halfpenny *per* Mile;

For every Thing in Class 4 and Class 5, One Penny Halfpenny *per* Ton *per* Mile;

For every Thing in Class 6, Threepence *per* Ton *per* Mile;

For every Thing in Class 7, Fourpence *per* Ton *per* Mile;

And for every Carriage of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per* Mile Sixpence.

Regulations as to Tolls.

16. The following Provisions and Regulations shall be applicable to the fixing of such Tolls and Charges; (that is to say,)

For Articles or Persons conveyed on the Railways for a less Distance than Four Miles the Company may demand Tolls and Charges as for Four Miles:

For a Fraction of a Mile beyond Six Miles, or beyond any greater Number of Miles, the Company may demand Tolls on Animals and Merchandise for such Fraction in proportion to the Number of Quarters of a Mile contained therein, and if there be a Fraction of a Quarter

a Quarter of a Mile such Fraction shall be deemed a Quarter of a Mile, and in respect of Passengers every Fraction of a Mile beyond an integral Number of Miles shall be deemed a Mile:

For a Fraction of a Ton the Company may demand Toll according to the Number of Quarters of a Ton in such Fraction, and if there be a Fraction of a Quarter of a Ton such Fraction shall be deemed a Quarter of a Ton:

With respect to all Articles except Stone and Timber, the Weight shall be determined according to the usual Avoirdupois Weight:

With respect to Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Teak, Beech, or Ash, and Fifty Cubic Feet of any other Timber, shall be deemed One Ton, and so on in proportion for any smaller Quantity.

Tolls for small Parcels and single Articles of great Weight.

17. And with respect to small Packages and single Articles of great Weight, be it enacted, That, notwithstanding the Rates of Tolls prescribed by this Act, the Company may lawfully demand the Tolls following; (that is to say,)

For the Carriage on the Railways or any Part thereof of any Parcel not exceeding Seven Pounds in Weight, Threepence:

For the Carriage of any Parcel exceeding Seven Pounds but not exceeding Fourteen Pounds in Weight, Fivepence:

For the Carriage of any Parcel exceeding Fourteen Pounds but not exceeding Twenty-eight Pounds in Weight, Sevenpence:

For the Carriage of any Parcel exceeding Twenty-eight Pounds in Weight but not exceeding Fifty-six Pounds in Weight, Ninepence:

And for the Carriage of any Parcel exceeding Fifty-six Pounds but not exceeding Five hundred Pounds in Weight the Company may demand any Sum which they think fit:

Provided always, that Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Terms shall apply only to single Parcels in separate Packages:

For the Carriage of any One Boiler, Cylinder, or single Piece of Timber or Stone, or other single Article the Weight of which, including the Carriage, shall exceed Four Tons, but shall not exceed Eight Tons, the Company may demand such Sum as they think fit not exceeding Sixpence *per* Ton *per* Mile:

For the Carriage of any single Piece of Timber, Stone, Machinery, or other single Article the Weight of which with the Carriage shall exceed Eight Tons, the Company may demand such Sum as they think fit.

Passengers Luggage.

18. Every Passenger travelling upon the Railways may take with him his ordinary Luggage, not exceeding One hundred and twenty Pounds in Weight for First-class Passengers, One hundred Pounds in Weight

Weight for Second-class Passengers, and Sixty Pounds in Weight for Third-class Passengers, without any Charge being made for the Carriage thereof.

Use of Cranes or Weighing Machines.

19. It shall be lawful for the Company to take for the Use of any Cranes or Weighing Machines erected by the Company of and from the Owner or Person having charge of any Goods, Articles, or Things, loaded or unloaded, weighed or measured by means of the same, such reasonable Sum as the Company shall from Time to Time appoint.

Company may take increased Charges by Agreement.

20. Provided always, That nothing herein contained shall be held to prevent the Company from taking any increased Charge over and above the Charges herein-before limited for the Conveyance of Goods of any Description by Agreement with the Owners of or Persons in charge of such Goods, either in respect of the Conveyance thereof (except small Parcels) by Passenger Trains, or by reason of any other special Service performed by the Company in relation thereto.

Restriction as to Charges not to apply to Special Trains.

21. Provided also, That the Restriction as to the Charges to be made for Passengers shall not extend to any Special Train that may be required upon the Railways, but shall apply only to the Ordinary and Express Trains appointed or to be appointed from Time to Time by the Company for the Conveyance of Passengers and Goods upon the Railways.

Definition of terminal Station.

22. No Station is to be considered a Terminal Station in regard to any Goods conveyed on the Railway which have not been received thereat direct from the Consignor of such Traffic, or are not directed to be delivered thereat to the Consignee.

Deposits in Court of Chancery to be forfeited to the Crown on a certain Event.

23. Whereas pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth and Tenth Years of Her present Majesty, Chapter Twenty, a Sum of Six thousand one hundred Pounds Bank Three Pounds *per Centum* Annuities, being equal in Value to Eight *per Centum* upon the Amount of the Estimate of Expense in respect of the Railway authorized by this Act, has been transferred to the Accountant General of the Court of Chancery in *England* in respect to the Application to Parliament for this Act: Be it enacted, That, notwithstanding anything contained in the said last-recited Act, the said Sum of Six thousand one hundred Pounds Bank Three Pounds *per Centum* Annuities so transferred as aforesaid in respect of the Application for this Act, or the Interest or Dividends of such Sum of Money, shall not, except upon the Execution and Deposit of such Bond as herein-after mentioned, be paid or transferred to or on the Application of the Person or Persons or the Majority of the Persons named in the Warrant or Order issued in pursuance of the said Act, or the Survivor or Survivors of them, unless the Company shall previously to the Expiration of the Period limited by this

Act

Act for Completion of the Railway hereby authorized to be made, either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if the said Period shall expire before the Company shall either have opened the said Railway for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the said Sum of Money deposited as aforesaid, and the Interest and Dividends thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*; provided that at any Time after the passing of this Act, if a Bond in twice the Amount of the said Sum of Six thousand one hundred Pounds shall have been executed by the Company, with One or more Sureties, (such Bond to be prepared to the Satisfaction of, and such Surety or Sureties to be approved by, the Solicitor to the Lords Commissioners of Her Majesty's Treasury,) conditioned for Payment to Her Majesty, Her Heirs and Successors, of the said Sum of Six thousand one hundred Pounds Bank Three Pounds *per Centum* Annuities, if the Company shall not within the Time limited for the Completion of the said Railway, either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee that the Company have paid up One Half of the Amount of the said Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if such Bond shall have been deposited with the said Solicitor to the said Lords Commissioners, then such Sum of Money, and the Interest and Dividends thereof, shall be transferred or paid to or on the Application of the Person or Persons, or the Majority of the Persons, named in such Warrant or Order as aforesaid, or the Survivors or Survivor of them, and it shall not be necessary to produce any Certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding; and the Monies to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Money and the Interest or Dividends thereof would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitor to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Lords of the said Committee that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

24. The

Great Eastern Company to afford Facilities for Traffic.

24. The *Great Eastern* Railway Company from Time to Time shall afford all proper and reasonable Facilities, including Through Booking, for the due, direct, and speedy Transmission, and shall accordingly duly, directly, and speedily transmit on their respective Railways all Passengers, Animals, and Goods whatsoever, which, having passed over the Railway by this Act authorized, or any Part thereof, is from Time to Time tendered to that Company respectively for Transmission on their respective Railways, or any Part thereof respectively, or which is from Time to Time tendered to them respectively for Transmission on their respective Railways, or any Part thereof respectively, for the Purpose of being afterwards conveyed on the Railways by this Act authorized or any Part thereof.

Terms for affording such Traffic Facilities.

25. Those Traffic Facilities shall be afforded by the *Great Eastern* Railway Company on Payment of such Tolls, Fares, Rates, or Charges, and on such Terms and Conditions and subject to such Rules and Regulations as are from Time to Time agreed on between the Company and that Company respectively, or as, failing Agreement between them respectively, are from Time to Time on their or any of their respective Application determined by an Arbitrator appointed by the Board of Trade.

Power to Great Eastern Company to contribute towards Funds of Company.

26. The *Great Eastern* Railway Company from Time to Time may subscribe for, take, and hold Shares in the Capital of the Company, any Sum in addition to the Sum authorized by the *Saffron Walden* Railway Act, 1861, not exceeding Twenty-three thousand Pounds, and the Amount of their Subscription shall be permanently held by them.

Power to Great Eastern Company to apply Monies for Contribution towards Funds of Company.

27. For the Purposes of any Contribution by the *Great Eastern* Railway Company towards the Funds of the Company, that Company may apply any Monies now or hereafter belonging to them or under their Control, and which are not by any Act or Acts relating to them expressly appropriated for any particular Purpose, or which, if so appropriated, are not required for that Purpose.

Sanction of Shareholders for Contribution by Great Eastern Company towards Funds of Company.

28. Provided always, That no Contribution towards the Funds of the Company shall be made, nor shall any Share or Stock be created for the Purpose by the *Great Eastern* Railway Company, without in every Case the Sanction of at least Three Fifths of the Votes of the Shareholders voting, in person or by proxy, at a General Meeting of the *Great Eastern* Railway Company convened with special Notice of the Object.

Power to Great Eastern Company to nominate Person to

29. The *Great Eastern* Railway Company, so long as they are Shareholders of the Company, may appoint any Person (whether a Shareholder in the Company or not) to vote on their Behalf at General Meetings of the Company, and from Time to Time may revoke any such Appointment,

vote at Meetings of Company.

ment, and appoint another Person in that Behalf, and every such Person so appointed by the *Great Eastern* Railway Company shall during the Appointment have the same Right of voting and acting at such General Meeting as he would have if the Shares of the Company then held by the *Great Eastern* Railway Company were held by him in his own Right.

Instruments of Appointment and Revocation of Person to vote.

30. Every such Appointment and Revocation shall be in Writing under the Seal of the *Great Eastern* Railway Company, and shall be delivered to the Company and kept with their Records; until the contrary be shown, every Instrument purporting to be the Instrument of any such Appointment or Revocation, and under the Seal of the *Great Eastern* Railway Company, and without Proof of the Seal thereto affixed being duly affixed, shall be Evidence of the Appointment or Revocation purporting to be thereby made: Provided always, that notwithstanding it be afterwards discovered that there is some Defect in the Appointment of any such Person, all his Votes and Acts as a Nominee of the *Great Eastern* Railway Company, and all Proceedings consequent thereon or relating thereto, shall be as valid as if he were duly appointed.

Agreements between Company and Great Eastern Company.

31. The Company and the *Great Eastern* Railway Company from Time to Time may make and carry into effect all such Agreements and Arrangements with respect to the Purposes in that Behalf by this Act authorized, and all Matters incidental or accessory thereto, as the respective contracting Companies think fit; and the Purposes for which the Agreement and Arrangements respectively may be made comprise the following Purposes; (that is to say,)

First, the Maintenance, Management, Working, and User by the contracting Companies, or either of them, of all or any Part of the Undertaking of the Company, Sidings, Stations, Works, and Conveniences thereof:

Secondly, the Collection, Transmission, and Delivery by the contracting Companies, or either of them, of the Traffic, whether local or through, on all or any Part of the Undertaking of the Company:

Thirdly, the Division and Apportionment between the contracting Companies respectively of all or any Part of the Tolls, Fares, Rates, and Charges in respect of the Traffic, whether local or through, on all or any Part of the Undertaking of the Company:

Fourthly, the Modification from Time to Time of any of the Rights or Liabilities under this Act, or under "The *Saffron Walden* Railway Act, 1861," of the respective contracting Companies as between themselves.

Railways to be deemed continuous.

32. During the Continuance of any such Working Agreement, in estimating the Tolls and Charges to be paid in respect of Articles or Persons conveyed over the Railway, or any Part of the Railway of any One

One contracting Company, and also over the Railways or any Part of the Railways authorized by this Act, the Distances traversed shall be reckoned continuously on such Railways as though they were One Railway.

Conditions of such Agreements.

33. All Agreements under this Act made between the Company on the one hand, and the *Great Eastern* Railway Company on the other hand, shall be subject to the Approval of the Board of Trade, and no such Agreement shall in any Manner increase or diminish, alter or affect any of the Tolls, Rates, or Charges which the Companies Parties thereto are from Time to Time respectively authorized and entitled to demand or take from any Person, but all other Persons shall, notwithstanding any such Agreement, be entitled to the Use and Benefit of the Railways to which the Agreement relates, on the same Terms and Conditions, and on Payment of the same Tolls and Charges, as if the Agreement were not entered into.

To be first approved by Shareholders.

34. No such Agreement shall have any Operation or Effect unless and until it be submitted to and approved by not less than Three Fifths of the Votes of the Shareholders present, personally or by proxy, at Extraordinary Meetings of the respective Companies Parties to such Agreement specially convened for the Purpose.

Agreements between Companies may be modified by the Board of Trade.

35. It shall be lawful for the Board of Trade, if they think fit, at the Expiration of Ten Years from the making of any such Agreement under this Act, and on the Expiration of every Ten Years from the Period when any Revision thereof shall be made by them, to cause the same to be revised, and the Board of Trade shall have Power to modify the Terms and Conditions of any such Agreement in such Manner as the Board may think necessary, and to declare such Modification to be Part of such Agreement, and the same shall be read and take effect accordingly.

Public Notice at Expiration of Decennial Period.

36. The Company, previously to the Expiration of each Decennial Period, shall give such public Notice as the Board of Trade may prescribe, that the Board is about to enter on the said Revision, and will entertain Complaints with a view to the Removal of any Evil resulting to the Public from any such Arrangement.

As to Tolls during Agreement.

37. So long as the *Great Eastern* Railway Company under the Provisions of this Act work the Traffic on the Railways, Tolls and Charges not exceeding such as are authorized by this Act may be demanded and taken by the same Company for the Use of the Railways.

Saving existing Right to contract.

38. Nothing in this Act contained shall lessen or invalidate the Right to make Contracts which the Company may derive from "The Railways Clauses Consolidation Act, 1845," or from the general Law.

39. The

Appointment of Joint Committee for carrying Agreements into effect.

39. The contracting Companies may by any such Contract or Agreement appoint a Joint Committee, composed of such Number of the respective Directors or Officers of those Companies as they may respectively think proper, and from Time to Time may alter, vary, and renew any such Committee as occasion may require, and may regulate the Proceedings of such Committee, and delegate to such Committee all such Powers of the contracting Companies respectively as may be necessary for carrying into effect the Purposes of such Contract or Agreement, and every such Joint Committee so appointed shall have and may exercise the Powers so for the Time being delegated to them in like Manner as the same might have been had and exercised by the contracting Companies respectively, or their respective Directors.

Power for Company to raise further Capital.

40. For the Purposes of the Railway and Works by this Act authorized, the Company may raise by the Creation and Issue from Time to Time of new Shares or new Stock the additional Capital of Seventy thousand Pounds.

Cancelling unissued new Shares and new Stock.

41. If after having created under his Act any new Shares or new Stock the Company shall not issue the whole of the new Shares or new Stock created, they may cancel the unissued new Shares or new Stock, and from Time to Time thereafter may create and issue instead thereof new Shares or new Stock of an aggregate Amount not exceeding the aggregate Amount of the new Shares or new Stock so cancelled.

If ordinary Shares or ordinary Stock at a Premium, new Shares and new Stock to be offered to ordinary Share or Stock Holders.

42. If at the Time of issuing any new Shares or new Stock under this Act, the then ordinary Shares or ordinary Stock of the Company are at a Premium, the new Shares or new Stock to be then issued shall (except so far as a General Meeting of the Company specially convened for the Purpose by at least Three Fifths of the Votes of the Shareholders and Stockholders present, in person or by proxy, thereat otherwise determine) be of such Amount as will conveniently allow the same to be apportioned among the then Holders of the ordinary Shares or ordinary Stock of the Company, in proportion to the ordinary Shares and ordinary Stock held by them respectively, and shall be offered to them at Par in that Proportion.

Offer by Letter.

43. The Offer shall be made by Letter under the Hand of the Secretary of the Company given to every such Holder, or sent by Post, addressed to him according to his Address in the Shareholders or Stockholders Address Book, or left for him at his usual or then last known Place of Abode in *England;* and every such Offer made by Letter shall be deemed to be made on the Day on which the Letter in due Course of the Post ought to be delivered at the Place to which it is addressed.

New Shares and new Stock to vest in accepting Shareholders.

44. The new Shares and new Stock so offered shall vest in and belong to the Holders who accept them and their Nominees.

45. If

Disposal of unaccepted new Shares and new Stock to others.

45. If any such Holder fail for One Month after the respective Offer of new Shares or new Stock to accept the same, the Company may dispose of the unaccepted new Shares or new Stock to any other Person.

Enlargement of Time for accepting new Shares and new Stock.

46. Provided, That where any such Holder, from Absence abroad, or any other Cause satisfactory to the Directors, omits to signify within the Time by this Act limited his Acceptance of the new Shares or new Stock offered to him, the Directors, if they think proper, but not otherwise, may permit him to accept the same, notwithstanding the Time has elapsed.

General Power to dispose of new Shares and new Stock.

47. Except as is by this Act otherwise expressly provided, the Company from Time to Time may dispose of the new Shares or new Stock to such Persons and on such Terms and Conditions as the Company think advantageous to themselves.

Application of Monies.

48. All and every Part of the Money raised by the Company under this Act by new Shares and by borrowing shall be applied only to the Purposes of the Company's Undertaking; and the Company may apply for the Purposes of this Act any Money raised by them under the *Saffron Walden* Railway Act, 1861, and not required for the Purposes thereof.

Capital created by Company under Act to be Part of their general Capital.

49. The Capital from Time to Time created by the Company under this Act shall be Part of the general Capital, and the several Holders from Time to Time of the new Shares and new Stock from Time to Time issued by the Company under this Act shall be Shareholders and Stockholders of the Company accordingly.

Dividends on new Shares and new Stock.

50. Every Person who becomes entitled to any new Share or new Stock issued by the Company under this Act shall in respect of the same, and except only so far as the Company before the Time of the Issue thereof otherwise determine, be entitled to the like Dividend and the like Rights of voting and Qualification and Privileges as the other Holders of the ordinary Shares and ordinary Stock of the Company, proportioned to the whole Amount from Time to Time actually paid on the new Shares and new Stock respectively.

Power to borrow on Mortgage.

51. For the Purposes of the Railway and Works by this Act authorized, the Company may from Time to Time borrow on Mortgage, and in addition to the other Sums which they from Time to Time are authorized to borrow on Mortgage, any Sums not exceeding in the whole Twenty-three thousand Pounds, provided that the Company shall not borrow any Part of that Sum of Twenty-three thousand Pounds until the whole Amount of Seventy thousand Pounds by this Act authorized to be raised by them by new Shares or new Stock has been subscribed for, and One Half thereof shall have been actually paid up, and until they

they shall prove to the Justice who is to certify under the Provisions contained in the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies that all such Capital has been subscribed for *bonâ fide*, and is held by Subscribers or their Assigns, and for which such Subscribers or their Assigns are legally liable.

Priority of existing Mortgages.

52. All Mortgages already granted by the Company and now in force shall during the Continuance thereof respectively have Priority over all Mortgages granted by the Company under this Act.

Arrears may be enforced by Appointment of a Receiver.

53. The Mortgagees of the Company may enforce the Payment of the Arrears of Principal and Interest due on their respective Mortgages by the Appointment of a Receiver, and the Amount to authorize a Requisition for a Receiver shall be Five thousand Pounds.

Application of Funds of Company for Purposes of Act.

54. Subject to the Provisions of this Act, the Company from Time to Time may apply for Purposes of this Act any Monies from Time to Time raised by them under any other Act and not required for Purposes for which they are thereby made specially applicable.

Interest not to be paid on Calls paid up.

55. No Railway Company to which this Act relates shall, out of any Money by this Act or any other Act relating to the respective Company authorized to be raised by Shares, or by borrowing, pay Interest or Dividend to any Shareholder on the Amount of the Calls made in respect of the Shares held by him; provided that the respective Company may pay to any Shareholder such Interest on Money advanced by him beyond the Amount of Calls actually made as is in conformity with "The Companies Clauses Consolidation Act, 1845."

Deposits for future Bills not to be paid out of the Capital.

56. No Railway Company to which this Act relates shall, out of any Money by this Act or any other Act relating to the respective Company authorized to be raised by Shares, or by borrowing, pay or deposit any Sum of Money which by any Standing Order of either House of Parliament from Time to Time in force is required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the respective Company to make any Railway, or execute any other Work or Undertaking.

Saving Rights of Companies, &c.

57. Except as is by this Act expressly provided, nothing in this Act contained shall take away, lessen, alter, or prejudice any of the Estates, Rights, Interests, Powers, or Privileges of the Company, or of the *Great Eastern* Railway Company.

Railways not exempt from Provisions of present and

58. Nothing in this Act contained shall exempt any Railway to which this Act relates from the Provisions of any General Act relating to Railways or to the Audit of the Accounts of Railway Companies now or hereafter

hereafter in force, or from any future Revision and Alteration under the Authority of Parliament of the maximum Tolls, Rates, and Charges by this Act or any other Act relating to the respective Railway authorized or the Rates for small Parcels thereby authorized. future General Acts.

59. All the Costs, Charges, and Expenses of and incidental to the preparing for, obtaining, and passing of this Act shall be paid by the Company. Expenses of Act.

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