ANNO QUINQUAGESIMO QUARTO

GEORGII III. REGIS.

Cap. 42.

An Act for enabling the *Severn* and *Wye* Railway and Canal Company to raise a further Sum of Money for the Completion of their Works.

[18th *May* 1814.]

WHEREAS by an Act made and passed in the Forty-ninth Year of the Reign of His present Majesty, intituled *An Act for making and maintaining a Railway from the River* Wye, *at or near to a Place called* Lidbrooke, *in the Parish of* Ruardean, *in the County of* Gloucester, *to or near to a Place called the* Lower Forge, *below* Newern, *in the Parish of* Lydney, *in the said County, and for making other Railways therein mentioned, in the Forest of* Dean, *in the County of* Gloucester, certain Persons therein named were united into one Body Corporate, by the Name and Style of *The* Lydney *and* Lidbrooke *Railway Company*, and were thereby authorized and empowered to make such Railways and Tramroads as in the said Act are mentioned; and were also authorized and empowered to raise and contribute among themselves, in such Proportions as they should think proper, for making and completing the Railways and the Works thereby authorized to be made, the Sum of Thirty-five thousand Pounds, and also, if necessary, to raise and contribute among themselves, or by the Admission of new Subscribers, any further Sum of Money, not exceeding the Sum of Twenty thousand Pounds, to be divided into Shares of Fifty Pounds each; and Powers were thereby given to the said Company to raise the said Sum of Twenty thousand Pounds, in case they should think it expedient, by Promissory Notes bearing Interest, either with or without an Option to the Holder of becoming a Proprietor in the said Undertaking, in lieu of the Principal Money secured to him, or to raise the same by Mortgage of the Rates arising by the said Undertaking: And whereas by an Act made and passed in the Fiftieth Year of the Reign of His present Majesty, intituled *An Act to alter and amend the* Lydney *and* Lidbrook *Railway Act, and to vary certain Parts of the said Railway, and to extend the same from* Lidbrook *to* Bishop's Wood, *and from the* Lower Forge *to the* Cross Pill, *and for making a Basin and Canal to communicate with the River* Severn *at* Nass Point, the Style of the said Company was changed to that of *The* Severn *and* Wye *Railway Company*,

49G.3.c.149.

50G.3.c.215.

Company, and the ſaid Company of Proprietors were authorized and empowered to alter and vary ſome Parts of the Line of the ſaid Railway and Tram-road, and to make a Baſin and Canal, in manner therein mentioned: And whereas by an Act made and paſſed in the Fifty-firſt Year of the Reign of His preſent Majeſty, intituled *An Act to enable the* Severn *and* Wye *Railway Company to raiſe a further Sum of Money for the Completion of their Works, and for levying a Tonnage Rate on certain Veſſels and Goods now exempted, and further to extend the Powers granted to the ſaid Company*, the ſaid Company were authorized and empowered to raiſe, for the Purpoſes of the ſaid Acts, the Sum of Four thouſand four hundred Pounds, Part of the Sum of Twenty thouſand Pounds, which they were authorized and empowered to raiſe under the ſaid firſt-recited Act, either by the Modes or any of the Modes and in the Manner in the ſaid firſt-recited Act mentioned, for raiſing the ſaid Sum of Twenty thouſand Pounds, or by the Modes or any of the Modes therein-after mentioned, for raiſing the further Sum of Thirty thouſand Pounds, by the ſaid Act now in Recital authoriſed to be raiſed; and the ſaid Company were thereby alſo authoriſed and empowered to raiſe, for the Purpoſes of the ſaid Acts, the further Sum of Thirty thouſand Pounds, or ſo much thereof as ſhould be neceſſary for the completing and maintaining the Works authoriſed to be made by the ſaid Acts, by creating new or additional Shares of Fifty Pounds each, to be ſubſcribed for in Manner therein mentioned, or by borrowing the ſame upon Promiſſory Notes bearing Intereſt, either with or without ſuch Option, as in the ſaid firſt-recited Act is mentioned, or by Mortgage of the Rates ariſing by the ſaid Undertaking, or partly by Promiſſory Notes, and partly by Mortgage: And whereas the ſaid ſeveral Sums of Thirty-five thouſand Pounds, Twenty thouſand Pounds, and the Sum of Twenty-ſeven thouſand five hundred Pounds, Part of the ſaid Sum of Thirty thouſand Pounds, have been all raiſed in Shares under the Authority of the ſaid recited Acts; and not only all the Sums ſo raiſed have been expended, but conſiderable Debts yet unpaid have been incurred by the ſaid Company in the Proſecution of the Works authoriſed by the ſaid Acts; and very conſiderable Progreſs has been made in effecting the Purpoſes of the ſaid Acts: And whereas a greater Expence than was heretofore eſtimated will neceſſarily be incurred in the completing and maintaining the ſaid Works; and it is expedient that the ſaid Company of Proprietors ſhould be authoriſed and empowered to raiſe (over and above the Sum of Two thouſand five hundred Pounds, the Reſidue of the ſaid Sum of Thirty thouſand Pounds, which they were empowered to raiſe by the ſaid laſt-recited Act, and which ſtill remains unpaid or not raiſed) a further Sum of Money, in Manner herein-after mentioned, in order to enable them to diſcharge their Debts yet unpaid, and to complete and fulfil the Purpoſes of the ſaid recited Acts; and that the Powers and Proviſions of the ſaid Acts ſhould be altered and enlarged in the Reſpects herein-after mentioned: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King'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, That it ſhall and may be lawful to and for the ſaid Company of Proprietors, and they are hereby authoriſed and empowered, to raiſe, for the Purpoſes of the ſaid Acts, the ſaid Sum of Two thouſand five hundred Pounds, the Reſidue which remains unpaid or unraiſed of the ſaid Sum of Thirty thouſand Pounds, which they were authoriſed or empowered to raiſe as aforeſaid, and alſo the further or additional Sum of Thirty thouſand Pounds, or ſo much thereof as

51 G. 3. c. 193.

Proprietors may raiſe the 2,500*l.*

as ſhall be neceſſary for the Diſcharge of the Debts and Expences already incurred by the ſaid Company in the Proſecution of the ſaid Undertaking, and which yet remain unpaid; and for the making, completing, and maintaining, and paying the Works and Expences authorized to be made or incurred by the ſaid Acts, and for defraying any Expences to be incurred by the Authority of a General Meeting of the ſaid Company of Proprietors, to be convened in the Manner in the ſaid firſt-mentioned Act preſcribed, or held as by this Act appointed, in or relating to any Matter which may be deemed conducive to the Intereſts of the ſaid Company, by the Modes or any of the Modes, under the Reſtrictions and Regulations, with ſuch Preference or Right of Pre-emption of new Shares, and in the Manner in the ſaid laſt-recited Act mentioned and appointed for raiſing the Sum of Thirty thouſand Pounds, thereby authorized to be raiſed, as fully and effectually to all Intents, Effects, and Purpoſes, as if the ſeveral Clauſes, Proviſions, Powers, Authorities, Orders, Rates, Regulations, Directions, Matters, and Things in the ſaid laſt-recited Act contained or adopted in regard to the Sum of Thirty thouſand Pounds thereby authorized to be raiſed, were herein repeated and applied to this preſent Act, and as if the ſaid Sum of Money hereby authorized to be raiſed, had been Part of the Sum of Thirty thouſand Pounds thereby authorized to be raiſed; ſave and except nevertheleſs as herein-after is mentioned.

New Shares to be deemed Perſonal Eſtate.

II. And be it further enacted, That any new or additional Shares in the ſaid Undertaking, which ſhall be created by virtue of this Act, ſhall be deemed Perſonal Eſtate, and be tranſmiſſible as ſuch, and not of the Nature of Real Property; and all Bodies Politic, Corporate and Collegiate, and all Perſons, their ſeveral and reſpective Succeſſors and Aſſigns, who ſhall ſeverally ſubſcribe for One or more ſuch new Share or Shares, ſhall be and they are hereby declared to be Owners and Proprietors thereof, and ſhall and they are hereby united to and incorporated with the ſaid Company; and ſuch new Shares ſhall be numbered in like Manner as is directed by the ſaid firſt recited Act, concerning the reſpective Shares of Fifty Pounds thereby authoriſed to be raiſed; and the Proprietor of any new Share or Shares to be created by virtue of this Act, ſhall be a Proprietor in the ſaid Undertaking, and ſhall have a like Vote by himſelf or herſelf, or his or her Proxy, in reſpect of ſuch new Share or Shares; and ſhall alſo be liable to ſuch Forfeitures, and ſtand intereſted in all the Profits of the ſaid Undertaking, to accrue and become due at and from the Twenty-ninth Day of *September* next, but not including the Dividend to be made on that Day, as generally and extenſively to all Intents and Purpoſes, as if ſuch Sum hereby allowed to be raiſed had originally been Part of the ſaid Sum of Thirty-five thouſand Pounds, by the ſaid firſt recited Act authorized to be raiſed; any Thing therein contained to the contrary thereof in anywiſe notwithſtanding.

New Subſcribers to be incorporated with the Company, and have and enjoy the like Powers.

Proviſions of the former Acts extended to this Act.

III. And be it further enacted, That all the Clauſes, Powers, Proviſions, Authorities, Orders, Rules, Regulations, Limitations, Reſtrictions, Prohibitions, Directions, Exemptions, Forfeitures, Puniſhments, Remedies, Matters, and Things, in the ſaid firſt recited Act or the ſaid laſt recited Act contained, concerning the Sums thereby authorized to be raiſed; and the numbering and entering in a Book the Shares thereby to be raiſed, and delivering Tickets of ſuch Shares to the Owners thereof reſpectively, and the Form and Expences of ſuch Tickets, and the Calls for Money from the Proprietors of Shares by the Committee for the Time being

being of the ſaid Company of Proprietors, and the enforcing of ſuch Calls and Payments of Subſcriptions by bringing Actions for the ſame, or otherwiſe, and the Forms and Proceedings therein, and the Sale and Conveyance of the ſaid Shares, and all other the Clauſes, Powers, Proviſions, Authorities, Orders, Rules, Regulations, Limitations, Reſtrictions, Prohibitions, Directions, Exemptions, Forfeitures, Puniſhments, Remedies, Matters, and Things, in the ſaid firſt recited Act or the ſaid laſt recited Act contained, in or in relation to the Sums thereby authorized to be raiſed, ſhall, and the ſame are hereby extended to the Sum hereby authorized to be raiſed, and ſhall take effect, operate, be put in Execution, and be uſed, exerciſed, applied, and enforced in the ſame Manner, and as fully and effectually to all Intents, Effects, and Purpoſes, as if the ſeveral Clauſes, Proviſions, Powers, Authorities, Orders, Rules, Regulations, Limitations, Reſtrictions, Prohibitions, Directions, Exemptions, Indemnities, Penalties, Forfeitures, Puniſhments, Remedies, Matters, and Things contained in the ſaid firſt recited Act or the ſaid laſt recited Act, in regard to the Sums thereby authorized to be raiſed, were herein repeated and applied to this preſent Act, and as if the ſaid Sum of Money hereby authorized to be raiſed, had been Part of the Sum authorized to be raiſed by the ſaid laſt recited Act; ſave and except nevertheleſs that the Committee for the Time being of the ſaid Company of Proprietors ſhall or may, and they are hereby authorized and empowered to make Calls for the Sums hereby authorized to be raiſed, at ſuch Times and to ſuch Amount as they ſhall think proper; any Thing in the ſaid recited Acts contained to the contrary thereof in anywiſe notwithſtanding.

Committee may make Calls.

Proviſions in this Act to be executed in the ſame Manner as if enacted in the recited Acts.

IV. And be it further enacted, That all and every the Proviſions and Clauſes of this Act, ſhall, in the Execution of the ſaid recited Acts, or either of them, be uſed, applied, and conſtrued in like Manner as if the ſame were ſpecially enacted in the ſaid Acts; and all and every the Proviſions and Clauſes of the ſaid recited Acts, ſhall, in the Execution of this Act, (except where the ſame are hereby expreſsly varied) be uſed and applied, extended and conſtrued in like Manner, as if the ſame Proviſions and Clauſes (except as aforeſaid) were ſpecially enacted in this Act; and that for the Purpoſe of more ſpeedily carrying this Act into Execution, the next General Aſſembly ſhall be held at *The Plume of Feathers* in *Lydney*, on the Second *Tueſday* next after the paſſing of this Act, at the Hour of Eleven in the Forenoon; and the ſame ſhall be a General Aſſembly for the Purpoſes of the ſaid recited Act and this Act.

Expences of this Act to be paid.

V. And be it further enacted, That the Coſts, Charges and Expences attending the ſoliciting, obtaining, and paſſing this Act, ſhall be paid out of any Money already raiſed or received, or hereafter to be raiſed and received, under the Powers and Proviſions of the ſaid recited Acts and this Act, in Preference to all other Payments whatſoever.

Public Act.

VI. And be it further enacted, That this Act ſhall be deemed and taken to be a Public Act, and ſhall be judicially taken Notice of as ſuch, by all Judges, Juſtices, and others, without being ſpecially pleaded.

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