ANNO DECIMO NONO & VICESIMO

VICTORIÆ REGINÆ.

Cap. xlvii.

An Act to amend and consolidate the Acts relating to the *Shrewsbury and Hereford* Railway Company, to enable that Company to raise further Sums of Money, to acquire additional Lands; and for other Purposes. [23d *June* 1856.]

WHEREAS 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 making a Railway from* Shrewsbury *to* Hereford, *to be called the* Shrewsbury and Hereford *Railway*, and by such Act a Company was incorporated under the Name and Style of "The *Shrewsbury and Hereford* Railway Company," with Power to raise a Capital of Eight hundred thousand Pounds in Shares, and Two hundred and sixty-six thousand Pounds by Mortgage: And whereas another Act was passed in the Session of Parliament held in the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, intituled *An Act to amend the Act relating to the* Shrewsbury and Hereford *Railway Company*, whereby the Share Capital of the said Company was reduced to the Sum of Four hundred and fifty thousand Pounds, divided into Forty-five thousand Shares of Ten Pounds each, and the Company were authorized to borrow on Mortgage

9 & 10 Vict. c. cccxxv.

13 & 14 Vict. c. xxvi.

Mortgage or Bond any Sums not exceeding in the whole the Sum of One hundred and fifty thousand Pounds, amounting together to the Sum of Six hundred thousand Pounds: And whereas the Company have in pursuance of the said recited Acts raised the Sum of Three hundred and seventy-nine thousand three hundred and ninety-two Pounds by the Creation and Issue of Shares, and have also raised the further Sum of One hundred and fifty thousand Pounds by Mortgage of their Undertaking: And whereas the said Railway has been constructed and opened throughout with a single Line of Rails, and the Bridges thereon have been built of such Dimensions as to admit of the same being constructed with a double Line of Rails, and the Land for constructing the Railway with such double Line of Rails has been acquired by the Company: And whereas another Act was passed in the Seventeenth and Eighteenth Years of the Reign of Her present Majesty, intituled *An Act to authorize the* Shrewsbury and Hereford *Railway Company to provide Station Accommodation in* Shrewsbury *and* Hereford, *and to enter into Arrangements and Agreements with the* Hereford, Ross, and Gloucester *Railway Company*, and by such Act the Company were authorized to acquire additional Land at *Shrewsbury* for the Accommodation of the Goods Traffic in connexion with their Railway, and to provide such Accommodation thereon as they should think necessary for the Accommodation of the said Traffic, and also to enter into Arrangements and Agreements with the *Hereford, Ross, and Gloucester* Railway Company for the Formation, Maintenance, Arrangement, Management, and joint Use of a Station at *Hereford* for the Accommodation of the Traffic of the said Companies, and to purchase and hold Lands, and to construct and maintain the necessary Works for such Station; and the *Hereford, Ross, and Gloucester* Railway Company were authorized from Time to Time to raise such Sum or Sums as might be necessary for the Purpose of providing such joint Station at *Hereford*, not exceeding in the whole the Sum of Thirty thousand Pounds: And whereas the *Shrewsbury and Hereford* Railway Company have under the Powers of the said last-recited Act acquired additional Lands at *Shrewsbury*, and have provided thereon additional Accommodation for the Goods Traffic of their Railway; and they have also in conjunction with the *Hereford, Ross, and Gloucester* Railway Company erected and provided a joint Station near *Barr's Court* in the City of *Hereford* for the Accommodation of the Traffic of the said Companies respectively: And whereas by another Act passed in the Seventeenth and Eighteenth Years of the Reign of Her present Majesty, intituled *An Act to enable the* Shrewsbury and Hereford *Railway Company to lease their Undertaking*, the Company were authorized and empowered to lease their Undertaking to *Thomas Brassey*, of No. 8, *Adam Street, Adelphi*, in the City of *Westminster*, Contractor, his Executors, Administrators, or Assigns, for any Term or Number of Years not exceeding Nine; and in pursuance of the

17 & 18 Vict. c. cxlix.

17 & 18 Vict. c. clxxiv.

Powers

Powers contained in the said last-recited Act, the Company have made and granted to the said *Thomas Brassey*, his Executors, Administrators, and Assigns, a Lease of their said Undertaking for a Term of Eight Years from and after the First Day of *July* in the Year One thousand eight hundred and fifty-four: And whereas the Company have not created any Preference Stock or Shares: And whereas in consequence of the Completion of various Railways communicating with the *Shrewsbury and Hereford* Railway since the same was opened, the Traffic upon the Railway both in Passengers and in Goods has greatly increased, and it is expedient and will be for the public Advantage that a double Line of Rails should be laid down throughout the said Line of Railway: And whereas it is also expedient for the Accommodation of the Traffic upon the Railway that the Company should be enabled to take the Lands herein-after mentioned for the Formation of additional Sidings, and the Enlargement of several of their present Stations: And whereas it is also expedient that the Company should be authorized to raise an additional Sum of Money for the Completion and general Purposes of their Undertaking: And whereas it is expedient that some of the Provisions of the said recited Acts should be modified and amended, and that, in order to avoid the Inconvenience arising from several Acts relating to the same Purposes being in force at the same Time, the said recited Acts should be repealed, and the Provisions thereof, when modified and amended as aforesaid, should be consolidated into One Act, but the same cannot be done 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.

I. This Act may for any Purpose be cited as "The *Shrewsbury and Hereford* Railway Act, 1856."

Recited Acts repealed.

II. Subject to the Provisions of this Act, the Four recited Acts relating to the *Shrewsbury and Hereford* Railway are hereby repealed, but, notwithstanding such Repeal, they may be cited for any Purpose by their respective Short Titles.

Certain Sections of Acts hereby repealed, as in Schedules (A.) & (B.), continued.

III. The several Sections and Provisions of the Acts hereby repealed set forth in the Schedules (A.) and (B.) to this Act shall, notwithstanding the Repeal of such Acts, continue in full Force so far as the same were in force and capable of being exercised or acted upon immediately before the passing of this Act, and such Sections and Provisions shall respectively have the same Interpretation and Operation as they would have had if the said Acts had not been repealed, and shall be binding upon the Company and all Persons bound thereby or liable thereunder to the same Extent as they would

have

have had if the Act in which those Sections and Provisions respectively were contained had not been repealed; and all Acts, Agreements, Leases, Matters, and Things made or done thereunder, or by virtue or in pursuance thereof, or which may have been confirmed or sanctioned thereby, shall be unaffected by the passing of this Act, and shall be equally valid and effectual and binding on the Company and all Persons or Companies bound thereby or liable thereunder to the same Extent as if this Act had not been passed.

Company to continue incorporated.

IV. Notwithstanding the Repeal of the Acts hereby repealed, the Company shall, for the Purposes of this Act, and, as from the passing of "The *Shrewsbury and Hereford* Railway Act, 1846," remain incorporated by the Name of "The *Shrewsbury and Hereford* Railway Company," with Power to purchase, take, and hold and dispose of Lands and other Property for the Purposes of their Undertaking, and with all the other Incidents of an incorporated Company.

8 & 9 Vict. cc. 16., 18., & 20. incorporated.

Interpretation of Terms.

V. "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," are hereby incorporated with this Act; and in construing the said Acts for the Purposes of this Act, and in construing this Act, the following Words and Expressions shall have the Meanings hereby assigned them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

The Expression "the Special Act" shall mean this Act:

The Expressions "the Company" or "the Promoters of the Undertaking" shall mean the *Shrewsbury and Hereford* Railway Company constituted by this Act;

The Expressions "the Undertaking," or "the Works," or "the Railway," shall mean the Undertaking or Works by this Act vested in or authorized to be made by the Company.

Company to continue seised and possessed of their Undertaking, Estate, and Effects.

VI. The Company shall continue seised and possessed of and entitled to all the Railways, Tramways, Undertakings, Buildings, and Works of every Description, and Shares of and Interests in all joint Stations, Railways, Tramways, Undertakings, Buildings, and Works of every Description, and all the Lands, Tenements, Hereditaments, Estate, and Effects, Real and Personal, whereof they were seised or possessed or whereto they were entitled immediately before the passing of this Act, as fully and effectually to all Intents and Purposes, as if the recited Acts had not been hereby repealed.

Conveyances to remain in force.

VII. All Purchases, Sales, Conveyances, Assignments, Leases, Mortgages, Bonds, Contracts, Agreements, Securities, and other Acts and Things made, done, entered into, executed, or instituted under or by virtue or in consequence of any of the Acts hereby repealed, or with reference to any of the Purposes thereof, shall, notwith-

notwithstanding the Repeal of the said Acts, be as good, valid, and effectual, to all Intents and Purposes, as they would have been if the said Acts had not been repealed, and may be proceeded on and enforced accordingly.

Continuance of Liabilities of Company under Acts hereby repealed.

VIII. Notwithstanding the Repeal of the recited Acts, and except only as is by this Act otherwise expressly provided, everything before the passing of this Act done and suffered under or confirmed by any of the repealed Acts shall be as valid as if such Acts were not repealed, and the Repeal thereof and this Act respectively shall accordingly be subject and without Prejudice to everything so done or suffered, and to all Rights, Liabilities, Claims, and Demands, both present and future, which if the said Acts were not repealed and this Act were not passed would be incident to or consequent on any and every thing so done or suffered; and the Company continued by this Act shall be liable in respect to all such Rights, Liabilities, Claims, and Demands in the same Manner and to the same Extent as the Company would have been liable in respect of such Rights, Liabilities, Claims, and Demands in case this Act had not been passed: Provided always, that the Generality of this Enactment shall not be restricted by any of the other Clauses and Provisions of this Act.

Actions, &c. not to abate.

IX. No Action, Suit, Prosecution, or other Proceeding commenced either by or against the Company before the passing of this Act, shall abate or be discontinued or prejudicially affected by this Act, but on the contrary shall continue and take effect, whether in favour of or against the Company, in like Manner in all respects as the same would have continued and taken effect for or against the Company, the Acts relating to whom are hereby repealed; and all Offences against the Provisions of the Acts hereby repealed, or any of them, committed before the passing of this Act may be prosecuted, and all Penalties incurred by reason of such Offences may be sued for in like Manner in all respects as if the Acts in which the said Provisions are contained had not been repealed.

Reserving Powers and Provisions of Acts not hereby repealed.

X. All the Powers and Provisions contained in any Act or Acts of Parliament relating to the *Shrewsbury and Hereford* Railway Company, not being the recited Acts hereby repealed, shall, except in so far as they are expressly varied or modified by this Act, continue in full Force notwithstanding the passing of this Act, and may be exercised or enforced, either by or against or in reference to the Company, in like Manner and to the same Extent as they might have been enforced if this Act had not been passed, and all Acts, Agreements, Matters, and Things done thereunder or in virtue and pursuance thereof, or which may have been confirmed or sanctioned thereby, shall, except as aforesaid, be unaffected by the passing of this Act.

Debts due to and by the Company to be paid to and by them.

XI. All Persons who immediately before the passing of this Act owed any Sum of Money to the Company, or to any Person on their Behalf, shall pay the same, with all the Interest (if any) due and payable or accruing for the same to the Company, and all Moneys which immediately before the passing of this Act were due or owing by or recoverable from the Company, or for the Payment and Satisfaction of which the Company were or but for this Act would be liable, shall, with all Interest (if any) due or to accrue thereon, be paid by or be recoverable from or be satisfied by the Company.

Shareholders to pay Calls.

XII. The several Persons and Corporations who immediately before the passing of this Act were Shareholders of the Company, and their respective Executors, Administrators, and Assigns, shall pay to the Company the Amount of their respective Shares, or so much thereof as has not been paid prior to the passing of this Act, with all Interest (if any) due or to accrue due thereon, and shall so pay the same when and as the same is called up or otherwise demanded by the Company, according to the Provisions of the recited Acts or this Act.

As to Payment of Moneys into the Bank of England.

XIII. In every Case in which, under the Provisions of any of the Acts hereby repealed, any Money was before the passing of this Act paid by the Company into the Bank of *England*, or to any Trustees or Trustee, as Purchase or Compensation Money, or on any other Account, such Money, or the Stocks, Funds, or Securities in or upon which the same is or shall be invested by the Order of the Court of Chancery, or otherwise, and the Interest, Dividends, and annual Produce thereof, shall after the passing of this Act be applied and disposed of pursuant to the Act under which the said Money was so paid, and the Obligations of the Company under such Act with respect to such Moneys, Stocks, Funds, and Securities shall be observed and performed by the Company.

Officers to continue.

XIV. Every Officer and Servant appointed by virtue of or acting under the Authority of the repealed Acts, or any of them, shall hold and enjoy his Office and Employment with the Salary thereunto annexed, and be deemed an Officer or Servant of the Company, until he be removed from such Office or Employment, and he shall have the like Power and Authority for the Purposes of this Act, and be subject to the like Power of Removal, Rules, Regulations, Pains, and Penalties in all respects whatsoever as if he were appointed under this Act.

Books to be Evidence.

XV. All Books, Certificates, Writings, and Documents by any of the repealed Acts directed or authorized to be kept or made Evidence, and which if this Act had not been passed would be receivable in Evidence, shall be admitted in Evidence in all Courts of Law and Equity and elsewhere accordingly.

XVI. All

Byelaws, &c. to remain in force.

XVI. All Byelaws, Resolutions, Orders, Notices, and Proceedings of the Company and the Directors thereof, made and taken before the passing of this Act, shall, until altered by the Company under the Provisions of this Act, continue of full Force and Effect as if this Act had not been passed, and such Byelaws may be enforced and all Penalties thereunder may be recovered accordingly.

Capital.

XVII. Upon the passing of this Act the Share Capital of the Company shall be Six hundred and seventy-five thousand Pounds, inclusive of the Capital which they are at present authorized to raise by the Creation of Shares; and such Capital shall consist of the Shares created by them prior to the passing of this Act; (that is to say,) Forty-five thousand Shares of Ten Pounds each, and also of the Sum of Two hundred and twenty-five thousand Pounds, for which it shall be lawful for the Company in manner herein-after provided to create new Shares or Stock.

Certificates of Shares in old Capital to continue available.

XVIII. The Certificates of the Shares created and issued under the Powers of the Acts hereby repealed shall be the Certificates of the Shares of so much of the Capital of the Company as has been raised at the passing of this Act; and such Shares and Certificates respectively shall continue and be vested in the same Persons, and be subject to the same Trusts and Liens, and with the same Powers and Privileges in all respects as immediately before the passing of this Act, and so as to give effect to and not revoke any Testamentary Disposition affecting the same.

Power to borrow Money on Mortgage.

XIX. When and so soon as the whole of the said Capital of Six hundred and seventy-five thousand Pounds shall be subscribed for and One Half thereof paid up, it shall be lawful for the Company to borrow on Mortgage or Bond such Sums of Money as may from Time to Time be authorized to be borrowed by an Order of any General or Special General Meeting of the Company, not exceeding in the whole the Sum of Two hundred and twenty-five thousand Pounds, including the Amount already borrowed by them.

Application of Capital, &c.

XX. Provided always, That the whole Sums of Money which the Company are hereby authorized to raise by the Creation of Shares, or upon Mortgage or Bond, shall be applied exclusively towards the Purposes of their Undertaking and in the Completion thereof, as authorized by the Acts hereby repealed and by this Act, and to no other Purpose whatsoever.

Power to re-borrow.

XXI. If the Company shall pay off any Sums owing by them on Mortgage or Bond, whether the same shall have been borrowed prior to the passing of this Act or subsequent thereto, it shall be lawful for them

them again to borrow the Sum so paid off, and so from Time to Time as Occasion shall require.

Mortgagees may enforce Payment of Arrears by Appointment of a Receiver.

XXII. It shall be lawful for the Mortgagees of the Company to enforce the Payment of the Arrears of Principal and Interest due on any such Mortgages by the Appointment of a Receiver; and the Amount to authorize a Requisition for a Receiver shall be not less than Ten thousand Pounds on the whole.

Former Mortgages to have Priority.

XXIII. All Mortgages or Bonds granted under the Authority of the recited Acts, and which shall be in force at the Time of the passing of this Act, shall during the Continuance thereof have Priority over any Mortgages or Bonds created by virtue of this Act; and the several Mortgagees and Holders of such Mortgages or Bonds shall have the same Priority among themselves in respect thereof as they would have had if this Act had not been passed.

Mortgages to be payable at the principal Office of the Company.

XXIV. The Principal Moneys which shall become payable in respect of any Mortgage or Bond granted by the Company shall, unless otherwise expressed in such Mortgage or Bond, be deemed to be payable at the principal Office of the Company.

Conversion of Debentures into Stock.

XXV. 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 of the Company convened with due Notice of that Object, to resolve that any Portion of the borrowed Capital of the Company, or any Debenture or other Security for which or for the Interest whereof the Company are lawfully liable, then subsisting on the Security of outstanding Mortgages or Bonds, not exceeding an Amount to be defined in and by such Resolution, may be converted into Stock of the Company of like Amount, either by Agreement with the Holders of such Mortgages or Bonds respectively before the same respectively became due or by paying off the same respectively when due, and issuing Stock of a corresponding Amount, instead of re-borrowing the Sums so paid off; and also, with the like Consent, from Time to Time to resolve that the whole or any Part, to be defined in and by such Resolution, of the Moneys which the Company shall have Authority to raise by borrowing under the Powers of any of their Acts, and which shall not then have been raised, shall or may be raised by the Creation and Issue of Stock of a corresponding Amount, instead of borrowing the same; and also, with the like Consent, to attach to the Stock so authorized to be created and issued for any of the Purposes aforesaid a fixed and perpetual irredeemable yearly Dividend or Interest at any Rate not exceeding the Rate of Four Pounds Ten Shillings for every One hundred Pounds thereof, payable in equal half-

half-yearly Portions; and it shall thereupon be lawful for the Directors of the Company to carry into effect such Resolution or Resolutions by the Creation and Issue of so much Stock as may from Time to Time be necessary for that Purpose having such fixed Rate of Interest or Dividend as aforesaid; and the Stock so created and issued shall be a Charge upon the Tolls and Undertaking, and Lands, Tenements, and Hereditaments of the Company, but shall be distributable, transmissible, and transferable as and in other respects have the Incidents of Personal Estate, and the said Interest or Dividend shall for ever have Priority of Payment over all other Dividends on any other Stock or Shares of the Company, whether ordinary or preference or guaranteed, and the Stock when so created shall be termed "*Shrewsbury and Hereford* Railway Debenture Stock;" and every Deed or other Instrument creating, issuing, granting, or transferring such Debenture Stock shall be chargeable with the same Stamp Duty as a Mortgage or Transfer of a Mortgage respectively, and shall be duly stamped for denoting the said Duty accordingly: Provided, that nothing herein contained shall in anywise prejudice or affect the Rights of the Holders of Mortgages or Bonds of the Company: Provided also, that after the Conversion of any such Mortgages or Bonds into Stock it shall not be lawful for the Company to issue Mortgages or Bonds or any other Securities, or again to borrow the Sum so converted, but the Powers of borrowing by the Company shall to the Extent of the Sums so from Time to Time converted into Stock be extinguished.

As to Votes of Holders of Debenture Stock.

XXVI. The Holders of the said Debenture Stock shall not be entitled to vote in the Affairs of the Company, unless it shall be otherwise resolved by a Majority of Three Fifths of the Votes of the Shareholders present, in Person or by Proxy, at any Meeting convened with due Notice that a Resolution for that Purpose will be proposed at such Meeting.

Arrears of Dividend may be enforced by Appointment of a Receiver.

XXVII. If within Thirty Days after the Dividend or Interest on the said Debenture Stock has become payable, and after Demand thereof in Writing, the same be not paid, the Proprietor or Proprietors of such Stock, holding individually or collectively an Amount in nominal Value of Twenty thousand Pounds or upwards, may (without Prejudice to his and their Right to sue for the Dividend or Interest so in arrear in any Court of competent Jurisdiction) require the Appointment of a Receiver by an Application to be made as hereinafter provided.

As to Appointments of Receivers.

XXVIII. Every Application for a Receiver in the Cases aforesaid shall be made to Two Justices, and on any such Application it shall be lawful for such Justices, by Order in Writing, after hearing the Parties,

Parties, to appoint some Person to receive the whole or a competent Part of the Tolls or Sums liable to the Payment of such Dividends or Interest, until all the Arrears of Dividend or Interest which may then be due on the said Stock, together with all Costs, including the Charges of receiving the Tolls or Sums aforesaid, be fully paid; and upon such Appointment being made all such Tolls and Sums of Money as aforesaid shall be paid to and received by the Person so to be appointed, and the Money so to be received shall be so much Money received by or to the Use of the Proprietors of the said Stock, or to the Use of those of the Proprietors to whom any Dividends or Interest shall be then due; and so soon as the full Amount of any Dividends, Interests, and Costs has been so received the Power of such Receiver shall cease: Provided always, that such Receiver shall distribute rateably and without Priority among all the Proprietors of the said Stock to whom Interest or Dividends shall be in arrear the Tolls or Moneys which shall so come into his Hands.

Power to cancel Shares.

XXIX. All Shares in the Company which at the Time of the passing of this Act shall not have been issued, and in respect of which no Person is named in the Register of Shareholders of the Company as Owner thereof, may, by the Vote of any Extraordinary Meeting of the Company, be cancelled, and shall thereupon be cancelled, and shall be deemed not to have been created; and the Directors of the Company shall not, after such Shares shall have been so cancelled, make any Call or receive any Money thereon or in respect thereof, and shall not issue, sell, or dispose of any such Share.

As to cancelling of forfeited Shares by Consent.

XXX. The Company at any Extraordinary Meeting thereof may, with the Assent of the Holder of any Share after the passing of this Act liable to be declared forfeited, instead of forfeiting such Share, declare the same Share cancelled, and thereupon the same, and all Rights, Claims, and Demands in respect thereof, shall cease to exist, and every Share so cancelled shall be deemed not to have been created.

New Shares may be created in lieu of Shares merged or not issued.

XXXI. In lieu and instead of any Shares cancelled by virtue of this Act it shall be lawful for the Company, subject to the Provisions of this Act, from Time to Time, with the Approbation of Three Fifths at least of the Votes of the Proprietors present, in Person or by Proxy, at any Extraordinary Meeting of the Company, to create and issue new Shares; provided that they shall not by the Creation of such new Shares increase the aggregate Amount of Capital as fixed or authorized to be raised by this Act.

New Shares, how to be created.

XXXII. Any new Shares to be created by virtue of this Act, whether for the Purpose of raising any Portion of the Capital, or in lieu

lieu of any Shares so cancelled as aforesaid, may, subject to the Provisions herein-after contained, be of such Amount as the Company, with the Approbation of Three Fifths at least of the Votes of the Shareholders present, in Person or by Proxy, at any Meeting of the Company specially convened for the Purpose shall determine; and it shall be lawful for the Company to issue such Shares to such Persons, at such Times and in such Manner, and to demand such Price for the same, or to dispose of the same in such Manner and on such Terms, as by the Order of any such Meeting shall be fixed and determined; and all such new Shares shall be deemed Personal Estate, and shall be transmissible and transferable as such in the Manner provided and directed by "The Companies Clauses Consolidation Act, 1845;" and all Persons and Corporations who shall become entitled to any such new Share or Shares, and their several and respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby declared to be Owners and Proprietors of Shares in the Undertaking, and to be interested therein, and entitled to Dividends and Profits, and to vote in respect thereof in proportion to the Amount of such new Share or Shares; and the Directors of the Company are hereby empowered (subject to any Restrictions imposed upon them by the Company, and subject also as herein-after mentioned) to call up such Shares by such Instalments and payable at such Times as they may think fit; and the several Proprietors of such new Shares shall be and are hereby united and incorporated with the Company.

Power to create Preference Shares to the Extent of 50,000*l.*

XXXIII. It shall be lawful for the Company for all or any of the Purposes hereby authorized from Time to Time, with the Approbation of Three Fifths of the Votes of the Proprietors present, in Person or by Proxy, at any General Meeting of the Company specially convened for the Purpose, to raise a Sum or Sums not exceeding Fifty thousand Pounds of the Capital hereby authorized to be raised by the Creation and Issue of Shares of such Amount, and with such special Advantages with respect to Priority or Amount of Dividend payable thereon, not exceeding Five Pounds *per Centum per Annum*, and generally on such Terms as by the Order of such Meeting shall be determined.

Power to issue certain Shares at a Discount.

XXXIV. And whereas by the said secondly above-recited Act the *Shrewsbury and Hereford* Railway Company were authorized to create Fifteen thousand two hundred and ninety new Shares of Ten Pounds each, and to issue each Share at a Discount of One Pound *per* Share: And whereas Seven thousand eight hundred and thirty of the said Shares have been created, but have not yet been issued: Be it enacted, That, notwithstanding the Repeal of the said recited Act, it shall be lawful for the Company to issue the said Seven thousand eight hundred and thirty Shares of the nominal Value of Ten Pounds each

at

at a Discount of One Pound *per* Share, so that the Sum of Nine Pounds only shall be payable in respect of each of the said Seven thousand eight hundred and thirty Shares, and to dispose of the same in such Manner and on such Terms as the Company shall think fit.

Calls.

XXXV. Twenty *per Centum* on the Amount of each Share shall be the greatest Amount of any One Call which the Directors may make on or in respect of any new Shares created by virtue of this Act, and Four Months at the least shall be the Interval between successive Calls; and the aggregate Amount of Calls to be made on any One Share in One Year shall not exceed Sixty *per Centum* of the Amount of such Share.

Interest not to be paid on Calls paid up.

XXXVI. 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 Dividend to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital of the Company: Provided, 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.

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

XXXVII. It shall not be lawful for the Company, out of any Money by any existing Act relating to the Company authorized to be raised for the Purposes of such Act, 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 to any Application to Parliament for the Purpose of obtaining an Act authorizing the Company to construct any other Railway or execute any other Work or Undertaking.

Power to close Transfer Books at certain Periods.

XXXVIII. It shall be lawful for the Directors to close the Registers of Transfers for a Period not exceeding Fourteen Days previous to each Extraordinary Meeting of the Company, and they may fix a Day for the closing of the same, of which Seven Days Notice shall be given by Advertisement in some Newspaper published in *London*, and any Transfer made during the Time when the Transfer Books are so closed, shall, but not otherwise, be considered as made subsequently to any such Meeting.

First and other Ordinary Meetings.

XXXIX. The First Ordinary Meeting of the Company shall be held within Three Months after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held half-yearly in

in the Month of *February* or *March*, and in the Month of *August* or *September* in every Year.

Quorum for General Meetings.

XL. The Quorum for a General Meeting shall be Fifteen or more Shareholders, holding together in their own Right Stock or Shares to an aggregate Amount equal to One Thirtieth Part of the Share Capital of the Company actually paid up.

Scale of voting.

XLI. At all General Meetings of the Company every Shareholder, whether a Person or Corporation, shall be entitled to vote according to the Scale of voting prescribed in "The Companies Clauses Consolidation Act, 1845."

Directors.

XLII. The Number of Directors shall be Twelve, and the Persons who were Directors immediately before the passing of this Act shall continue in Office, and go out of Office by Rotation, or be otherwise removable in like Manner and in the same Order, as if this Act had not been passed.

Qualification of Directors.

XLIII. The Qualification of a Director of the Company shall be the Possession of Shares in the Undertaking to an Amount of not less than Six hundred Pounds in Money.

Company may reduce Number of Directors.

XLIV. It shall be lawful for the Company from Time to Time at any General Meeting, upon special Notice, to reduce the Number of Directors, so that the reduced Number be not less than Six.

Quorum.

XLV. The Quorum of a Meeting of Directors shall be Three.

Quorum of Committees.

XLVI. The Quorum of Committees of Directors shall be such as the Directors shall at the Time of appointing the said Committee prescribe.

Papers for Publication of Notices relating to the Company

XLVII. The Newspapers in which Notices relating to the Affairs of the Company shall be inserted shall be such Local and *London* Newspapers as the Directors shall think fit.

Application of Capital and borrowed Money.

XLVIII. The Company shall apply the Moneys raised by Shares or Stock and by the Exercise of their Powers of borrowing, and remaining unexpended, and the Moneys to be hereafter raised by such Means, to the Purposes of this Act, and in paying and discharging the Debts and Liabilities due and incurred by the Company at the Time of the passing thereof, and to no other Purpose whatever.

Undertaking of the Company.

XLIX. The Undertaking of the Company shall consist of the Railway, Stations, and other Works and Conveniences connected therewith,

therewith, which at the Time of the passing of this Act were vested in or authorized to be constructed or purchased by the Company, and also those which are thereby authorized to be constructed, and which are as follows; (that is to say,)

First, the Main Line of Railway from *Shrewsbury* to *Hereford*, commencing in the Parish of *Saint Mary* in the Town of *Shrewsbury* and County of *Salop* by a Junction with the joint Passenger Station next herein-after mentioned, and terminating at or near to the Basin of the *Hereford and Gloucestershire* Canal, in the Parish of *Saint Peter* in the City of *Hereford*, by a Junction with the joint Station second herein-after mentioned;

Second, a Share in a joint or common Station, and Works and Conveniences connected therewith, in the Borough of *Shrewsbury* and County of *Salop*, belonging to and in the joint Use of the Company and the *Great Western* Railway Company, and the *Shropshire Union* Railways and Canal Company, and the *London and North-western* Railway Company, as the Lessees of the last named Company;

Third, a Share in a joint or common Station at or near *Barr's Court* in the City of *Hereford*, belonging to and in the joint Use of the Company and the *Hereford, Ross, and Gloucester* Railway Company;

Fourth, a Goods Station as authorized to be constructed and in part constructed upon Lands adjacent to the Main Line of Railway within the Parishes of *Holy Cross* and *Saint Giles and Saint Julian* in the County of *Salop*;

And also the Sidings and Station Accommodation and Works in connexion therewith hereby authorized;

And, subject to the Provisions of this Act, it shall be lawful for the Company to continue, make, complete, maintain, regulate, and work the said Railways, Stations, and Works, and Accommodations connected therewith, respectively.

Power to acquire Land for new Works.

L. And whereas Plans showing the Lands and Property proposed to be taken for widening the Railway for the Purpose of providing additional Sidings and Station Accommodation thereon, and which Lands adjoin the Main Line of Railway of the Company, and are situate respectively within the Parishes, Townships, or Places of *Church Stretton*, *Onibury*, *Bromfield*, and *Richard's Castle* in the County of *Salop*, the Parishes of *Wellington* and *Holmer* in the County of *Hereford* respectively, and also a Book of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers, of the said Lands and Property have been deposited for public Inspection with the Clerks of the Peace for the Counties of *Salop* and *Hereford* respectively: Be it enacted, That, subject

subject to the Provisions in this and the incorporated Acts contained, it shall be lawful for the Company to provide all necessary Sidings and Station Accommodation for the Traffic of their Railway within the Limits and upon the Lands delineated on the said Plans, and described in the said Books of Reference, and to make and maintain in connexion with the said Sidings and Station Accommodation all such Approaches, Junctions, Communications, and other Works and Conveniences as they may think necessary; and, subject as aforesaid, it shall be lawful for the Company to purchase and to hold and use such of the said Lands and other Property as shall be necessary for the Purposes aforesaid, other than the Pieces of Land numbered respectively 3, 4, 5, 6, 7, and 8 in the said Parish of *Bromfield*, and 1, 2, 3, 6, and 7 in the said Parish of *Richard's Castle*, which the Company shall not be entitled to take, except by Agreement with the Owners, Lessees, and Occupiers thereof respectively.

Powers for compulsory Purchases limited.

LI. The Powers of the Company for the compulsory Purchase of the said Lands and Property shall not be exercised after the Expiration of Three Years from the passing of this Act.

Company to erect Stations or Lodges at level Crossings.

LII. For the greater Convenience and Security of the Public the Company shall permanently maintain either the Stations or Lodges erected by them at the several Points where the Railway crosses any Turnpike or public Carriage Road on the Level, and the Company shall be subject to and abide by all such Rules and Regulations, with regard to the Crossing of such Roads on the Level, or with regard to the Speed at which Trains shall pass such Roads, as may from Time to Time be made by the Board of Trade; and if the Company shall fail at all Times to maintain any such Station or Lodge, or appoint a proper Person to watch or superintend the Crossing at any such Point or Station, or to observe or abide by any such Rule or Regulation as aforesaid, they shall for every such Offence be liable to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day such Offence shall continue after such Penalty of Twenty Pounds shall have been imposed.

Continuing Powers for the compulsory Purchase of Lands.

LIII. Notwithstanding the Repeal of "The *Shrewsbury and Hereford* Railway (Stations) Act, 1854," it shall be lawful for the Company within the Time limited by the said Act to have and exercise all the Powers by the said Act conferred upon them for the compulsory Purchase of the Lands and Buildings thereby authorized to be taken by them, and which they had or might have exercised but for the passing of this Act.

As to compulsory Purchases of

LIV. Provided always, That nothing in this Act contained shall be held or construed to revive any Powers for the compulsory Purchase of

Lands under repealed Acts.

of any Lands under any of the repealed Acts which had expired and had not been revived and could not be exercised immediately before the passing of this Act.

Lands for extraordinary Purposes.

LV. It shall be lawful for the Company to purchase for the extraordinary Purposes mentioned in the said Railways Clauses Consolidation Act, 1845, any Quantity of Land not exceeding Ten Acres, in addition to the Lands already purchased by them for such Purposes.

Tolls.

LVI. It shall be lawful for the Company to demand any Tolls for the Use of the Railways comprised in their Undertaking, not exceeding the following; (that is to say,)

In respect of the Tonnage of all Articles conveyed thereon or on any Part thereof, as follows:

Class One, For all Coals, Compost, Dung, and all Sorts of Manure, Lime, and Limestone, and all undressed Materials for the Repair of public Roads or Highways, *per* Ton *per* Mile not exceeding One Penny; and if conveyed by Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

Class Two, For all Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandise, *per* Ton *per* Mile not exceeding Three Halfpence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

Class Three, For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Stones, and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per* Ton *per* Mile not exceeding Twopence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding Three Farthings:

Class Four, For all Cotton and other Wools, Drugs, manufactured Goods, and all Wares, Merchandise, Fish, Articles, Matters, or Things, *per* Ton *per* Mile not exceeding Threepence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Penny:

Class Five, And for every Carriage of whatever Description having more than Two Wheels, 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 not exceeding Sixpence:

And a further Sum of Twopence *per* Mile for every additional Quarter of a Ton, or fractional Part of a Quarter of a Ton, which any such Carriage may weigh; and if conveyed on a Truck or Platform belonging to the Company, an additional Sum *per* Mile not exceeding Twopence:

Tolls for Animals, &c.

In respect of Animals conveyed in Carriages upon the Railway, as follows:

Class Six, For every Horse, Mule, Ass, or other Beast of Draught or Burden, and for every Ox, Cow, Bull, or Neat Cattle, *per* Mile not exceeding Threepence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Penny; and if such Carriage be propelled by an Engine belonging to the Company, an additional Sum *per* Mile not exceeding One Halfpenny:

Class Seven, For every Calf, Pig, Sheep, Lamb, or other small Animal, *per* Mile not exceeding One Halfpenny; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Farthing; and if propelled by an Engine belonging to the Company, an additional Sum *per* Mile not exceeding One Farthing:

Tolls for Passengers.

In respect of Passengers and Animals conveyed in Carriages upon the Railway, as follows:

For any Person conveyed in or upon any such Carriage, *per* Mile not exceeding Twopence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Halfpenny; and if propelled by an Engine belonging to the Company, an additional Sum *per* Mile not exceeding One Halfpenny.

Tolls for propelling Power.

LVII. The Toll which the Company may demand for the Use of Engines for propelling Carriages on the Railway shall not exceed One Halfpenny *per* Mile for each Ton of Goods or other Articles (not being Animals), in addition to the several other Tolls or Sums by this Act authorized to be taken.

Regulations as to the Tolls.

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

For every Article or Person conveyed on the Railway for a less Distance than Six Miles, the Company may demand Tolls and Charges as for Six Miles:

For a Fraction of a Mile beyond Six Miles, or beyond any greater Number of Miles, the Company may demand Tolls and Charges in respect of Goods and Minerals for each Fraction in proportion to the Number of Quarters of a Mile contained therein, and the Fraction of a Quarter of a Mile shall be deemed a Quarter of

a Mile; and in respect of Passengers the Company may demand Tolls and Charges as for One 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 Weight, and so on in proportion for any smaller Quantity.

Tolls for small Parcels and Articles of great Weight.

LIX. Notwithstanding the Rate of Tolls prescribed by this Act, the Company may, with respect to small Packages and single Articles of great Weight, lawfully demand the Toll following; (that is to say,)

For the Carriage of small Parcels on the Railway, or any Part thereof, as follows:

For any Parcel not exceeding Seven Pounds in Weight, Sixpence:

For any Parcel exceeding Seven Pounds and not exceeding Fourteen Pounds in Weight, One Shilling:

For any Parcel exceeding Fourteen Pounds, and not exceeding Twenty-eight Pounds in Weight, One Shilling and Sixpence:

For any Parcel exceeding Twenty-eight Pounds and not exceeding Fifty-six Pounds in Weight, Two Shillings and Sixpence:

And for Parcels exceeding Fifty-six and not exceeding Five hundred Pounds in Weight, the Company may demand any Sum which they may 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 Term shall apply only to single Parcels in separate Packages:

For the Carriage of any One Boiler, Cylinder, Bob, or single Piece of Machinery, or single Piece of Timber or Stone, or any 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 from Time to Time may 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, or which on account of the Length thereof may require more than One Carriage, the Company may demand such Sum as they think fit.

LX. Every

Passengers Luggage.

LX. Every Passenger travelling upon the Railway may take with him his ordinary Luggage, not exceeding One hundred and twelve Pounds in Weight for First-class Passengers, One hundred Pounds in Weight for Second-class Passengers, and Sixty Pounds in Weight for Third-class Passengers, without any Charge being made for the Carriage thereof.

Maximum Rates of Charges for Passengers.

LXI. The maximum Rate of Charge to be made by the Company for Conveyance of Passengers upon the Railway, including the Tolls for the Use of the Railway and of Carriages, and for locomotive Power, and every other Expense incidental to such Conveyance, shall not exceed the following Sums:

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

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

For every Passenger conveyed in a Third-class Carriage the Sum of One Penny Farthing *per* Mile.

Maximum Charges for Goods and Animals.

LXII. The maximum Rate of Charge to be made by the Company; including the Tolls for the Use of the Railway and for Carriages and for locomotive Power, and every other Expense incidental to such Conveyance, except the loading and unloading of Goods when such Service is performed by the Company, shall not exceed the Amounts mentioned in the following Tables; (that is to say),

For the Matters herein- before mentioned under Class One, not exceeding One Penny Halfpenny *per* Ton *per* Mile:

For the Matters mentioned under Class Two, not exceeding Twopence *per* Ton *per* Mile:

For the Matters mentioned under Class Three, not exceeding Threepence *per* Ton *per* Mile:

For the Matters mentioned under Class Four, not exceeding Fourpence *per* Ton *per* Mile:

For any Carriage mentioned under Class Five, not weighing more than One Ton, not exceeding Sixpence *per* Mile; and if weighing more than One Ton, not exceeding Three Halfpence *per* Mile for every Quarter of a Ton or fractional Part of a Quarter of a Ton above One Ton:

For everything mentioned under Class Six, not exceeding Fourpence *per* Mile:

For everything mentioned under Class Seven, not exceeding One Halfpenny *per* Mile:

Provided always, that it shall be lawful for the Company to demand and take, in addition to the Tolls, Rates, and Charges which are herein-before authorized, a reasonable Sum for the loading, unloading,

and

and covering and for the Delivery and Collection of Goods, and other Services incidental to the Business of a Carrier, where such Services respectively shall be performed by the Company.

Restriction as to Charges not to apply to Special Trains.

LXIII. Provided always, That the Restriction as to the Charges to be made for Passengers shall not extend to any Special Train that may be required to be run upon the Railway, but shall apply only to the Ordinary or Express Trains appointed or to be appointed from Time to Time by the said Company for the Conveyance of Passengers upon the Railway.

Company may take increased Charges by Agreement.

LXIV. Provided further, 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 of such Goods, except small Parcels by Passenger Trains, or by reason of any other special Service performed by the Company in relation thereto.

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

LXV. Nothing in this Act contained shall be deemed or construed to exempt the Works by this or the said recited Acts authorized to be made or the Company from the Provisions of any General Act relating to Railways, or for the better or 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 and of the Rate for small Parcels authorized by this Act.

Expenses of Act.

LXVI. All the Costs, Charges, and Expenses of and attending the obtaining and passing of this Act, or incidental thereto, shall be paid by the Company.

SCHE-

SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

Sections of the repealed Acts relating to the Shrewsbury and Hereford Railway Company continued in force by this Act.

THE SHREWSBURY AND HEREFORD RAILWAY (STATIONS) ACT, 1854.

Section 5.

Power to acquire Land for Goods Station at Shrewsbury.

And whereas a Plan showing the Lands and Property proposed to be taken for the Purposes of Station Accommodation for Goods at Shrewsbury, and which Lands adjoin the Main Line of Railway of the Company and are situate within or near the Borough of Shrewsbury, in the Parishes of Holy Cross and Saint Giles and Saint Julian, in the County of Salop, and also a Book of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers, of the said Lands and Property, have been deposited for public Inspection with the Clerk of the Peace for the County of Salop: Be it enacted, That, subject to the Provisions in this and the said incorporated Acts contained, it shall be lawful for the Company to provide all necessary Station Accommodation for Goods within the Limits and upon the Lands delineated on the said Plans and described in the said Books of Reference, and to make and maintain in connexion with the said Station Acommodation all such Sidings, Approaches, Junctions, Communications, and other Works and Conveniences connected therewith as they may think necessary for more effectually working the Traffic of the Shrewsbury and Hereford Railway or otherwise; and, subject to the Provisions in this and the said recited and incorporated Acts contained, it shall be lawful for the Company to purchase and take upon Lease or otherwise, and to hold and use such of the said Lands and other Property as shall be necessary for the Purposes aforesaid.

Section 6.

Limiting Time for compulsory Purchase of Lands at Shrewsbury.

The Powers of the Company for the compulsory Purchase of Lands for the Purposes of the said Station Accommodation at Shrewsbury shall not be exercised after the Expiration of Three Years from the passing of this Act.

Section 7.

Power to acquire Land for Station at Hereford.

And whereas a Plan showing the Lands and Property proposed to be taken for the Purposes of a Station at Hereford for the joint Accommodation of the Traffic of the Shrewsbury and Hereford, and

Hereford, Ross, and Gloucester Railway Companies as aforesaid, and which Lands and Property are situate at or near a Place called Barr's Court, in the Parishes of St. John Baptist and All Saints, in the City of Hereford or the Liberties thereof, and also a Book of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of the said Lands and Property have been deposited for public Inspection with the Clerk of the Peace for the County of Hereford: Be it enacted, That, subject to the Provisions contained in this and the said recited and incorporated Acts, and in the said Hereford, Ross, and Gloucester Railway Act, 1851, it shall be lawful for the Company, either jointly with the Hereford, Ross, and Gloucester Railway Company or alone, to purchase and take upon Lease or otherwise and to hold and use such of the said Lands and other Property as shall be necessary for the Purposes aforesaid, and to appropriate the same to the Purpose of providing Station Accommodation for the Traffic of the Company, or of the Company and the said Hereford, Ross, and Gloucester Railway Company, and to make and maintain within the Limits described on the said Plan all such Sidings, Approaches, Junctions, Communications, and other Conveniences as they may think necessary.

Section 8.

Limiting Time for compulsory Purchase of Lands at Hereford.

The Powers hereby granted for the compulsory Purchase of Lands for the Purposes of the said Station at Hereford shall not be exercised after the Expiration of Three Years from the passing of this Act.

Section 9.

Power to apply Corporate Funds to Purposes of this Act.

It shall be lawful for the Company to apply, with the Consent of Three Fifths of the Votes of the Shareholders present, personally or by Proxy, at a Meeting convened for the Purpose, towards the providing of the Station Accommodation by this Act authorized, all or any of the Moneys which they now have in their Hands, or which they have Power to raise by Shares or Mortgage by virtue of any Acts relating to the Company, and which may not be required for the Purposes to which they are by any such Acts made specially applicable.

The Shrewsbury and Hereford Railway (Leasing) Act, 1854.

Section 1.

Company empowered to lease their Undertaking to Thomas Brassey.

That it shall be lawful for the Shrewsbury and Hereford Railway Company, and they are hereby authorized and empowered at any General Meeting of the Company specially convened for the Purpose, to enter into such Contract and Agreement as they may think fit with Thomas Brassey, of No. 8, Adam Street, Adelphi, in the City of Westminster, Contractor, his Executors, Administrators, or Assigns,

Assigns, in reference to the leasing of their Undertaking, and pursuance of any Contract or Agreement to grant and execute to the said Thomas Brassey, his Executors, Administrators, or Assigns, a Lease of the Undertaking of them the Shrewsbury and Hereford Railway Company, or of any Part thereof, for any Term or Number of Years not exceeding Nine, at such annual Rent, or for such other Consideration, upon such Terms and Conditions, and subject to such Covenants, Provisoes, Restrictions, and Limitations as may be or may have been agreed upon between the said Company and the said Thomas Brassey.

Section 2.

Provisions of Railways Clauses Consolidation Act as to leasing of Railways to apply to this Act.

That, subject to the Limitations, Provisions, and Conditions contained in any Lease to be granted under the Powers of this Act, the Provisions of "The Railways Clauses Consolidation Act, 1845," in relation to the leasing of Railways shall extend and apply to any Lease to be granted under the Authority of this Act.

Section 3.

Lease of Railway not to affect Third Parties.

That no Lease of the Railway to be made under the Authority of this Act shall take away, alter, or in anywise affect any of the Duties, Obligations, Restrictions, or Liabilities to which the Company but for the making of such Lease might by any Law or Statute be subject; but all Persons and Corporations other than the Lessee of the Railway shall have the same Rights, Privileges, Powers, and Remedies against the Company after the making of and notwithstanding such Lease as they might have had if such Lease had not been made.

Section 4.

Lease to contain Provisions for Re-entry; if Lessee become unable to carry on the Traffic, the Company shall enter and work the Line.

That any Lease to be made of the said Railway, or of any Part thereof, shall contain a Power of Re-entry to the Company in the event of the Lessee becoming unable, by reason of any Execution, legal Process, Intestacy, Bankruptcy, Insolvency, or any personal Disability or Incapacity whatsoever of the said Lessee, or any Failure of his legal Representatives, to carry on and continue the Traffic or Working of the Railway in an effectual and proper Manner, and according to the Laws for the Time being in force relating to Railways; and upon the occurring of any such Event as aforesaid it shall be the Duty of the Company forthwith to re-enter upon, and to carry on and continue the Traffic and Working of the said Railway in like Manner, and with the same Powers and subject to the same Obligations, Liabilities, Penalties, and Restrictions, as if no Lease thereof had been made: Provided always, that no such Re-entry shall in any Manner prejudice any Right or Claim which the Company may have against the Lessee, or his Estate or Effects, on account of any Breach or Nonobservance of any of the Covenants contained in such Lease.

Section 5.

Section 5.

For securing Equality of Treatment in respect of all Traffic.

And whereas the said Shrewsbury and Hereford Railway is connected at Hereford and at Shrewsbury with various Railways, by means of which and of other Railways connected therewith alternative Routes are afforded for the Transmission of Traffic in various Directions, and it is just and expedient that all such Traffic, whether intended to pass or having passed upon any of the said alternative Routes, should be conveyed over the said Shrewsbury and Hereford Railway upon such Terms and subject to such Regulations and Conditions as will afford to the Public an Option of transmitting such Traffic by any of the said alternative Routes, without any undue or unreasonable Preference or Advantage being afforded in respect of such Traffic conveyed or intended to be conveyed upon the other of such Routes: Be it therefore enacted, That any Lease of the said Shrewsbury and Hereford Railway to be granted under the Provisions of this Act shall contain Covenants on the Part of the Lessee calculated to secure as far as practicable the Objects herein-before specified; and it shall not be lawful for the Lessee for the Time being of the said Railway, nor for any Person on his Behalf, to enter into any Arrangements with any Company or with any Lessee or other Person on his Behalf, whereby any greater Facilities, Accommodation, or Advantages, whether in respect of Tolls or otherwise, shall be afforded or agreed to be afforded in respect of Traffic coming to or from any Place upon any such Railway, and conveyed or intended to be conveyed upon any or either of the said alternative Routes connected with the said Shrewsbury and Hereford Railway at Shrewsbury or Hereford than shall be afforded to Traffic conveyed or intended to be conveyed upon any other of such alternative Routes, nor shall it be lawful, with or without any such Arrangements, to afford directly or indirectly any such greater Facilities, Accommodation, or Advantages to any Traffic passing over the said Shrewsbury and Hereford Railway.

SCHEDULE (B.)

Provisions contained in the repealed Acts conferring Powers on the Shrewsbury and Hereford Railway Company, and the Hereford, Ross, and Gloucester Railway Company, and continued in force by this Act.

Shrewsbury and Hereford Railway (Stations) Act, 1854.

Section 12.

Power to enter into Agreements with Here-

Arrangements and Agreements may be made between the Company and the Hereford, Ross, and Gloucester Railway Company for the Formation, Maintenance, Arrangement, Management, and joint Use of

of a Station at Hereford, for the Accommodation of the respective Traffic of the said Companies; and it shall be lawful for the said Companies to give effect to, and from Time to Time to alter, vary, or renew such Arrangements and Agreements as may be made between them for the Purpose of making, constructing, or arranging such Station, and for the Regulation, Management, and Use thereof, as to the said Companies shall seem meet for the public Accommodation, and to do or concur in all Acts necessary for the Purposes aforesaid; and it shall also be lawful for the said Companies to purchase and hold Lands for their joint Use and at their joint Disposal, and to raise and pay the Purchase or Consideration Money for the same, and to sell and dispose of superfluous Lands so acquired, and apply the Proceeds of such Sales for the Benefit of the said Companies in the Proportions in which they respectively contributed to the Purchase thereof; and it shall be lawful for the same Companies to appoint a joint Committee for the Regulation and Management of the joint Station, and to agree on Regulations as to the Appointment and Duties of such joint Committee, and to depute to such joint Committee Powers to agree to and from Time to Time to vary or rescind Regulations respecting the Management and Use of such joint Station; and in case either of the said Companies shall have purchased or acquired Land for the said joint Station such Company shall hold such Land as shall have been so acquired and as shall be used for the said joint Station in trust for the joint Use of the same Companies, upon such Terms as have been or may be agreed upon; and the Company who shall not have purchased the same shall contribute and pay to the Company who purchased such Land such Portion of the Purchase or Consideration Money and other Expenses incurred in acquiring the same as has been or shall be agreed upon.

Hereford, Ross, and Gloucester Railway Company as to Station at Hereford.

Section 13.

If any Questions, Disputes, or Differences shall arise between the Company and the said Hereford, Ross, and Gloucester Railway Company in regard to the Construction, Arrangement, Management, or Use of the said joint Station at Hereford, or in relation to the Lands acquired or to be acquired for the Purposes of the said Station, or otherwise in relation thereto, the same shall from Time to Time, so often as they shall arise, be settled by Arbitration, in the Manner provided by "The Companies Clauses Consolidation Act, 1845," with respect to the Settlement of Disputes by Arbitration.

Arbitration in regard to Hereford Station.

Section 14.

For the Purpose of raising such Sums of Money as may be necessary for the Purpose of providing a joint Station at Hereford it shall be lawful for the Hereford, Ross, and Gloucester Railway Company, at any General Meeting or Meetings specially convened for the Purpose, with

Power to Hereford, Ross, and Gloucester Company to raise addi-

tionalCapital for Hereford Station.

with the Consent of Three Fifths of the Shareholders present at such Meeting, personally or by Proxy, in addition to the Sums of Money which the said Company is at present authorized to raise, from Time to Time to raise by the Creation of Shares, upon such Terms and Conditions, and with or without a Preference or Guarantee not exceeding Five Pounds per Centum per Annum, such Sum or Sums of Money as may be necessary, not exceeding in the whole the Sum of Thirty thousand Pounds, and the Money so raised shall be applicable only to the Purposes of the said Station Accommodation.

Section 15.

Division of Capital into Shares.

The Capital to be raised for the Purposes of such joint Station at Hereford by the Hereford, Ross, and Gloucester Railway Company, by the Creation of new Shares, shall be divided into Shares of such Amount as will conveniently allow the same to be apportioned, and shall be apportioned and allotted to such Persons and in such Manner as may be determined by the Order of any General Meeting of the said last-mentioned Company specially convened for the Purpose.

Section 16.

Shares to form Part of the general Capital.

All Shares which may be created by the Hereford, Ross, and Gloucester Railway Company under the Provisions of this Act shall form Part of the general Capital of the said Company, and shall be subject to the same Provisions in all respects, whether with respect to the Payment of Calls or the Forfeiture of Shares on Nonpayment of Calls, or otherwise, to which such general Capital may be subject, except as to the Amount of such Shares, which shall be determined as herein-before provided, and except as to the Times of making Calls thereon and the Amount of such Calls, which it shall be lawful for the Directors of the said last-mentioned Company from Time to Time to fix as they shall think fit, subject to the Provisions of this Act; and the Proprietors of such Shares shall be entitled to the same Number of Votes in respect thereof in proportion to the nominal Amount represented by such Shares as the Proprietors of the existing Shares of the Stock of the said last-mentioned Company.

Section 17.

Calls.

One Fifth Part of each such Share shall be the largest Amount which shall be called at any One Time, and there shall be an Interval of at least Three Months between any Two successive Calls.

Section 18.

Saving Rights of Holders of existing Pre-

Any Priority in the Payment of Dividends which may be assigned to any Shares to be created by the Hereford, Ross, and Gloucester Railway Company by virtue of this Act shall not prejudice or affect any

any Preference or Priority in the Payment of Interest or Dividends on any other Shares or Stock which shall have been granted by the said last-named Company, in pursuance of any previous Act of Parliament, or which may be lawfully subsisting at the Time of the Creation of the Shares by this Act authorized to be created. ference Shares.

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