ANNO DECIMO TERTIO & DECIMO QUARTO

VICTORIÆ REGINÆ.

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Cap. xxix.

An Act to amend the Acts relating to the *Waterford and Limerick* Railway, and for other Purposes. [25*th June* 1850.]

WHEREAS by " The *Waterford and Limerick* Railway Act, 1845," a Company was incorporated by the Name of " The *Waterford and Limerick* Railway Company," for the Purpose of making and maintaining a Railway from the City of *Waterford* to the City of *Limerick*, with Branches, with a Share Capital of Seven hundred and fifty thousand Pounds, divided into Fifteen thousand Shares of Fifty Pounds each: And whereas by " The *Waterford and Limerick* Railway Amendment Act, 1847," (amongst other Enactments,) it was enacted, that it should be lawful for the said Company to make and construct the altered Lines of Railway therein mentioned; (that is to say,) one of such new or altered Lines of Railway commencing in or near a certain Field in the Townland of *Cloghcarrigeen West* in the Parish of *Kilsheelan* in the County of *Tipperary*, numbered 4 in the said Townland on the Plans referred to in the said " *Waterford and Limerick* Railway Act, 1845," and termi-

8 & 9 Vict. c. 131.

10 & 11 Vict. c. 231.

terminating in or near a certain Field in the Townland of *Lisnamuck* in the Parish of *Derrygrath* in the same County, numbered 5 in the said last-mentioned Townland on the said Plans; another of such new or altered Lines of Railway commencing in or near a certain Field in the Townland of *Garnavilla* in the said Parish of *Derrygrath* numbered 13 in the said last-mentioned Townland on the said Plans, and terminating in or near a certain Field in the Townland of *Townparks* in the Parish of *Cahir* in the said County of *Tipperary*, numbered 11 in the said last-mentioned Townland on the said Plans; and another of such new or altered Lines of Railway commencing in or near a certain Field in the Townland of *Fihertagh* in the Parish of *Templeneiry* in the said County of *Tipperary*, numbered 9 in the said last-mentioned Townland on the said Plans, and terminating in or near a certain Field in the Townland of *Scart* in the Parish of *Killardry* in the said County of *Tipperary*, numbered 4 in the said last-mentioned Townland on the said Plans; and it was by the said last-mentioned Act also enacted, that the Powers of the said Company for the compulsory Purchase of Lands for the Purposes of that Act should not be exercised after the Expiration of Three Years from the passing of that Act; and in the said last-mentioned Act Provision was made for the Merger of forfeited Shares in the Undertaking in the Event therein mentioned; and it was enacted, that in lieu and instead of any Shares which should be so forfeited and merged as aforesaid it should be lawful for the said Company, from Time to Time, with the Approbation of Three Fifths at the least of the Votes of the Proprietors present, in Person or by Proxy, at any Ordinary or Extraordinary Meeting of the said Company, to create and issue new Shares of such Amount, and to demand such Price for the same, in such Manner as by the Order of any such Meeting should be fixed and determined, and divers other Provisions in reference to such new Shares are in the said last-mentioned Act contained: And whereas, under the Provisions of the lastly recited Acts, Four thousand seven hundred and twenty-five Shares in the Capital of the said Company, amounting together to the Sum of Two hundred and thirty-six thousand two hundred and fifty Pounds, have become merged in the said Undertaking; and it is expedient to amend the Provisions of the said lastly recited Act with reference to the Creation and Issue of new Shares in lieu of the Shares so forfeited, and to extend the Time limited by the said last-mentioned Act for the compulsory Purchase of Lands for the Purposes of that Act, and to amend, vary, and extend other of the Provisions of the said recited Acts in manner herein-after mentioned; but the Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament

ment assembled, and by the Authority of the same, That the said recited Acts as amended by this Act, and this Act, shall be One Act, and shall be carried into execution accordingly.

Recited Acts and this Act to be deemed One Act.

II. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments, and in all other Proceedings whatsoever, it shall be sufficient to use the Expression "The *Waterford and Limerick* Railway Amendment Act, 1850."

Short Title.

III. And be it enacted, That the said Sum of Two hundred and thirty-six thousand two hundred and fifty Pounds (being the total Amount of the said forfeited Shares), as well as the Amount of any Shares in the Capital of the said Company which may be hereafter forfeited, shall, notwithstanding anything to the contrary in the said recited Acts or either of them contained, be divided into Shares of such Amount as will conveniently allow the same to be appropriated according to the Order of any Ordinary or Extraordinary Meeting of the Company, and shall be considered as Part of the general Capital of the Company, and be subject to the same Provisions in all respects, whether with reference to the Payment of Calls, or the Forfeiture of Shares on Nonpayment of Calls, or otherwise, as if it had been Part of the original Capital of the Company, except as to the Number and Amount of the Shares into which such additional Capital shall be divided, and the Time of making Calls for such additional Capital, and the Amount of such Calls respectively, which it shall be lawful for the Directors of the Company from Time to Time to fix as they shall think fit: Provided always, that the Amount of any Call to be made upon the Proprietor of any new Shares created under the Powers of this Act shall not exceed the Rate of Ten Pounds *per Centum* on the Amount of such Shares, and Two Calendar Months at least shall be the Interval between every Two successive Calls.

Division of new Shares.

IV. And be it enacted, That it shall be lawful for the Proprietors present, personally or by Proxy, at any General or Extraordinary Meeting of the Company, to declare and agree that the Holders of the new Shares created under this Act shall be entitled, either perpetually or for a limited Time, to a preferential Dividend, to be paid out of the general Revenue of the Company, in priority of the general Dividends made by the Company, at such Rate, and with such other Privileges, and subject to such Powers of Redemption, Diminution, or Conversion, as shall be fixed by the Proprietors at such Meeting, and thereupon the Holders of such new Shares shall become entitled to such fixed Dividend accordingly, and such fixed Dividends shall be payable half-yearly at the same Time as the ordinary Dividends of the Company; and it shall be lawful for the said Proprietors, at any such Meetings as aforesaid, from Time to Time and at any Times, until all the

Power to declare Preferential Dividends to Shares created under this Act.

the said new Shares shall have been purchased or taken, to increase, decrease, vary, or alter the Rate of such preferential Dividend, or any of such other Privileges or Powers, with regard to such of the said new Shares as shall not then have been purchased or taken, but so as not to violate or infringe any express Condition on which any of the said new Shares shall have been previously purchased or taken, unless with the Consent of all the Holders thereof.

Existing Priorities not to be prejudiced.

V. Provided always, and be it enacted, That the Preference or Priority in Payment of Dividends hereby authorized to be granted shall not prejudice or affect any existing Preference or Priority granted by the Company under the Powers of any previous Act.

Capital raised by new Shares applicable only to Purposes of this Act.

VI. Provided always, and be it enacted, That the Capital to be raised by means of such new Shares shall be applicable only to the Purposes of this Act and of the said recited Acts.

As to voting in respect of new Shares.

VII. And be it enacted, That for the Purpose of voting at Meetings of the Company the Amount of Capital in the Company represented by all such new Shares held by any Proprietor shall be considered as divided into as many Shares of Fifty Pounds each as such Amount of Capital will allow, and the Right of voting of such Proprietor in respect of such new Shares shall be determined accordingly.

Extension of Time for Purchase of Lands.

VIII. And be it enacted, That the Powers of the said Company for the compulsory Purchase of Lands and Hereditaments for the Purposes of the Lines of Railway and Works by the lastly recited Act authorized may be exercised within but shall not be exercised after the Expiration of a further Period of Three Years, to be computed from the Expiration of the Time limited by the said lastly recited Act for that Purpose.

Parties aggrieved by Extension of Time to have Compensation.

IX. Provided always, and be it enacted, That the Justices, Arbitrators, Umpires, Commissioners, or Juries respectively, as the Case may be, who under the Provisions of the said recited Acts or this Act shall award or assess the Compensation to be made by the said Company to the Owners or Occupiers of or other Persons interested in any of the Lands the Time limited for the compulsory Purchase whereof is by this Act extended, which shall be taken or used for the Purposes of the Railways or Works by the said lastly recited Act authorized, or which may be injuriously affected by the Construction thereof, shall, in estimating the Amount of such Compensation, have regard to and assess Compensation for the additional Damage (if any) sustained by such Owners, Occupiers, or other Persons by reason of the Extension of Time hereby granted.

X. Pro-

Existing Contracts to take Lands not to be affected, and as to Cases where Notices have been given

X. Provided always, and be it enacted, That the Extension of Time for the Purchase of Lands by this Act granted shall not in anywise prejudice or affect any Contract entered into by the said Company before the passing of this Act for purchasing, taking, or using any Lands which under the said recited Acts such Company is entitled to purchase, take, or use, but every such Contract shall be construed and take effect, and the same Proceedings may be had thereunder, and all Parties thereto shall be entitled to the same Rights and Remedies in respect thereof, both at Law and in Equity, as if such Extension of Time had not been granted; provided also, that in all Cases where Notices only have been given, and the Amount of Compensation to be paid by the said Company for the Lands referred to in such Notices, or the Interests of the Parties therein, has not been settled or agreed upon before the passing of this Act, it shall be lawful for the said Company (notwithstanding anything herein-before contained) to abandon such Notices, and all Proceedings thereon, and to purchase or take such Lands respectively, under the Powers hereinafter contained.

Company to make out Maps, &c. of Lands required.

XI. Whereas it is expedient, for the Purpose of employing the Poor in the District traversed by the authorized Line of the said *Waterford and Limerick* Railway, that the Company should be empowered to enter simultaneously into possession of all the Lands now required by them for the Purposes of the said Railway: And whereas the Company are willing to proceed with the Construction of the whole of the said Line of Railway without Delay, upon obtaining Possession of the Land necessary for that Purpose: Be it therefore enacted, That it shall be lawful for the Company to cause to be made out, and to be signed by their Engineer and Secretary, Maps and Schedules of all or any of the Lands required by the Company for the Purposes of the said Railway, and for the Purchase whereof the Company shall not have contracted prior to the passing of this Act, together with the Names of the Owners or reputed Owners, Lessees, and Occupiers of the said Lands respectively, so far as the same can be reasonably ascertained, with Estimates of the gross annual Value and Value in Fee thereof respectively (taking into consideration Damage by Severance, and any other Matters by "The Lands Clauses Consolidation Act, 1845," required to be considered, if necessary,) of all such Lands respectively; and every such Map shall be upon a Scale of not less than One Inch to every Two hundred Feet, and all Lands, Buildings, Yards and Court-yards, and Lands within the Curtilage of any Building, and Ground cultivated as a Garden, shall be marked thereon with distinct Numbers corresponding with the Numbers marked upon the Parliamentary Plans of the said Railway, and shall have put thereon a distinct Valuation to each Number; and the Company shall deposit such Maps, Schedules, and Estimates at the Office of the Commissioners of Public Works in the City

Maps, &c. to be deposited.

City of *Dublin*, and a Copy of such Maps, Schedules, and Estimates with the Clerk of the Peace of the County, County of a City, or County of a Town in which such Lands shall be situate; and such Clerk of the Peace is hereby required to retain the said Documents in his Custody, and to permit all Persons interested to inspect the same, and to make Copies and Extracts of and from the same, in the like Manner, and upon the like Terms, and under the like Penalty for Default, as is provided by an Act passed in the First Year of the Reign of Her present Majesty, intituled *An Act to compel Clerks of the Peace to take the Custody of such Documents as shall be directed to be deposited with them by the Standing Orders of either House of Parliament*.

7 W. 4. & 1 Vict. c. 83.

Commissioners to appoint Arbitrators to consider the Valuations.

XII. And be it enacted, That the said Commissioners shall from Time to Time appoint an Arbitrator to consider and settle such Valuations or any of them, and for other the Purposes of this Act, and they may from Time to Time remove any such Arbitrator, and may appoint any other Arbitrator in the Place and Stead of any Arbitrator who shall die, or shall be so removed as aforesaid, and shall determine what Salary or Remuneration and travelling or other Expenses shall be paid to every such Arbitrator so appointed as aforesaid.

Expenses of the Commissioners to be borne by the Company.

XIII. And be it enacted, That as well the Salary or Remuneration, travelling and other Expenses, of every such Arbitrator as aforesaid, as also all other Costs, Charges, and Expenses, if any, which shall be incurred by the said Commissioners, or by any of their ordinary Officers, in carrying the Provisions of this Act into execution, shall be paid by the Company; and the Amount of such Costs, Charges, and Expenses shall from Time to Time be certified by the said Commissioners, after first hearing any Objections that may be made to the Reasonableness of any such Costs, Charges, and Expenses, by any Person or Persons authorized on behalf of the Company; and it shall be lawful for the Commissioners from Time to Time to require the Company to deposit any Sum or Sums of Money, or to give such other Security for the Payment of any such Costs, Charges, and Expenses, as to the said Commissioners shall seem fit; and every Certificate of the said Commissioners certifying the Amount of any such Costs, Charges, and Expenses shall be taken as Proof in all Proceedings at Law or in Equity of the Amount of such respective Costs, Charges, and Expenses, and the Amount so certified shall be a Debt due from the Company to the Crown, and shall be recoverable accordingly.

Maps, &c. approved by the Arbitrator to be deposited.

XIV. And be it enacted, That the Arbitrator so for the Time being appointed shall consider such of the said Valuations as shall be referred to him by the said Commissioners, and may, at his sole Discretion,

Discretion, alter or vary the same, and may call for such further Information relating thereto as he shall think fit; and so soon as the said Arbitrator shall from Time to Time have signified in Writing his Approval and Sanction of any such Maps, Schedules, and Estimates deposited as aforesaid, or any Part thereof, the Company shall proceed to deposit Copies of so much of the said Maps, Schedules, and Estimates, so approved of as aforesaid, as relates to each Parish in which any of the said Lands shall be situate, with the Clerk of the Poor Law Union comprising such Parish, and thereupon the Company shall publish a Notice once in the "*Dublin Gazette*" and once in each of Three successive Weeks in some One and the same Newspaper circulated in the County in which such Lands shall be situate; and every such Notice shall state the Time and Place of depositing such Copies of such Maps, Schedules, and Estimates with the Clerk of such Union, and the Sanction and Approval of the said Maps, Schedules, and Estimates by the said Arbitrator, and shall require all Persons claiming to have any Right to or Interest in the said Lands required for the Purposes of the said Railway in such Parish to deliver to the Company, on or before a Day to be named in such Notice (and which Day shall not be earlier than Thirty-one Days from the Date of the Insertion of the last of such Newspaper Notices), a short Statement in Writing of the Nature of such Claim or Right, and a short Abstract of the Title on which the same shall be founded, such Statement and Abstract to be paid for by the Company.

Persons claiming an Interest in Lands required to deliver in a Statement of Claim.

XV. And be it enacted, That within Thirty Days from the Delivery of every such Statement and Abstract as aforesaid the Company shall, when it shall appear to them that the Party so claiming as aforesaid is absolutely entitled to the Land claimed by him, deliver to such Party, on Demand, a Certificate under the Company's Seal, stating the Amount of the Valuation approved by the said Arbitrator as aforesaid; and where it shall appear to the Company that there are different Estates or Interests existing in the same Land, then the Company shall apportion the Amount of their said Valuation according to such different Estates or Interests, and shall deliver, on Demand, to each Party claiming such different Estates or Interests as aforesaid, a Certificate under the Seal of the Company, stating the Valuation of the Estate or Interest to which such Party so claiming as aforesaid is in the Opinion of the Company entitled; and where more Land than is included in One Number shall be claimed by the same Party, such Land, and the Valuations thereof, or of the Estates or Interests therein, may be included in One Certificate, if the Company shall think fit; and every such Certificate as aforesaid shall be prepared by and at the Costs of the Company.

After Delivery of Statement, Company to deliver a Certificate of Value to the Party.

XVI. And be it enacted, That when and so soon as the Company shall have paid to the Party to whom any such Certificate as aforesaid

When Amount mentioned in Certificates

shall be paid to Parties, on Demand, &c. Company may take possession of Lands.

said shall have been given, or to Trustees, or into the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the Court of Exchequer in *Ireland*, in the Cases herein-after mentioned, the Amount of Monies specified to be payable by such Certificates to the Party to whom or in whose Favour such Certificate shall be given, his Executors, Administrators, or Assigns, it shall be lawful for the Company from Time to Time to enter upon any Lands in respect of which such Certificate shall have been given, and thenceforth to hold the same in Fee, discharged of all Estates and Interests whatsoever of any Person or Body whomsoever.

Receipts duly stamped to have the Effect of a Release.

XVII. And be it enacted, That in every Case in which any Monies shall be paid on any such Certificate as aforesaid the Party receiving such Monies shall give to the Company a Receipt for the same, and such Receipt shall have the Effect of a Grant, Release, and Conveyance of all the Estate and Interest of such Party, and of all Parties claiming under or through him, in the Lands in respect of which such Monies shall have been paid, so as such Receipt shall have an *ad valorem* Stamp of the same Amount impressed thereon in respect of the Purchase Monies mentioned in such Certificate (but exclusive of the Amount paid for Severance and consequential Damages) as would have been necessary if such Receipt had been an actual Conveyance of such Estate or Interest, every such Receipt to be prepared by and at the Costs of the Company.

If Parties making Claims are deemed not entitled, or shall be under Disability, or if Title shall not be satisfactorily deduced, Monies to be paid to Trustees, or into Court.

XVIII. And be it enacted, That if it shall appear to the Company, from any such Statement and Abstract as aforesaid, or otherwise, that the Party making any such Claim as aforesaid is not absolutely entitled to the Land, Estate, or Interest in respect of which such Claim shall have been made, or shall be under any Disability, or if the Title to such Land, Estate, or Interest shall not be deduced to the Satisfaction of the Counsel of the Company, then and in every such Case the Amount of such Valuation as aforesaid, or of any Monies to be recovered on any Traverse as after mentioned, or payable in respect of any Judgment or Execution as after mentioned, exceeding Twenty Pounds, shall, on Request of any Party claiming any Interest in the Land included in such Valuation or any Part thereof, or without such Request, if the Company shall think fit, be paid as follows; (that is to say,) if the same shall exceed Twenty Pounds and shall not amount to Two hundred Pounds, the same shall either be paid into the Bank, or to Two Trustees, who shall be nominated and shall apply the Money so paid to them in the Manner in that Behalf provided by "The Lands Clauses Consolidation Act, 1845;" and if the same shall amount to or exceed Two hundred Pounds, then the same shall be paid into the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the Court of Exchequer in *Ireland*, in all respects as by "The Lands Clauses Consolidation Act, 1845,"

1845," is provided in Cases of Sales by Parties under Disability; and all Monies paid into the Bank under this present Power shall be dealt with in all respects as if the same had been paid into the Bank in pursuance of the Provisions of the said last-mentioned Act on a Sale of such Lands by a Party under Disability, as defined by the same Act; and every such Sum not exceeding Twenty Pounds may be paid and applied to the Party who under the said "Lands Clauses Consolidation Act, 1845," would be entitled to receive the same in case the Lands in which he was entitled to any Estate or Interest had been taken under the Powers in "The Lands Clauses Consolidation Act, 1845," contained.

Where no Claim made, or Parties refuse to accept the Sum certified, Money to be paid into Court.

XIX. And be it enacted, That when the Company shall be desirous of taking possession of any Land under the Provisions in this Act contained, and no Claim shall have been made in respect thereof, or of some particular Estate or Interest therein, within the Time herein-before prescribed for making such Claim, or if any Party to whom any such Certificate shall have been given or tendered shall refuse to receive such Certificate, or to accept the Amount therein specified as payable to him, then and in either of such Cases the Company shall pay the Amount of the Valuation, either of the Fee or of any other Estate or Interest (as the Case may be) in such Lands not claimed for as aforesaid, or the Amount specified in such Certificate, into the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the Court of Exchequer in *Ireland*, in like Manner as is by "The Lands Clauses Consolidation Act, 1845," provided in Cases where Lands are taken possession of on no Title being shown, and the Amount so paid into the said Bank shall be accordingly dealt with as by the said Act is provided.

Nothing to prevent Company requiring further Evidence of Title at their Costs.

XX. And be it enacted, That nothing herein-before contained shall prevent the Company from requiring any further Abstract of Title or Statement respecting any Land included in any such Valuation as aforesaid, in addition to the Abstract or Statement herein-before mentioned, if they shall think fit, so as any such further Information be obtained at the Costs of the Company.

Parties dissatisfied with Amount of Valuation may enter a Traverse at Assizes.

XXI. And be it enacted, That it shall be lawful for every Person lawfully claiming any Interest in any Monies so paid to Trustees or into the Bank of *Ireland* as aforesaid, who shall be dissatisfied with the Amount of the Valuation of the Land in respect of which such Monies shall be so paid to Trustees or into the Bank of *Ireland* as aforesaid, or of any Interest therein, at the Assizes next following the Payment of such Monies to Trustees or into the Bank of *Ireland*, as the Case may be, or at the next subsequent Assizes, upon giving Ten Days Notice in Writing previously to such Assizes respectively

to the Secretary of the Company, of the Amount of Compensation or Damages intended to be claimed, to have a Traverse for Compensation or Damages entered in the "Crown Book" in respect of such Claim by him; and therefrom such Traverse shall be tried in like Manner, and like Proceedings shall be had thereon, and the same shall be subject to such like Provisions, as far as the same can be applied, as in the Case of Traverses entered for Damages under the Acts for consolidating and amending the Laws relating to the Presentment of public Monies by Grand Juries in *Ireland*: Provided always, that the Sum to be awarded or allowed as the Costs, Charges, and Expenses of the Trial of every such Traverse for Compensation or Damages shall in no Case exceed the Sum of Twenty Pounds; and further, that no Party shall have any other Remedy for the Purpose of ascertaining the Amount of the Value of any Land to be taken under the Powers herein-before in this Act contained, or of impeaching the Amount of the Valuation put thereon as aforesaid, other than by means of such Traverse as aforesaid, anything in any of the aforesaid Acts, or any Acts incorporated therewith, or in this Act, to the contrary notwithstanding.

Verdict on Traverse to have the Effect of Judgment.

XXII. And be it enacted, That in every such Traverse as aforesaid the Verdict of the Jury therein shall be entered of Record in the Court of Queen's Bench in *Ireland*, and shall be and be deemed to be a final Decision, and binding upon all Parties interested, and shall have the Effect of a Judgment in an Action at Law obtained in the said Court of Queen's Bench in *Ireland* against the Company, or other Party against whom the Verdict shall be given, and may be enforced by like Remedies against or by the Company or other Party as in the Case of Judgments in Actions at Law by all Parties interested therein; and in every Case in which a Verdict for Compensation or Damages shall be given in respect of any Land the Amount of the Valuation of which shall have been paid to Trustees or into the Bank of *Ireland*, then, if the Amount of such Compensation or Damages shall be less than the Amount paid to Trustees or into the Bank of *Ireland*, the Company shall, if the Amount has been paid into the said Bank, on a summary Application by Petition, be entitled to receive the Difference between the Amount of such Compensation or Damages and the Amount of the Monies paid into the Bank of *Ireland*; and if the Amount has been paid to Trustees, the Company shall be entitled to receive, on Demand, and in default of Payment on Demand to recover by Action at Law in any Court of competent Jurisdiction, from such Trustees, the Difference between the Amount of such Compensation or Damages and the Amount so paid to such Trustees; but if the Amount of the Compensation or Damages shall exceed the Amount of the Monies paid to Trustees or into the Bank of *Ireland*, as the Case may be, then

then the Difference between the Amount so paid and the Compensation or Damages shall, at the Costs of the Company, be paid to the same Trustees or into the Bank of *Ireland*, as the Case may require; and the Payment of such Difference to the same Trustees or into the Bank of *Ireland*, as the Case may require, and the Payment of any Costs payable by the Company in respect of any such Traverse, shall be a good Discharge to the Company on the Verdict in the Nature of a Judgment as aforesaid; and in either of the Cases aforesaid a Receipt under the Hands of such Trustees for the Amount paid to them, or (as the Case may be) under the Hand of the Accountant General of the Court of Exchequer in *Ireland* for the Amount paid into the Bank of *Ireland*, (after adding or deducting, as the Case may require,) the Difference between the Amount of such Compensation or Damages and the Amount originally paid to such Trustees or into the Bank, as the Case may be, shall (if duly stamped as herein-before directed in the Case of Receipts given for Monies paid to Persons on Certificates given as aforesaid) have the Effect of a Release or Conveyance of the Interests of all Parties who entered such Traverse, and of all Parties claiming under them in the Lands affected by such Traverse.

Additional Lands for extraordinary Purposes.

XXIII. And be it enacted, That it shall be lawful for the Company to take and hold any Lands which they are authorized to take for extraordinary Purposes subject and according to the Provisions of this Act, and as if they were Part of the Land herein-before authorized to be taken by the Company.

Interest or Dividend not to be paid on Calls paid up.

XXIV. And be it enacted, That the Company shall not, 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, pay Interest or Dividend to any Shareholders on the Amount of Calls made in respect of the Shares held by him in the Capital of the Company: Provided always, that the Company may pay to any Shareholder such Interest on Money advanced by him beyond the Amount of Calls actually made as shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

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

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

XXVI. And

Railway Company to be subject to the Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., and 9 & 10 Vict. cc 57. 105.

XXVI. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railway*; and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways*; and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops*; and another Act was passed in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways*; and Two other Acts were passed in the Ninth and Tenth Years of the Reign of Her said Majesty, intituled *An Act for regulating the Gauge of Railways*, and *An Act for constituting Commissioners of Railways*: Be it enacted, That nothing in this Act contained shall be held to exempt the said Railway or the said Company from the Provisions of such several Acts respectively, but such Provisions shall be in force in respect to the said Railways and the said Company, so far as the same are applicable thereto.

Company or Railways not exempt from Provisions of future general Acts.

XXVII. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the said Company, or the Railways by this Act or the said recited Acts authorized to be made, from the Provisions of any general Act relating to such Acts, or of any general Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during this or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this or the recited Acts.

Expenses of Act.

XXVIII. And be it enacted, That the Expenses, Costs, and Charges of preparing and passing this Act and incidental thereto shall be paid by the Directors of the said Company out of any Monies being in their Hands at the Time of the passing of this Act, or out of the first Monies which shall thereafter come to their Hands, and in preference to all other Payments whatsoever.

Public Act.

XXIX. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

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