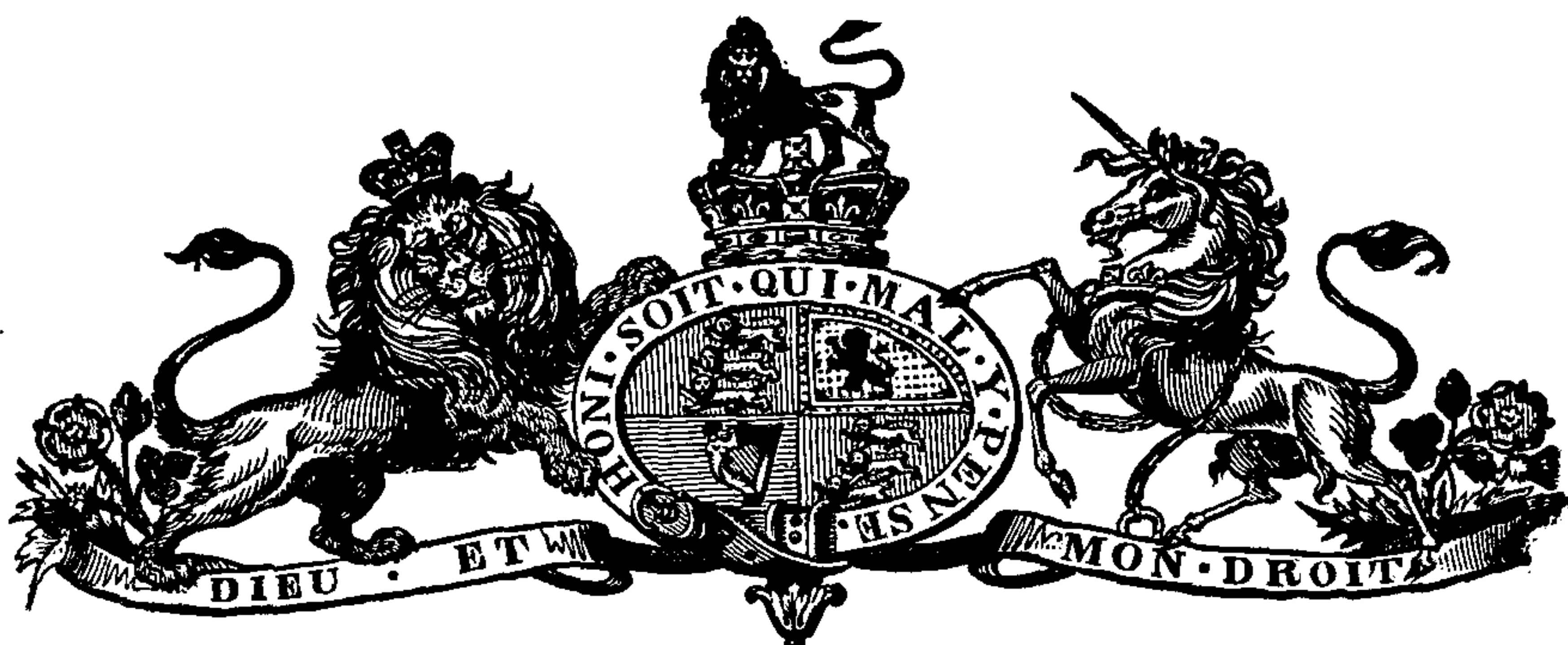




ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

Cap. clvi.

An Act to authorize the Purchase by the *Eastern Counties Railway Company* of the *North Woolwich Railway* and the Lease of the *Pepper Warehouses and Wharfs* of the *East and West India Dock Company*. [9th July 1847.]

WHEREAS an Act was passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for making a Railway from London to Norwich and Yarmouth, by Romford, Chelmsford, Colchester, and Ipswich, to be called "The Eastern Counties Railway,"* whereby the *Eastern Counties Railway Company* were incorporated: And whereas another Act was passed in the First and Second Years of the Reign of Her present Majesty, intituled *An Act to amend and enlarge the Powers and Provisions of the Act relating to the Eastern Counties Railway:* And whereas another Act was passed in the Fourth Year of the Reign of Her present Majesty, intituled *An Act to amend and enlarge some of the Provisions of the Acts relating to the Eastern Counties Railway, and to authorize the Company to raise a further Sum of Money for the Purposes of the said Undertaking:* And whereas an Act was

[Local.] 23 B passed

6 & 7 W. 4. c. 106.
1 & 2 Vict. c. 81.
4 & 5 Vict. c. 14.

7 & 8 Vict.
c. 20.

8 & 9 Vict.
c. 85.

Acts relating
to the North
Woolwich
Railway
partially
repealed.

passed in the Fourth Year of the Reign of Her present Majesty, intituled *An Act to authorize the letting on Lease to the Eastern Counties Railway Company of the Railways and Works of the Northern and Eastern Railway Company, and to give effect to certain Arrangements entered into by the said Companies, and to amend and enlarge some of the Provisions of the Acts relating to the first-named Company*: And whereas an Act was passed in the Session of Parliament held in the Eighth and Ninth Years of the Reign of Her present Majesty, called "*The North Woolwich Railway Act, 1845,*" whereby a Company was incorporated under the Name of "*The North Woolwich Railway Company,*" and Powers were conferred upon such Company to make the *North Woolwich Railway* (which is now in the Course of Construction): And whereas it has been agreed between the said Companies, subject to the Approval of Parliament, that the *North Woolwich Railway* should be vested in perpetuity in the *Eastern Counties Railway Company*, and that all the Powers of the *North Woolwich Railway Company* for making the said Railway should be transferred to the *Eastern Counties Railway Company*, and the last-mentioned Company should purchase the Shares of the said *North Woolwich Railway Company* from the Proprietors thereof, at the Price of Two Pounds Ten Shillings Sterling for every Share of the nominal Value of Twenty-five Pounds: And whereas the *East and West India Dock Company* have agreed to let to the *Eastern Counties Railway Company*, and the last-mentioned Company have agreed to take and hold on Lease, certain Warehouses and Wharfs upon the River *Lea*, called "*The Pepper Warehouses and Wharfs:*" And whereas the several 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 assembled, and by the Authority of the same, That from and immediately after the Execution of the Deed of Conveyance hereinafter directed to be made by the said *North Woolwich Railway Company* to the said *Eastern Counties Railway Company* the said *North Woolwich Railway Company* shall be dissolved, and all the Provisions of the said recited Act relating to such Company, and of the several Acts incorporated therewith, except such of the said Provisions as relate to the Construction and Maintenance of the said Railway, and to the Purchase of Lands for the Purposes thereof, and the Sale of such Lands, and to the saving the Rights or protecting the Property or otherwise specially relating to the Property of any Persons whosoever, shall be and the same are hereby repealed: Provided always, that nothing herein contained shall be held or construed to repeal, alter, or affect any Provision of any of the said Acts incorporated with the said recited Act, except only in reference and with respect to the Company hereby dissolved, and the said *North Woolwich Railway*; provided also, that the Repeal of the said Provisions shall not annul or in anywise prejudice or affect any Purchase, Sale, Conveyance, Grant, Security, Act, Matter, or Thing whatsoever heretofore made, done, executed, commenced, or instituted under or by virtue or in pursuance of the Provisions so repealed, or any of them, but that all such Purchases, Sales, Conveyances, Grants, Securities,

Securities, Acts, Matters, and Things shall be and remain as good, valid, and effectual to all Intents and Purposes whatsoever as if the said Provisions had not been repealed.

II. And be it enacted, That immediately after the granting of such Certificate as herein-after mentioned by the Commissioners of Railways the said *North Woolwich* Railway Company shall execute a Deed of Conveyance of the *North Woolwich* Railway to the said *Eastern Counties* Railway Company, and such Conveyance shall be therein expressed to be made in consideration of the Sum of Three thousand Pounds, being the Amount of Purchase Money to be paid to the said *North Woolwich* Railway Company as herein-after mentioned, and such Deed shall be duly stamped for denoting the Payment of the full and proper Stamp Duty by Law payable in respect of such Conveyance; and from and immediately after the Execution of such Deed of Conveyance the said *North Woolwich* Railway, and all Stations, Houses, and other Buildings, Machines, and other Works belonging thereto, and the Ground and Soil thereof respectively, and all and every other the Lands, Tenements, and Hereditaments, Rights, Easements, and Appurtenances whatsoever of or to which the said *North Woolwich* Railway Company were, by virtue of the said recited Act relating to the said Railway, or by any other Act or Means whatsoever, seised, possessed, or entitled at Law or in Equity immediately before the passing of this Act, shall belong to, and shall by virtue of the said Conveyance and of this Act be absolutely vested in, the said *Eastern Counties* Railway Company, and the Undertaking of the *North Woolwich* Railway Company shall thenceforth become and form Part of the Undertaking of the *Eastern Counties* Railway Company, subject nevertheless and without Prejudice to the several Mortgages, Charges, and Incumbrances (if any) which at or immediately before the Time of such vesting shall have been upon or affecting the said *North Woolwich* Railway, or any of the Property of the said *North Woolwich* Railway Company.

Railway
vested in
the Eastern
Counties
Railway
Company.

III. And be it enacted, That all Contracts, Agreements, Conveyances, Mortgages, Bonds, Covenants, and Securities, Debts and Liabilities, made, contracted, or entered into with, to, or in favour of, or by or for, the *North Woolwich* Railway Company, before the granting of such Certificate as aforesaid, shall thenceforth be and remain as good, valid, and effectual in favour of, against, and in reference to the said *Eastern Counties* Railway Company, and may be proceeded on and enforced in the same Manner by or against the said *Eastern Counties* Railway Company, to all Intents and Purposes as if the said *Eastern Counties* Railway Company had been a Party to and executed the same, or had been named or referred to therein or had contracted the same, instead of the said *North Woolwich* Railway Company.

Convey-
ances, &c.
made in
favour of the
purchased
Railway
Company
to be for the
Benefit of
the Eastern
Counties
Railway
Company.

IV. And be it enacted, That no Action, Suit, Prosecution, or other Proceeding whatsoever commenced either by or against the said *North Woolwich* Railway Company previously to the granting of the said Certificate shall abate or be discontinued or prejudicially affected by such Repeal as aforesaid, but, on the contrary, that the same

Actions, &c.
not to abate.

same shall continue and take effect either in favour of or against the said *Eastern Counties* Railway Company, in the same Manner in all respects as the same would have continued and taken effect in relation to the said *North Woolwich* Railway Company if the said Act relating thereto, and the several Acts incorporated with such Act, had not been in part repealed in manner aforesaid; and also that all Penalties incurred by reason of any Offence committed against the Provisions hereby repealed of the said Acts previously to the Repeal thereof shall and may be sued for, and all Offences which may have been committed before such Repeal against the Provisions of the said Acts may be prosecuted, in such or the like Manner to all Intents and Purposes as the same might have been sued for and prosecuted respectively if the same Acts had not been in part repealed, the said *Eastern Counties* Railway Company being, in reference to the Matters in this Enactment mentioned, in all respects substituted in the Place of the said *North Woolwich* Railway Company.

Eastern
Counties
Railway
Company to
complete
and maintain
Railway.

V. And be it enacted, That the *Eastern Counties* Railway Company shall carry on, complete, and maintain the Railway and Works by the said recited Act relating to the *North Woolwich* Railway Company authorized to be made and maintained by the Company thereby incorporated, in like Manner as such last-mentioned Company might have carried on and completed the same if this Act had not passed; and all the Powers, Privileges, Provisions, and Restrictions by the said recited Act relating to the *North Woolwich* Railway conferred or imposed upon the Company thereby incorporated with respect to the Construction and Maintenance of such Railway shall relate and apply to the *Eastern Counties* Railway Company, in like Manner in all respects as before the granting of the said Certificate such Provisions applied to the *North Woolwich* Railway Company.

Provisions of
Eastern
Counties
Railway
Acts to be
extended to
this Act.

VI. And be it enacted, That from and after the granting of the said Certificate all and singular the Powers and Provisions, Clauses, Matters, and Things, in the said recited Acts relating to the *Eastern Counties* Railway, or any of them, contained, shall, so far as they are applicable, and are not repealed, altered, varied, or otherwise provided for by this Act or by any Statute, extend to this Act and to the Objects and Purposes thereof, so far as such Objects and Purposes relate to the said *North Woolwich* Railway, and the Works, Conveniences, Lands, Tenements, and Hereditaments hereby vested in the said *Eastern Counties* Railway Company, to all Intents and Purposes as if the same Railway and Works, Conveniences, Lands, Tenements, and Hereditaments, had in and by the said last-mentioned Acts been vested in and made Part of the Undertaking of the said *Eastern Counties* Railway Company, and as if the Enactments, Powers, Provisions, Clauses, Matters, and Things in the same Acts or any or either of them contained had been in and by the said last-mentioned Acts expressly enacted in reference to the said *North Woolwich* Railway, and the Works, Conveniences, Lands, Tenements, and Hereditaments of or belonging thereto or connected or used therewith, and so agreed to be purchased as aforesaid, as well as to the said

said *Eastern Counties* Railway, and also as if the same Powers, Provisions, Clauses, Matters, and Things were expressly repeated in this present Act with reference to the Objects and Purposes thereof.

VII. Provided always, and be it enacted, That nothing in this Act contained shall be held or construed to authorize the *Eastern Counties* Railway Company to levy or take upon the said *North Woolwich* Railway any higher Rate of Toll or Charge than was authorized to be taken on the said Railway by the said recited Act relating thereto. Tolls.

VIII. And be it enacted, That all Books and other Documents whatsoever by the said recited Act relating to the *North Woolwich* Railway authorized or directed to be kept, and thereby made Evidence, shall henceforth, and notwithstanding the Repeal in part of the said Acts in manner aforesaid, be admitted as Evidence in all Courts of Law and Equity or elsewhere. Books, &c. of the dissolved Company to be Evidence.

IX. And be it enacted, That the several Maps, Plans, and Books of Reference which in pursuance of the said lastly mentioned Acts have been deposited with the Clerks of the Peace of the Counties of *Kent* and *Essex* shall henceforth remain in the Custody of the said Clerks of the Peace, to the end that all Persons interested in any Manner therein may at all reasonable Times have Liberty to inspect the same, and to take Copies thereof or Extracts therefrom at their Pleasure, such Persons paying to the Clerk of the Peace with whom the Plan, Section, or Book of Reference so inspected by him shall be deposited the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copy or Extract; and the said Maps or Plans and Books of Reference, or any Copy thereof, or of so much thereof respectively as shall relate to any Matter which may be in question, certified to be a true Copy by either of such Clerks, shall be admitted as Evidence in all Courts of Law and Equity or elsewhere. Maps, &c. relating to the purchased Railway to remain deposited.

X. And whereas the Share Capital of the *North Woolwich* Railway Company consists of One thousand two hundred Shares of the nominal Value of Twenty-five Pounds each; be it enacted, That every Person and Corporation who immediately before the granting of the said Certificate was entitled to One or more of the said Shares shall, from and after the granting thereof, become entitled to a Sum of Money from the said *Eastern Counties* Railway Company that shall be equal in Amount to the Sum of Two Pounds Ten Shillings Sterling for every such Share to which such Person or Corporation was so entitled, and every such Sum shall be a Charge upon the Undertaking of the *Eastern Counties* Railway Company, subject to all the existing Charges thereon. The Shareholders of North Woolwich Railway Company entitled to be paid off.

XI. And be it enacted, That the said Company shall, within Twenty-eight Days after the passing of this Act, if the said Certificate shall then have been granted, and if not, then within Twenty-eight Days after the granting of such Certificate, publish in the *London Gazette*, and in some One or more Newspapers printed or circulated Notice of paying off Shares to be given in the London Gazette, &c.

[Local.]

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in the County of *Essex*, a Notice referring to this Act, and stating the Intention of the said Company, pursuant to the Provisions thereof, to pay off the Shares of the said *North Woolwich* Railway Company on and after a Day to be named in the said Notice, which shall not be later than Eight Weeks after the Publication thereof, and requiring all Persons who would but for the passing of this Act have become entitled to any Shares in the Company under or by reason of any Purchase, Marriage, Bequest, Right of Representation, Operation of Law, or other Right or Title of which no Entry shall have been made in the Books of the said *North Woolwich* Railway Company, to send in their Claims to such Shares to the Secretary of the said *Eastern Counties* Railway Company, at his Office in *London*, on or before the Day to be named in such Notice, and to verify the same in such Manner as shall be specified in the said Notice, and such Notice shall be repeated in the same Gazette and Newspaper once at least in each of the Three Weeks immediately subsequent to the first Publication thereof.

Payment of
Purchase
Money.

XII. And be it enacted, That on and after the Day appointed in such Notice the said *Eastern Counties* Railway Company shall pay to the several Persons and Corporations who shall apply to them for the Purchase Money of any Share or Shares in the said *North Woolwich* Railway Company, and shall make good their Claim thereto, the Sums to which such Persons and Corporations shall appear respectively to be entitled according to the Price aforesaid; and in case of the Neglect or Refusal of the said Company to pay such Sums, the several Persons and Corporations who shall be entitled thereto shall also be entitled to Interest upon the Sums due to them respectively, at the Rate of Five Pounds *per Centum per Annum*, from the Day upon which Application was made by them respectively for Payment thereof to the Day upon which the Sums unpaid shall be respectively discharged.

Receipt of
Executor,
&c. to dis-
charge
Company.

XIII. And be it enacted, That the Receipt of an Executor, Administrator, Agent, Committee, or Guardian of any Person entitled to any Share or Shares in the said *North Woolwich* Railway Company, or to the Purchase Money to be paid in respect thereof by the said *Eastern Counties* Railway Company, shall be a good and effectual Discharge to such last-mentioned Company for so much Money as shall be paid by them or by their Order to such Executor, Administrator, Agent, Committee, or Guardian on behalf of such Share or Shares, and as shall be expressed in any such Receipt to have been received, and shall exonerate and discharge the said Company from seeing to the Application thereof, and from being answerable for the Misapplication or Nonapplication of the same or any Part thereof, or being liable to any other Duty or Obligation by reason of any Trust affecting the Person to whom such Payment shall be made, and that the said Company shall not after such Payment be in anywise liable to any Action or Suit at Law or in Equity in respect thereof.

Eastern
Counties
Railway
Company to

XIV. And be it enacted, That at the Expiration of Six Calendar Months next after the Day appointed for the Payment of the said Purchase Money the said *Eastern Counties* Railway Company shall,
1 in

in case the whole of the Monies to be distributed under the Authority of this Act shall not have been called for, cause Notices to be inserted Three Times in the *London Gazette*, and also in some One or more Newspapers usually printed or circulated in the County of *Essex*, containing the Names in alphabetical Order of the several Persons appearing in the Books of the Company to have been Proprietors of Shares therein who may not have called for or claimed their Proportion of the Money by this Act ordered to be paid in respect thereof, and stating that if such Persons or their Representatives shall not make and substantiate their Claims to such Monies within a Time to be limited in such Notice (being Twelve Calendar Months from the Day originally appointed for the Payment of such Monies), the Amount of such Money due to each such Person will be paid into the Bank of *England* in every Case in which the same shall exceed the Sum of Two hundred Pounds, or shall be retained by the said Company if the same shall not exceed the Sum of Two hundred Pounds, in pursuance of the Provisions of this Act: Provided always, that a Copy of such Notice as last aforesaid shall be given or sent by the Post unto or left at the last known usual Place of Abode in *England* of each Proprietor appearing in the Books of the said Company to have been possessed of such unclaimed Shares; and in case the last or usual Place of Abode in *England* of any such Proprietor cannot be ascertained upon Inquiry, then the Insertion as aforesaid of such Notice in the *London Gazette* and such Newspaper or Newspapers as aforesaid shall be deemed to be sufficient Notice to such Proprietor of the Matters contained in such Notice; and after such Notice and Default of any such Proprietor in making or establishing his Claim in respect of any Shares, it shall be lawful for the said Company to pay such Monies into the Bank of *England* accordingly.

advertise for
Non-claim-
ant of Shares.

XV. And be it enacted, That at the Expiration of Twelve Calendar Months from the Day appointed for the Purchase of such Shares the said Company shall cause all Sums of Money remaining in their Hands applicable to such Purpose, and which shall not have been so applied, either from the same not having been called for by the Persons entitled thereto, or from the Persons claiming the same not having shown sufficient Title thereto to the Satisfaction of the said Company, or from any other Cause, to be disposed of in manner herein-after mentioned; (that is to say,) when any such Money appearing from the Books of the *North Woolwich* Railway Company to be due to One Person, or to Two or more Persons jointly, shall not exceed the Sum of Two hundred Pounds, the *Eastern Counties* Railway Company shall retain the Sum so appearing to be due to such Person or Persons in their Possession until the same shall be claimed, and a proper Title be substantiated thereto; and when and as such Sums shall be claimed, and the Title thereto proved to the Satisfaction of the said Company, the said Company shall pay the same, but without Interest, to the Person or Persons who shall so have proved their Title thereto respectively; and where any such Money appearing from the Books of the *North Woolwich* Railway Company to be due to One Person, or to Two or more Persons jointly, shall exceed the Sum of Two hundred Pounds, the

Purchase
Money not
claimed
within One
Year to be
paid into the
Bank, or
retained by
the Com-
pany, ac-
cording to
the Amount.

Eastern

Eastern Counties Railway Company shall cause the Sum so appearing to be due as last aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there to the Credit of the Party or Parties entitled thereto, describing him or them as he or they may be described in the Books of the said *North Woolwich* Railway Company, pursuant to the Method prescribed by the Act of the Twelfth Year of the Reign of His Majesty King *George* the First, Chapter 32, and pursuant to the General Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of the Reign of His Majesty King *George* the Second, Chapter 24.

If adverse
Claims be
made,
Money may
be paid into
the Bank.

XVI. And be it enacted, That if Two or more Persons shall claim to be entitled to the Money which may be payable in respect of the same Share or Shares, or to any Part of such Money, and such Persons cannot agree as to which of them shall receive such Money, or as to the Manner in which the same shall be disposed of, then and in such Case it shall be lawful for the said Company, and they are hereby authorized and empowered, at the Expiration of Twelve Calendar Months from the Day originally appointed for the Payment of such Money, to pay the same, or so much thereof respecting which there shall be such Dispute, into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there *ex parte* the Proprietors of the Share or Shares numbered (describing such Shares by their Numbers in the Books of the Company) in the late *North Woolwich* Railway Company, subject to the Control and Disposition of the said Court.

Money paid
into the
Bank to be
invested in
Three per
Cent. Con-
sols.

XVII. And be it enacted, That all Money paid into the Bank of *England* in the Name of the Accountant General under the Authority of this Act shall there remain until the Person or Persons entitled thereto shall, upon Petition to be presented to the Court of Chancery in a summary Way, and which he, she, or they is and are hereby authorized to make at his, her, or their own Expence, obtain an Order for the Transfer thereof into his, her, or their own Name or Names, or otherwise, and that the said Accountant General shall and may from Time to Time invest the Dividends thereof, when the same shall amount to a competent Sum, in the Purchase of Stock in the Three Pounds *per Centum* Consolidated Bank Annuities, for the Benefit of the respective Parties entitled thereto, subject to the Orders and Directions of the said Court, which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of proceeding or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payments of the Dividends thereof, according to the respective Estates or Interest of the Person or Persons making claim thereto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable.

XVIII. And

XVIII. And be it enacted, That in all Cases in which any Money shall be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the High Court of Chancery under the Authority of this Act the Certificate or Certificates of the said Accountant General, together with the Receipt or Receipts of One of the Cashiers of the Bank of *England* to be thereto annexed, and therewith filed in the Register Office of the said Court of Chancery, of the Payment into the Bank of *England* by the said Company of any such Monies as aforesaid, or any Office Copy or Office Copies thereof, shall be and be deemed and taken to be a good and sufficient Discharge or good and sufficient Discharges to such Company for the same, or so much thereof as therein respectively shall be expressed to have been paid, and that such Company shall not afterwards be liable to see to the Application of such Monies, or be answerable or accountable for any Loss, Misapplication, or Nonapplication of the same.

Cashiers
Receipt a
sufficient
Discharge
to the Direc-
tors.

XIX. And be it enacted, That in the meantime, and until the Money to be paid for the Purchase of the Shares in the *North Woolwich* Railway Company under the Provisions of this Act (and which amounts in the aggregate to the Sum of Three thousand Pounds) can be so applied, the same, or so much thereof as the Directors of the *Eastern Counties* Railway Company shall in their Discretion think expedient, may be invested by them in the Purchase of Exchequer Bills, and the Money so invested, and the Interest which shall arise therefrom, shall be subject to the Directions and Provisions of this Act in regard to the said Purchase Money.

Money until
wanted for
Distribution
may be
vested in
Exchequer
Bills at
Interest.

XX. And be it enacted, That in case the *Eastern Counties* Railway Company shall be authorized by an Act to enable the *Eastern Counties* Railway Company to enlarge their *London* and *Stratford* Stations, and to amend some of the Provisions of the Acts relating to the said Company, or by any other Act to be passed in the present Session of Parliament to raise Capital for the Completion of the said *North Woolwich* Railway, it shall not be lawful for the said Company to exercise any of the Powers of the *North Woolwich* Railway Company to raise Capital by Shares or Mortgage, and by this Act transferred to the said *Eastern Counties* Railway Company, any thing herein-before contained to the contrary notwithstanding.

Company
not to raise
Capital
under *North
Woolwich
Railway
Act*.

XXI. And be it enacted, That it shall not be lawful for the said *Eastern Counties* Railway Company, out of any Money by this Act or any other Act relating to the said Railway Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein-before contained shall be deemed to prevent the said 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.

Interest not
to be paid
on Calls
paid up.

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

XXII. And be it enacted, That it shall not be lawful for the said Company, out of any Money by this Act or any other Act relating to the said Railway Company authorized to be raised for the Purposes of such Act or Acts, 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 of any Application to Parliament for the Purpose of obtaining an Act authorizing the said Company to construct any other Railway, or execute any other Work or Undertaking.

Powers of Sale not to be exercised without Certificate of Commissioners of Railways.

XXIII. Provided always, and be it enacted, That it shall not be lawful for the said *North Woolwich* Railway Company by virtue of the Power herein-before contained to sell, nor for the said *Eastern Counties* Railway Company to purchase, the said *North Woolwich* Railway, unless it shall have been proved to the Satisfaction of the Commissioners of Railways, and certified by them under their Seal previously to the Completion of such Sale, that One Half of the whole Amount of the Capital, exclusive of Loans, by the Act or Acts relating to each of the said Companies authorized to be raised, has been actually paid up and expended for the Purposes authorized by such Act or Acts respectively.

Power to Eastern Counties Railway to purchase additional Land for Purposes of this Act.

XXIV. And be it enacted, That it shall be lawful for the *Eastern Counties* Railway Company to purchase for any of the additional Purposes specified in the Railways Clauses Consolidation Act, 1845, in connexion with the said *North Woolwich* Railway, any Quantity of Land not exceeding Fifteen Acres beyond the Quantity which the *North Woolwich* Railway Company are by the said recited Act relating to such Company authorized to purchase, and all the Provisions of the Lands Clauses Consolidation Act, 1845, with respect to the Purchase of Lands by Agreement shall be incorporated with this Act in reference to the Lands to be so purchased.

Railway 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. and 105.

XXV. And whereas an Act was passed in the First and Second Years 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 Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act for regulating Railways*; and another Act was passed in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops*; and another Act was passed in the Seventh and Eighth Years of the Reign of Her present 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 last Session of Parliament, one thereof intituled *An Act for regulating the Gauge of Railways*, and the other *An Act for constituting Commissioners of Railways*; be it enacted, That nothing in this Act contained shall be held to exempt the *North Woolwich* Railway or the *Eastern Counties* Railway Company in respect thereof from the Provisions of the said several Acts respectively, but

but that such Provisions shall be in force in respect to the said Railway and Company so far as the same shall be applicable thereto.

XXVI. Provided always, and be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railway by this or the said recited Acts authorized to be made or completed from the Provisions of any general Act relating to such Acts, or of any general Act relating to Railways, now in force or which may hereafter pass during the present or any future Session of Parliament, or from any future Revision or Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act.

Railway to be subject to future general Acts.

XXVII. And be it enacted, That it shall be lawful for the *East and West India Dock Company* to demise or lease to the *Eastern Counties Railway Company* for any Term of Years that Portion of the Warehouses belonging to the said *East and West India Dock Company* called or known by the Name of the Pepper Warehouses, and the Wharfs, Yards, and Premises attached thereto, situated upon the River *Lea* in the Parish of *Saint Leonard's Bromley* in the County of *Middlesex*, and such Lease shall be valid and effectual for the Purpose of entitling the said *Eastern Counties Railway Company* to the free Use and Enjoyment of the said Warehouses, and the Wharfs, Yards, and Premises connected therewith, and for the Purpose of enabling the said *Eastern Counties Railway Company* to maintain the same, and also for the Purpose of securing to the said *East and West India Dock Company* the Rent or Sums of Money, Privileges, or Advantages which may be thereby made payable or reserved or given to them; and during the Continuance of such Lease all such of the Powers, Privileges, and Authorities granted to the said *East and West India Dock Company*, or to the Directors thereof, or to their Officers, Agents, or Servants, under or by virtue of the Acts relating to the same Company, may be exercised with respect to the said Warehouses and Wharfs by the said *Eastern Counties Railway Company*, and their Directors, Officers, Agents, and Servants, subject to the Conditions contained in such Lease, or in any Agreement or Agreements which may be entered into between the said Two Companies in relation to the Matters aforesaid, or any of them, and subject also to the Provisions of this Act; and to the several Provisions, Conditions, and Restrictions in the said before-mentioned Acts or any of them contained.

Power to the East and West India Dock Company to lease certain Warehouses and Wharfs to the Eastern Counties Railway Company, who may exercise Powers when Lease transferred.

XXVIII. And be it enacted, That any Lease or Agreement which may have been entered into between the said Two Companies prior to the passing of this Act, and consistently with the Provisions herein-before contained, shall be as binding, valid, and effectual as though the same had been made under the Powers of this Act.

Leases made consistently with the foregoing Provision to be valid.

XXIX. And be it enacted, That in construing this Act the several Words and Expressions following shall have the Meanings hereby

Interpretation of Act.

hereby assigned them, unless there be something in the Subject or Context repugnant to such Construction ; (that is to say,)

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular :

Words importing the Masculine Gender shall include Females :

The Word " Person " shall include Corporation, aggregate or sole.

Costs of Act. XXX. And be it enacted, That all the Costs, Charges, and Expences of and attending the passing of this Act, or incidental thereto, shall be paid by the *Eastern Counties* Railway Company, *pari passu* with the Costs, Charges, and Expences of every other Act of Parliament passed in the present Session to which they may be liable, out of the first Monies which shall come to their Hands, and in preference to every other Payment whatsoever.

Public Act. XXXI. 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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