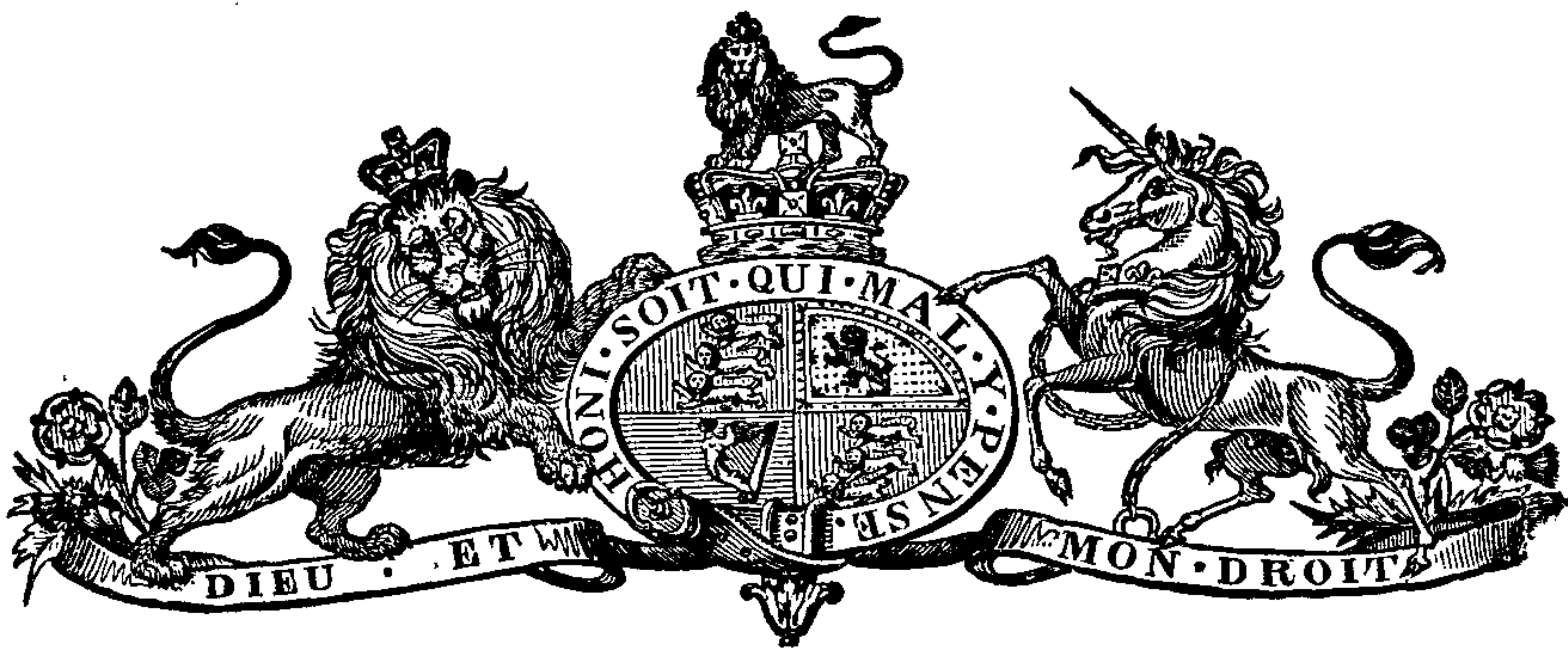




ANNO DECIMO & UNDECIMO

# VICTORIÆ REGINÆ.

\*\*\*\*\*

## Cap. xcii.

An Act to authorize the Purchase by the *Eastern Counties Railway Company* of the *Maldon, Witham, and Braintree Railway*. [2d July 1847.]

**W**HEREAS 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 an 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 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*  
[Local.] 13 T Eastern

6 & 7 W. 4.  
c. 106.

1 & 2 Vict.  
c. 81.

4 & 5 Vict.  
c. 14.

7 & 8 Vict.  
c. 20.



9 & 10 Vict.  
c. 52.

Maldon,  
Witham, and  
Braintree  
Act partially  
repealed.

*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 last Session of Parliament, called "*The Maldon, Witham, and Braintree Railway Act, 1846,*" whereby a Company was incorporated under the Name of "*The Maldon, Witham, and Braintree Railway Company,*" and Powers were conferred upon such Company to enable them to make a Railway from *Maldon*, through *Witham*, to *Braintree*, which Railway 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 *Maldon, Witham, and Braintree Railway* should be vested in perpetuity in the *Eastern Counties Railway Company*, and that all the Powers of the *Maldon, Witham, and Braintree 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 *Maldon, Witham, and Braintree Railway Company* from the Proprietors thereof at the Price of Ten Shillings Sterling for every Share of the nominal Value of Twenty Pounds, and paying also all the Expences previously incurred by the last-mentioned Company; but the Authority of Parliament is necessary to enable the said Companies to carry the same Agreement into complete Effect: 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 herein-after directed to be made by the said *Maldon, Witham, and Braintree Railway Company* to the said *Eastern Counties Railway Company* the said *Maldon, Witham, and Braintree Railway Company* shall be dissolved: Provided always, that the Dissolution of the said Company 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 said *Maldon, Witham, and Braintree Railway Act*, but that all such Purchases, Sales, Conveyances, Grants, Securities, Acts, Matters, and Things shall be and remain as good, valid, and effectual to all Intents and Purposes whatsoever as if the said Company had not been dissolved.

Maldon,  
Witham, and  
Braintree  
Railway  
vested in  
the Eastern  
Counties  
Railway  
Company.

II. And be it enacted, That immediately after the passing of this Act the said *Maldon, Witham, and Braintree Railway Company* shall execute a Deed of Conveyance of the said *Maldon, Witham, and Braintree Railway* to the said *Eastern Counties Railway Company*, and such Conveyance shall be therein expressed to be made in consideration of the Sum of Five thousand Pounds, being the aggregate Amount of the Purchase Money to be paid to the several Shareholders of the said *Maldon, Witham, and Braintree Railway Company* as herein-after mentioned; and such Deed shall be duly stamped for denoting 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 *Maldon, Witham,*

and



and *Braintree* Railway, or so much thereof as shall then be completed, 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 *Maldon, Witham, and Braintree* 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 *Maldon, Witham, and Braintree* 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 *Maldon, Witham, and Braintree* Railway, or any of the Property of the said *Maldon, Witham, and Braintree* Railway Company.

III. And be it enacted, That all Contracts, Ageements, 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 *Maldon, Witham, and Braintree* Railway Company before the passing of this Act, shall henceforth 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 *Maldon, Witham, and Braintree* Railway Company.

Conveyances, Contracts, and Securities made in favour of the Maldon, Witham, and Braintree Railway Company.

IV. And be it enacted, That no Action, Suit, Prosecution, or other Proceeding whatsoever commenced either by or against the said *Maldon, Witham, and Braintree* Railway Company previously to the Execution of the Deed of Conveyance of the said Railway shall abate or be discontinued or prejudicially affected by reason of the Dissolution of the *Maldon, Witham, and Braintree* Railway Company, but on the contrary that the 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 *Maldon, Witham, and Braintree* Railway Company if such last-mentioned Company had not been dissolved; and also that all Penalties incurred by reason of any Offence committed against the Provisions of the said *Maldon, Witham, and Braintree* Railway Act previous to the Dissolution of the said Company shall and may be sued for, and all Offences which may have been committed before such Dissolution 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 said Company had not been dissolved, and this Act had not been passed; the said *Eastern*

Actions, &c. not to abate.



*Eastern Counties* Railway Company being in reference to the Matters in this Enactment mentioned in all respects substituted in the Place of the said *Maldon, Witham, and Braintree* 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 *Maldon, Witham, and Braintree* Railway Act authorized to be made by the Company thereby incorporated in like Manner as the last-mentioned Company might have carried on and completed the same if this Act had not passed; and all the Powers, Provisions, Privileges, and Restrictions by the *Maldon, Witham, and Braintree* Railway Act conferred or imposed upon the Company thereby incorporated with respect to the Construction, Maintenance, and Use of the said Railway, and raising Capital for such Purposes, shall relate and apply to the *Eastern Counties* Railway Company in like Manner in all respects as before the passing of this Act such Provisions applied to the *Maldon, Witham, and Braintree* Railway Company.

Company  
not to raise  
Capital in  
certain  
Event.

VI. Provided always, and be it enacted, That in case the *Eastern Counties* Railway Company shall be authorized by an Act to enable the said 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 *Maldon, Witham, and Braintree* Railway, then and in such Case the Powers by this Act transferred to the said Company for raising the Capital authorized to be raised by the *Maldon, Witham, and Braintree* Railway Company shall not be exercised by the said *Eastern Counties* Railway Company, any thing in this Act contained to the contrary notwithstanding.

Tolls.

VII. Provided also, 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 Railway any higher Rate of Toll or Charge than was authorized to be taken on the said Railway by the said recited *Maldon, Witham, and Braintree* Railway Act.

The Share-  
holders of  
*Maldon,*  
*Witham,* and  
*Braintree*  
Railway  
Company  
entitled to  
be paid off.

VIII. And whereas the Share Capital of the *Maldon, Witham, and Braintree* Railway Company consists of Ten thousand Shares, of the nominal Value of Twenty Pounds each; be it enacted, That every Person and Corporation who immediately before the passing of this Act was entitled to One or more of the said Shares shall from and after the passing 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 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.

IX. And



IX. And be it enacted, That the said Company shall, within Twenty-eight Days after the passing of this Act, publish in the *London Gazette*, and in some One or more Newspapers printed or circulated 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 *Maldon, Witham, and Braintree* 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 *Maldon, Witham, and Braintree* 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.

Notice of  
paying off  
Shares to be  
given in the  
*London*  
Gazette and  
Country  
Newspapers.

X. 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 *Maldon, Witham, and Braintree* 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.

Payment of  
Purchase  
Money.

XI. And be it enacted, That the Receipt of any Executor, Administrator, Agent, Committee, or Guardian of any Person entitled to any Share or Shares in the said *Maldon, Witham, and Braintree* 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

Receipt of  
Executor,  
Adminis-  
trator, &c.  
to discharge  
Company.

[*Local.*]

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after



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 advertise  
for Non-  
claimants of  
Shares.

XII. 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, 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.

Purchase  
Money not  
claimed  
within One  
Year to be  
paid into the  
Bank, or re-  
tained by the  
Company  
according to  
the Amount.

XIII. 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 *Maldon, Witham, and Braintree* 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



*ways*; be it enacted, That nothing in this Act contained shall be held to exempt the said *Great Southern and Western* Railway or the said Company from the Provisions of the several Acts respectively, but that such Provisions shall be in force in respect of the said Railway and Company hereby authorized so far as the same shall be applicable thereto.

Expences  
of Act.

XXII. And be it enacted, That all Costs, Charges, and Expences of and attending the passing of this Act or incidental thereto shall be paid by the said Company, *pari passu* with the Costs, Charges, and Expences of any other Act or Acts 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 any other Payment whatsoever.

Railway to  
be subject to  
Provisions  
of any  
future gene-  
ral Act.

XXIII. Provided always, and be it enacted, That nothing herein contained shall be deemed or construed to exempt the said Railway by this and 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, 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 authorized by this Act.

Public Act.

XXIV. 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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Printers to the Queen's most Excellent Majesty. 1847.



XVI. And be it enacted, That for the greater Convenience and Security of the Public the Company shall erect and permanently maintain either a Station or Lodge at the Points where the said Railway crosses the before-mentioned Roads on the Level, and the said Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing 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 Commissioners of Railways; and if the said Company shall fail to erect or at all Times 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 incurred.

Company to erect a Station or Lodge at the Points of Crossing, and to abide by the Regulations of the Commissioners of Railways.

XVII. And be it enacted, That it shall be lawful for the said Company to purchase and hold any Quantity of Land for extraordinary Purposes not exceeding Twenty Acres.

Land for extraordinary Purposes.

XVIII. And be it enacted, That the Powers of the said Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing thereof.

Limiting Period for compulsory Purchase of Lands.

XIX. And be it enacted, That the said Railway and other Works by this Act authorized shall be completed within Five Years from the passing of this Act, and on the Expiration of such Period the Powers by this or the said recited Acts granted to the *Great Southern and Western* Railway Company for executing the same shall cease to be exercised, except as to so much of the said Railway and Works as shall be then completed.

Period for Completion of Works.

XX. And be it enacted, That it shall be lawful for the said Company to demand any Tolls and Charges for the Use of the said Railway by this Act authorized, not exceeding the maximum Tolls and Charges which they are authorized to take by virtue of the said last-recited Act.

Tolls.

XXI. 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 last Session of Parliament, intituled respectively *An Act for regulating the Gauge of Railways*, and *An Act for constituting Commissioners of Railways*;

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. & 105.

[Local.]

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ways;



the Com-  
pany's  
Capital.

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.

Line of  
Railway.

XII. And be it enacted, That it shall be lawful for the said Company to make and maintain a Railway, with all proper Works and Conveniences connected therewith, commencing by a Junction with the Line of the *Great Southern and Western* Railway at a Point in the Field adjoining to and at the West Side of the public Road leading from *Portarlinton* to *Ballybrittas* in the Townland of *Cooltedery* in the Parish of *Lea* in the *Queen's County*, and passing thence from, in, through, or into the several Parishes or Places following, or some of them, (that is to say,) the said Parish of *Lea* in the *Queen's County*, and the Parishes of *Clonyhurk*, *Ballykean*, *Geashill*, and *Kilbride*, all in the *King's County*, and terminating near to the Town of *Tullamore* at a Point in a Field adjoining the Jail of *Tullamore* on the East Side of the Road leading from *Tullamore* to *Roscrea* and *Frankford* in the Townland of *Spollanstown* in the said Parish of *Kilbride* in the *King's County*.

Railway to  
be made ac-  
cording to  
deposited  
Plans.

XIII. And whereas Maps or Plans and Sections showing the Line or Situation and Levels of the said Railway and other Works by this Act authorized to be made, together with Books of Reference to the said Plans containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of the Lands which may be required to be taken for the Purposes of the said Railway and Works, have been deposited with the Clerks of the Peace for the Counties of *Queen's County* and *King's County*; be it therefore enacted, That, subject to the Provisions in this and the said "Railways Clauses Consolidation Act, 1845," contained, the said Railway and other Works hereby authorized shall be made in the Line and Course and upon the Lands delineated on the said Plans, and described in the said Books of Reference, and according to the Levels defined in the said Sections, and it shall be lawful for the said Company to enter upon and take and use such of the said Lands as shall be necessary for the Purposes aforesaid.

Gauge of  
Railway.

XIV. And be it enacted, That the said Railway by this Act authorized shall be laid down and for ever hereafter maintained and kept at a Gauge of Five Feet and Three Inches.

Level Cross-  
ings.

XV. And be it enacted, That, subject to the Provisions in the said "Railways Clauses Consolidation Act" contained, it shall be lawful for the Company to carry the said Railway across and on the Level of the several Roads numbered respectively on the said Plans deposited as herein-before mentioned as follows; (that is to say,)

A public Road from *Portarlinton* to *Maryborough* in the Townland of *Kilmalogue* in the Parish of *Clonyhurk*, numbered 22 :

A public Road to *Clonygowan* in the Townland of *Clonygowan* in the Parish of *Ballykean*, numbered 30.

XVI. And



VI. And be it enacted, That after the whole of the said Sum of One hundred and sixty-five thousand Pounds shall have been subscribed, and One Half of the Capital in Shares or Stock by this Act and the herein-before recited Acts relating to the said *Great Southern and Western* Railway Company authorized to be raised shall have been paid up, it shall be lawful for the Company to borrow on Mortgage or Bond any Sum not exceeding in the whole, in addition to the Sums authorized to be borrowed by the said recited Acts, or any other Act passed in the present Session of Parliament relating to the *Great Southern and Western* Railway Company, the Sum of Fifty-five thousand Pounds, and to secure the Payment of the Sum so to be borrowed, with Interest, by Mortgage of the Undertaking hereby authorized, subject to the same Provisions as by the said Railways Clauses Consolidation Act are made applicable to the Monies thereby authorized to be raised on Mortgage, and to the Securities hereby authorized to be granted in respect of the same.

Power to  
borrow on  
Mortgage.

VII. And be it enacted, That if after having borrowed any Part of the Money by this Act authorized to be borrowed the said Company shall pay off the same, it shall be lawful for them again to borrow the Sum so paid off, or any Part thereof, and so from Time to Time.

Reborrow-  
ing.

VIII. Provided always, and be it enacted, That all Mortgages granted by the said Company before the passing of this Act, 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 to be created by virtue of this Act.

Former  
Mortgages  
to have  
Priority.

IX. And be it enacted, That it shall be lawful for the said Company, if they think fit, to raise the Sum by this Act authorized to be borrowed, or any Part thereof, by creating new Shares or Stock of the Company instead of borrowing the same, or, having borrowed the same, it shall be lawful for them to pay off such Loan or any Part thereof, if they so think fit, creating new Shares or Stock of the Company in manner aforesaid, but no such Augmentation of Capital shall take place without the previous Order of a General Meeting especially convened for that Purpose.

Power to  
convert  
Loan into  
Capital.

X. 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 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 said recited Acts or any of them in that Behalf contained.

Interest not  
to be paid  
on Calls  
paid up.

XI. 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

Deposit for  
future Bills  
not to be  
paid out of



Extending  
Powers of  
former Acts  
to this Act.

*Western* Railway Company are desirous of carrying into effect the Object aforesaid, if authorized by Parliament so to do: 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 all the Provisions, Matters, and Things contained in the said recited Acts relating to the *Great Southern and Western* Railway, so far as the same are now in force, and are not inconsistent with or altered by the Provisions of this Act, and save in so far as the same may be inconsistent with the "Lands Clauses Consolidation Act, 1845," and with the "Railways Clauses Consolidation Act, 1845," shall extend to this Act and to the several Purposes thereof as fully and effectually as if the same Provisions, Matters, and Things were repeated and re-enacted in this Act in reference to such Purposes; and the Railway and Works by this Act authorized to be made shall form Part of the Undertaking of the *Great Southern and Western* Railway Company.

Extending  
Lands  
Clauses and  
Railways  
Clauses  
Consolida-  
tion Acts  
to this Act.

II. And be it enacted, That the several Provisions of the said "Lands Clauses Consolidation Act, 1845," and the several Provisions of the said "Railways Clauses Consolidation Act, 1845," so far as the same may be applicable to and are not inconsistent with or modified by the Provisions of this Act, shall be incorporated with and form Part of this Act, and shall be applicable to the Purposes thereof.

Short Titles.

III. And be it enacted, That in citing the said first-recited Act in other Acts of Parliament, and in legal Instruments and other Proceedings, it shall be sufficient to use the Expression "The *Great Southern and Western* Railway (*Ireland*) Act, 1844;" and in citing the said secondly recited Act as aforesaid it shall be sufficient to use the Expression "The *Great Southern and Western* Railway (*Ireland*), Extension to *Cork* and *Limerick*, Act, 1845;" and in citing the said last-recited Act as aforesaid it shall be sufficient to use the Expression "The *Great Southern and Western* Railway (*Ireland*), *Cork* Extension, Act, 1846;" and in citing this Act as aforesaid it shall be sufficient to use the Expression "The *Great Southern and Western* Railway (*Ireland*) Extension, *Portarlinton* to *Tullamore*, Act, 1847."

Application  
of Money.

IV. And be it enacted, That it shall be lawful for the said Company to apply for the Purposes of this Act any Money or Funds which are or shall be at their Disposal.

Power to  
raise Money  
by Creation  
of new  
Shares.

V. And whereas the estimated Expence of making the Railway hereby authorized to be made is One hundred and sixty thousand eight hundred and seventy-five Pounds; be it enacted, That it shall be lawful for the said Company to raise for the Purposes of this Act the Sum of One hundred and sixty-five thousand Pounds by the Creation of new Shares or Stock, in addition to any Sums which they are already authorized to raise, upon such Terms and in such Manner as may be agreed upon at any General Meeting of the Company, and the new Shares or Stock created by virtue of this Act shall be considered as Part of the general Capital of the Company.

VI. And