ANNO DECIMO TERTIO & DECIMO QUARTO

VICTORIÆ REGINÆ.

****

Cap. xxxviii.

An Act to alter the Terms of Issue of the Shares in the Capital of the *York and North Midland* Railway Company, called the "*Hull and Selby* Purchase, &c. Shares;" to enable the said Company to hold Shares in the *Hull and Selby* Railway Company and in the *Malton and Driffield Junction* Railway Company; to alter, amend, and extend the Acts relating to the *York and North Midland* Railway Company; and for other Purposes. [15th *July* 1850.]

WHEREAS an Act was passed in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for making a Railway from the City of* 6 & 7 W. 4.
York *to and into the Township of* Altofts, *with various Branches of* c. 81.
Railway, all in the West Riding of the County of York *or County of the said City,* whereby several Persons became and were incorporated by the Name of "The *York and North Midland* Railway Company:"

Company:" And whereas the Provisions of the said recited Act have been amended and enlarged by several subsequent Acts relating to the said Company passed respectively in the First, Fourth, Seventh, Eighth, Ninth, Tenth, Eleventh, and Thirteenth Years of the Reign of Her present Majesty: And whereas by One of the said Acts passed in the Ninth Year of the Reign of Her present Majesty, and intituled "The *Hull and Selby* Railway Purchase Act, 1846," the *Hull and Selby* Railway Company were empowered to lease for any Term of Years, and also to absolutely sell and convey, their Railway, and also the *Bridlington* Branch thereof, and either before or after the same should have been completed, with the Stations, Works, Lands, Appurtenances, Engines, Machines, and Utensils belonging thereto respectively, or held or used therewith, and all Rights, Powers, and Privileges in relation thereto, or otherwise belonging to the *Hull and Selby* Railway Company, to the *York and North Midland* Railway Company, and to the *Manchester and Leeds* Railway Company (now called the *Lancashire and Yorkshire* Railway Company), or to either of them, for such Consideration, either in a gross Sum of Money or annual Rent, and subject to such Conditions and Stipulations, as they should think proper, and such Sale and Purchase might take effect at a future Time, and might be optional on the Part of any of the said Companies if so agreed upon, and the *York and North Midland* Railway Company and the *Manchester and Leeds* Railway Company were thereby empowered to accept such Lease, and also to make such Purchase; and by the same Act it was declared that any Agreements entered into between the *Hull and Selby* Railway Company and the *York and North Midland* Railway Company and the *Manchester and Leeds* Railway Company, or between any Two of the said Companies, or by or with any of the Directors of the same Companies respectively, or of any Two of the same Companies, with reference to such Lease or Purchase, or the Terms thereof, or the Interest of the respective Companies therein, prior to the passing of the said Act, with or which should have received the Sanction of a General Meeting of each of the same Companies, or of any Two of them respectively, should, if consistent with the Provisions of the said Act, be binding on the said Companies, or such of them as should have executed or sanctioned the same: And whereas by the said last-recited Act the *York and North Midland* Railway Company and the *Manchester and Leeds* Railway Company, or such One of them as aforesaid, (and in case both the same Companies should agree to take such Lease or make such Purchase as aforesaid), then in such Proportions as might be mutually agreed upon between them, were authorized to raise such Sum of Money for the Purposes of the said Act, by the Creation of new Shares or Stock, as they or such One of them as aforesaid should respectively think fit, not exceeding Two million Pounds, in addition to the Sums of Money they were respectively authorized

authorized to raise by any of their former Acts, or by any Act or Acts to be passed during the then present Session of Parliament, upon such Terms and in such Manner as might be or might have been agreed upon at any General Meetings or a General Meeting of such Companies or Company specially convened for the Purpose, and the new Shares or Stock so to be created should be considered Part of the general Capital of such Companies or Company: And whereas by the Resolutions of a General Meeting of the Shareholders of the *Hull and Selby* Railway Company, held at the Time in the said recited Act appointed for that Purpose, a provisional Agreement entered into on the Thirtieth Day of *June* One thousand eight hundred and forty-five between the *Hull and Selby* Railway Company and the *York and North Midland* Railway Company for granting a Lease of the *Hull and Selby* Railway and the *Bridlington* Branch belonging thereto, and all Works connected therewith, to the *York and North Midland* Railway Company, for the Term of One thousand Years, from the First Day of *July* One thousand eight hundred and forty-five, upon certain Terms and Conditions therein mentioned, with a Power for the *York and North Midland* Railway Company during the Subsistence of the said Lease, and after the Expiration of Five Years from the said First Day of *July* One thousand eight hundred and forty-five, and on giving to the *Hull and Selby* Railway Company Six Calendar Months Notice of their Intention so to do, absolutely to purchase the *Hull and Selby* Railway and *Bridlington* Branch Railway, and Works, Property, and Effects to be comprised in such Lease, upon certain Terms therein mentioned, was absolutely confirmed, the *Manchester and Leeds* Railway Company having the Option of joining in such Lease and Purchase, on such Terms as had already been or might thereafter be agreed upon between them and the *York and North Midland* Railway Company: And whereas at a Special Meeting of the Shareholders of the *York and North Midland* Railway Company convened for the Purpose, and held on the Twenty-sixth Day of *October* One thousand eight hundred and forty-six, it was resolved, that in order to provide for the Purchase of the *Hull and Selby* Railway and Works, and to capitalize a Portion of the Debt which, as the existing Debt was paid off, would remain to be borrowed under "The *York and North Midland* (East Riding Branches) No. 1. Railway Act (1846)," Sixty-two thousand nine hundred and fifty Shares of Twenty-five Pounds each should be issued and allotted in the Proportion of One for each Fifty Pounds and every Two Twenty-five Pounds Shares to each Proprietor who should be a registered Shareholder on the Thirteenth Day of *November* then next; and it was resolved, that the Amount of the said Shares should be called up on or before the First Day of *July* One thousand eight hundred and fifty, as therein mentioned, and that a Dividend of not less than Six Pounds *per Centum* on the Money called up on those new Shares should

should be guaranteed until the Completion of the *Hull and Selby* Purchase, after which they should participate equally with the other Shares of the Company: And whereas in pursuance of the said Resolutions Sixty-two thousand nine hundred and fifty new Shares of Twenty-five Pounds each (now and hereafter in this Act called "*Hull and Selby* Purchase, &c. Shares") were created, of which Shares Fifty-nine thousand four hundred and sixty-six have been issued, but upon which Shares Calls amounting to the Sum of Ten Pounds *per* Share only have as yet been made, and the Sum of Fifteen Pounds *per* Share still remains to be called for, except in respect of some Shares, upon which further Sums have been paid up in advance of Calls by the Proprietors thereof: And whereas at a Special General Meeting of the Company convened for the Purpose, and held on the Twenty-first Day of *December* One thousand eight hundred and forty-nine, it was resolved, that it was expedient for the Interests of all Classes of Shareholders that the Terms on which the *Hull and Selby* Preference Shares were created on the Twenty-sixth Day of *October* One thousand eight hundred and forty-six should be modified, and that an Act of Parliament should be applied for in the next Session to carry the same into effect, either by the Issue of substituted Shares on the following Terms or otherwise, as might be found most expedient; namely,

That the guaranteed Dividend of Six Pounds *per Centum per Annum* on the Ten Pounds already called up in respect of those Shares should cease from the First Day of *July* One thousand eight hundred and fifty, and that for the future that Amount of Capital should be entitled to a Preference Dividend at the Rate of Four Pounds Ten Shillings *per Centum per Annum*:

That the Sum of Fifteen Pounds *per* Share remaining to be called up on those Shares should be entitled to a Preference Dividend at the Rate of Five Pounds *per Centum per Annum* from the respective Times of calling the same up, which should be left discretionary on the Part of the Directors:

That future Calls on those Shares should be made only for the Purpose for which they were originally created, of completing the *Hull and Selby* Railway Purchase, if and when the Completion of that Purchase should be resolved upon, or for paying off the Debentures of the Company:

That the Holders of the Preference Shares should be entitled to any higher Rate of Dividend than the Rates respectively guaranteed, which the Holders of the general Stock of the Company might receive:

That the Company should have the Option, if so decided at any Special General Meeting, of paying off the Preference Shareholders (on giving to them Six Months Notice) the Amount of Capital for the Time being called up on the Preference Shares,

together

together with the proportionate Dividend up to the Time of such Payment:

And whereas it is expedient and will be for the Benefit of the Company that the several Objects and Purposes intended to be authorized by the last-recited Resolutions should be carried into effect, and that the said recited Acts passed in the Fourth and Seventh Years of the Reign of Her present Majesty, and One of the said recited Acts passed in the Eleventh Year of the Reign of Her present Majesty, and called "The *York and North Midland* Railway (Canals Purchase) Act, 1847," should be amended by making Provision for facilitating the Proof of the Lease and Purchases thereby authorized of the Undertakings called the *Leeds and Selby* Railway, the *Market Weighton* Canal, and the *Pocklington* Canal: And whereas it is expedient that some of the Powers and Provisions of the said several recited Acts should be repealed, altered, amended, continued, extended, and enlarged, and further Powers conferred upon the *York and North Midland* Railway Company; but 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 all the Clauses and Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the following Matters, (that is to say,)

Certain Provisions of 8 & 9 Vict. c. 16. extended to this Act.

With respect to the Payment of Subscriptions, and the Means of enforcing the Payment of Calls;

With respect to the Forfeiture of Shares for Nonpayment of Calls;

With respect to the General Meetings of the Company, and the Exercise of the Right of voting by the Shareholders; and

With respect to the keeping of Accounts, and the Right of Inspection thereof by the Shareholders,

Shall, so far as the same are not varied by the Provisions of this Act, be incorporated with and form Part of this Act, and be applicable to the Company and the Shareholders and the Capital thereof, and to the several Matters and Things relating thereto respectively provided for by such Clauses and Provisions respectively.

Provisions of Company's Acts provided for by Provisions of 8 & 9 Vict. c. 16. extended to this Act repealed.

II. And be it enacted, That all the Clauses and Provisions contained in the first-recited Act, or in any other Act which has subsequently been passed relating to the *York and North Midland* Railway Company, the Objects and Purposes of which Clauses and Provisions are expressly provided for by the Clauses and Provisions of "The Companies Clauses Consolidation Act, 1845," incorporated with and made Part of this Act, shall be and the same are hereby repealed.

Regulation as to lodging Proxies.

III. And be it enacted, That no Person shall be entitled to vote at any Meeting of the said Company as a Proxy unless the Instrument appointing such Proxy shall have been lodged with or received by the Secretary of the said Company, or left or delivered at the Office of such Secretary, not less than Forty-eight Hours before the Time appointed for holding the Meeting at which such Proxy is proposed to be used.

Inspection of Register of Shareholders and Proprietors of Stock Books.

IV. And be it enacted, That every Proprietor of Stock or Shares in the said Company shall be entitled to inspect and peruse at all reasonable Times the Book commonly called "The Register of Shareholders," in which are entered the Names and Additions of the several Persons and Corporations from Time to Time entitled to Shares in the said Undertaking, and the Number of Shares to which they are respectively entitled; and that a Fee of One Shilling shall be paid by each Person for each Inspection of the said Book, or of "The Register Book of Proprietors of Consolidated Stock."

Scale of voting at General Meetings.

V. And be it enacted, That at all General Meetings of the Company every Shareholder therein shall be entitled to vote according to the following Scale, and none other; namely, every Shareholder shall have One Vote for every Share or Number of Shares of the nominal Value of Fifty Pounds up to Ten of such Shares, and an additional Vote for every Five of such Shares beyond the first Ten of such Shares held by him up to One hundred of such Shares, and an additional Vote for every Ten of such Shares held by him beyond the first One hundred of such Shares.

Alteration of guaranteed Rate of Dividend after 1st July 1850.

VI. And be it enacted, That from and after the First Day of *July* One thousand eight hundred and fifty the Dividend of Six Pounds *per Centum per Annum* guaranteed upon the said *Hull and Selby* Purchase, &c. Shares, created on the Sixth Day of *October* One thousand eight hundred and forty-six, shall cease and determine, and from and after the said First Day of *July* One thousand eight hundred and fifty the Proprietor for the Time being of every *Hull and Selby* Purchase, &c. Share, upon which the Sum of Ten Pounds has been paid up, shall, subject to the Provisions of this Act, be entitled in perpetuity to Dividends on the said Sum of Ten Pounds *per* Share after the Rate of Four Pounds Ten Shillings *per Centum per Annum*, and shall be entitled in respect of any further Sums of Money which shall be paid upon such Share to Dividends in perpetuity on such further Sums of Money after the Rate of Five Pounds *per Centum per Annum*, from the Time or respective Times of actually paying the same; and such Dividends respectively shall be payable by equal half-yearly Payments on the First Day of *January* and the First Day of *July* in each and every Year, and the first of such half-yearly

Payments

Payments shall be made on the First Day of *January* which will be in the Year One thousand eight hundred and fifty-one; and all such Dividends shall be paid before any Dividend shall be paid in respect of any other Shares whatsoever in the said Company.

VII. And be it enacted, That the *Hull and Selby* Purchase, &c. Shares remaining to be issued shall be issued and disposed of in such Manner as any General Meeting of the Shareholders in the said Company shall from Time to Time direct, and the same Shares, when so issued, shall be subject to the Provisions of this Act; and the Proprietors of such Shares shall be entitled to such Rate or Rates of Dividend in respect thereof as such General Meeting shall determine, not exceeding, in respect of the first Ten Pounds *per* Share which shall be paid thereon, Dividends after the Rate of Four Pounds Ten Shillings *per Centum per Annum*, and in respect of the remaining Fifteen Pounds *per* Share which shall be paid thereon Dividends after the Rate of Five Pounds *per Centum per Annum*, such Dividends respectively to commence from the Time or respective Times of actually paying the Calls or Sums in respect whereof the said Dividends respectively shall be payable; and in case the Rate or Rates of Dividend payable in respect of any of the said Shares shall be lower than the respective Rates of Dividend last above mentioned then such lower Rate or Rates of Dividend shall be stated on the Face of the Certificates of the Shares bearing such lower Rate or Rates of Dividend.

Remaining Hull and Selby Purchase, &c. Shares to be issued, subject to the Provisions of this Act.

VIII. Provided always, and be it enacted, That the Proprietor for the Time being of every *Hull and Selby* Purchase, &c. Share, in respect of which the whole or any Part of the Sum of Fifteen Pounds *per* Share yet remaining to be called for on the said *Hull and Selby* Purchase, &c. Shares shall have been or shall be paid in advance of such Calls, shall be entitled to Dividends on the Sums so paid in advance after the Rate of Five Pounds *per Centum per Annum* from the Time or respective Times of paying the same, in the same Manner as if such Payments had been made in pursuance of Calls upon such Share.

Payments in advance of Calls to be entitled to the same Dividend as if made in pursuance of Calls.

IX. Provided nevertheless, and be it enacted, That it shall be lawful for the said Company at any Time hereafter to discontinue such Payment of Dividend as last aforesaid by repaying to any such Proprietor as last aforesaid the whole or any Part of the Sums paid by him in advance of Calls, a Three Months Notice of such Intention being previously given by the said Company to such Proprietor.

Power to repay Payments in advance of Calls.

X. And be it enacted, That if at any Time after the said First Day of *July* One thousand eight hundred and fifty any Dividend shall

If Dividend on general Stock exceed the guaranteed Dividend on the Hull and Selby Purchase, &c. Shares, then the latter Dividend to be increased.

shall be declared on the general Stock of the Company exceeding the Rate of Dividend by this Act made payable on the said *Hull and Selby* Purchase, &c. Shares after the said First Day of *July* One thousand eight hundred and fifty, then, and from Time to Time as often as the same shall happen, the Proprietors of the said *Hull and Selby* Purchase, &c. Shares shall be entitled to, and shall thereupon be paid, such further and increased Rate of Dividend on the Sums for the Time being paid up in respect of such last-mentioned Shares as will make the Rate of Dividend on such Shares equal to the Rate of Dividend for the Time being declared on the general Stock of the Company.

Application of further Calls on Hull and Selby Purchase, &c. Shares.

XI. And be it enacted, That any further Sums of Money which shall from Time to Time be received by the Directors of the said Company from the Proprietors of the *Hull and Selby* Purchase, &c. Shares shall be applied in completing the Purchase of the *Hull and Selby* Railway, if and when the Completion of such Purchase shall be determined upon by the *York and North Midland* Railway Company, either separately or jointly with the *Lancashire and Yorkshire* Railway Company, or in paying off as the Directors shall think proper any Sums of Money for the Time being owing by the *York and North Midland* Railway Company upon Bond, or upon Mortgages of their said Undertaking, and to no other Purpose whatsoever; and the further Calls upon such Shares may be made by the Directors by such Sums and at such Times as they shall think expedient.

Company empowered to call in Hull and Selby Purchase, &c. Shares.

XII. And be it enacted, That, subject to the Provisions of this Act, it shall be lawful for the Company, by the Direction of a Special General Meeting of the Proprietors convened for the Purpose, to call in all or any of the said *Hull and Selby* Purchase, &c. Shares, and to cancel the same on paying to the Proprietors of the Shares so called in such Sum of Money as shall be equal to the Sum which shall have been actually paid by way of Deposit and Calls on each Share so called in, together with Dividends on the Sums so repaid after the respective Rates aforesaid for the Period, if any, which shall have elapsed between the last Day of Payment of Dividend on such Shares and the Day appointed for paying off and cancelling the same; and such Payments may be made out of any Monies which the Company have raised or may raise under the Powers of any of the Acts for the Time being relating to the Company legally applicable to either of the Purposes for which the *Hull and Selby* Purchase, &c. Shares were created.

Order in which Shares shall be called

XIII. And be it enacted, That when and as the Company shall from Time to Time direct any Sum of Money to be applied in paying

paying off any of the said *Hull and Selby* Purchase, &c. Shares, the Directors shall, in case such Sum shall be insufficient to pay off the whole of such Shares, decide by Lot which of such Shares shall be paid off, and when the whole or any Part of such Shares shall be directed to be paid off, the Directors shall cause a Notice, signed by the Secretary, to be given to the Proprietors of the Shares so to be paid off, and such Notice shall state the Numbers of the Shares proposed to be paid off, and that the Sum to be paid in respect thereof will be paid on a Day to be therein named, not being less than Six Months from the Date of such Notice, and at a Place to be therein mentioned for paying the same.

in, and Notice thereof.

Notice to be sent by Post.

XIV. And be it enacted, That the Notice of the Intention to pay off any of the said *Hull and Selby* Purchase, &c. Shares, or to repay any of the Sums paid in advance of Calls thereon, shall be given to the Proprietor thereof by sending the same by Post in a registered Letter addressed to him at his last Address as entered in the Books of the Company; and if any Proprietor to whom any such Notice shall have been so sent shall, for the Period of One Month after the Day named in such Notice for such Payment, refuse or neglect to accept such Payment, and in case such Notice be of the Intention to pay off any of the said Shares, then to surrender to the Company the Shares referred to in such Notice, then all Dividends which would, in case no such Notice had been given, have accrued due and been payable in respect of such Shares or Sums paid in advance of Calls, as the Case may be, after the Day mentioned in such Notice for such Payment, shall cease and determine, anything in this Act or any of the said recited Acts to the contrary thereof notwithstanding, unless, on Demand of Payment to be made pursuant to such Notice, or at any Time thereafter, the Company shall fail to pay to the Proprietor the Sum mentioned in such Notice as intended to be paid to him.

Company may sue Shareholders for Amount of Shares called.

XV. And be it enacted, That from and after the passing of this Act it shall be lawful for the Company to sue any Shareholder in any Court of Law or Equity for the said Sum of Ten Pounds a Share so called as herein-before is mentioned, or such Part thereof as shall not have been paid, and to recover the same, with lawful Interest from the Time or respective Times at which the same became payable; and in such Action or Suit it shall not be necessary to set forth the special Matter, but it shall be sufficient for the Company to declare that the Defendant is the Holder of One Share or more (stating the Number of Shares) in the Company, commonly called *Hull and Selby* Purchase, &c. Shares, and is indebted to the Company in the Sum of Money to which the Sum in arrear shall amount in respect of the Sum of Ten Pounds called upon such Share or each of such Shares before the passing of this Act, whereby an Action hath accrued by virtue of this Act; and on the Trial or Hearing of such Action or Suit it shall be sufficient to prove that the Defendant, at the Time of the passing of this Act, was a Holder of One of the said Shares or more, and thereupon the Company shall be entitled to recover what shall be due in respect of the said Sum of Ten Pounds *per* Share, with Interest thereon, without Proof of the Appointment of Directors, or the due making or giving Notice of the several Calls of which the said Sum of Ten Pounds *per* Share is the aggregate; and this Act shall be conclusive Evidence of all such Matters.

Company empowered to hold Shares in the Hull and Selby Railway Company.

XVI. And whereas no Mode of Investment for or Application of the Monies which might be received by Calls from Time to Time made on the said *Hull and Selby* Purchase, &c. Shares prior to and until the Time which might be fixed for completing the Purchase of the said *Hull and Selby* Railway and Works having been pointed out or prescribed by the said "*Hull and Selby* Railway Purchase Act, 1846," the said Company, in order that the Money so called up might not remain idle and unproductive, but might be safely invested until the same should be required to complete such Purchase, have at various Times laid out Portions of the Monies received by Calls on the said Shares in the Purchase of certain of the Shares in the Capital Stock of the said *Hull and Selby* Railway Company, which Shares are now standing in the Names of Trustees for and on behalf of the said Company: And whereas Doubts have been raised whether the said Company could legally so apply or invest the Monies so received as last aforesaid, and it is expedient to remove such Doubts: Be it therefore enacted, That it shall be lawful for the *York and North Midland* Railway Company to hold any Shares in the *Hull and Selby* Railway Company which have already been purchased by the *York and North Midland* Railway Company, or by any of the Directors thereof as Trustees for them, and also with and out of any Money which the same Company may have received or may hereafter receive in respect of Calls on the said *Hull and Selby* Purchase, &c. Shares to purchase and hold any other Shares in the *Hull and Selby* Railway Company which a Special General Meeting of the *York and North Midland* Railway Company convened for the Purpose may direct or authorize to be purchased, and the Shares so already purchased and to be purchased may be held by the *York and North Midland* Railway Company, either in the Name of the said Company, or in the Names of any Two or more of the Directors thereof, as the said Company or the Directors for the Time being thereof shall from Time to Time direct.

Company empowered to hold

XVII. And whereas the *York and North Midland* Railway Company, with the Approval and by the Resolution of a General Meeting of of the Shareholders thereof held on the Sixteenth Day of *January* One thousand eight hundred and forty-six, subscribed for Two thousand Shares of Twenty Pounds each in the Capital of the *Malton and Driffield Junction* Railway Company, incorporated by "The *Malton and Driffield Junction* Railway Act, 1846," in respect of which Shares Calls amounting in the whole to the Sum of Twenty-four thousand Pounds have been paid by the *York and North Midland* Railway Company: Be it enacted, That it shall be lawful for the *York and North Midland* Railway Company to hold the said Shares in the *Malton and Driffield Junction* Railway Company, either in the Name of the *York and North Midland* Railway Company, or in the Names of any Two or more of the Directors thereof, as the said Company or the Directors for the Time being thereof shall from Time to Time direct, and to pay any Calls now due and hereafter to be made upon or in respect of the said Shares out of any Monies which the Company have raised or may raise under the Powers of any of the Acts for the Time being relating to the Company, other than and except "The *Hull and Selby* Railway Purchase Act, 1846." Shares in the Malton and Driffield Railway Company.

XVIII. And be it enacted, That if any Shares in the Capital of the *Hull and Selby* Railway Company, or in the Capital of the *Malton and Driffield Junction* Railway Company, shall be transferred into the Name of the *York and North Midland* Railway Company, it shall be lawful for the Company to nominate some Person or Persons to attend the Meetings of the Proprietors of the *Hull and Selby* Railway Company, and of the Proprietors of the *Malton and Driffield Junction* Railway Company, and to vote thereat on behalf of the *York and North Midland* Railway Company; but the Number of Votes to be given for or on behalf of the *York and North Midland* Railway Company at any Meeting of the *Hull and Selby* Railway Company in respect of any Number of Shares in the *Hull and Selby* Railway Company purchased or to be purchased and held by the *York and North Midland* Company, or by any Directors thereof, or other Person or Persons on behalf of or in trust for the same Company, shall not in any Case exceed in the whole Five hundred Votes. Company may appoint a Person to vote at Meetings of Hull and Selby and Malton and Driffield Companies.

XIX. And be it enacted, That it shall not be lawful for the Company, out of the Capital which they have been authorized to raise for the Purposes of any existing Act, to pay the Deposits required by the Standing Orders to be made for the Purposes of any Application to Parliament for a Bill for the Construction of another Railway. Deposits for future Bills not to be paid out of the Company's Capital.

XX. Provided always, and be it enacted, That it shall not be lawful for the Company, out of any Money by this Act or any other Act Interest or Dividend not to be paid on Calls paid up.

Act relating to the Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest or Dividend to any Shareholder on the Amount of the Calls made in respect of the Shares by this Act authorized to be issued: Provided always, that nothing herein contained shall be deemed to prevent the Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with the Provisions in the "Companies Clauses Consolidation Act, 1845," in that Behalf contained.

As to Speed of cheap Trains.

XXI. And whereas by the said "*Hull and Selby* Railway Purchase Act, 1846," and by others of the said recited Acts relating to the *York and North Midland* Railway Company to which the Provisions of the said Act have been extended, the said Company are required to run on their Railways and Branch Railways cheap Trains for the Conveyance of Third-class Passengers, and to stop such Trains to take up and set down Passengers at every Passenger Station, and to travel at an average Speed of not less than Twenty Miles an Hour for the whole Distance travelled on the said Railways and Branches, including Stoppages: And whereas in order to attain the average Speed of Twenty Miles an Hour, including Stoppages, the said Trains are obliged to travel the intermediate Distances at high Velocities, which greatly injure the Railway and Engines, and increase the Expense of maintaining and working the said Railways: And whereas by the general Act passed in the Eighth Year 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*, Railway Companies are required to run the cheap Trains for the Conveyance of Third-class Passengers at an average Speed of not less than Twelve Miles an Hour, including Stoppages: And whereas it is reasonable that the said Company should, so far as relates to the average Speed at which the cheap Trains are required to travel, be exempted from the said recited Provisions of "The *Hull and Selby* Railway Purchase Act, 1846," and other Acts relating to the Company, with reference to cheap Trains, and remain subject only to the Provisions of the said general Act, which said general Act is by this Act made applicable to the Railways of the said Company: Be it therefore enacted, That from and after the passing of this Act so much of "The *Hull and Selby* Railway Purchase Act, 1846," and of any other of the said recited Acts relating to the said Company or the Railways belonging to them or in their Occupation, as requires that the cheap Trains which the said Company are required to run for the Conveyance of Third-class Passengers shall travel at an average Speed of not less than

7 & 8 Vict. c. 85.

Twenty

Twenty Miles an Hour, including Stoppages, shall be and the same is hereby repealed, and in lieu thereof such cheap Trains shall travel at an average Speed of not less than Twelve Miles an Hour for the whole Distance travelled on the said Railways, including Stoppages.

Facilitating Proof of the Lease and Purchase of the Leeds and Selby Railway by the York and North Midland Railway Company authorized by recited Acts 4 & 5 Vict. c. 7. and 7 & 8 Vict. c. 21.

XXII. And whereas by the said recited Act relating to the said Company passed in the Fourth Year of the Reign of Her present Majesty, and intituled *An Act to enable the* York and North Midland *Railway Company to raise a further Sum of Money, to make a certain Approach to the said Railway, and to amend the Acts relating thereto*, it was enacted, that it should be lawful for the *Leeds and Selby* Railway Company, and they were thereby authorized and empowered, to demise or lease for any Term or Number of Years, and for such Consideration or annual Rent as they should think proper, and also to absolutely sell and convey, the *Leeds and Selby* Railway, with all the Stations, Houses, Warehouses, Buildings, Works, Lands, Hereditaments, Matters, and Things connected therewith or thereunto belonging, or therewith held and enjoyed, or any Part thereof, to the said *York and North Midland* Railway Company, and the said *York and North Midland* Railway Company were thereby authorized to enter into and accept such Lease, and also to make such Purchase and accept an absolute Conveyance thereof; and it was by the same Act enacted, that every such Lease, Purchase, and Conveyance should be valid and effectual, and should entitle the said *York and North Midland* Railway Company to the free Use and Enjoyment of the said *Leeds and Selby* Railway and the Works connected therewith, or the Part or Parts thereof respectively comprised in such Lease, Purchase, or Conveyance, and that during the Continuance of any such Lease, or absolutely and for ever in case of any such Purchase and Conveyance, all the Powers, Privileges, and Authorities granted to, and which were or might be held and exercised and enjoyed by, the said *Leeds and Selby* Railway Company or the Directors thereof, or the Officers, Agents, or Servants, under or by virtue of the therein-recited Act relating to the said *Leeds and Selby* Railway, should in like Manner and to the same Extent in all respects apply to, and be held and exercised and enjoyed by, the said *York and North Midland* Railway Company and the Directors thereof, and their Officers, Agents, and Servants, under the same Regulations and Restrictions as were granted or imposed by the said last-mentioned Acts upon the said *Leeds and Selby* Railway Company, and that it should be lawful for the said *York and North Midland* Railway Company and the said *Leeds and Selby* Railway Company to enter into such Contracts or Agreements, Deeds and Conveyances, for effecting the Purposes aforesaid, and for otherwise working and using the said *Leeds and Selby* Railway, and for the Maintenance and

Repair of the same Railway and Works, or any Part thereof, as they the said Companies might deem advisable: And whereas by a certain Indenture bearing Date the Twenty-seventh Day of *October* One thousand eight hundred and forty-one, and made between the said *Leeds and Selby* Railway Company of the one Part, and the said *York and North Midland* Railway Company of the other Part, the said *Leeds and Selby* Railway Company did thereby demise, lease, and to farm let unto the said *York and North Midland* Railway Company all that the said *Leeds and Selby* Railway, together with all the Stations, Messuages, Warehouses, Sheds, Erections, Buildings and Works, Lands and Tenements, Hereditaments and Premises whatsoever, with their and every of their Appurtenances (save as therein mentioned), with all and singular the Rates, Tolls, and Duties arising by virtue of the said Acts relating to the said *Leeds and Selby* Railway, together with all Powers and Authorities held and enjoyed by the said *Leeds and Selby* Railway Company, to hold unto the said *York and North Midland* Railway Company from the Ninth Day of *November* One thousand eight hundred and forty, for the Term of Thirty-one Years, at the yearly Rent or Sum of Seventeen thousand Pounds payable as therein mentioned, subject nevertheless to the Covenants and Agreements therein contained; and it was thereby provided and agreed between the said Parties thereto, that if at any Time during the first Thirty Years of the said Term of Thirty-one Years the said *York and North Midland* Railway Company or their Successors should be desirous of making an absolute Purchase of the whole of the Railway and other Works, Buildings, and Premises, thereby demised, it should be lawful for them so to do at or for the Price or Sum of Two hundred and ten thousand Pounds, and such further Sum of Money as should be sufficient to pay off and discharge the whole Amount of Principal Money then due on the then subsisting Mortgages of the same Railway and Premises, amounting to the Sum of One hundred and thirty thousand Pounds, and in that Case the said *Leeds and Selby* Railway Company thereby agreed to sell and convey the same Railway and Premises to the said *York and North Midland* Railway Company or their Successors accordingly: And whereas by the said recited Act relating to the *York and North Midland* Railway passed in the Seventh Year of the Reign of Her present Majesty, intituled *An Act for vesting the* Leeds and Selby *Railway in the* York and North Midland *Railway Company, and for enabling that Company to raise a further Sum of Money to complete the Purchase of such Railway,* after reciting that the said *York and North Midland* Railway Company were desirous of making such Purchase as aforesaid of the said *Leeds and Selby* Railway, and the Works, Buildings, and Premises thereto belonging, pursuant to the Power in that Behalf given to them by the herein-before recited Act of the Fourth Year of the Reign of Her present Majesty, and to the

7 & 8 Vict. c. 21.

Agreement

Agreement in such Behalf contained in the said recited Indenture, and that the said *York and North Midland* Railway Company had proposed to pay the said Purchase Money or Sum of Two hundred and ten thousand Pounds, and to take upon themselves the Payment of the then subsisting Mortgages of the said Railway and Premises amounting to the Sum of One hundred and thirty thousand Pounds and of the Interest thereof, it was enacted, that the said Sum of Two hundred and ten thousand Pounds so to be paid for such Purchase as aforesaid should be paid to the Directors for the Time being of the said *Leeds and Selby* Railway Company, to be applied and disposed of by them in the Manner therein-after directed; and by the same Act it was further enacted, that before the *York and North Midland* Railway Company should be at liberty to pay the said Sum of Two hundred and ten thousand Pounds, the Purchase Money for the said *Leeds and Selby* Railway, they should give to the Directors of the said *Leeds and Selby* Railway Six Calendar Months Notice in Writing of their Intention to pay the same; and by the said Act it was further enacted, that the Receipt or Receipts in Writing of Three of the Directors for the Time being of the said *Leeds and Selby* Railway Company for the Purchase Money so to be payable to the same Company as aforesaid, and for any other Money which might be payable to the same Company by the said *York and North Midland* Railway Company on any Account whatsoever, should effectually discharge the said *York and North Midland* Railway Company from the Sum or Sums which in such Receipt or Receipts should be expressed or acknowledged to be received; and such last-mentioned Company should not be obliged or concerned to see to the Division or Distribution thereof among the Shareholders of the said *Leeds and Selby* Railway Company, or be otherwise answerable or accountable for any Loss, Misapplication, or Nonapplication thereof, or any Part thereof; and it was also enacted, that immediately on such Payment of the said Purchase Money as aforesaid, and upon Publication of a Notice thereof in the *London Gazette*, and in some *York* and *Leeds* Newspaper, of which Payment the said Receipt, under the Hands of Three Directors of the said *Leeds and Selby* Railway Company, should be sufficient Evidence, the therein-recited Acts of the Eleventh Year of the Reign of His late Majesty King *George* the Fourth and the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth should be and were thereby repealed (save and except as to the Acts, Matters, and Things therein-after to be made or done by the Directors of the same Company): Provided always, that the Repeal of the said therein-recited Acts of the Eleventh Year of the Reign of King *George* the Fourth, and the Fifth and Sixth Years of the Reign of King *William* the Fourth should not annul or in anywise prejudice or affect any Purchase, Sale, Conveyance, Grant, Security,

Security, Act, Matter, or Thing whatsoever theretofore made, done, executed, commenced, or instituted under or by virtue or in pursuance of the said recited Acts so repealed, or either of them, but that all such Purchases, Sales, Conveyances, Grants, Securities, Acts, Matters, and Things should be and remain as good, valid, and effectual to all Intents and Purposes whatsoever as if the same recited Acts had not been repealed; and it was further enacted, that from and immediately after the Payment of the said Purchase Money, and such Publication of Notice thereof as aforesaid, the said *Leeds and Selby* Railway, and all Stations, Houses, and other Buildings, Wharfs, Weighing 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 *Leeds and Selby* Railway Company were by virtue of the said therein-recited Acts of the Eleventh Year of the Reign of King *George* the Fourth and the Fifth and Sixth Years of the Reign of King *William* the Fourth, or either of them, or by any other Means whatsoever, seised, possessed, or entitled at Law or in Equity immediately before the Payment of the said Purchase Money, should belong to, and should by virtue of the now reciting Act be absolutely vested in, the said *York and North Midland* Railway Company, and the Undertaking of the *Leeds and Selby* Railway should thenceforth become and form Part of the Undertaking of the *York and North Midland* Railway, subject nevertheless as therein mentioned: And whereas the Notice required by the said last-recited Act to be given to the Directors of the said *Leeds and Selby* Railway of the Intention of the said *York and North Midland* Railway Company to pay such Purchase Money was duly given: And whereas by an Agreement by Deed bearing Date the Third Day of *December* One thousand eight hundred and forty-four, and made between the *Leeds and Selby* Railway Company aforesaid of the First Part, *John Gott*, *David William Nell*, and *James Andus*, all of *Leeds* in the County of *York*, Esquires, Three of the Directors of the said Company, of the Second Part, and the *York and North Midland* Railway Company aforesaid of the Third Part, and under the respective Common Seals of the said Two Companies and the Hands and Seals of the said *John Gott*, *David William Nell*, and *James Andus*, and made and entered into in pursuance of the hereinbefore recited Acts of the Fourth and Seventh Years of the Reign of Her present Majesty, the said *John Gott*, *David William Nell*, and *James Andus*, as such Three Directors as aforesaid, did thereby acknowledge the Receipt by them from the *York and North Midland* Railway Company of the said Purchase Money of Two hundred and ten thousand Pounds, Notice whereof was duly published in the "*London Gazette*" of the Seventeenth Day of *December* in the said Year One thousand eight hundred and forty-four, a Newspaper called the

the "*Yorkshire Gazette,*" being a Newspaper published in the City of *York*, of the Twenty-first Day of the same Month of *December*, and a Newspaper called the "*Leeds Intelligencer,*" being a Newspaper published in the Borough of *Leeds*, of the Twenty-first Day of the same Month of *December:* And whereas upon the Execution of the said Agreement, and Receipt and Publication of such Notice as aforesaid, the said *Leeds and Selby* Railway, and all the Property and Effects thereof, pursuant to the Provisions of the said recited Act of the Seventh *Victoria*, became and were the Property of the *York and North Midland* Railway Company aforesaid: Be it therefore enacted, That in all Actions, Suits, and other Proceedings preferred by or against the *York and North Midland* Railway Company aforesaid it shall not be necessary for the same Company to produce or prove the said Indenture of the Twenty-seventh Day of *October* One thousand eight hundred and forty-one, the said Agreement, Notice in the "*London Gazette*" and Newspapers of the City of *York* and Borough of *Leeds*, or any other Documents or Proceedings relating to the said Sale and Purchase, unless the Plaintiff, Defendant, or other Party in such Action, Suit, or other Proceeding shall have given Notice Seven clear Days at least before the Hearing of any such Action, Suit, or other Proceeding to the said *York and North Midland* Railway Company to produce the same, but the Production of this Act shall in all Cases (except where such Notice to produce shall have been given as aforesaid) be sufficient Evidence that such Sale and Purchase as aforesaid has been duly made and completed according to the Provisions and in manner required by the said last-recited Act.

Facilitating Proof of the Purchase by the York and North Midland Railway Company of the Market Weighton Canal and Pocklington Canal under the Powers of the recited Act 10 & 11 Vict. c. 216.

XXIII. And whereas by One of the said recited Acts relating to the *York and North Midland* Railway Company passed in the Eleventh Year of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act to authorize the Purchase by the* York and North Midland *Railway Company of the Interests of the Shareholders in the* Market Weighton *Canal, and the Purchase of the Canal communicating therewith called Sir* Edward Vavasour's *Canal, of the* Pocklington *Canal, and of the* Leven *Canal, all in the East Riding of the County of* York, it was enacted, that it should be lawful for the said *York and North Midland* Railway Company to purchase and for the Shareholders in the said *Market Weighton* Canal to sell, all the Estate and Interest of such Shareholders in the same, and it should also be lawful for the said Railway Company to purchase, as they were thereby authorized to do, the said *Vavasour* Canal, *Pocklington* Canal, and *Leven* Canal respectively, together with all the Towing Paths, Banks, Toll Houses, Wharfs, Locks, Lands, Buildings, Premises, and Works belonging thereto respectively, by virtue of the said several recited Acts or otherwise, and it should be lawful for the Owners for the Time being of the said *Vavasour* Canal, the Company of Proprietors of the said *Pocklington* Canal, and the Owner for the Time being of the said *Leven* Canal, and they were thereby respectively authorized, to sell the same several Canals to the said Railway Company for such Prices or Considerations, and upon such Terms and Conditions, as should be agreed upon by and between the said Railway Company and the said several last-mentioned Parties; and it was by the same Act also enacted, that at any Time after the passing thereof the said Shareholders in the said *Market Weighton* Canal, or any Seven of them, should have Power to call a Special Meeting of such Shareholders in manner therein mentioned, at which Meeting the Shareholders present, or at least Three Fifths of such Shareholders, should approve of and authorize the Sale to the said Railway Company of the Interests of the Shareholders in the said Canal, and upon such Approval should appoint Three Trustees to treat with the said Railway Company for the Purchase of the Interests of the whole of the said Shareholders in the same Canal, and, in the event of an Agreement being come to, to receive the Purchase Money for the same, and that such Trustees should accordingly have full Power to treat with the said Railway Company, and to convey all the Shares, Estate, and Interests of the whole of the Shareholders in the same Canal to the said Railway Company, and to receive the Purchase Money for the same, and such Purchase Money should afterwards be divided amongst the Shareholders in manner therein-after directed; and it was by the same Act also enacted, that any Time after the passing thereof a Special General Meeting of the Company of Proprietors of the *Pocklington* Canal, to be convened in manner therein above prescribed in relation to the Meeting of the Shareholders of the *Market Weighton* Canal, should be held, at which Meeting the Shareholders present, or at least Three Fifths of such Shareholders, should approve of and authorize the Sale to the said Railway Company of the said *Pocklington* Canal, and in the event of such Approval should appoint Three Trustees to treat with the said Railway Company for the Sale to them of the said *Pocklington* Canal and the Works and Hereditaments connected therewith, and all other the Property of the Proprietors therein or thereto, and, in the event of an Agreement being come to, to receive the Purchase Money for the same, and such Trustees should accordingly have full Power to treat with the said Railway Company, and to convey the same Canal and all the Works and Hereditaments connected therewith, and all other the Property of the said Proprietors therein or thereto, to the said Railway Company, and to receive the said Purchase Money for the same, and such Purchase Money should afterwards be divided amongst the said Company of Proprietors in manner therein-after directed; and it was also enacted, that the

Receipt

Receipt or Receipts in Writing of the said Trustees to be appointed at such Meetings for the respective Purchase Monies so to be payable by the said Railway Company should effectually discharge the said Railway Company from the Sums in such Receipts expressed to be received; and such Railway Company should not be obliged to see to the Division or Distribution thereof amongst the Shareholders of the said *Market Weighton* Canal, or the Company of Proprietors of the said *Pocklington* Canal; and it was by the said Act further enacted, that upon the Completion of the said Purchases respectively by the *York and North Midland* Railway Company (of which Completion Deeds of Conveyance, duly stamped, denoting the Payment of the full and proper Stamp Duties by Law payable in respect of the Purchase Monies, and duly executed, should be sufficient Evidence), and upon Publication of Notice of such Purchases respectively in the "*London Gazette*," and in some One or more Newspapers usually circulated in the County of *York*, the Interests or Shares of the Shareholders in the said *Market Weighton* Canal, and all their Estate and Interest therein or connected therewith, and the said *Vavasour* Canal, the *Pocklington* Canal, and the *Leven* Canal respectively, and so far as respected the said *Vavasour* Canal, the *Pocklington* Canal, and the *Leven* Canal, all Lands, Buildings, Wharfs, Locks, Banks, Towing Paths, or other Works held or enjoyed therewith, should cease to be the Property of the said Shareholders, and of the said Company of Proprietors, and of the Owners of the said Canals respectively as aforesaid, and should thenceforth vest in and become the Property of the said *York and North Midland* Railway Company, but subject to the several Provisions of the said therein-recited Acts or otherwise relating to the said Canals respectively, so far as the same might be applicable and were not modified by or inconsistent with the Provisions of the now reciting Act; and it was further enacted, that when the Shares or Interests of the Shareholders in the said *Market Weighton* Canal should have become vested in the said Railway Company in manner aforesaid the said last-mentioned Company should and might thenceforward hold and enjoy the same, and with the like Powers, Privileges, and Advantages as such Shareholders then did or could have done if the now reciting Act had not been passed, and as regarded the said *Vavasour* Canal, the *Pocklington* Canal, and the *Leven* Canal, the Purchase of which was thereby authorized, the same, and all the Lands, Buildings, Towing Paths, Toll House, Wharfs, Quays, Banks, Locks, and Works belonging thereto or connected therewith, the said Railway Company should and might have, hold, use, and enjoy and exercise all the Powers, Rights, and Privileges connected therewith respectively, and receive and take the same Rates, Tolls, and Charges, and have and enjoy all the like Benefits and Advantages conferred on, belonging to, or acquired by the said Company of Proprietors and Owners of the

same

same respective Canals by virtue of the said therein-recited Acts relating thereto, or which immediately before the Completion of such Purchase the said Company of Proprietors and Owners respectively held, used, exercised, and enjoyed, or might have held, used, exercised, and enjoyed, except so far as such Powers, Rights, and Privileges were modified by or inconsistent with the Provisions of the now reciting Act (saving as therein mentioned); and it was further enacted, that it should not be lawful for the said *York and North Midland* Railway Company to purchase the said *Pocklington* Canal, *Leven* Canal, and *Vavasour* Canal, and the Estate and Interest of the Shareholders in the *Market Weighton* Canal, thereby authorized to be purchased, unless it should 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 Acts relating to the said Railway Company authorized to be raised had been actually paid up and expended for the Purposes authorized by such Acts: And whereas at a Special Meeting of the said Shareholders in the *Market Weighton* Canal duly called by Advertisement according to the Provisions of the said lastly-recited Act, and holden on the Twenty-third Day of *November* One thousand eight hundred and forty-seven, the Honourable *Charles Langdale* of *Houghton* near *Market Weighton* aforesaid, the Reverend *William Blow* of *Goodmanham* in the said East Riding, Clerk, and the Reverend *Henry Mitton* of *Market Weighton* aforesaid, Clerk, were unanimously by the whole of the Shareholders present at the said Meeting appointed the Three Trustees to treat with the said Railway Company for the Purchase of the Interests of the whole of the said Shareholders in the said *Market Weighton* Canal, and, in the event of an Agreement being come to, to receive the Purchase Money for the same, and to convey all the Shares, Estate, and Interest of the whole Shareholders in the same Canal to the said Railway Company, pursuant to the Provisions of the now reciting Act: And whereas the said Commissioners of Railways have certified under their Seal that One Half of the whole Amount of the Capital, exclusive of Loans, by the Acts relating to the said Railway Company authorized to be raised, has been actually paid up and expended for the Purposes authorized by such Acts: And whereas the said *Charles Langdale*, *William Blow*, and *Henry Mitton* agreed with the said Railway Company to sell to them all the Estate and Interest of the Shareholders in the said *Market Weighton* Canal in the same Canal for the Price or Sum of Fourteen thousand four hundred and four Pounds Fifteen Shillings and Ten-pence: And whereas the said Company have paid to the said *Charles Langdale*, *William Blow*, and *Henry Mitton*, as such Trustees as aforesaid, the said Purchase Money or Sum of Fourteen thousand four hundred and four Pounds Fifteen

Fifteen Shillings and Ten-pence, the Receipt whereof the said *Charles Langdale*, *William Blow*, and *Henry Mitton* have duly acknowledged, and have by an Indenture or Deed of Conveyance bearing Date the First Day of *January* Eighteen hundred and fifty, and duly stamped denoting the Payment of the full and proper Stamp Duty by Law payable in respect of the said Purchase Money, and duly executed, granted and conveyed the Shares, Estate, and Interests of the whole of the Contributors or Subscribers to or Shareholders in the said *Market Weighton* Canal of and in the same Canal, and of and in the Tolls, Rates, and Dividends arising from the same Canal, to the said Railway Company, their Successors and Assigns, Notice of which Purchase was duly published in the "*London Gazette*" of the Twelfth Day of *February* in the Year One thousand eight hundred and fifty, and the "*Yorkshire Gazette*" of the Sixteenth Day of the same Month of *February*, being a Newspaper usually circulated in the County of *York*: And whereas at a Special General Meeting of the said Company of Proprietors of the said *Pocklington* Canal duly convened for the Purpose by Advertisement, and holden on the Twenty-sixth Day of *November* One thousand eight hundred and forty-seven at the *Feathers* Inn in *Pocklington* aforesaid, in manner prescribed by the said lastly-recited Act, *Robert Denison* of *Waplington* Manor House in the County of *York*, Esquire, *Thomas Johnson* of *Pocklington* aforesaid, Esquire, and *Jonathan Harrison* of the same Place, Esquire, were by Three Fifths of the Shareholders then present appointed the Three Trustees to treat with the said Railway Company for the Sale to them of the said *Pocklington* Canal and Hereditaments connected therewith, and all other Property of the Proprietors therein, pursuant to the Provisions of the now reciting Act: And whereas the said *Robert Denison*, *Thomas Johnson*, and *Jonathan Harrison* agreed with the said Railway Company to sell to them the said *Pocklington* Canal, with all Lands, Buildings, Wharfs, Locks, Banks, Towing Paths, and other Works and Hereditaments connected, held, or enjoyed therewith by the same Canal Company, and all other the Property of the same Proprietors therein and thereto, for the Price or Sum of Eighteen thousand Pounds: And whereas the said Railway Company have paid to the said *Robert Denison*, *Thomas Johnson*, and *Jonathan Harrison* the said Sum of Eighteen thousand Pounds, the Receipt of which Sum the said *Robert Denison*, *Thomas Johnson*, and *Jonathan Harrison* have duly acknowledged, and have by an Indenture or Deed of Conveyance bearing Date the Eighteenth Day of *November* in the Year One thousand eight hundred and forty-eight, and duly stamped denoting the Payment of the full and proper Stamp Duty by Law payable in respect of the said last-mentioned Purchase Money, and duly executed, conveyed the said *Pocklington* Canal and all the Works and Hereditaments connected therewith, and all

all other the Property of the said Proprietors therein or thereto, to the said Railway Company, their Successors and Assigns, Notice of which last-mentioned Purchase was duly published in the "*London Gazette*" of the Sixteenth Day of *January* in the Year One thousand eight hundred and forty-nine, and in the said "*Yorkshire Gazette*" of the Twentieth Day of the same Month of *January*: And whereas upon the Completion and Execution of the said Two several Deeds of Conveyance, and upon Publication of Notice of such Purchases as aforesaid, the Interests or Shares of the Shareholders in the said *Market Weighton* Canal, and all their Estate and Interest therein or connected therewith, and the said *Pocklington* Canal, and all Lands, Buildings, Wharfs, Locks, Banks, Towing Paths, or other Works held or enjoyed therewith respectively, became vested in and the Property of the said *York and North Midland* Railway Company: Be it therefore enacted, That in all Actions, Suits, and other Proceedings preferred by or against the *York and North Midland* Railway Company aforesaid it shall not be necessary for the same Company to produce or prove the said Certificate of the said Commissioners of Railways, the said Two several Indentures or Deeds of Conveyance, Receipts, Notices in the "*London Gazette*" and the "*Yorkshire Gazette*" respectively, or any of them, or any other Documents or Proceedings relating to the said Sales and Purchases respectively, unless the Plaintiff, Defendant, or other Party in such Action, Suit, or other Proceeding shall have given Notice Seven clear Days at least before the Hearing of any such Action, Suit, or other Proceeding to the said *York and North Midland* Railway Company to produce the same, but the Production of this Act shall in all Cases (except where such Notices to produce shall have been given as aforesaid) be sufficient Evidence that such Sales and Purchases as aforesaid respectively have been duly made and completed according to the Provisions and in manner required by the last herein-before recited Act.

Railways of Company to be subject to 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.

XXIV. 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 another Act was passed in the Tenth Year of the Reign of Her present Majesty, intituled *An Act for*

for regulating the Gauge of Railways; and another Act was passed in the same Year of Her present Majesty's Reign, intituled *An Act for constituting Commissioners of Railways:* Be it enacted, That nothing in this Act contained shall be held to exempt the Railways of the *York and North Midland* Railway Company, or the said Company in respect thereof, from the Provisions of the same several Acts respectively, but that such Provisions shall be in force with reference to the same Railways and Company in respect thereof so far as the same are applicable.

Railways not exempt from Provisions of future general Railway Acts.

XXV. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railways by the said recited Acts authorized to be made, or the Company, from the Provisions of any general Act relating to such Acts, or of any general Acts relating to Railways, or to the better or 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 the Acts relating to the *York and North Midland* Railway.

Expenses of Act.

XXVI. And be it enacted, That all the Costs, Charges, and Expenses of and attending the passing of this Act or incident thereto shall be paid by the Company out of the first Monies that shall come to their Hands, and in preference to any other Payment whatsoever.

Interpretation of Terms.

XXVII. And be it enacted, That in the Construction of this Act the Expression "the Company" or "the said Company" shall mean "The *York and North Midland* Railway Company," unless there be something in the Subject or the Context repugnant to such Construction.

Short Title.

XXVIII. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments, Parliamentary Notices, and other Proceedings, it shall be sufficient to refer to and describe it as "The *York and North Midland* Railway Act, 1850."

Short Titles of recited Acts 4 & 5 Vict. c. 7. and 7 & 8 Vict. c. 21.

XXIX. And be it enacted, That in citing the said recited Act relating to the *York and North Midland* Railway Company passed in the Fourth Year of the Reign of Her present Majesty in other Acts of Parliament, and in legal Instruments, Parliamentary Notices, and other Proceedings, it shall be sufficient to refer to and describe it as "The *York and North Midland* Railway Approaches Act, 1841;" and that in citing for like Purposes the said recited Act relating to the said Company passed in the Seventh Year of the Reign of Her present

present Majesty it shall be sufficient to refer to and describe it as "The *Leeds and Selby* Railway Purchase Act, 1844."

Public Act. XXX. 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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