



ANNO DECIMO OCTAVO

VICTORIÆ REGINÆ.

Cap. lxi.

An Act to enlarge some of the Powers of the Acts relating to the *Bristol and Exeter* Railway Company; and to enable such Company to raise further Sums of Money, to acquire additional Lands, to lease the *Somerset Central* Railway, to hold additional Shares in the *Exeter and Crediton* Railway; and for other Purposes.

[15th June 1855.]

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 Bristol to Exeter, with Branches to the Towns of Bridgewater in the County of Somerset and Tiverton in the County of Devon*: And whereas divers other Acts have been passed in the First, Third, Fourth and Fifth, Eighth and Ninth, Ninth and Tenth, Eleventh and Twelfth, Fourteenth and Fifteenth Years of the Reign of Her present Majesty, relating to the *Bristol and Exeter* Railway: And whereas by "The *Bristol and Exeter* Railway Act, 1851," the *Bristol and Exeter* Railway Company were empowered to convert a Portion of their

[Local.] 9 Y Mortgage

6 & 7 W. 4. c. xxxvi.

The Bristol and Exeter Railway Act, 1855.

Mortgage Debt into Capital Stock, and to raise for such Purpose, by means of Shares bearing a preferential Dividend of Four Pounds *per Centum per Annum*, the Sum of Eight hundred and eighty thousand Pounds; and the Powers of raising Money by Mortgage of the Undertaking to the Extent of the Sum of Nine hundred and seventy four thousand one hundred Pounds were to be reduced and extinguished when and as the whole of such Preferential Shares should have been raised: And whereas by "The *Bristol and Exeter* Railway (Branch from *Bleadon* to *Wells*, *Glastonbury*, and *Street*) Act, 1848," the Company were empowered to raise for the Purposes of that Act the Sum of Five hundred and fifty thousand Pounds, by the Creation of new Shares (whereof Three hundred and twenty thousand Pounds is recited to be required for the Supply of Rolling Stock and for the general Purposes of the Company), and the Company were authorized to raise such Money by means of Preferential Shares, bearing a Dividend not exceeding Six Pounds *per Centum per Annum*, and to borrow the Sum of One hundred and eighty-three thousand Pounds by Mortgage: And whereas the Company, by Resolutions of a General Meeting, created Shares representing One million two hundred thousand Pounds, being the aggregate Amount of the said Two Sums of Eight hundred and eighty thousand Pounds and Three hundred and twenty thousand Pounds, and by such Resolutions a Priority in Payment of Dividends to the Extent of Four Pounds *per Centum per Annum* was attached to such Shares, with the Option to the Holders thereof of converting the same into the ordinary Consolidated Stock of the Company, by Notice to be given to the Company on or before the First Day of *July* One thousand eight hundred and fifty-five: And whereas the Company, on the Thirteenth Day of *December* One thousand eight hundred and fifty-four, had, under the Powers of the said Acts, and in pursuance of such Resolutions, issued Shares or Stock (the Holders of which are entitled to the said preferential Dividend of Four Pounds *per Centum per Annum*) to an Amount representing the Sum of Eight hundred and four thousand one hundred and forty Pounds, but they are unable at the present to dispose of any further Number of such Shares at their nominal Value: And whereas the Sum of Seven hundred and nine thousand one hundred and thirteen Pounds, being the Amount received upon such Preference Shares up to the Thirteenth Day of *December* One thousand eight hundred and fifty-four, has been applied in the Discharge of Sums due by the Company on Mortgage, in the Completion of the *Yeovil* Branch Railway, in the Supply of Engines and Carriages, and for the general Purposes of the Company: And whereas the ordinary Consolidated Capital of the Company is the Sum of Two Millions, and there was due on Mortgage on the Thirteenth Day of *December* One thousand eight hundred and fifty-four the Sum of Eight hundred and

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and twenty-seven thousand nine hundred and fifty-five Pounds: And whereas the Powers of raising Money which remain unexercised by the Company are,—

By “The *Bristol and Exeter* Railway (Branch^s from *Bleadon* to *Wells*, *Glastonbury*, and *Street*) Act, 1848,” the Part of the said Sum of Five hundred and fifty thousand Pounds not included in the said Sum of One million two hundred thousand Pounds by means of Preferential Shares, and the Sum of One hundred and eighty-three thousand Pounds by Mortgage, such Sums being applicable to the Construction of the Branch Railway and to the general Purposes of the Company :

By “The *Bristol and Exeter* Railway (*Taunton and Castle Cary* Branch) Act, 1848,” the Sum of Three hundred and fifty-five thousand Pounds by Preference Shares, and the Sum of One hundred and eighteen thousand Pounds by Mortgage, such Sums being only applicable to the Construction of the Railway authorized by such Act :

By “The *Cornwall* Railway Act, 1846,” and by an Order of the Board of Trade, reducing the Capital of the *Cornwall* Railway Company, and the respective Subscriptions thereto, the Sum of Ninety thousand Pounds by Shares or on Mortgage, which Sum has been paid to the *Cornwall* Railway Company ; but no Part of such Money has been raised under such Act in respect of such Payment :

By “The *Plymouth Great Western* Dock (Amendment) Act, 1848,” the Sum of Five thousand Pounds, which Sum has been paid for the Purpose of such Undertaking, but no Part of such Money has been raised :

And whereas the Company have expended a large Sum of Money in the Completion of the *Yeovil* Branch Railway, and in providing Engines and Carriages for working their Main Line of Railway and the *Yeovil* and other Branches constructed by them, or agreed to be leased to or worked by them, and the Company require additional Funds for the Purposes of their Undertaking : And whereas the Powers of raising Money conferred by the several Acts relating to the Company are insufficient ; and it is expedient that the same Powers should be consolidated, amended, and enlarged, and that the Company should be empowered to raise additional Capital by means of Preference Shares, subject to the same Conditions and entitled to the same Amount and Priority of Dividend as the Preference Shares authorized to be created by “The *Bristol and Exeter* Railway Act, 1851,” except as herein otherwise provided ; and in the meantime and until such Preference Shares can be raised it is expedient that the Company be empowered to continue on Mortgage or Bond, or to raise on Mortgage or Bond, such further and other Sums of Money as herein-after mentioned: And
whereas

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whereas the Admission of a larger Amount of Preference Capital than the said Sum of One million two hundred thousand Pounds to an equal Participation in the Preference Dividend has been assented to by the Proprietors of nearly all the Preference Capital already issued, and it is reasonable that, in consideration of the Assent so given, the Time limited for the said Proprietors giving Notice to convert such Shares into ordinary Consolidated Stock should be extended: And whereas the Part of the *Somerset Central* Railway between the *Bristol and Exeter* Railway and *Glastonbury*, constructed by virtue of "The *Somerset Central* Railway Act, 1852," has been opened for the Use of the Public, and the same forms a Junction with the *Bristol and Exeter* Railway, and could, beneficially to the Public, be worked by the *Bristol and Exeter* Railway Company, and it is expedient to authorize the Lease thereof by the *Bristol and Exeter* Railway Company: And whereas the *Bristol and Exeter* Railway Company are authorized to hold and are Owners of Shares in the *Exeter and Crediton* Railway, and an Allotment of Preference Shares in respect of such Shares has been made to them under the Provisions of "The *Exeter and Crediton* Railway Act, 1850," and it is expedient to enable the *Bristol and Exeter* Railway Company to hold such Preference Shares so allotted: And whereas various Branch Railways have been opened in connexion with the said *Bristol and Exeter* Railway, and the Traffic upon the Railway has greatly increased both in Passengers and Goods, and the Land which the Company possess for Station Accommodation is inadequate, and it is expedient that the Company should be enabled to take Lands for the Enlargement of several of their present Stations, and for the Formation of certain new Stations: And whereas there is a public Road in *Bedminster* which now crosses the Railway on a Level, and it is expedient that the Company should be empowered to carry the same over the Railway, and for such Purpose to alter the Levels or Lines thereof as herein-after mentioned: And whereas the Time limited for the Sale of the Company's superfluous Lands will shortly expire, and the Company possess Lands which may become available for the Purposes of their Undertaking, and it is expedient that the Time for the Sale of their Lands be extended, and that they be authorized to purchase certain additional Land for Station Accommodation and other Purposes: And whereas it is expedient that in other respects the Powers and Provisions of the recited Acts should be altered, amended, and enlarged: 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, as follows; (that is to say,)

I. That

The Bristol and Exeter Railway Act, 1855.

I. That in citing this Act for any Purpose it shall be sufficient to describe it as “The *Bristol and Exeter* Railway Act, 1855.” Short Title.

II. That in construing this Act the Word “Company” shall mean the *Bristol and Exeter* Railway Company; and the Words “Preference Capital” or “Preference Shares” shall extend to and include Preference Stock or Shares issued or to be issued by the Company for raising the Preference Capital in this Act mentioned; and the Word “Railway” shall include the Main Line of Railway and the several Branches forming Part of the Undertaking belonging to the *Bristol and Exeter* Railway Company; unless there be something in the Subject or Context repugnant to any such Construction. Interpretation of Terms.

III. That the Powers of raising Money by the Creation or further Creation of new Shares, and by borrowing on Mortgage or Bond, given by the following Acts, shall be extinguished, and the Powers of raising Money by the Creation of Shares and by borrowing given by this Act shall be in substitution of the following Powers given by such Acts; namely, Certain Powers of raising Money under the recited Acts to cease, and the Powers by this Act to be substituted.

By “The *Bristol and Exeter* Railway (Branch from *Bleadon* to *Wells*, *Glastonbury*, and *Street*) Act, 1848,” with respect to the Sum of Five hundred and fifty thousand Pounds by the Creation of new Shares, and the Sum of One hundred and eighty-three thousand Pounds by borrowing on Mortgage or Bond:

By “The *Cornwall* Railway Act, 1846,” with respect to the Sum of Ninety thousand Pounds, the said reduced Amount of Subscription to such Company:

By “The *Plymouth and Great Western* Dock (Amendment) Act, 1848,” with respect to the Sum of Five thousand Pounds:

By “The *Bristol and Exeter* Railway Act, 1851,” with respect to the Shares remaining unissued at the passing of this Act, forming Part of the Preference Share Capital of Eight hundred and eighty thousand Pounds before mentioned:

And the Powers of raising the said several Sums of Money by such Acts shall be and they are hereby repealed.

IV. That the Capital in the Company bearing a preferential Dividend shall not exceed the Sum of Two million Pounds, and the same shall be called the “Preference Capital” of the Company; and such Sum may be raised by means of Preference Shares or Preference Stock, issued at such Times, in such Manner, and to such Persons as the Directors of the Company from Time to Time determine: Provided always, that the preferential Dividend shall not exceed Four Pounds *per Centum per Annum*. Amount to be raised by Preference Shares.

V. That the nominal Amount of each Share shall be Twenty Pounds. Nominal Amount of Shares.

[*Local.*]

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VI. That

The Bristol and Exeter Railway Act, 1855.

Preference
Shares al-
ready issued
to be Part
of the
2,000,000*l*.

VI. That all Preference Shares or Preference Stock issued by the Company previous to the passing of this Act, under "The *Bristol and Exeter* Railway Act, 1851," or under any other Act, shall form Part of the Shares or Stock for raising the Sum of Two million Pounds.

Preference
Shares to be
registered
as such.

VII. That all Shares or Stock issued or to be issued as Preference Shares or Preference Stock shall be distinguished and registered as "Preference Shares" or "Preference Stock," and the Certificates thereof shall be marked accordingly, and shall show the Rate of Dividend secured thereon.

Amount of
preferential
Dividend.

VIII. That, except in the Case of Election as herein-after specified, the Holders of the Preference Capital shall be entitled in perpetuity to Dividends at the Rate of Four Pounds *per Centum per Annum* upon all Sums duly paid in respect thereof, and such Dividends shall be payable by equal half-yearly Payments as soon as conveniently may be after the First Day of *January* and First Day of *July* in each Year, and all such Dividends shall be paid in preference to and before any Dividend shall be paid on the ordinary Consolidated Stock of the Company, but the Holders of such Preference Capital shall not, except in the Case of Election, herein-after provided, participate in the Profits of the Company to any greater Extent than after the Rate of Four Pounds *per Centum per Annum*.

Option of
Conversion
by existing
Preference
Share-
holders.

IX. That the Proprietors of any Preference Capital issued before the First Day of *July* One thousand eight hundred and fifty-five shall retain the Powers to convert the same into ordinary Consolidated Stock of the Company on the First Day of *January* One thousand eight hundred and fifty-six, contained in the said "*Bristol and Exeter* Railway Act, 1851 ;" or such Proprietors, in case they shall have assented or shall hereafter assent to this Act, as herein-after mentioned, may exercise such Option at the Period next herein-after specified.

Existing or
new Prefer-
ence Share-
holders may
exercise
Option of
Conversion
in July 1857.

X. That the Proprietors of any Preference Capital, except as herein otherwise provided, whether issued before or after the passing of this Act, may, by Writing under their respective Hands, delivered on or before the First Day of *July* One thousand eight hundred and fifty-seven at the Office of the Secretary to the Company, elect and declare their respective Election to accept, from and after the First Day of *January* One thousand eight hundred and fifty-eight, in respect of any such Preference Capital, Dividends in common and rateably with the Proprietors of ordinary Consolidated Stock in the Company, instead of the fixed Dividends, and from and for ever after the First Day of *January* One thousand eight hundred and fifty-eight the preferential Dividends in respect of such Preference Capital

as

The Bristol and Exeter Railway Act, 1855.

as to which such Option shall be so declared shall wholly cease to be payable, and the Proprietors of the same Capital shall receive Dividends thereon in common and rateably with the Proprietors of ordinary Consolidated Stock in the Company in respect whereof such preferential Dividends shall not be payable: Provided, that it shall be lawful for the Company at any General Meeting to resolve that the Proprietors of Preference Capital which may be issued after the First Day of *July* One thousand eight hundred and fifty-seven shall be entitled, within a Period not exceeding Three Years from the Time of taking such Capital, to declare their respective Acceptance of Dividends in common and rateably with the Proprietors of ordinary Consolidated Stock as aforesaid, and such Option shall be exercised by Six Months previous Notice in Writing delivered at the Office of the Secretary of the Company: Provided also, that in all Cases of Election to convert Preference Shares into ordinary Consolidated Stock, the Amount of such Preference Shares shall be fully paid up before the Time of such Conversion.

XI. That the Directors of the Company shall have Power from Time to Time and at any Time after the passing of this Act to make, at their Discretion, such Call or Calls of Money from the Subscribers to and Proprietors of the Preference Capital as the Directors shall from Time to Time find necessary for the Purposes of the Company, so that no such Call shall exceed Two Pounds on each Share, and so that Three Months at the least shall intervene between the Days of making Two successive Calls, and so that the total Amount called for in any One Year shall not exceed the Sum of Five Pounds in respect of each such Share: Provided always, that Calls made under the Powers conferred by "*The Bristol and Exeter Railway Act, 1851,*" and remaining unpaid, shall not be prejudiced or affected by the Provisions of this Act, but may be enforced by the Company as if this Act had not passed.

Power to
make Calls
on new
Shares.

Limit of
Calls.

XII. That the Preference Capital shall be subject to the same Provisions in all respects, whether with reference to the making of Calls, the Payment of Calls, or the Forfeiture of Shares on Nonpayment of Calls, or the merging of any such forfeited Shares in the general Capital of the Company, or consolidating the Shares into a Capital Stock, or otherwise, as if it had been Part of the original Capital of the Company: Provided always, that such Shares shall be of the Amount of Twenty Pounds each, and the Amount and Payment of the Dividends shall be such as in this Act provided; and it shall be lawful for the Directors from Time to Time to fix the Amount of the Calls upon such Shares, or the Directors may, in case the whole Amount of Preference Capital taken by any Person shall be paid up by him, issue Preference Stock for such Capital in lieu of Preference Shares.

New Capital
subject to
same Provi-
sions as origi-
nal Capital.

XIII. That

The Bristol and Exeter Railway Act, 1855.

Voting.

XIII. That the Proprietors of Preference Capital shall be entitled to the Number of Votes in respect thereof which the Amount of Capital and Stock represented thereby would have entitled them to if they had been possessed of the same Amount in original Shares, or in the ordinary Consolidated Stock of the Company.

No Priority
in Preference
Shares.

XIV. And whereas all the Proprietors of Preference Capital already issued, except the Proprietors named in the Schedule A. to this Act annexed, and holding the Preference Capital therein mentioned, have given their Assent to this Act: Therefore (except as herein provided with respect to such Proprietors named in such Schedule as shall not hereafter elect to exercise the Option of Conversion into ordinary Stock within the extended Period hereby granted) the respective Holders of Preference Capital, whether issued before or after the passing of this Act, shall proportionably according to the Amounts thereof held by them respectively be entitled to be paid out of the Revenues of the Company the preferential Dividend secured thereon, without any Preference one above another by reason of the Priority in Date in the Issue of such Preference Capital, or otherwise howsoever.

Saving
Rights of
Preference
Share-
holders.

XV. That nothing in this Act contained shall prejudice or affect any Preference or Priority in Payment of Interest or Dividends on any Preference Capital specified in the Schedule A. to this Act, unless the Proprietor of such Capital shall, within Six Months after the passing of this Act, signify his Desire, by Notice in Writing delivered in manner aforesaid, to exercise the Option of Conversion into ordinary Consolidated Stock within the extended Period hereby granted; and in such Case such Proprietor shall be deemed to have assented to this Act, and shall be entitled to exercise the Option of Conversion into ordinary Consolidated Stock within the extended Period as aforesaid, and the Preference Capital held by him shall be subject to the Provisions of this Act, in the same Manner as if such Assent had been given previous to the passing of this Act.

Provision
to Preferen-
tial Capital
where no
Consent
given.

XVI. That the Preference Capital specified in Schedule A. to this Act in respect whereof the Proprietor shall not elect to exercise the Option of Conversion into ordinary Consolidated Stock as aforesaid shall be distinguished as "Inconvertible Four Pounds Preference Stock," and registered accordingly.

Proprietors
erroneously
omitted as
non-assent-
ing to be
inserted in
Schedule A.
on claiming
within One
Year.

XVII. That if any Error shall have arisen in the said Schedule by the Omission of any Proprietor who has not assented to this Act, such Proprietor may claim to be included in the said Schedule; and the Proprietor so claiming to be inserted shall, upon Proof of the Error, within One Year from the passing of this Act be entitled to such Preference or Priority in Payment of Interest and Dividends, as is hereby reserved to the Proprietors who have not assented to this Act.

XVIII. That,

The Bristol and Exeter Railway Act, 1855.

XVIII. That, instead of proceeding to forfeit any Preference Shares upon which the Calls are unpaid, it shall be lawful for the Directors of the Company, in any Case where, in their Opinion, any such Shares if sold would not produce a sufficient Sum to discharge the Arrears of Calls thereon, to agree with the Proprietor thereof for the Surrender of the same to the Company, on such Terms and Conditions as may be authorized by a Special General Meeting of the Company, and after such Surrender (which shall be made by Deed Poll under the Hand and Seal of the Proprietor, in which Deed the Consideration for the same shall be fully and truly stated and set forth, and every such Deed shall be duly stamped for denoting the proper Stamp Duty in respect of such Consideration,) the Shares so surrendered shall merge in and form Part of the Capital of the Undertaking, and such Shares may be reissued accordingly.

Power of Directors to agree with Shareholders in arrear for an Assignment of Shares, instead of forfeiting the same.

XIX. That the Sums to be raised by means of the Preference Capital shall, except as herein-after mentioned with regard to the Discharge of the Mortgage Debt, be applicable to the Purchase of additional Lands, and of Engines and Carriages, the making, Enlargement and Erection of Sidings, Stations, Buildings, and other similar Works, the Execution of the Works by this Act authorized or remaining incomplete under the recited Acts, and the Payment of any Contributions to other Railways already authorized, or which are authorized by this Act.

Application of Money raised.

XX. That the Company may, instead of raising in the first instance the whole of the said Sum of Two million Pounds by means of Preference Capital, as herein-before authorized, continue on Mortgage or Bond, or from Time to Time borrow on Mortgage or Bond, such Sum of Money as, together with the Sums actually received by means of or as Calls upon the Preference Capital, shall not exceed the Sum of Two million Pounds; and the whole Amount raised by means of such Preference Capital and on Mortgage or Bond shall not exceed such Sum of Two million Pounds; and when and so soon as the Sums raised both by Preference Capital and by borrowing as aforesaid shall Amount to such Sum, all further Moneys received by the Company in respect of the Preference Capital shall be applied exclusively in the Discharge of the Mortgage and Bond Debts of the Company: Provided always, that the Sums of Money due and owing by the Company on Mortgage of their Undertaking and on Bond shall not exceed in the whole One Third Part of the ordinary Consolidated Stock and of the Moneys received in respect of the Preference Capital of the Company.

Power to continue to raise Money on Mortgage until the Amount is raised by Preference Shares.

XXI. That nothing herein contained shall prejudice or affect the Rights of the Holders of the existing Mortgages, Bonds, or other Securities of the Company, nor any Priority which such Mortgages, Bonds, or Securities might have had if this Act had not passed.

Rights and Priority of Mortgagees not to be prejudiced.

[Local.]

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XXII. That

The Bristol and Exeter Railway Act, 1855.

Mortgages
and Bonds.

XXII. That every Mortgage and Bond for securing Money borrowed by the Company shall be by Deed under the Common Seal of the Company, duly stamped, and wherein the Consideration shall be truly stated; and every such Mortgage, and every Transfer thereof, may be according to the Form set forth in the first-recited Act, so far as the same is applicable thereto.

Transfers to
be stamped.

XXIII. That every Transfer of any Mortgage or Bond shall be by Deed duly stamped, wherein the Consideration shall be truly stated.

Mortgages
and Bonds
to be regis-
tered, &c. in
same Manner
as original
Mortgages
under firstly
recited Act.

XXIV. That all Mortgages and Bonds may be transferred, and such Mortgages and Bonds, and the Transfers thereof, shall be registered; and the Payment of the Interest and the Repayment of the Principal may be enforced in the same Manner as if such Mortgages and Bonds respectively had been granted under the Provisions of the first-recited Act.

Somerset
Central Rail-
way Com-
pany may
lease Un-
dertaking to
Bristol and
Exeter Rail-
way Com-
pany.

XXV. That, subject to the Approval of the Board of Trade, as herein-after mentioned, the *Somerset Central* Railway Company may grant, and the *Bristol and Exeter* Railway Company may accept, a Lease for any Term or Number of Years not exceeding Ten Years which may be agreed upon between the Companies of all or any Part of the Undertaking of the *Somerset Central* Railway Company which was authorized by the *Somerset Central* Railway Act, 1852, and the Property for the Time being vested in such last-mentioned Company for the Purposes of that Undertaking, and all or any of the Tolls, Rates, and Duties which the *Somerset Central* Railway Company is or may be empowered to raise and levy, and all or any of the Rights, Powers, and Privileges of which the *Somerset Central* Railway Company is or may be or become possessed with reference to that Undertaking, at or under such annual or other Rents, or for or in consideration of such Share of the gross or net Earnings or Profits, or for such other Considerations, and with, under, and subject to such Powers, Provisoes, Stipulations, Conditions, and Agreements, as the Companies from Time to Time approve.

Duration of
Agreement.
To be ap-
proved by
Board of
Trade.
Agreements
not to affect
Persons not
Parties
thereto.

XXVI. That no Lease of the *Somerset Central* Railway shall be for more than Ten Years; and no such Lease shall have any Operation until the same shall have been approved of by the Board of Trade; and no such Lease as aforesaid shall in any Manner alter, affect, increase, or diminish any of the Tolls, Rates, or Charges which the said Companies shall for the Time being be respectively authorized and entitled to demand and receive from any Person or any other Company, but all other Persons and Companies shall, notwithstanding any such Lease, be entitled to the Use and Benefit of the Railway to which
the

The Bristol and Exeter Railway Act, 1855.

the said Lease may relate, upon the same Terms and Conditions, and on Payment of the same Tolls, Rates, and Charges, as they would have been in case no such Lease had been entered into: Provided always, that the said Board shall not approve such Lease without being satisfied that the same has been duly assented to by Three Fifths of the Votes of the Shareholders of the several Companies Parties thereto in Special Meeting assembled for that Purpose.

XXVII. That at the Expiration of the said Lease the said Companies, with the Consent in Special Meeting of the Shareholders of such Companies respectively, and subject to the Approval of the Board of Trade, may enter into a further Lease; provided, that before such Companies shall enter into any such further Lease as aforesaid they shall give Notice of their Intention to enter into such Lease by Advertisement in a Form to be approved of by the Board of Trade, inserted once in each of Three successive Weeks in some Newspaper published or circulating in the County in which any Part of the Railway to which such proposed Lease relates is situated, and every such Notice shall set forth within what Time and in what Manner any Company or Person aggrieved by such proposed Lease, and desiring to object thereto, may bring such Objections before the Board of Trade; and no such Lease shall be valid at Law or in Equity until the same shall have been approved of by the Board of Trade.

Agreement may be renewed, with the Approval of the Board of Trade.

Public Notice to be given of the Intention to enter into Agreements.

Agreement inoperative until approved by the Board of Trade.

XXVIII. That none of the Powers and Provisions of this Act with respect to the leasing of the *Somerset Central* Railway shall have any Operation or Effect unless and until the Contracts and Arrangements intended to be made for such Purpose shall have been submitted to the Proprietors, and approved of by a Majority of not less than Three Fifths of the Votes of the Shareholders present, personally or by Proxy, at a Meeting of the Companies Parties to such Lease specially convened for that Purpose.

Working Arrangements, &c. not to take effect unless approved by Three Fifths of the Shareholders.

XXIX. That such Meeting shall be called by Advertisements, inserted for Two successive Weeks in a Morning Newspaper published in *London*, and in some Newspaper of the County in which the principal Office of the Companies Parties to such Lease is situate, the last of which Advertisements shall be published not less than Seven Days before such Meeting, and also by a Circular addressed to each Shareholder entitled to vote at Meetings of the Company in accordance with the Provisions of the Acts relating to the Company.

Meeting how to be convened.

XXX. That, in addition to the One thousand and thirty-one Shares in the Undertaking called "*The Exeter and Crediton Railway*" now held by the Company, it shall be lawful for the Company to hold Four hundred Shares of Twenty Pounds each created in such Undertaking

Power to hold additional Shares in the Exeter and Crediton Railway.

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taking under and by virtue of "The *Exeter and Crediton* Railway Act, 1850," and the Company with respect to such additional Shares shall have the same Rights of selling the same and of voting in respect thereof as are given by "The *Bristol and Exeter* Railway Act, 1851," with regard to the Shares in such Undertaking by such Act authorized to be held.

Power to
take Lands,
and execute
Works ac-
cording to
deposited
Plans.

XXXI. And whereas Plans describing, among other Lands, the Lands which are herein-after authorized to be taken for the Alteration and Enlargement of several Stations upon the Railway, and also for certain additional Stations proposed to be provided by the Company upon such Railway, and describing also the Line of a certain Road which now crosses the Railway upon the Level, and which is intended to be carried over the Railway by means of a Bridge or Arch, and the Lands which may be required for the Purposes of such Work, and Sections showing the Level of such Road when altered, with Books of Reference to such Plans containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of such respective Lands, have been deposited with the respective Clerks of the Peace for the Counties of *Somerset* and *Devon*, for the City and County of *Bristol*, and for the City of *Exeter* and County of the same City: Therefore, subject to the Provisions and Restrictions in this Act and in the Acts incorporated herewith contained, it shall be lawful for the Company to alter and enlarge their Stations, Works, and Conveniences, and to construct additional Stations, Works, and Conveniences, and, according to the Levels defined on the said Sections, to carry the Road herein-after mentioned over the Railway by means of a Bridge or Arch, with Approaches thereto, and to enter upon, take, and use such only of the Lands described upon the said Plans and in the said Books of Reference, as are specified in the Schedule (B.) to this Act annexed, and as may be necessary for such Purposes respectively, and to make, subject to the Powers of Deviation contained in any of the incorporated Acts, Alterations in the Line and Level of the said Road within the Lands described on such Plans: Provided always, that the Company shall not be enabled, under the Powers of this Act, to purchase compulsorily any Lands described on the said Plans or in the said Books of Reference, other than such as are mentioned or referred to in the said Schedule (B.)

Road to be
carried over
the Railway.

XXXII. That the following Road may be carried by the Company over the Railway; namely,

The public Carriage Road or Street called *Parsons Street* in *Bedminster* in the City and County of *Bristol* and County of *Somerset*, or One of them:

And when and so soon as the Bridge or Arch for carrying such Road over the Railway shall have been completed, and opened for the Use of the Public, the Company may stop up and discontinue the Crossing
of

The Bristol and Exeter Railway Act, 1855.

of such Road on the Level of the Railway, and all Rights of Way over the Railway by means of such level Crossing shall cease.

XXXIII. That, for the Purposes of the Purchase and taking of Lands and Execution of Works by this Act authorized to be purchased, taken, and executed, "The Lands Clauses Consolidation Act, 1845," and so much of "The Railways Clauses Consolidation Act, 1845," as relates to the Construction of Railways, the temporary Use of Lands during the Construction of Railways, to the taking of Lands for additional Stations, to the Mode of crossing Roads and Construction of Bridges, to the Construction of Arches, Culverts, and Works for the Protection and Accommodation of Lands adjoining the Railways, and to the working of Mines under and near to Railways, and to leasing the Railway, shall respectively, except so far as the same may be otherwise expressly provided for by this Act, be incorporated with and form Part of this Act. 8 & 9 Vict. cc. 18. & 20. incorpo- rated.

XXXIV. That if the Works for carrying the said Road over the Railway shall not be completed within Four Years from the passing of this Act the Powers of this Act and of the Acts incorporated herewith given to the Company for executing the same shall cease to be exercised, except as to so much of the same as shall then be completed. Period for Completion of Works.

XXXV. That inasmuch as the Traffic on the Railway is increasing, and the Company may require for the Purposes of their Undertaking to use Lands which they have already acquired but which they do not at present use, the Company shall not, until Three Years after the passing of this Act, be bound to sell or dispose of any of their superfluous Lands. Superfluous Lands.

XXXVI. And whereas the Company may be desirous of purchasing certain additional Lands adjoining or near to the *Bristol* Stations to which the compulsory Powers given by this Act do not extend: Therefore, in addition to the Lands held or acquired by the Company or on their Behalf, or authorized to be purchased by them, previous to the passing of this Act, and to the Lands described on the said Plans and in the said Book of Reference, and by this Act authorized to be taken, it shall be lawful for the Company to purchase from any Person who may be willing to sell the same, and also to hold for the Purposes of their Undertaking, any Lands adjoining or near to their *Bristol* Stations, not exceeding in Quantity Five Acres; and it shall be lawful for all Persons who are by the said "Lands Clauses Consolidation Act, 1845," authorized to sell Lands to sell such Lands, not exceeding such Quantity, to the Company, for the Purposes aforesaid. Power to purchase certain Lands by Agreement.

[*Local.*]

10 B

XXXVII. That

The Bristol and Exeter Railway Act, 1855.

Interest not
to be paid
out of Capital on Calls
paid up.

XXXVII. That it shall not be lawful for the Company, out of any Money by this Act or any other Act relating to the Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest or Dividend to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein contained shall be deemed to prevent the said Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

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

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

Railway not
to be exempt
from Provisions of present and
future General Acts.

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

Expenses of
Act.

XL. That all the Costs, Charges, and Expenses of obtaining this Act, or incident thereto, shall be paid by the Company.

The Bristol and Exeter Railway Act, 1855.

SCHEDULE A.

NAMES of PROPRIETORS of PREFERENTIAL CAPITAL from whom Assents
have not been received.

Names of Proprietors.	Amount of Preferential Capital held by Proprietors.
	£
Airey, Richard, Colonel - - - - -	1,300
Baker, Miss Mary - - - - -	1,500
Bridger, William, Esquire - - - - -	1,200
Brittan, Meshack, Esquire - - - - -	1,500
Board, Mary, Mrs. - - - - -	900
Board, Robert - - - - -	1,000
Body, Samuel - - - - -	500
Burne, Eliza Susanna, Miss - - - - -	200
Coope, William John, Reverend - - - - -	60
Collet, Maria, Miss - - - - -	100
Cobden, Ann, Mrs., and Alfred Fleming Cobden, Esquire	2,808
Davis, Thomas Boys - - - - -	500
Ellis, Hanible, Mr., and Frederick Henry Trevethick, C.E.	2,000
M'Farlane, Lady Gertrude - - - - -	7,000
Formby, Catherine, Mrs. - - - - -	600
Fowler, Hannah, Mrs. - - - - -	700
Gardner, Matilda - - - - -	60
Hall, Richard, Esquire - - - - -	125
Haise, Thomas, Mr. - - - - -	250
Herniman, Robert - - - - -	500
Hyde, John Moore, and Joseph Davis, Esquire - - -	2,000
Hyde, John Moore - - - - -	1,500
Hyde, John Moore, Esquire, Joseph Davis, and John Kendall - - - - -	2,000
Hordern, Joseph, Rev ^d - - - - -	500
Jackson, William - - - - -	200
Lawrence, Joseph Peavely - - - - -	3,000
Lettey, James - - - - -	120
Miller, Jane - - - - -	1,000
Miller, John, M.D. - - - - -	200
Norton, Henry - - - - -	600
Player, William - - - - -	600
Peacocke, Eliz th Harriett, deceased; Executors, Sir Joseph Francis Peacocke, Bart., and others - - -	500
Phillimore, William Brough, and Anna Phillimore -	3,900
Robley, Henry - - - - -	1,800
Sparks, John - - - - -	120
Sitwell, Robert Sacheverell - - - - -	2,260
Sitwell, Harriet Wilmet - - - - -	800
Scott, Robert - - - - -	1,550
Trelawney, Charles - - - - -	1,900
Tuckett, Philip Debell, and Ann Tuckett - - -	1,000
Tuckett, Philip Debell - - - - -	2,000
Walter, Sarah - - - - -	500
Withall, Margaret - - - - -	1,502

SCHE-

The Bristol and Exeter Railway Act, 1855.

SCHEDULE (B.) referred to in the foregoing Act.

The several Lands described on the Plans and in the Books of Reference as in the Parish of Temple otherwise Holy Cross in the City and County of Bristol, numbered 1, 2, 3, 20, 21, and 22.

The several Lands described on the said Plans and in the said Books of Reference as in the Parish of Bedminster in the City and County of Bristol, and in the Parishes of Bedminster, Backwell, Yatton, Uphill, Bleadon, Burnham, Huntspill, Puriton, Chilton, Trinity, Bridgwater (except the Tramway, Roadway, Allotments, and Turntable, being the Lands numbered 1 in such last-mentioned Parish), Curry Rivell, Martock, and Yeovil, respectively in the County of Somerset, and in the Parishes of Willand, Cullompton, Bradninch, and Broadclist, respectively in the County of Devon, and in the Parish of Saint David in the City and County of the City of Exeter.

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