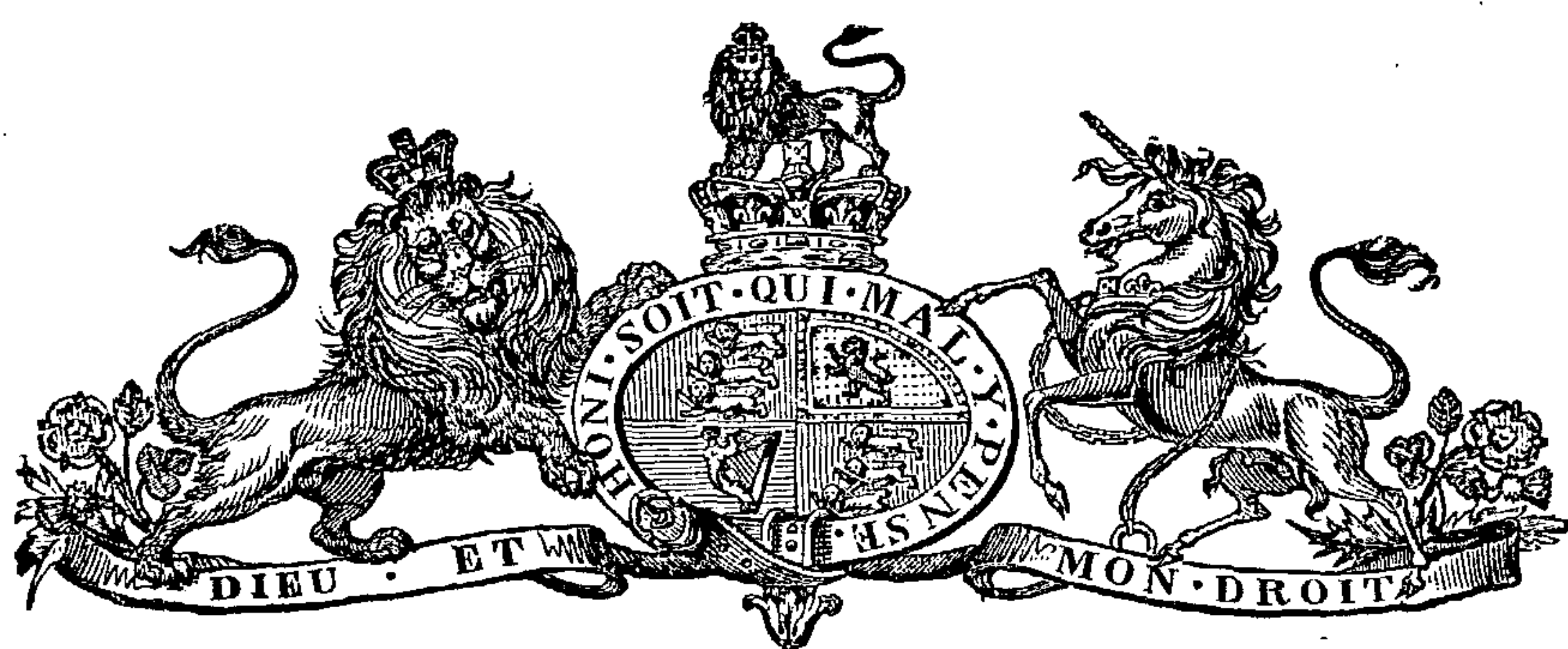




ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

Cap. cclxxv.

An Act for enabling the *West Yorkshire* Railway Company to raise further Money; and for other Purposes. [5th July 1865.]

WHEREAS by "The *West Riding and Grimsby* Railway Act, 1864," the *West Riding and Grimsby* Railway Company were empowered, among other things, to make a Station at *Wakefield*, and to raise a Capital in Shares for the Purpose, not exceeding Eighty thousand Pounds, and by the same Act it was enacted that the *West Riding and Grimsby* Railway Company should consent to the *West Yorkshire* Railway Company (in this Act, called "the Company") becoming Subscribers within Fifteen Months from the passing of the said Act (if authorized by Parliament so to do) towards the Construction of the said Station to an Amount not exceeding Twenty-two thousand five hundred Pounds, and should also, upon the Company becoming Subscribers as aforesaid, consent to the Company having and enjoying, in and in connexion with such Part of the said Station as should be used as a Passenger Station, such Rights and Privileges as might be agreed upon,

[*Local.*] 46 E

27 & 28 Vict.
c. xci.

*The West Yorkshire Railway Act, 1865.*26 & 27 Vict.
c. clxvii.27 & 28 Vict.
c. lv.

upon, or as, failing Agreement, might be settled by Arbitration in the Manner provided by "The Railway Companies Arbitration Act, 1859:" And whereas it is expedient that the Company should be empowered to subscribe to the said Station, and that Effect should be given to the Provisions of "The *West Riding and Grimsby* Railway Act, 1864," with reference thereto: And whereas by "The *West Yorkshire* Railway Act, 1863," the Company were authorized to raise additional Capital to the Extent of Seventy-five thousand Pounds, and to borrow on Mortgage to the Extent of Twenty-five thousand Pounds, and the Company accordingly issued Shares for the whole of such additional Capital of Seventy-five thousand Pounds, and the Sum of Thirty-seven thousand five hundred Pounds has been paid up in respect of those Shares, and the Company borrowed to the Extent of Seventeen thousand Pounds: And whereas by "The *Methley* Railway Act, 1864," Provision was made for the Admission of the *North-eastern* and *Lancashire and Yorkshire* Railway Companies to become joint Owners with the Company of the *Methley* Railway, and for the Repayment to the Company by each of the said Two Companies of One Third Part of the Costs and Expenses incurred by the Company in reference to the *Methley* Railway, and by the same Act (Section Thirty-six) the Sum to be raised by the Company for the Purposes of "The *West Yorkshire* Railway Act, 1863," and "The *Methley* Railway Act, 1864," or the Issue of Shares, was limited to the nominal Sum of Twenty-five thousand Pounds, and the Sum to be borrowed for the like Purposes was limited to Eight thousand three hundred and thirty-three Pounds; and it is expedient that Provision should be made with reference to the Money raised in respect of the said Shares beyond the said Sum of Twenty-five thousand Pounds, and to the Monies borrowed beyond the said Sum of Eight thousand three hundred and thirty-three Pounds: And whereas it is expedient that the Company be authorized to raise additional Money for the general Purposes of their Undertaking: And whereas the several Purposes of this Act 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:

Short Title.

1. This Act may be cited for any Purpose as "*The West Yorkshire Railway Act, 1865.*"

26 & 27 Vict.
c. 118. in-
corporated.

2. Part II. (relating to additional Capital) of "The Companies Clauses Act, 1863," so far as the Provisions of the same are applicable to

The West Yorkshire Railway Act, 1865.

to the Purposes of and are not altered or varied by this Act, shall be incorporated with and form Part of this Act.

3. In addition to the Sum or Sums of Money which the Company are at present or may by any other Act or Acts of the present Session be authorized to raise, the Company may from Time to Time raise, by the Creation of new Shares in their Undertaking, any additional Sums of Money not exceeding in the whole Twenty thousand Pounds, and may create and issue such Shares either wholly or partially as Ordinary or wholly or partially as Preferential Shares, as they may think fit.

Power to
raise addi-
tional
Capital by
new Shares.

4. It shall not be lawful for the Company to issue any Shares created under the Authority of this Act, nor shall any Share vest in the Person accepting the same, unless and until a Sum not being less than One Fifth Part of the Amount of such Share shall have been paid in respect thereof.

Shares not
to issue
until One
Fifth Part
paid up.

5. Except as is by the Act otherwise provided, the new Share Capital created by this Act, and the Shares therein, and the Holders of those Shares respectively, shall be subject and entitled to the same Powers, Provisions, Forfeitures, Liabilities, Rights, Privileges, and Incidents whatsoever, in all respects, as if that new Capital were Part of the now existing Ordinary Share Capital, and those Shares were Shares in that Ordinary Capital.

New Shares
to be subject
to the same
Incidents as
Ordinary
Shares.

6. The Company may from Time to Time, with the Consent of Three Fifths at least of the Votes of their Proprietors present personally or by proxy at a Meeting specially convened for the Purpose, subscribe towards the Construction of the Station at *Wakefield* authorized to be constructed by "The *West Riding and Grimsby* Railway Act, 1864," to any Amount not exceeding Twenty-two thousand five hundred Pounds, and may, in respect of such Subscriptions, take and hold Shares in the Capital of the *West Riding and Grimsby* Railway Company created under the Authority of the same Act, and may, subject to the Provisions of this Act, have and enjoy all Rights and Privileges to which other Holders of Shares in that Capital may from Time to Time be entitled: Provided that the Company shall not be entitled to pay upon their said Shares any other or greater proportionate Amount than shall from Time to Time be called up *per* Share upon the Station Shares of the *West Riding and Grimsby* Railway Company, and shall not be entitled to sell or transfer the Shares

Power to
Company to
contribute
towards
Construction
of Station at
Wakefield,
&c.

The West Yorkshire Railway Act, 1865.

Shares so held by them, except with the Consent of the *West Riding and Grimsby* Railway Company.

Rights of
new Shares.

7. The Company may from Time to Time, for the Purpose of their Contribution to the said Station at *Wakefield*, create and issue new Shares in their Capital, and the Shares to be so created shall be denominated "*West Yorkshire (Wakefield Station) Shares*," and the Company shall from Time to Time apportion to and amongst the Holders thereof rateably, according to the Amounts for the Time being paid up on their respective Shares, the Dividends or Interest from Time to Time received by the Company in respect of the Shares held by the Company in the Capital of the *West Riding and Grimsby* Railway Company created under "*The West Riding and Grimsby Railway Act, 1864*;" and the Holders of *West Yorkshire (Wakefield Station) Shares* shall not in respect thereof have or be entitled to any Interest or Dividend out of any Profits of the Company, except the Dividends so received from the *West Riding and Grimsby* Railway Company.

Power to
Company to
appoint a
Person to
vote.

8. The Directors of the Company may, if and when the Company shall become Shareholders in the Undertaking of the *West Riding and Grimsby* Railway Company, appoint some Person (whether a Shareholder in the *West Riding and Grimsby* Railway Company or not) to vote at any Meeting of the *West Riding and Grimsby* Railway Company on behalf of the Company, and may from Time to Time revoke any such Appointment, and appoint any other Person in that Behalf, and the Person so for the Time being holding such Appointment shall have the same Right of voting at any such Meeting as he would have if he held in his own Right the Share or Shares in the said Undertaking in respect of which he shall have been appointed to vote, without Prejudice to any Rights of voting to which he may be entitled in respect of any Shares held by him in his own Right.

Instruments
of Nomina-
tion.

9. Every such Appointment, Revocation, and Removal by the Company of any Person to vote on their Behalf shall be evidenced by an Instrument in Writing under the Hand of the Chairman for the Time being of the Directors of the Company, which shall be delivered to the *West Riding and Grimsby* Railway Company, and kept with their Records, and shall be at all reasonable Times open to the Inspection and Transcription of all Parties interested; and every such Instrument shall, as between the Company and the *West Riding and Grimsby* Railway Company, be sufficient Evidence of the Facts therein stated.

10. All

The West Yorkshire Railway Act, 1865.

10. All and every Part of the Monies from Time to Time raised by the Company under this Act shall be applied towards the special Purposes to which they are by this Act made applicable, and to the general Purposes of the Company.

Application
of Monies.

11. All Monies already received by the Company in respect of the Shares created and issued under "The *West Yorkshire Railway Act, 1863*," beyond the Sum of Twenty-five thousand Pounds, and all Monies borrowed under the Provisions of the said Act beyond the Sum of Eight thousand three hundred and thirty-three Pounds, shall be applied by the Company to such general Purposes of the Company as they shall from Time to Time think fit.

Provision as
to Shares
issued and
Money
borrowed
under
26 & 27 Vict.
c. clxvii.

12. Nothing in this Act contained shall prejudice, alter, or affect the Rights, Privileges, or Property of the *Lancashire and Yorkshire Railway Company* under any existing Act or Acts of Parliament, or any Agreement made in pursuance thereof.

For Protec-
tion of Lan-
cashire and
Yorkshire
Railway
Company.

13. The Company shall not out of any Money by this Act authorized to be raised by Calls pay Interest or Dividend to any Shareholder on the Amount of the Calls made in respect of the Shares held by him: Provided always, that this Act shall not 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 of "The Companies Clauses Consolidation Act, 1845."

Interest not
to be paid on
Calls paid
up.

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

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

15. This Act or anything therein shall not exempt the Railways of the Company, or the Company, from the Provisions of any General Act 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, or from any future Revision and Alteration, under the Authority of Parliament, of the Tolls for small Parcels and the maximum Rates of Fares and Charges authorized by any Act relating to the Company.

Railways not
exempt from
Provisions of
present and
future Gene-
ral Acts.

[*Local.*]

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16. All

The West Yorkshire Railway Act, 1865.

Expenses of
Act.

16. All the Costs, Charges, and Expenses of and incident to the obtaining and passing of this Act shall be paid by the Company.

LONDON :

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