



ANNO TERTIO

VICTORIÆ REGINÆ.

Cap. lii.

An Act to enable the Northern and Eastern Railway Company to abandon a Portion of the Line originally authorized to be made; and to alter and amend several of the Powers and Provisions of the Acts relating to the said Railway.

[4th June 1840.]

WHEREAS an Act was passed in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for making a Railway to form a Communication between London and Cambridge, with a view to its being extended hereafter to the Northern and Eastern Counties of England*: And whereas an Act was passed in the Second and Third Years of the Reign of Her present Majesty, intituled *An Act to amend and extend the Powers of the Northern and Eastern Railway Act*: And whereas another Act was passed in the Second and Third Years of the Reign of Her present Majesty, intituled *An Act to enable the Northern and Eastern Railway Company to alter the Line of their Railway by forming a Junction with the Eastern Counties Railway, and to provide a Station and other Works at Shoreditch; and to amend the Act relating to the Northern and Eastern Railway*: And whereas by the said first-recited Act the said Company were authorized to raise

[Local.] 11 X among

6 & 7 W. 4. c. 103.
2 & 3 Vict. c. 77.
2 & 3 Vict. c. 78.

among themselves any Sum of Money for making and maintaining the Railway and other Works by the said Act authorized, not exceeding in the whole the Sum of One million two hundred thousand Pounds, to be divided into Twelve thousand Shares of One hundred Pounds each; and in case the Money thereby authorized to be raised by Subscription should be found insufficient for the Purposes of the said Act the said Company were empowered to raise on the Credit of the said Undertaking any further or additional Sum, not exceeding in the whole the Sum of Four hundred thousand Pounds: And whereas by the same Act it was enacted, that when and so soon as the Sum of Six hundred thousand Pounds in respect of the Sum of One million two hundred thousand Pounds thereby authorized to be raised by Subscription should have been actually raised and paid up for the Purposes of the said Act, it should be lawful for the said Company, from Time to Time, by an Order of any General or Special Meeting of the said Company, to borrow and take up at Interest any Sum of Money not exceeding in amount in the whole the Remainder of the Money so authorized to be raised by Subscription on the Credit of the said Undertaking: And whereas by the Act secondly above recited the Time by the said first-recited Act limited for the taking or using of Lands which the said Company were by that Act empowered to take or use, so far as regarded the Lands and Premises lying between a certain Lane in the Parish of *Tottenham* in the County of *Middlesex*, leading from *Tottenham High Cross* in the County of *Middlesex* to *Tottenham Mills* in the County of *Middlesex* or *Essex*, which Lane is numbered 26 in the original Plan of the said Railway, and a certain Road or Street situated in *Hockerill* in the Parish of *Bishops Stortford* in the County of *Hertford*, numbered 22 and 34 on the said Plan, has been extended and enlarged for the Term of Two Years to be computed from the passing of the said Act, and the Time by the said firstly-recited Act for making and completing the said Railway has been extended and enlarged for the further Term of Five Years from the passing of the said Act: And whereas it is found expedient to abandon so much of the Line by the said first-recited Act authorized to be made as extends from the before-mentioned Road or Street situate in *Hockerill* aforesaid to the South Side of the River *Cam* near a certain Farm-house called *Eddlestone Farm*, in the Parish of *Trumpington* in the County of *Cambridge*, and to communicate with the Town of *Cambridge* by a Branch Road to join the *London and Cambridge Turnpike Road* at or near *Leys* and *Cow Common* in the Parish of *Little Saint Mary, Cambridge*, in the said County of *Cambridge*: And whereas, by reason of limiting the said Railway in the Manner herein-before proposed, a less Sum than One million two hundred thousand Pounds, namely, a Sum not exceeding Seven hundred and twenty thousand Pounds, will be required for the Purposes thereof, and it is expedient therefore that Power should be given to vary the Provisions of the said recited Acts accordingly: And whereas the said Company have raised One hundred and forty-six thousand and six Pounds, and no more, under the Power of the said recited Acts or one of them: And whereas the Objects herein-before mentioned 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

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Majesty,

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 Powers, Authorities, Declarations, Provisions, Directions, Restrictions, Penalties, Forfeitures, Payments, Exemptions, Remedies, Regulations, Clauses, Matters, and Things contained in the several Acts herein-before recited (except such of them or such Parts thereof respectively as are by this Act repealed, altered, or otherwise provided for, and except so as the Provisions of one of such Acts may have been altered or repealed by another of such Acts,) shall extend and be construed to extend to this Act, and to the several Matters and Things hereby authorized or required to be done, and shall operate and be in force in respect to the Objects and Purposes of this Act, as fully and effectually, to all Intents and Purposes whatsoever, as if the same Powers, Authorities, Declarations, Provisions, Directions, Restrictions, Penalties, Forfeitures, Payments, Exemptions, Remedies, Regulations, Clauses, and Things were repeated and re-enacted in this Act, and specifically referred to the Objects and Purposes of this Act.

Powers of the several recited Acts extended to this Act, except as hereby altered.

II. And be it further enacted, That the said Northern and Eastern Railway Company shall be and they are hereby required to abandon such Part of the said original Railway which by the said first-recited Act they were empowered to make, or by the thirdly-recited Act to alter, as shall extend beyond the Road or Street situate in *Hockerill* aforesaid to the South Side of the River *Cam* near the Farm-house aforesaid, and that all the Powers, Authorities, Privileges, and Directions which by the said several recited Acts were given to the said Northern and Eastern Railway Company, so far as the same extends to such abandoned Portion of such Line of Railway, shall from and immediately after the passing of this Act cease and determine.

Power to abandon the Line beyond *Hockerill*.

III. And be it further enacted, That it shall not be lawful for the said Company to raise for making and maintaining the said Railway and other Works a greater Sum as or by way of Shares, including the Sum which has been raised under the Powers of the said recited Acts, or either of them, except as may be otherwise provided by this Act, than Seven hundred and twenty thousand Pounds.

Power to reduce the Capital.

IV. And be it further enacted, That when and so soon as the Sum of Three hundred and sixty thousand Pounds (including the Sum already raised as aforesaid) shall have been actually raised and paid up, in part of the said Sum of Seven hundred and twenty thousand Pounds, for the Purposes of the said recited Acts and of this Act, it shall be lawful for the said Company, from Time to Time, by an Order of any General or Special Meeting of the said Company, to borrow and take up at Interest any Sum or Sums of Money not exceeding in the whole the Sum of Two hundred and forty thousand Pounds on the Credit of the said Undertaking.

Power to borrow 240,000*l.*, when Half the Capital is paid up.

V. And be it further enacted, That when and so soon as the whole Sum of Seven hundred and twenty thousand Pounds hereby authorized

When the whole Sum has been

paid up
240,000/
more may be
borrowed.

rized to be raised by Subscription shall have been actually raised and paid up, it shall be lawful for the said Company and they are hereby empowered to borrow and take up at Interest any further Sum of Money not exceeding in the whole the Sum of Two hundred and forty thousand Pounds on the Credit of the said Undertaking; and that all the Provisions in the said recited Acts, or either of them, in regard to the Mode of borrowing Money by Mortgage of the said Undertaking, the Transfer of Mortgages, the Payment of Interest of Money borrowed, and the Stipulations as to the Payment of the Monies borrowed, shall apply to the Sums by this Act authorized to be borrowed, as if such Provisions were herein repeated and re-enacted in reference thereto.

Expences of
this Act.

VI. And be it further enacted, That all the Costs, Charges, and Expences of obtaining and passing this Act, and of all Arrangements preparatory thereto, and all other Costs, Charges, and Expences in any way incident thereto, shall be paid and defrayed by the said Northern and Eastern Railway Company out of the Money already raised and received, or out of the first Money to be raised or received by virtue of the said first-recited Act, in preference to any other Payments whatsoever.

The Railway
not to be
exempted
from the
Provisions of
any general
Act.

VII. And be it further enacted, That nothing herein contained shall be deemed or construed to exempt the Railway by the said recited Acts authorized to be made or altered from the Provisions of any general Act relating to Railways which may pass during the present or any future Session of Parliament.

Public Act.

VIII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

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