



ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

Cap. ccxlviii.

An Act to enable the *Royston and Hitchin* Railway Company to lease or sell their Line, and to authorize the said Company to enter into Contracts and complete Arrangements with the *Great Northern* Railway Company. [22d July 1847.]

WHEREAS an Act was passed in the last Session of Parliament for making a Railway from *Royston to Hitchin*, by which Act several Persons were incorporated by the Name and Style of "The *Royston and Hitchin* Railway Company" for carrying into execution the said Undertaking: And whereas an Act was passed in the same Session of Parliament called "The *Great Northern* Railway Act, 1846," whereby a Company was incorporated by the Name and Style of "The *Great Northern* Railway Company:" And whereas the said *Royston and Hitchin* Railway will be connected with the said *Great Northern* Railway, and the same would be worked very advantageously to the Public in connexion with the said *Great Northern* Railway, and it is therefore expedient that the *Royston and Hitchin* Railway Company should be authorized to lease or sell the said Undertaking to the said *Great Northern* Railway Company, and that the last-named Company should be authorized to accept a Lease or

[*Local.*]

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Transfer

Provisions of
recited Acts
extended to
this Act.

Transfer of the same: 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 Provisions, Matters, and Things contained in the said recited Acts or any of them, so far as the same are now unrepealed, and except such of them or such Parts thereof as are by this Act repealed, altered, or otherwise provided for, shall extend to the several Purposes and Things hereby authorized to be done as fully and effectually as if the same several Provisions, Matters, and Things were repeated and re-enacted in this Act with reference to such Purposes and Things.

Short Title.

II. And be it enacted, That in reciting this Act in other Acts of Parliament and in legal and other Instruments it shall be sufficient to use the Expression "The *Royston and Hitchin* Railway Act Amendment, 1847."

Reduction of
Capital of
the Com-
pany.

III. And whereas by the said *Royston and Hitchin* Railway Act, 1846, it was enacted, that the Capital of the said Company should be Eight hundred thousand Pounds, and that the Number of Shares into which the said Capital should be divided should be Thirty-two thousand, and the Amount of each Share should be Twenty-five Pounds, and that it should be lawful for the said Company to borrow on Mortgage any Sum not exceeding in the whole the Sum of Two hundred and sixty-six thousand Pounds: And whereas the said Capital of Eight hundred thousand Pounds is more than sufficient for the Completion of the Undertaking by the same Act authorized, and it is expedient that the said Capital should be reduced, and that a proportionate Reduction should be made in the Sum authorized to be borrowed, and in the Amount of each Share: Be it enacted, That the Capital of the said Company shall be Two hundred and sixty-six thousand six hundred and sixty-six Pounds Thirteen Shillings and Four-pence, and that the Amount of each Share shall be Eight Pounds Six Shillings and Eight-pence, and that it shall be lawful for the Company to borrow on Mortgage or Bond any Sum not exceeding in the whole the Sum of Eighty-eight thousand eight hundred Pounds: Provided always, that no Part of such Sum shall be borrowed until the whole of the said Capital of Two hundred and sixty-six thousand six hundred and sixty-six Pounds Thirteen Shillings and Four-pence shall have been subscribed for, and One Half thereof shall have been actually paid up.

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

IV. And be it enacted, That it shall not be lawful for the said *Royston and Hitchin* Railway Company, out of any Money by any Act relating to the said Railway 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 said Company to construct any other Railway or execute any other Work or Undertaking.

V. Be it enacted, That, subject to the Provision herein-after contained, it shall be lawful for the said *Royston and Hitchin* Railway Company, with the Authority and Approbation of Three Fifths in Value of the Proprietors present, either personally or by Proxy, at some Extraordinary General Meeting of the Company specially convened for the Purpose, from Time to Time to demise or lease for such Consideration or annual Rent or Reservations, and under and subject to such Clauses, Powers, Provisions, and Conditions, as they shall think proper, the said Undertaking authorized by "The *Royston and Hitchin* Railway Act, 1846," to be made, whether before or after the Completion thereof, or any Share or Interest therein, or any Portion or Portions thereof, unto the said *Great Northern* Railway Company for any Term which shall be agreed upon; and the said *Great Northern* Railway Company is and are hereby authorized, subject to the Provision herein-after contained, if they think proper, with the like Authority and Approbation on the Part of their Proprietors, to enter into and accept any such Lease or Leases, and such Lease or Leases shall entitle the Lessee to the free Use and Enjoyment of the said Railway and Works connected therewith, or such Share or Interest therein, or such Portion or Portions thereof, as may be included in such Lease or Leases respectively; and during the Continuance of any such Lease or Leases all such of the Powers, Privileges, and Authorities granted to, or which are or might be held, used, exercised, and enjoyed by, the said *Royston and Hitchin* Railway Company, or the Directors thereof, or their Officers, Agents, or Servants, under or by virtue of the said *Royston and Hitchin* Railway Act, 1846, as may be necessary for the taking and using of Lands, the Construction, Maintenance, and Regulation of the Railway, and the levying, collecting, and recovering of Tolls and Charges in respect thereof, shall in like Manner and to the same Extent in all respects apply to, and be held, used, exercised, and enjoyed by, the Lessees and their Directors, Officers, Agents, and Servants, under the same Regulations and Restrictions in reference to the Objects aforesaid as are granted or imposed by the said Act upon the *Royston and Hitchin* Railway Company.

Power to
lease the
Railway.

VI. And be it enacted, That, subject to the Provision next herein-after contained, it shall be lawful for the said *Royston and Hitchin* Railway Company, by and with the Authority and Approbation of Three Fifths in Value of the Proprietors present, either personally or by Proxy, at some Extraordinary General Meeting of the said Company specially convened for the Purpose, to sell and transfer to the said *Great Northern* Railway Company, and for the said *Great Northern* Railway Company, by and with a like Authority on the Part of the Proprietors in the said last-mentioned Company, and subject as aforesaid, to purchase, the said Undertaking, or any Share or Interest therein, or any Portion or Portions thereof, whether before or after the Completion thereof (but subject to any Mortgages, Contracts, Agreements, or Liabilities affecting the same); and on the Completion of such Purchase (of which Completion a Transfer or Conveyance duly stamped for denoting the Payment of the full and proper Stamp Duty by Law payable in respect of the Purchase Money or other Consideration, and under the respective Corporate Seals of the said Companies,

Power to sell
Railway.

Companies, shall be sufficient Evidence,) the Company so purchasing the same may have and hold the said Undertaking, or the Share therein or Portion thereof purchased by them, and use, exercise, and enjoy, or participate in the Use, Exercise, and Enjoyment of all such of the Rights, Powers, and Privileges conferred by the said *Royston and Hitchin* Railway Act, 1846, on the said Company thereby incorporated as may be necessary for the taking and using of Lands, the Construction, Maintenance, and Regulation of the said Railway, and the levying, collecting, and recovering of Tolls and Charges in respect thereof: Provided always, that in the event of any Portion of the said Undertaking being purchased by the said *Great Northern* Railway Company, then from and after the Completion of such Purchase all the Powers and Authorities granted by the said *Royston and Hitchin* Railway Act, 1846, may be exercised so far as they are applicable by the Company to whom such Portion shall have been sold, and the Corporate Seal of the said *Great Northern* Railway Company be used when necessary in reference thereto, in like Manner as though such Railway Company had been originally authorized to carry the same into effect in lieu of the said *Royston and Hitchin* Railway Company.

Powers of Sale, &c. not to be exercised without Certificate of Commissioners of Railways.

VII. Provided always, and be it enacted, That it shall not be lawful for the said *Royston and Hitchin* Railway Company by virtue of the Powers herein-before contained to sell, demise, or lease, nor for the said *Great Northern* Railway Company to purchase, enter into, or accept, such Lease of the said *Royston and Hitchin* Railway, unless it shall 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 Act or Acts relating to each of the said Companies authorized to be raised has been actually paid up and expended for the Purposes authorized by such Act or Acts respectively.

Power to enter into Contracts with the *Great Northern* Railway Company.

VIII. And be it enacted, That it shall be lawful for the *Royston and Hitchin* and the *Great Northern* Railway Companies to make and enter into Contracts or Agreements for effecting the Purposes aforesaid, or either of them, and for constructing, working, and using the said Railway, or any Part or Parts thereof respectively, or for the Maintenance and Repair thereof, or any Part or Parts thereof respectively, as they the said Companies may respectively deem advisable; and every such Contract or Agreement may contain such Covenants, Clauses, Powers, Provisions, and Conditions as may be mutually agreed on between the said Companies; and any Contract or Agreement made before the passing of this Act for all or any of the Purposes aforesaid by the Directors of the said Companies, under the Sanction of any General Meeting of the said Companies, shall be as valid and binding in every respect as if made subsequently to the passing of this Act, and in conformity with the Provisions hereof, and as if the same had been duly authorized by an Extraordinary Meeting of Shareholders held under the Provisions of this Act, provided that any such Contract or Agreement be not inconsistent therewith.

IX. And

IX. And be it enacted, That for the Purposes of carrying into effect the Purposes of this Act the *Great Northern Railway Company* may from Time to Time, if they think fit, with such Authority of the Shareholders thereof as aforesaid, create such an additional Number of Shares, of such Amounts or Values, and divided into such Classes, and with such equal or unequal Privileges or Advantages to the Holders thereof, as the same Company may think proper, and borrow any Sum of Money: Provided always, that the Amount to be raised by such Shares with any Sum which may be paid in respect of Calls under the Authority of the *Royston and Hitchin Railway Act, 1846*, or of any other Act passed before the Execution of the said Lease or Conveyance amending and enlarging the Powers of the *Royston and Hitchin Railway Company*, shall not exceed the Amount of Two hundred and sixty-six thousand six hundred and sixty-six Pounds Thirteen Shillings and Four-pence: Provided also, that the Amount to be so borrowed shall not exceed the Sum of Eighty-eight thousand eight hundred Pounds, and that no Money whatever shall be so borrowed until the whole of the Money to be raised by Shares shall have been subscribed for, and One Half thereof actually paid up.

Power for the Great Northern Railway Company to raise additional Capital.

X. And be it enacted, That in the event of any such Lease or Sale of the *Royston and Hitchin Railway* as aforesaid being made to the *Great Northern Railway Company* under the Provisions of this Act, the Tolls to be taken by the *Great Northern Railway Company* in respect of the said *Royston and Hitchin Railway* shall, from and after such Lease or Sale, be the Tolls authorized by the *Great Northern Railway Act, 1846*, to be taken in respect of the Railways by the same Act authorized.

In the event of Lease or Sale to Great Northern Company same Tolls to be taken as on that Line.

XI. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railway*; and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways*; and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops*; and another Act was passed in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways*; and Two Acts passed in the last Session of Parliament, intituled respectively *An Act for regulating the Gauge of Railways*, and *An Act for constituting Commissioners of Railways*; be it enacted, That nothing in this Act contained shall be held to exempt the said Railway or the said Companies from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railway and Companies so far as the same shall be applicable thereto.

Railway 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.

XII. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railway by this or the said recited Acts authorized to be made from the Provisions of any general Act relating to such Acts, or of any general Act relating to

Railway to be subject to Provisions of any future general Acts.

Railways, 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 Rate of Fares and Charges authorized by this Act.

Public Act. XIII. 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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