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VICTORIÆ REGINÆ.

Cap. lii.

An Act for dissolving the *Croydon, Merstham, and Godstone Iron Railway Company.*

[1st July 1839.]

WHEREAS an Act was passed in the Forty-third Year of the Reign of His Majesty King *George the Third*, intituled *An Act for making and maintaining a Railway from or from near a Place called Pitlake Meadow, in the Town of Croydon, to or near to the Town of Reigate in the County of Surrey, with a Collateral Branch from the said Railway at or near a Place called Merstham, in the Parish of Merstham, to or near a Place called Godstone Green, in the Parish of Godstone, all in the said County of Surrey*: And whereas an Act was passed in the Forty-sixth Year of the Reign of His said Majesty King *George the Third*, intituled *An Act for better enabling the Company of Proprietors of the Croydon, Merstham, and Godstone Iron Railway to complete the same*: And whereas by the said first-recited Act certain Persons therein named, and their several and respective Successors, Executors, Administrators, and Assigns, were united into a Company for making, completing, and maintaining the said Railway and other Works thereby authorized; according to the Rules, Orders, and Directions therein-after mentioned,

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and for that Purpose were made One Body Corporate by the Name and Style of "The *Croydon, Merstham, and Godstone* Iron Railway Company," and by that Name should have perpetual Succession and a Common Seal, and by that Name might sue and be sued, with Power and Authority for the said Company to purchase and hold Lands and Hereditaments to them and their Successors and Assigns, for the Use of the said Undertaking and Works, and to sell and dispose of the same Lands and Hereditaments again, without incurring any of the Penalties or Forfeitures of the Statute of Mortmain; and the said Company were thereby authorized and empowered to make, complete, and maintain a Railway, to be called "*The Croydon, Merstham, and Godstone* Iron Railway," passable for Waggon and other Carriages, and constructed as therein-after mentioned, from or from near a Place called *Pitlake Meadow*, in the Town of *Croydon* in the Parish of *Croydon* in the County of *Surrey*, to or near to a Place called *Reigate*, in the Parish of *Reigate*, through the said Parish of *Croydon*, and into and through the several Parishes of *Beddington, Coulsdon, Chipsted, Merstham, Bletchingly, Nutfield, Gatton, and Reigate* aforesaid, and also a Collateral Branch from the said Railway, at or near a Place called *Merstham*, in the Parish of *Merstham*, in, to, and through the several Parishes of *Merstham, Charlton, Nutfield, Bletchingly, and Godstone*, to or near to a Place called *Godstone Green*, in the Parish of *Godstone*; all in the said County of *Surrey*: And whereas considerable Progress has been made towards making, forming, and completing the said Railway, which was opened for public Use in the Year One thousand eight hundred and five, but the said Collateral Branch is not yet made or formed: And whereas an Act was passed in the First Year of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act for making a Railway from the London and Croydon Railway to Brighton, with Branches to Shoreham, Newhaven, and Lewes*: And whereas the *London and Brighton* Railway Company established and incorporated by or under the last-recited Act have, under and in exercise of the Powers and Authorities thereby granted to them, purchased and taken possession of the whole of the said *Croydon, Merstham, and Godstone* Iron Railway, and the Land upon which the same was laid down, and all other the adjoining or contiguous Land, and the Cottages, Toll Houses, and all other Erections, Buildings, and Premises belonging to or vested in the said *Croydon, Merstham, and Godstone* Iron Railway Company, and have paid the Sum awarded as the Value thereof; and the greater Part of such Sum hath been already paid and distributed to and amongst the several Owners of Shares in the last-mentioned Company, or such of them as have claimed and proved their Title to the same Shares; but no Conveyance or other legal Assurance hath yet been made or executed of the same to or in Trust for the said *London and Brighton* Railway Company, and by reason or in consequence of such Purchase and Possession the said *Croydon, Merstham, and Godstone* Iron Railway Company are unable to maintain the said Railway so authorized to be made by the said firstly and secondly herein-before mentioned Acts: And whereas it is expedient, under the Circumstances herein-before mentioned, that the said *Croydon, Merstham, and*

Godstone Iron Railway Company should cease and be dissolved, and that the said firstly and secondly herein-before recited Acts should be repealed: But inasmuch as the same cannot be effected without the Aid and Authority of Parliament, wherefore Your Majesty's most dutiful and loyal Subjects, the Company of Proprietors of the *Croydon, Merstham, and Godstone* Iron Railway, do most humbly beseech 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 upon and from and immediately after the passing of this Act the said *Croydon, Merstham, and Godstone* Iron Railway, and the Land upon which the same is or late was laid down, and all other the adjoining or contiguous Land, and the Cottages, Toll Houses, and all other Erections and Buildings belonging to or now vested in the said *Croydon, Merstham, and Godstone* Iron Railway Company, and all the Estate and Interest whatsoever of the same Company of and in the same Railway and Premises, or arising therefrom, shall become and be vested in the said *London and Brighton* Railway Company, their Successors and Assigns; and upon and from and immediately after the passing of this Act the said *Croydon, Merstham, and Godstone* Iron Railway Company shall be dissolved and cease to exist, and the same is hereby dissolved, and its Existence made to cease, to all Intents and Purposes whatsoever; and the firstly and secondly herein-before in part recited Acts shall be and the same are hereby wholly repealed, without Prejudice nevertheless to any Grants, Conveyances, Demises, Leases, Assurances, or other lawful Acts or Deeds whatsoever at any Time heretofore made, done, committed, or suffered by the said *Croydon, Merstham, and Godstone* Iron Railway Company, and so as not to affect prejudicially the Right, Title, or Interest of any Person or Persons, Body or Bodies Politic or Corporate whomsoever and whatsoever, lawfully claiming any Lands, Tenements, or Hereditaments, Matter or Thing, under or by virtue of any such Grants, Conveyances, Demises, Assurances, or other lawful Acts or Deeds of the said last-mentioned Company, or under or by virtue of this Act.

The *Croydon, Merstham, &c.* Iron Railway, and the Lands, &c. thereto belonging, to vest in the *London and Brighton* Railway Company, and the *Croydon and Merstham* Company to be dissolved.

II. Provided always, and be it hereby enacted and declared, That the said *Croydon, Merstham, and Godstone* Iron Railway Company shall be and the same Company is from henceforth and at all Times hereafter absolutely and entirely released, exonerated, and discharged of and from all future Obligation or Liability to which the same Company would or might otherwise have been subject or liable in respect of the making, maintaining, supporting, or carrying on of the said *Croydon, Merstham, and Godstone* Iron Railway, or any of the Works by the firstly and secondly herein-before recited Acts respectively authorized and empowered to be constructed, made, and maintained, and also of and from the Payment, answering, satisfying, performing, and observing of any future Expences, Contracts, Engagements, Debts, Damages, Claims, Demands, and Liabilities whatsoever to which otherwise the same Company would or might have thereafter been subject or liable for in respect or on account of the

Company released from any further Liability to maintain the *Iron Railway, &c.*

the making, maintaining, carrying on, conducting, or completing the said *Croydon, Merstham, and Godstone* Iron Railway, or any of the Works connected therewith.

All Money in the Hands of the Treasurer, or due from any Person, to be paid into the Bank in the Name of the Accountant General of the Court of Chancery ;

to be applied under the Direction of the Court of Chancery.

III. And be it further enacted, That all and every Sum and Sums of Money of or belonging to the said *Croydon, Merstham, and Godstone* Iron Railway Company which at the Time of the passing of this Act, or at any Time thereafter, shall be in the Hands of or due from the Treasurer for the Time being of the said *Croydon, Merstham, and Godstone* Iron Railway Company, or in the Hands of or due from any other Person or Persons, Body or Bodies Politic or Corporate, shall with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be there placed to his Account "*Ex parte* the Proprietors of the late *Croydon, Merstham, and Godstone* Iron Railway," pursuant to the Method prescribed by the Acts of Parliament and the General Rules and Orders of the said Court ; and that as soon as conveniently may be after such Sum or Sums of Money, or any of them, shall have been so paid into the Bank as aforesaid, the same, or such Part thereof as shall remain after the carrying over herein-after directed on account of Dividends and Divisions herein-after mentioned, shall be applied, under the Directions of the said Court of Chancery, to be from Time to Time given in a summary Way upon Petition or Motion by or on behalf of any of the Parties interested in the said Monies as Proprietors or Shareholders of the nominal Capital Stock of the said *Croydon, Merstham, and Godstone* Iron Railway Company, in Payment of all the Costs, Charges, and Expences of applying for and passing this Act which shall then remain unpaid, and also the Costs, Charges, and Expences of and incident to the Application to the said Court of Chancery, and consequent thereon, and of any Debts which may at the Time of the passing of this Act be due and owing by the said *Croydon, Merstham, and Godstone* Iron Railway Company to any Person or Persons whomsoever ; and the Residue of the said Monies which shall remain after answering the Purposes aforesaid shall be paid and divided, under the like Directions of the said Court of Chancery, unto and among the Proprietors or Shareholders of the nominal Capital Stock of the said *Croydon, Merstham, and Godstone* Iron Railway Company, their Executors, Administrators, and Assigns, upon their substantiating their Claims to any Part of the said Monies to the Satisfaction of the said Court of Chancery within such reasonable Time as shall be fixed, by or under the Direction of the said Court, for that Purpose ; and such Payment and Division shall be made rateably, and in proportion to their several and respective Shares of the nominal Capital Stock of the said Company.

Amount of unclaimed Dividends to be carried to a separate Account.

IV. And whereas a considerable Sum of Money now remains due and owing to various Persons on account of Dividends upon the Shares in the nominal Capital Stock of the *Croydon, Merstham, and Godstone* Iron Railway Company, which have been from Time to Time duly declared by the said *Croydon, Merstham, and Godstone* Iron Railway Company, and also on account of Divisions and
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Portions of the Money paid by the said *London and Brighton Railway Company*; be it therefore enacted, That immediately after the Money belonging to the said *Croydon, Merstham, and Godstone Iron Railway Company*, now in the Hands of or due from the said Treasurer for the Time being, shall have been paid into the Bank as aforesaid; the Amount or Sum which shall at the Time of the passing of this Act be so due and owing on account of the said Dividends and Divisions, the same to be verified by the Affidavit of the present Clerk to the said *Croydon, Merstham, and Godstone Iron Railway Company*, or of some other Person or Persons, shall be carried over by the said Accountant General to a separate Account, to be entitled "The unclaimed Dividend Account of the Proprietors of the late *Croydon, Merstham, and Godstone Iron Railway*;" and the same, and all Accumulations thereof, shall from Time to Time be invested by the said Accountant General in the Purchase of Three Pounds *per Centum* Consolidated Bank Annuities, to be transferred into the Name of the said Accountant General in the Books of the Governor and Company of the Bank of *England*, in Trust to the said Account; and that it shall be lawful for the said Court of Chancery, upon Petition or Motion in a summary Way, by or on behalf of any Person or Persons entitled to any Part or Parts of such unclaimed Dividends or Divisions, to order and direct such Proportion of the Money to be set apart as aforesaid, or the said Stock upon which the same shall have been invested as aforesaid, and the Accumulations thereof, as shall be proportionable to the Amount of such unclaimed Dividends or Divisions now due as aforesaid, to be paid to the Person or Persons entitled thereto.

V. And be it further enacted, That all Sums of Money which shall be paid into the Bank, in the Name of the said Accountant General, to the Account and in the Manner herein-before directed, or so much thereof as shall not be carried over to answer and pay the unclaimed Dividends and Divisions herein-before mentioned, or be ordered by the said Court of Chancery to be applied in Payment of the Costs, Expences, and Debts, according to the Directions herein contained, or the Practice of the said Court, shall, together with all the resulting Income and Produce thereof, in the meantime and until such Division of the Residue as aforesaid, be laid out, under the Direction of the said Court of Chancery, in the Name of the said Accountant General, in the Purchase of Exchequer Bills, to be deposited in the Bank of *England* in the Name of the said Accountant General, and shall there remain until the Period of Division aforesaid.

All Monies (except the Amount of unclaimed Dividends, &c.) to be invested in Exchequer Bills.

VI. Provided always, and be it further enacted, That it shall be lawful for the said Court of Chancery, upon Petition or Motion in a summary Way as aforesaid by or on behalf of any Person or Persons interested in the Monies to be so paid into the Bank as aforesaid, either as a Proprietor or Shareholder in the said nominal Capital Stock of the said *Croydon, Merstham, and Godstone Iron Railway Company*, or to whom any Sum or Sums of Money shall be due and owing at the Time of the passing of this Act, to give such Directions for the Purpose of ascertaining what (if any) Debts are

Court of Chancery to make such Order in the Matter as it shall think fit.

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due and owing by the said *Croydon, Merstham, and Godstone* Iron Railway Company, and what Persons can make out and substantiate Claims to any Part of the nominal Capital Stock of the said *Croydon, Merstham, and Godstone* Iron Railway Company, as are usually given for the Purpose of ascertaining the Claims of Persons upon Funds administered under the Direction of the said Court, or such other Directions for the Purposes aforesaid as the said Court shall think fit; and also that it shall and may be lawful for the said Court from Time to Time to make an Order for taxing and settling all Costs, Charges, and Expences to be incurred in carrying the Trusts and Purposes of this Act into execution, and that all such Costs, Charges, and Expences shall be fully paid out of the Monies which shall be so paid into the Bank as aforesaid; and it shall be lawful for the said Court of Chancery from Time to Time to make any Order or Orders, at its Discretion, for Payment of such Costs, Charges, and Expences as aforesaid.

Certificate of Accountant General and Receipt of Cashier to be a good Discharge for Money paid into the Bank.

VII. And be it further enacted, That the Certificate or Certificates to be given by the said Accountant General, together with the Receipt or Receipts of the Cashier of the Bank of *England*, to be thereunto annexed, and therewith filed in the Register Office of the said Court of Chancery, of the Payment of the Money into the Bank of *England*, shall from Time to Time be and be deemed and taken to be a good and sufficient Discharge to the Person or Persons, Body or Bodies Politic or Corporate, so paying the same as aforesaid, for the Money for which such Certificate or Certificates shall be made or granted, and that such Person or Persons shall be absolutely acquitted and discharged of and from the Money in such Certificates and Receipts mentioned, and shall not be accountable for any Loss, Misapplication, or Nonapplication thereof.

Court of Chancery may order all Parties indebted to the Company to pay the Amount.

VIII. Provided always, and be it further enacted, That in case any Person or Persons, Body or Bodies Politic or Corporate, shall not pay into the Bank as aforesaid all such Sum and Sums of Money as aforesaid as shall be in his, her, or their Hands, or due from them, it shall be lawful for the said Court of Chancery, upon Application by any Person or Persons interested in or entitled to any such Monies, or any Part thereof, to make such Order for ascertaining the Amount in the Hands of or due from any such Person or Persons, Body or Bodies Politic or Corporate as aforesaid, and for the Payment thereof into the Bank as aforesaid, within such Time as the said Court of Chancery shall direct, and that upon every such Application such Order or Direction shall be made concerning the Costs of and incident thereto and consequent thereon as to the said Court shall seem just.

Expences of this Act how to be paid.

IX. And be it further enacted, That all the Costs, Charges, and Expences attending the applying for, obtaining, and passing of this Act shall be paid and discharged by the said *Croydon, Merstham, and Godstone* Iron Railway Company out of the Monies already raised or received or to be raised or received by them, in preference to all other Payments whatsoever.

X. And be it further enacted, That this Act shall be deemed and **Public Act.** 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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