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VICTORIÆ REGINÆ.

Cap. xiii.

An Act to enable the *Great Western and Brentford* Railway Company to raise additional Capital; and for other Purposes. [26th June 1857.]

WHEREAS the *Great Western and Brentford* Railway Company was incorporated by an Act passed in the Session of Parliament held in the Eighteenth and Nineteenth Years of the Reign of Her present Majesty, and having the Short Title of "*The Great Western and Brentford* Railway Act, 1855," and the said Company was thereby authorized to make and maintain a Railway from the *Great Western* Railway, at or near *Southall* in the County of *Middlesex*, to the Town of *Brentford* in the same County, with Docks in connexion therewith at the last-mentioned Place: And whereas by the said recited Act the Company was empowered to raise a Capital of Ninety thousand Pounds, in Nine thousand Shares of Ten Pounds each: And whereas the Traffic intended to be accommodated by the Railway and Docks authorized to be constructed under the Powers of the said Act is

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rapidly increasing, and it is expedient that the said Company should provide Accommodation for such increasing Traffic: And whereas it is of great public Importance that better Facilities should be afforded for the Transit and Delivery of the *Welsh* Smokeless Coal to the Metropolis and the Neighbourhood thereof, so as to secure a cheaper and more constant Supply of such Coal: And whereas the whole of the said Company's Capital of Ninety thousand Pounds has been subscribed, and they are desirous of increasing such Capital for the Reasons and Purposes aforesaid: And whereas the Company have no Preference Shares: 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,)

Meaning of certain Words.

I. The following Words and Expressions in this Act shall have, for the Purposes of this Act, the following Meanings, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

“The Company” shall mean “the *Great Western and Brentford Railway Company* :”

“The recited Act” shall mean “the *Great Western and Brentford Railway Act, 1855*.”

Short Title.

II. In citing this Act for any Purpose it shall be sufficient to use the Expression “The *Great Western and Brentford Railway Amendment Act, 1857*.”

Power to raise additional Capital by Creation of new Shares.

III. It shall be lawful for the Company to raise, for the Purposes of this Act and the recited Act, by creating new Shares, in addition to the Sums of Money which they are already authorized to raise by the recited Act, any further Sum of Money not exceeding in the whole the Sum of Forty-five thousand Pounds.

New Shares to be considered as original Shares.

IV. Such additional Capital shall be raised by the further Issue of Shares, and the same shall be divided into Four thousand five hundred Shares of Ten Pounds each, and shall be considered as Part of the Capital authorized to be raised by the recited Act, and shall, subject to the Provisions herein-after contained, be subject to the same Provisions, and confer the same Privileges, Benefits, and Advantages in all respects, from and after their Issue, as if such Shares had been Part of the original Capital of the Company.

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V. The additional Shares to be created under the Authority of this Act shall be offered to the then Shareholders in the Company, in such Manner as will conveniently allow the same to be apportioned amongst such Holders, in proportion to the then existing Shares held by them respectively, and such Offers shall be made by Letter, under the Hand of the Secretary of the Company, given to or sent by Post, addressed to each Shareholder according to his Address as entered in the Shareholders Address Book, or left at his usual or last known Place of Abode in *England*; and every such Offer made by Letter sent by Post shall be considered as made on the Day on which such Letter, in the due Course of Delivery, ought to reach the Place to which it shall be addressed.

New Shares to be offered to original Shareholders

VI. Such Shares so to be created shall vest in and belong to the Shareholders of the Company who shall accept the same, and who shall pay the Amount thereof to the Company, at the Time or Times and by the Instalments which shall be fixed by the Directors of the Company; and if any Shareholder shall fail for One Month after such Offer of new Shares to accept the same, or to pay the Instalments called for in respect thereof, within One Month after the same shall respectively become due, it shall be lawful for the said Directors to dispose of such Shares, by Public Auction or by Private Contract, to any Party willing to become the Purchaser thereof, for such Sums as the Directors can obtain for the same.

Shares to vest in Parties accepting, otherwise to be disposed of by Auction or Private Contract.

VII. It shall be lawful for the said Directors, in case they shall think proper so to do, but not otherwise, to permit any Shareholder who, from Absence abroad, or any other Cause satisfactory to the said Directors, may have omitted or neglected (within the Time limited by this Act) to signify his Acceptance of the new Share or Shares which may have been offered to him, or to which he may be entitled by virtue of this Act, to accept such Share or Shares, and to pay for each such Share the Sum at which the same shall have been allotted to him, notwithstanding the Time limited for such Acceptance or for the Payment of such Sum may have expired.

The Directors may permit Shareholders to take new Shares after Time specified, in case of their Absence abroad.

VIII. It shall be lawful for the Company from Time to Time, or at any Time, by the Authority and with the Consent of not less than Three Fifths of the Votes of the Shareholders present, personally or by Proxy, at a Meeting of the Company specially convened for that Purpose, to declare that there shall be paid out of the general Revenues of the Company, and in priority over all other Dividends whatsoever, a guaranteed or preferential Dividend, at such Rate not exceeding the

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the Rate of Five Pounds *per Centum per Annum*, as shall be declared by such Meeting, upon the Amount paid in respect of all or any of the Shares by this Act authorized to be created, and to declare that such guaranteed or preferential Dividend shall be paid half-yearly, at the same Time as the ordinary Dividends of the Company, and either for a fixed Period or for ever.

Lands for extraordinary Purposes.

IX. It shall be lawful for the Company to purchase by Agreement, in addition to the Lands authorized to be purchased by the said recited Act, any Quantity of Land not exceeding in the whole Five Acres, for any of the extraordinary Purposes specified in "The Railways Clauses Consolidation Act, 1845," and "The Harbours, Docks, and Piers Clauses Act, 1847."

Certain Sections of 10 & 11 Vict. c. 27. as to Byelaws, &c. incorporated.

X. Sections from Eighty-three to Ninety-one (both inclusive) of "The Harbours, Docks, and Piers Clauses Act, 1847," with respect to the making of Byelaws, and Sections from Ninety-two to Ninety-six (both inclusive) of the same Act, with respect to the Recovery of Damages and Penalties, shall be incorporated in this Act, and be applicable to the Company.

Certain Parts of 8 & 9 Vict. c. 16. incorporated.

XI. The Clauses and Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the Distribution of the Capital of the Company into Shares, with respect to the Transfer or Transmission of Shares, with respect to the Payment of Subscriptions and the Means of enforcing the Payment of Calls, with respect to the Forfeiture of Shares for Nonpayment of Calls, with respect to the borrowing of Money by the Company on Mortgage or Bond, with respect to the Conversion of borrowed Money into Capital, and with respect to the Consolidation of the Shares into Stock, shall be incorporated with this Act, and shall respectively apply to all Shares created, and to all Mortgages and Bonds granted and Monies borrowed under the Powers of this Act; and in construing those Clauses and Provisions in connexion with this Act, the Expression "the Special Act" shall mean this Act, and the Expression "the Company" shall mean the *Great Western and Brentford Railway Company*.

Power to borrow on Mortgage.

XII. The Company may borrow on Mortgage of the Undertaking by the recited Act and this Act authorized, and the Tolls and Sums of Money arising by virtue of such Acts, in addition to the said Sum of Thirty thousand Pounds authorized to be borrowed by the recited Act, the further Sum of Fifteen thousand Pounds; but no Sum of Money shall be raised upon Mortgage under this Act until the whole of the additional Share Capital by this Act authorized to be created shall

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shall have been subscribed for, and One Half thereof shall have been paid up.

XIII. All Mortgages or Bonds granted under the Authority of any Act already passed relating to the Company shall, during the Continuance thereof, have Priority over any Mortgages or Bonds to be created by virtue of this Act. Former Mortgages to have Priority.

XIV. All the Money to be raised by virtue of this Act, by the Creation of Shares or by Mortgage, shall be applied to the Purposes of the Undertaking of the Company, and to no other Purpose whatsoever. Application of Monies.

XV. It shall not be lawful for the Company, out of any Money by this Act 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-before contained shall be deemed to 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 in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained. Interest not to be paid on Calls paid up.

XVI. It shall not be lawful for the Company, out of any Money by any Act relating to the Company authorized to be raised for the Purposes of such Act, 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. Deposits for future Bills not to be paid out of Company's Capital.

XVII. Nothing herein contained shall be deemed or construed to exempt the Railway by the said recited Act authorized to be made 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 Act, or the Rates, Tolls, and Charges in respect of small Parcels. Railway not exempt from Provisions of present and future General Acts.

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XVIII. All

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Expenses
of Act.

XVIII. All the Costs, Charges, and Expenses of obtaining and passing of this Act, or incident thereto, shall be paid by the Company.

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