



ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

Cap. ccxvi.

An Act to authorize the *Great Northern Railway Company* to construct certain short Lines of Railway at *Newark, Spalding, Essendine, and Barkstone*; and for other Purposes.

[5th July 1865.]

WHEREAS it would conduce to the public Convenience that the *Great Northern Railway Company* (who are meant when the Expression "the Company" is herein-after used) should be authorized to make a Communication between their Railway and the *Midland Railway* at *Newark*, together with a Branch on the Quay of the *Trent* at *Newark*, and that they should also be authorized to improve the Communications with the *Spalding* and *March*, the *Bourn* and *Essendine*, and with the *Boston, Sleaford*, and *Midland Counties* Portions of their Undertaking: And whereas Plans and Sections showing the Lines and Levels of the Railways, and also a Book of Reference containing the Names of the Owners and Lessees or reputed Owners and Lessees and of the Occupiers of the Lands required or which may be taken for the Purposes of the Railways, have been deposited with the respective Clerks of the Peace for the Parts of *Kesteven* and *Holland* in *Lincolnshire*, for the Counties of *Nottingham* and *Rutland*, and the West Riding of the County

[Local.]

34 Y

of

The Great Northern Railway (Junctions) Act, 1865.

27 & 28 Vict.
c. ccxc.

of *York*: And whereas by "The *Liverpool Central Station Railway Act, 1864*," a Company was incorporated for the Construction of a Railway within the Borough of *Liverpool* in extension of the *Garston and Liverpool Railway*, of which the *Great Northern Railway Company* are joint Owners with the *Manchester, Sheffield, and Lincolnshire Railway Company*, and it is expedient that the *Great Northern Railway Company* should be empowered to contribute towards the Cost of the Construction and Maintenance of the Works authorized by the said Act: And whereas the Purposes aforesaid 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; (that is to say,)

Short Title.

1. This Act may be cited for any Purpose as "The *Great Northern Railway (Junctions) Act, 1865*."

8 & 9 Vict.
cc. 18. & 20.
23 & 24 Vict.
c. 106., and
26 & 27 Vict.
c. 92. incor-
porated.

2. "The *Lands Clauses Consolidation Act, 1845*," "The *Lands Clauses Consolidation Acts Amendment Act, 1860*," "The *Railways Clauses Consolidation Act, 1845*," and Part I. of "The *Railways Clauses Act, 1863*," (relating to Construction of a Railway,) shall be incorporated with and form Part of this Act.

Interpreta-
tion of
Terms.

3. In this Act the Words "the Company" mean the *Great Northern Railway Company*, the Words "the Railways" mean the Railways and the Works connected therewith by this Act authorized to be constructed, and the Expression "Superior Courts" or "Court of competent Jurisdiction," or other like Expression in this Act or any Act incorporated herewith, shall be read and have Effect as if the Debt or Demand with respect to which the Expression is used were a common Simple Contract Debt, and not a Debt or Demand created by Statute.

Same Mean-
ings to
Words, &c.
in incorpo-
rated Acts
as in this Act.

4. The several Words and Expressions to which by the Acts wholly or partially incorporated with this Act Meanings are assigned shall have in this Act the same respective Meanings, unless there be in the Subject or Context something repugnant to or inconsistent with such Construction.

Power to
Company to
apply their
Funds to-
wards Pur-
poses of Act,
and may raise
additional
Capital by
new Shares.

5. It shall be lawful for the Company to apply towards the Construction of the Works authorized by this Act any of the Monies which they are already authorized to raise, and which may not be required by them for the Purposes of their Undertaking; and the Company may for the same Purposes from Time to Time raise, in addition to the Sums of Money which they are already authorized to raise, any further Sums not exceeding in the whole One hundred and fifty thousand Pounds, by the Creation of new Shares or Stock
in

The Great Northern Railway (Junctions) Act, 1865.

in their Undertaking, which Shares or Stock shall form Part of the general Capital of the Company, and may be issued at such Price (being not less than the nominal Value thereof) and upon such other Terms and Conditions as may be determined on by Three Fifths at least of the Votes of Shareholders present personally or by proxy at any Extraordinary General Meeting of the Company convened with due Notice of the Object.

6. The Company may, with the Consent of Three Fifths at least of the Votes of their Shareholders present personally or by proxy at any Extraordinary Meeting convened with due Notice of the Object, attach to all or any of the Shares to be created under the Powers of this Act any preferential Dividend, with or without other Privileges, which the Company may think fit, and may also attach to the said Shares a Condition that the same may be redeemed upon Conditions to be stated in the Resolutions creating the same, and to be notified on the Certificates of such Shares; and for the Purpose of redeeming the same or any Part thereof the Company may create and issue from Time to Time fresh Shares, with or without any special Advantages.

Privileges
may be at-
tached to
new Shares.

7. If in the First Half of any Year commencing on the First Day of *January* there be Profits applicable to the Purposes of Dividend upon the Ordinary Shares or Stock of the Company, after satisfying the Dividend and Arrears of Dividend (if any) due upon any other Preference Shares or Stock of the Company previously created and issued, and also the Dividend for such Half Year on the Preference Shares or Stock to be created under the Powers of this Act, it shall be lawful for the Company to declare a Dividend for such Half Year on such Ordinary Shares or Stock.

As to Divi-
dends for
First Half of
a Year.

8. The Amount of any One Call to be made upon the Shares created under the Powers of this Act shall not exceed One Fourth of the Amount of such Shares; and there shall be an Interval of Two Months at least between every Two successive Calls, and not more than Three Fourths of the Amount of each Share shall be called up in any One Year.

Limit of
Amount and
Number of
Calls.

9. The Company shall not issue any Share 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 up in respect thereof.

Shares not to
issue until
One Fifth
Part paid up.

10. The Proprietors of any Shares to be issued under the Authority of this Act shall be entitled to such Number of Votes in respect thereof as the nominal Amount represented by such Shares would have entitled them to if the same had been Original Shares of the Company.

As to the
Votes of Pro-
prietors of
such Shares.

11. The

The Great Northern Railway (Junctions) Act, 1865.

Power to
borrow on
Mortgage.

11. The Company may from Time to Time, under the Powers of this Act, borrow any additional Sum of Money not exceeding Fifty-four thousand Pounds, either by Mortgage of their Undertaking, or by the Issue of Debenture Stock, in pursuance of the Powers and subject to the Limitations and Restrictions contained in "The Great Northern Railway Company's Increase of Capital Act, 1853," but no Part of that Sum shall be borrowed until the whole of the additional Capital by this Act authorized to be raised by new Shares is *bonâ fide* subscribed for or taken, and One Half thereof is paid up, and until the Company shall prove to the Justice who is to certify, under the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that Shares for all such additional Capital are issued, and that One Half of such additional Capital has been paid up, and that not less than Twenty *per Centum* has been paid on account of each separate Share before or at the Issue thereof, and that they are *bonâ fide* held by the Subscribers or their Assigns, and that such Subscribers and their Assigns are legally liable for the same, of which Proof having been given the Certificate of such Justice under that Section shall be sufficient Evidence.

Existing
Mortgages to
have Priority.

12. Provided always, That all Mortgages granted by the Company before the passing of this Act, and which shall be subsisting at the Time of the passing thereof, shall during the Continuance of such Mortgages have Priority over any Mortgages to be created by virtue of this Act.

Application
of Sums
raised under
this Act.

13. All and every Part of the Sums by this Act authorized to be raised by new Shares or on Mortgage shall be applied only to the Purposes of the Railways and Works by this Act authorized.

8 & 9 Vict.
c. 16. and
26 & 27 Vict.
c. 118. incor-
porated.

14. 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 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 the borrowed Money into Capital ;

With respect to the Consolidation of Shares into Stock ;

With respect to the Remedies of the Creditors of the Company against Shareholders ; and

With respect to the Provision to be made for affording Access to the Special Act by all Parties interested ;

And

The Great Northern Railway (Junctions) Act, 1865.

And also the Clauses and Provisions of "The Companies Clauses Act, 1863,"

Relating to Cancellation and Surrender of Shares; and

Relating to additional Capital,

Shall be incorporated with this Act, and shall apply to all Shares created and to Mortgages granted and Money borrowed under the Powers of this Act.

15. The Powers by this Act conferred for the compulsory Purchase of Lands shall not be exercised after the Expiration of Three Years from the passing of this Act. Powers for compulsory Purchases limited.

16. The Quantity of Land to be purchased by the Company by Agreement adjoining or near to the Railways, for the extraordinary Purposes mentioned in "The Railways Clauses Consolidation Act, 1845," shall not exceed Three Acres. Lands for extraordinary Purposes.

17. It shall be lawful for the Company, subject to the Provisions in this and the incorporated Acts contained, to make and maintain the Railways herein-after described, with all proper Works, Approaches, and Stations, in the Lines and upon the Lands delineated on the said Plans and described in the said Book of Reference, and according to the Levels described on the said Sections; and the Company may enter upon, take, and use such of the said Lands as shall be necessary for such Purposes. Power to make Railways according to deposited Plans.

18. The Railways by this Act authorized are the following :

A Railway (No. 1.) commencing in the Parish of *Newark* in the County of *Nottingham* by a Junction with the *Great Northern* Railway, crossing the River *Trent*, and terminating in the Parish of *Kelham* in the same County by a Junction with the *Midland* Railway near the *Newark* Station of that Railway : Describing Railways. Newark Midland Junction.

A Railway (No. 3.) in the Parish of *Spalding* in the Parts of *Holland* in *Lincolnshire*, commencing by a Junction with the *Spalding* and *March* Line of the *Great Northern* Railway near the *Bourn* Road at *Spalding*, and terminating by a Junction with the *Great Northern* Railway near the Spot where that Railway crosses the *Pinchbeck* Road : Spalding and March Extension.

A Railway (No. 4.) in the Parish of *Essendine* in the County of *Rutland*, commencing by a Junction with the Main Line of the *Great Northern* Railway near the *Essendine* Station, and terminating by a Junction with the *Bourn* and *Essendine* Line of the same Railway near to and East of the same Station : Essendine Junction.

A Railway (No. 5.) in the Parish of *Barkstone* in the Parts of *Kesteven* in *Lincolnshire*, commencing by a Junction with the Main Line of the *Great Northern* Railway near the *Barkstone* Junction, and terminating by a Junction with the *Boston*, Barkstone Junction.

The Great Northern Railway (Junctions) Act, 1865.

Sleaford, and Midland Counties Line of the Great Northern Railway near the said Junction.

As to Spalding Branch.

19. In constructing the Railway herein-before described in the Parish of *Spalding* it shall not be lawful for the Company, without the Consent in Writing of the *Norwich and Spalding Railway Company*, to remove or interfere with the Junctions as now existing between the *Norwich and Spalding Railway* and the *Great Northern Railway*.

As to Bradford and Newark Quay Branches.

20. Notwithstanding anything in the said deposited Plans and Sections contained, it shall not be lawful for the Company to construct the Branch Railways shown thereon as intended to be made in the Parish of *Bradford* or the Branch Railway numbered on the said Plans (No. 2.), and proposed to be constructed in the Parish of *Newark*, to the public Quay there.

Saving Rights of Commissioners of the Navigation of the Branch of the River Trent, and preventing Obstructions therein.

21. And whereas the said Railway is intended to pass over that Branch of the River *Trent* which runs by the Town of *Newark-upon-Trent* from a Place called the *Upper Weir* in the Parish of *Averham* in the County of *Nottingham* to a Place called the *Crankleys* in the Parish of *South Muskham* in the said County, and it is expedient to provide against Obstructions being occasioned thereby to the free Navigation of the said Branch of the River: Be it therefore enacted, That nothing in this Act contained shall extend or be construed to extend to diminish, alter, prejudice, affect, or take away any of the Rights, Privileges, Powers, or Authorities vested in the Commissioners for improving the Navigation of the said Branch of the said River *Trent*, or to authorize or empower the said Railway Company, or any of their Agents, Servants, or Workmen, to alter, divert, or obstruct the Course or Channel of the said Branch of the said River *Trent*, or of any Rivers, Streams, Canals, Cuts, Aqueducts, or Dams communicating therewith, or to destroy or injure any Weirs, Abutments, Floodgates, Haling Paths, or other Works belonging to the said Commissioners, or impede the Navigation of the said Branch of the said River, without the Consent of the said Commissioners or their Clerk and Surveyor for the Time being, save and except for the Purpose of carrying into effect the Powers and Authorities given by this Act, and subject in that respect also to the Conditions, Stipulations, and Restrictions herein-after mentioned, and doing as little Damage thereby as may be, and making full Satisfaction to the said Commissioners for all the Damages by them sustained by reason thereof.

Regulating Construction of Bridge over the Branch of the River Trent.

22. In carrying the said Railway over the said Branch of the said River *Trent* the said Railway Company shall and they are hereby required, at their own Expense, to erect, build, and for ever after maintain in perfect Repair, a good, firm, and substantial Bridge over the said Branch of the said River *Trent* and the

Haling

The Great Northern Railway (Junctions) Act, 1865.

Haling Path thereof, with proper Retaining Walls and Approaches thereto, upon which Bridge the said Railway shall be made, and the said Bridge shall be constructed so that there shall be Two Openings of Fifty Feet clear Span each, the Opening on the Western Side to include the Haling Path, and that the Underside of the said Openings for the whole Width thereof shall not be less than Ten Feet clear above the Level of the present Flood or higher Haling Path contiguous to the intended Site of the said Bridge, and as much higher as the Level of the said Railway where it crosses the said Branch of the said River *Trent* will admit of, and that there shall be constructed and made a good and sufficient Haling Path under the Bridge of not less than Ten Feet in Width, and of the same Height as the present Haling Path, with a clear Headway of not less than Ten Feet to the said Haling Path for the whole Breadth and Length thereof, with a proper and sufficient Handrail or Balustrade thereon, and which Haling Path shall be made adjoining to the Western Abutment, and shall be extended for the Space of Sixty Yards on each Side of the said Bridge, and that such Haling Path and Railing or Balustrade shall be at all Times supported and maintained by and at the Expense of the said Railway Company, and the said Bridge and the Openings thereof shall be made of such Construction and Form as to give and afford the greatest clear Way and Space for the Passage of Water and Vessels that may be consistently with the Security and Stability of the said Bridge; and for the better effecting that Object the said Railway Company or their Engineer shall, Forty Days at least before the Erection of the said Bridge over the said Branch of the said River *Trent* shall be commenced, deliver to the said Commissioners or to their Engineer or Clerk accurate Plans and Sections of the said Bridge, and of the Opening and Abutments thereof, such Opening not being of less Dimensions than is herein-before in that Behalf required; and if the said Commissioners or their Engineer shall object to such Plans, or to the proposed Form or Construction of the said Bridge, or of the Arch or Opening thereof, and the said Railway Company or their Engineer shall not consent to alter the same in such Way as may be required by the said Commissioners or their Engineer, the Matters in difference shall be referred to some Third Engineer to be mutually agreed upon and named by the respective Engineers of the said Railway Company and the said Commissioners, and the Decisions and Determinations of such Third Engineer shall be binding and conclusive upon all Parties touching the Matters so referred to him: Provided nevertheless, that he shall not be authorized to alter the Span of the said Openings nor the Height thereof as herein-before provided for.

23. The Company shall and they are hereby required also to make and leave Arches or Openings under and Openings through the Embankment of such Part of the Railway as shall be carried from

Arches or
Openings
through Em-
bankment.

The Great Northern Railway (Junctions) Act, 1865.

from the West Side of the said Branch of the River *Trent* to the *Midland* Railway Station, in such Manner as shall be sufficient for the free Passage of the Flood Waters of the said River over the adjoining Lands, and such Arches or Openings shall be made and left of not less Height than Nine Feet clear from the Surface of the Land to the Underside of the Crown of the Arch, such Arches or Openings to give a clear Waterway of not less than Forty-eight Feet collectively, and to be placed in such a Position in the Embankment as shall be agreed upon or shall be settled by Arbitration before the Commencement of the Works.

Providing
Remedy in
the Case
of Obstruc-
tion to the
said Branch
of the River
Trent.

24. If in the Execution of the Works by this Act authorized to be made, or by reason of any Act or Omission of the said Railway Company, their Agents, Servants, or Workmen, or if by reason or in consequence of any of the said Works when made, the said Branch of the said River *Trent*, or any of the said Cuts or Canals or the Haling Paths thereof, shall at any Time be so obstructed as that Boats, Barges, or other Vessels using the same cannot conveniently pass along the same, then and in either of such Cases it shall be lawful for the said Commissioners, at the Costs and Charges of the said Railway Company, to remove, take, and put away such Obstruction, and to make good all Damage or Injury done to the said Navigation thereby; and the said Railway Company shall pay to the said Commissioners, as or by way of ascertained Damages, all Costs and Charges to be incurred as aforesaid, and also the Sum of Five Pounds for every Hour during which such Obstruction shall continue.

Further Re-
medy in case
of wilful Ob-
struction.

25. Provided always, That if such Obstruction shall continue beyond Seventy-two consecutive Hours, or shall have been occasioned by any wilful Act on the Part of the Railway Company, or of any of their Contractors or Servants, or Persons employed by them, then and in every such Case the said Railway Company shall pay to the said Commissioners the Sum of Ten Pounds for every Hour during which the Obstruction shall continue, to be computed from the Commencement of such Obstruction, as or by way of ascertained Damages; and in default of Payment of such Costs and Charges, or of such Sum or Sums, as the Case may be, on Demand made of or from the Treasurer of the said Railway Company, such Demand being made in Writing, and stating the Particulars thereof, any Two or more of Her Majesty's Justices of the Peace shall and they are hereby required, on Application by the said Commissioners or their Clerk or other Person authorized by them, by Warrant under the Hands and Seals of the said Justices, to cause the Amount thereof to be levied by Distress and Sale of the Goods and Chattels of the said Railway Company, and to be paid to the said Commissioners, their Treasurer or Clerk, rendering the Overplus (if any), upon Demand, after deducting the reasonable Charges of making such Distress and Sale,

The Great Northern Railway (Junctions) Act, 1865.

Sale, to the said Railway Company, or the said Commissioners may sue for and recover the same, together with full Costs of Suit, against the said Railway Company, by Action of Debt or on the Case in any of Her Majesty's Courts at *Westminster*; and the said Railway Company shall also make Compensation to all other Parties navigating on the said Branch of the said River *Trent* for all Loss or Injury which they may sustain by the Obstruction occasioned by such Interruption or Stoppage as aforesaid, to be recovered in like Manner.

26. And whereas the *Midland* Railway Company are now prosecuting in Parliament a Bill "for conferring additional Powers on the "*Midland* Railway Company for the Construction of Works, and "otherwise in relation to their own Undertaking and the Undertakings of other Companies, and for other Purposes," whereby, among other things, they seek Power to construct a Branch Railway across the *Trent* at *Newark* identical with the Railway herein-before first described; and it hath been agreed between the *Great Northern* and the *Midland* Railway Companies, and it is by the said Bill provided, that if the *Great Northern* Railway Company demand to do so they may share equally with the *Midland* Railway Company in the Construction, Maintenance, Property, and Use of the said Branch Railway: Be it enacted, That if the said Bill shall pass into an Act, and if the *Midland* Railway Company proceed with all due Despatch in the Execution of the Powers conferred on them by the said Act with respect to the said Branch Railway, and upon the Conditions contained in the said Act, then the Powers herein-before conferred on the *Great Northern* Railway Company to make the said Branch Railway separately from and independently of the *Midland* Railway Company, and the Liabilities imposed on the *Great Northern* Railway Company with respect thereto, shall cease, and shall be deemed to be adequately executed and fulfilled by the joint Execution of the Powers conferred by the said Act, and the consequent Construction and Maintenance of the said Branch Railway jointly by the Two Companies.

As to Newark Branch.

27. Subject to the Provisions in this Act, and in "The Railways Clauses Consolidation Act, 1845," and "The Railways Clauses Act, 1863," contained, it shall be lawful for the Company in the Construction of the Railways to carry the same across and upon the Level of the Turnpike Road numbered on the said deposited Plans 2, in the Parish of *Spalding*, but in no Case shall more than a Double Line of Railway be laid down on such level Crossing.

Level Crossing.

28. It shall be lawful for the Company and they are hereby required to stop up and divert the Road numbered on the said deposited Plans 89, in the Parish of *Spalding*; such Diversion being constructed in the Line shown upon the said Plans and upon the Level shown upon the said deposited Section.

Providing for Diversion of Road in Spalding.

[Local.]

35 A

29. If

The Great Northern Railway (Junctions) Act, 1865.

Period for
Completion
of Railways.

29. If the Railways shall not be completed within Five Years from the passing of this Act, then on the Expiration of such Period the Powers by this Act granted to the Company for making the Railways or otherwise in relation thereto shall cease to be exercised, except as to so much thereof as shall then be completed.

Penalty if
Line not
completed.

30. If the said Railways are not completed and opened for public Traffic within the Period of Five Years from the passing of this Act, the Company shall be liable to a Penalty at the Rate of Fifty Pounds for every Day after the said Period until such Line shall be so completed and opened; and the said Penalty shall be deemed a Debt due to Her Majesty in right of Her Crown, and may be recovered accordingly: Provided always, that if the Company has been prevented from completing or opening the said Railways by unforeseen Accident, or by Circumstances beyond their Control, (of which Fact a Certificate under the Hand of the Secretary of the Board of Trade shall be the sole and conclusive Evidence,) the Company shall not be liable to the Payment of the same Penalty in respect of the Period during which it shall be certified that they have been so prevented as aforesaid; but the Want of sufficient Funds shall not be held to be a Circumstance beyond their Control.

Railways as
to Tolls, &c.
to form Part
of Great
Northern
Railway.

31. The Company may demand and take in respect of the Railways the same Tolls and Charges as they are authorized to receive for and in respect of their existing Undertaking, as if it were Part of that Undertaking; and the Railways shall in all respects be deemed Part of the *Great Northern Railway*.

Power to the
Company to
subscribe
towards the
Liverpool
Central Sta-
tion Railway,
and to apply
their Funds
for that Pur-
pose;

32. It shall be lawful for the Company, with the Authority of Three Fifths of their Shareholders present personally or by proxy at a General Meeting specially convened for the Purpose, to contribute towards the Capital of the *Liverpool Central Station Railway Company* any Amount not exceeding One Third of such Capital, and to hold Shares in the same Company accordingly; and the *Great Northern Railway Company* may contribute and apply in Payment of their Subscription any Monies which they are already authorized to raise, and which may not be required by them for the Purposes of their Undertaking, and also any Monies which they are by this Act authorized to raise; and the Company shall in respect of the said Sums to be subscribed, and the corresponding Shares in the *Liverpool Central Station Railway Company* to be held by them, have all the Powers, Rights, and Privileges (except in regard to voting at General Meetings, which shall be regulated by the special Provisions hereinafter contained), and be subject to all the Obligations and Liabilities, of Proprietors of Shares in the same Company.

and to ap-
point Direc-
tors;

33. The Company may appoint One Director of the Company in respect of every Fifty thousand Pounds so subscribed by them; and every

The Great Northern Railway (Junctions) Act, 1865.

every such Appointment shall be made in Writing under the Seal of the Company, and shall be deposited with the Secretary of the *Liverpool Central Station Railway Company*, and may in like Manner be revoked and renewed; and every Director so appointed shall enter upon Office immediately on his Appointment, and shall remain in Office until his Appointment be revoked as aforesaid, or until he die or resign: Provided always, that the Neglect of the Company to appoint Directors shall not invalidate the Acts of the Directors of the *Liverpool Central Station Railway Company*.

34. The Company may by Writing under its Common Seal from Time to Time appoint some Person to attend any Meeting of the *Liverpool Central Station Railway Company*; and such Person shall have all the Privileges and Powers attaching to other Shareholders at such Meetings, and may vote thereat in respect of the Capital held by the Company which he represents upon all Questions, excepting the Election of Directors of the *Liverpool Central Station Railway Company*: Provided always, that the Directors or Director of the *Liverpool Central Station Railway Company* appointed by the Company shall be capable of being appointed by the Company to attend any Meeting of the *Liverpool Central Station Railway Company* as aforesaid; and in the event of no special Appointment by the Company being produced at any such Meeting, the Directors or Director present at such Meeting, shall be deemed to hold such Appointment; and in the event of there not being any Director or other Representative of the Company present at any such Meeting, the Company not so represented may exercise the Rights, Powers, and Privileges of voting at such Meeting by Proxy, in the Mode prescribed by "The Companies Clauses Consolidation Act, 1845:" Provided nevertheless, that if the Company acquire the Right of directly appointing a Director or Directors of the *Liverpool Central Station Railway Company*, under the Provisions herein-before contained, the Company shall not be entitled to vote at any Meeting of the *Liverpool Central Station Railway Company* in regard to the Election of Directors.

and to vote
at General
Meetings.

35. The Company may from Time to Time, by and with the Consent of Three Fifths of the Votes of the Proprietors of that Company present personally or by proxy at a Meeting specially convened for the Purpose, agree to pay Interest or Dividends at and after a Rate not exceeding Five Pounds *per Centum per Annum* upon all or any Part of the Share Capital of the *Liverpool Central Station Railway Company*: Provided always, that no such Payment shall prejudice or affect any Preference or Priority in Payment of Interest or Dividend granted or assigned by the *Great Northern Railway Company* to any Share or Stock before the passing of this Act, or confirmed by any Act of Parliament, or otherwise lawfully subsisting at the Time of giving such Guarantee: Provided also, that

Power for
GreatNorth-
ern Company
to pay In-
terest on
Capital of
Liverpool
Central Sta-
tion Railway
Company.

if

The Great Northern Railway (Junctions) Act, 1865.

if in any Year ending the Thirty-first Day of *December* there shall not be Profits of the *Great Northern Railway Company* available for the Payment of the full Amount of such Interest or Dividend as aforesaid for that Year, the Deficiency shall not be made good out of the Profits of any subsequent Year, or out of any other Funds of that Company.

Interest on
Calls not to
be paid out
of Capital.

36. 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 to 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.

Deposits for
future Bills
not to be paid
out of Capital
raised under
this Act.

37. It shall not be lawful for the Company, out of any Money by this Act 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.

Railways not
exempt from
Provisions of
present and
future Ge-
neral Acts.

38. Nothing herein contained shall be deemed or construed to exempt the Railways or the Company 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 to be taken by the Company, or of the Rates for small Parcels.

Expenses of
Act.

39. All the Expenses of applying for and obtaining this Act or preparatory or incident thereto shall be paid by the Company.

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1865.