



ANNO TRICESIMO

# VICTORIÆ REGINÆ.

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## Cap. xlix.

An Act to make further Provision with respect to  
the Station at *Wakefield*. [31st May 1867.]

**W**HEREAS the Undertaking of the *West Riding and Grimsby* Railway Company, which consists of a Railway from *Wakefield* to *Barnetby on Don*, and of a Branch Railway to the Neighbourhood of *Doncaster*, was by an Act passed in the last Session of Parliament transferred to the *Great Northern* and to the *Manchester, Sheffield, and Lincolnshire* Railway Companies jointly, and the said Undertaking is now vested in those Two Companies, and is managed by a Joint Committee appointed by them under the Powers of the said Act, and called "the *West Riding* Railway Committee:" And whereas by "The *West Riding and Grimsby* Railway Act, 1864," Power was given to the Company to construct a Station at *Westgate* in *Wakefield*, and to raise a separate Capital of Eighty thousand Pounds in Shares, and Twenty-six thousand Pounds by Mortgage for that Purpose (Section 24), and by an Agreement made in pursuance of Powers contained in the Fifteenth Section of the said Act, and dated the Fifteenth Day of *October* One thousand eight hundred and sixty-four, between the *West Riding and Grimsby* Railway Company of the First Part, the *Manchester, Sheffield, and Lincolnshire* and the *South Yorkshire* Railway

29 & 30 Vict.  
c. clxii.  
(Transfer  
Act).

27 & 28 Vict.  
c. xci.  
(Wakefield  
Station).

[Local.]

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Railway

*The West Riding and Grimsby Railway Act, 1867.*

Railway Companies of the Second Part, and the *Midland* Railway Company of the Third Part, the Parties of the Second and Third Parts covenant to use the said Station, and to pay for such Use an annual Rent proportionate to the Accommodation afforded to them respectively, but equivalent in the whole to Six *per Centum per Annum* on certain Outlay upon the Station; and the Nineteenth Article of the said Agreement provides for a Joint Committee, consisting of Two Members representing the *West Riding and Grimsby*, Two representing the *Manchester, Sheffield, and Lincolnshire*, One representing the *West Yorkshire*, and Two representing the *Midland* Railway Company, for the Construction, Enlargement, Regulation, and Management of the said Station; and inasmuch as the *West Riding and Grimsby* Railway Company is now merged as aforesaid in the Two Companies, and the *West Yorkshire* Railway Company is now merged in the *Great Northern* Railway Company, it is expedient that the Constitution of the said Committee should be changed: And whereas by the Eighteenth Section of the said Transfer Act the Two Companies are required to pay to the Holders of the said Station Capital of Eighty thousand Pounds a perpetual annual Dividend at the Rate of Six Pounds Five Shillings *per Centum per Annum*, and by the Thirtieth Section of the same Act the Two Companies are liable to the Mortgages affecting the Station, subject to certain Terms and Conditions therein mentioned, and it is expedient that the said Station should be vested absolutely in the Two Companies, and that they should be authorized to raise additional Capital for the Purposes thereof, and that the Provisions herein-after contained should be made in favour of and concerning the *Midland* Railway Company with relation to the said Station: And whereas the Purposes of this Act 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 all Purposes as "*The West Riding and Grimsby Railway Act, 1867.*"

8 & 9 Vict.  
c. 16. and  
26 & 27 Vict.  
c. 118. in-  
corporated.

2. 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

*The West Riding and Grimsby Railway Act, 1867.*

With respect to the Forfeiture of Shares for Nonpayment of Calls ;

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

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 ; and

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

And also Parts I., II., and III. of "The Companies Clauses Act, 1863," relating respectively to the "Cancellation and Surrender of Shares" to additional Capital, and to Debenture Stock,

are (except where expressly varied by this Act) incorporated with and form Part of this Act.

3. In this Act the several Words and Expressions to which by the Acts wholly or partially incorporated with this Act assigned have the same respective Meanings, unless there be in the Subject or Context something repugnant to such Construction ; the Words "the Two Companies" mean the *Manchester, Sheffield, and Lincolnshire* and the *Great Northern* Railway Companies jointly ; the Words "the *West Riding* Railway Company" mean the *West Riding and Grimsby* Railway Company ; 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 Meanings to Words, &c. in incorporated Acts as in this Act. Interpretation of Terms.

4. It shall be lawful for the Two Companies severally, for the Purposes of the *Wakefield* Station, each from Time to Time to raise, in addition to the Sums of Money which they are already authorized to raise, any further Sums, not exceeding in the whole for each Company Twenty thousand Pounds, by the Creation of new Shares or Stock in their respective Undertakings, which Shares or Stock shall form Part of the general Capital of each Company, but no Certificate shall be issued or Transfer registered of any Stock until the Stock in respect of which the Certificate is issued or Transfer made is fully paid up.

Power to Two Companies to raise additional Capital by new Shares.

5. Each of the Two Companies 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

Privileges may be attached to new Shares.

Notice

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Notice of the Object, attach to all or any of the Shares to be created under the Powers of this Act a preferential Dividend, 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, each Company may create and issue from Time to Time fresh Shares.

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

6. 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 either Company, after satisfying the Dividend and Arrears of Dividend (if any) due upon any other Preference Shares or Stock of that 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 that Company to declare a Dividend for such Half Year on such Ordinary Shares or Stock.

Shares not  
to vest until  
One Fifth  
paid up.

7. Neither Company shall 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 in respect thereof.

As to the  
Votes of  
Proprietors  
of such  
Shares.

8. 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 issuing such Shares.

Debenture  
Stock.

9. The Two Companies may create and issue Debenture Stock.

Power to  
borrow on  
Mortgage.

10. The Two Companies severally may from Time to Time under the Powers of this Act borrow any additional Sum of Money, not exceeding with respect to each Company Six thousand six hundred Pounds, by Mortgage of their Undertaking; but no Part of that Sum shall be borrowed until the whole of the additional Capital which by this Act the borrowing Company is authorized to raise by new Shares is subscribed for, issued, and accepted, and One Half thereof is paid up, and the said Company have proved 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 have been subscribed for, issued, and accepted, and that One Half of such additional Capital has been paid up, and that not less than One Fifth Part of the Amount of each separate Share in such  
Capital

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Capital has been paid on account thereof before or at the Time of the Issue or Acceptance thereof, and that such Capital was issued *bonâ fide* and is held by the Subscribers or their Assigns; and that such Subscribers or their Assigns are legally liable for the same; and upon Production to such Justice of the Books of the borrowing Company, and of such other Evidence as he shall think sufficient, he shall grant a Certificate that the Proof aforesaid has been given, which Certificate shall be sufficient Evidence thereof.

11. Provided always, That all Mortgages granted by either Company in pursuance of the Powers of any Act of Parliament 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 as against that Company over any Mortgages to be granted by virtue of this Act.

Existing  
Mortgages  
to have  
Priority.

12. All Monies raised by either Company under this Act, whether by Shares, Debenture Stock, or borrowing, shall be applied by them for the Purposes of this Act only.

Application  
of Monies.

13. In estimating the Amount of Rent payable by the *Midland* Railway Company for the Use of the said *Wakefield* Station, and the Accommodation to be provided for them at such Station, any additional Outlay made under the Powers of this Act shall not be taken into consideration unless with the Concurrence of the *Midland* Railway Company, but the Amount of Rent payable by the last-mentioned Company shall be fixed with reference to their Obligations under the said Agreement.

As to Rent  
of *Midland*  
Railway  
Company.

14. Notwithstanding anything contained in the said Agreement of the 15th Day of *October* 1864, the Construction and Management of the *Wakefield* Station shall be under the Control of a Joint Committee consisting of Two Directors of the *Great Northern*, Two Directors of the *Manchester, Sheffield, and Lincolnshire*, and Two Directors of the *Midland* Railway Company, and the Provisions contained in the said Agreement with respect to the Joint Committee and all other Matters shall in all other respects remain of full Effect.

Providing  
for Station  
Committee.

15. It shall be lawful for the Two Companies and for the *Midland* Railway Company from Time to Time to agree as to the Apportionment of the said Station among them, and for the Expenditure by any of the Companies of Capital on specific Parts of the Station, or the Works, Warehouses, or Buildings connected therewith, and for vesting in any of the Companies severally such specified Portions, and the Apportionment of the Rents and Profits arising from the Station, or

Providing  
for Appor-  
tionment of  
Station.

[Local.]

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from

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from the Traffic using the Station, or any of the Works, Warehouses, and Buildings connected therewith especially, to any of the Three Companies.

Saving  
Rights of  
Lancashire  
and York-  
shire Rail-  
way Com-  
pany.

16. Nothing in this Act contained shall take away, alter, prejudice, or interfere with any of the Powers, Rights, and Privileges to which the *Lancashire and Yorkshire* Railway Company are entitled under or by virtue of an Agreement dated the Eleventh Day of *December* One thousand eight hundred and fifty-four, and made between the said *Lancashire and Yorkshire* Railway Company and the *Bradford, Wakefield, and Leeds* Railway Company, and under "The *West Riding and Grimsby* Railway Act, 1864," or either of them, in respect of the *Westgate* Passenger Station aforesaid, and the Use and Enjoyment thereof, but the *Lancashire and Yorkshire* Railway Company shall and may have, exercise, and enjoy all and the same Powers, Rights, and Privileges in and over the said Passenger Station, and all and every Part thereof, as fully and effectually to all Intents and Purposes as if this Act had not been passed.

Interest not  
to be paid  
on Calls paid  
up.

17. Neither of the Two Companies shall, out of any Money by this Act authorized to be raised by Calls or by borrowing, 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 this Act shall not prevent either Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as is in conformity with "The Companies Clauses Consolidation Act, 1845."

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

18. Neither of the Two Companies shall, out of any Money by this Act authorized to be raised, pay or deposit any Sum which, by any Standing Order of either House of Parliament now or hereafter in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing either Company to construct any other Railway, or to execute any other Work or Undertaking.

Companies  
not exempt  
from Pro-  
visions of  
present and  
future Gene-  
ral Acts.

19. Nothing herein contained shall be deemed or construed to exempt either of the Two Companies from the Provisions of any General Act relating to Railways, or 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

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*The West Riding and Grimsby Railway Act, 1867.*

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to be taken by the Two Companies, or of the Rates for small  
Parcels.

20. All Costs, Charges, and Expenses of and incident to the Expenses of  
preparing for, obtaining, and passing of this Act, or otherwise in Act.  
relation thereto, shall be paid by the Two Companies equally.

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