



CHAPTER cxlvii.

An Act for conferring further powers upon the Great Western Railway Company in connexion with their own and other undertakings, and upon them and other companies in connexion with undertakings in which they are jointly interested; for authorising and confirming agreements between the Great Western Railway Company and other companies; and for other purposes. A.D. 1885.

[31st July 1885.]

WHEREAS it is expedient that the Great Western Railway Company (in this Act called "the Company") should be empowered to execute make and maintain the railways and other works and to exercise the powers by this Act respectively authorised and conferred and to acquire for the purposes of this Act and for the general purposes of their undertaking and works connected therewith and for providing increased accommodation certain lands houses and buildings in this Act described or referred to: (Railways and other works.)

And whereas plans and sections showing the lines and levels of the railways and other works by this Act authorised to be constructed and the lands by this Act authorised to be acquired and also books of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of those lands were duly deposited with the clerks of the peace for the several counties within which those railways and other works will be constructed and those lands are situated and are herein-after respectively referred to as the deposited plans sections and books of reference: (Deposit of plans &c.)

And whereas it is expedient that the respective periods limited by the Great Western Railway (No. 2) Act 1882 (in this Act called the Company's No. 2 Act of 1882) for the purchase of lands for and for the construction of the Railways No. 1 No. 2 and No. 3 by that Act authorised should be extended as by this Act provided: (Extension of time railways of Act of 1882.)

And whereas it has been agreed between the Company and the Helston Railway Company that the railway of the last-named company should when completed be worked in perpetuity by the Company (Revival and extension of time Helston Railway.)

A.D. 1885. — and it is expedient that the powers granted by the Helston Railway Act 1880 for the purchase of lands required for the purposes of the said railway should be revived and extended and that the period limited by the said Act for the construction and completion of the said railway should be extended as by this Act provided :

(Superfluous lands.)

And whereas it is expedient that the time limited for the sale of certain lands acquired by the Company for the purposes of their undertaking should be extended and that further powers should be conferred upon the Company in respect of the sale lease or other disposal of those lands :

(Subscription to other companies.)

And whereas it is expedient that the Company should be empowered to subscribe or contribute to the capital of or to lend or advance money on the security of the mortgages or debenture stock of the Newent and the Abbotsbury Railway Companies as in this Act provided :

(Portishead Railway rentcharge.)

And whereas by the Great Western and Portishead Railway Companies Act 1884 the pier and railway undertaking of the Bristol and Portishead Pier and Railway Company (in this Act called the Portishead Company) was transferred to and vested in the Company subject to the payment by the Company to the Portishead Company of the perpetual annual rentcharge therein mentioned or referred to and it is expedient that provision should be made for the Company issuing stock of the Company in lieu of the said rentcharge as in this Act provided :

(Companies Clauses Consolidation Act, 1845.)

And whereas it is expedient that the provisions contained in the 18th 19th and 20th sections of the Companies Clauses Consolidation Act 1845 with respect to shares should be extended and made applicable to the debenture stock of the Company from time to time existing and that provision should be made as to the calculation and payment of the interest on such debenture stock :

(Vale of Towy Company's debentures.)

And whereas it is expedient that provision should be made for the cesser of the interest on the capital representing the debenture debt of the Vale of Towy Railway Company (in this Act called the Vale of Towy Company) one moiety of such debenture debt having been transferred to the Company and the other moiety to the London and North-western Railway Company :

(Savings banks.)

And whereas it would be for the benefit of the officers servants and other persons in the employment of the Company and the families of those persons if the Company were empowered to establish savings banks and to make and enforce byelaws rules and regulations for and with reference to the conduct and management thereof as in this Act provided :

(Guarantee fund.)

And whereas it is expedient that further provision should be made as herein-after contained with respect to the guarantee fund of the Company :

And whereas the sum of £3,243 4s. 9d. £3 per cent. Consolidated Bank Annuities which annuities represent the sum of £3,250 the deposit mentioned in the 45th and 46th sections of the Tiverton and North Devon Railway Act 1875 (in this Act called the Tiverton Act of 1875) in respect of the application to Parliament for that Act is now standing to the credit of the Paymaster-General in the matter of the said Act in the Chancery Division of the High Court of Justice :

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—
(Tiverton and North Devon deposit.)

And whereas by the Tiverton Act of 1875 it was enacted that the said sum should not be paid or transferred to the person or persons therein mentioned unless the railway authorised by that Act was opened for the public conveyance of passengers within the period limited by that Act or the Tiverton and North Devon Railway Company (in this Act called the Tiverton Company) had proved to the satisfaction of the Board of Trade that they had before the same period paid up one half of the amount of the capital by the said Act of 1875 authorised to be raised by means of shares and had expended for the purposes of the Act a sum equal in amount to such one half of the said capital :

And whereas owing to difficulties as to the acquisition of lands and legal proceedings arising thereon the said railway was not constructed within the time limited by the said Act of 1875 but the same has since been completed and opened for public traffic and it is expedient that provision should be made for the transfer of the said sum to the persons herein-after referred to in that behalf as in this Act provided :

And whereas it is expedient that some of the provisions of the existing Acts relating to the Company should be amended as herein-after provided :

(Amendment of Acts.)

And whereas it is expedient that the Company should be empowered to raise a further sum of money for the purposes of this Act and for the general purposes of their undertaking :

(Additional capital of Company.)

And whereas it is expedient that for the purposes of their undertaking the Helston Railway Company should be empowered to raise a further sum of money :

(Additional capital of Helston Company.)

And whereas the objects aforesaid cannot be attained 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 :—

1. This Act may be cited for all purposes as the *Great Western Railway Act 1885.* Short title.

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Incorporation of
general Acts.

2. The following Acts and parts of Acts are except where expressly varied by this Act incorporated with and form part of this Act (that is to say) :

The Lands Clauses Consolidation Acts 1845 1860 and 1869 as amended by the Lands Clauses (Umpire) Act 1883 :

The Railways Clauses Consolidation Act 1845 :

Part I. (relating to the construction of a railway) Part II. (relating to extension of time) Part III. (relating to working agreements) and Part V. (relating to amalgamation) of the Railways Clauses Act 1863 :

The provisions of the Companies Clauses Consolidation Act 1845 with respect to the following matters (namely) :

The distribution of the capital of the Company into shares ;

The transfer or transmission of shares ;

The payment of subscriptions and the means of enforcing the payment of calls ;

The forfeiture of shares for non-payment of calls ;

The remedies of creditors of the Company against the shareholders ;

The borrowing of money ;

The conversion of the borrowed money into capital ;

The consolidation of shares into stock ; and

The provision to be made for affording access to the special Act by all parties interested :

Part I. (relating to cancellation and surrender of shares) Part II. (relating to additional capital) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863.

Interpretation.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction :

The expression "the railways" means the new railways by this Act authorised :

The expression "superior courts" or "court of competent jurisdiction" or any other like expression in this Act or any Act wholly or partially incorporated herewith shall for the purposes of this Act be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt and not a debt or demand created by statute.

Power to make railways.

4. Subject to the provisions of this Act the Company may make and maintain in the lines and according to the levels shown on the deposited plans and sections relating thereto the railways herein-after described with all proper stations sidings approaches roads works and conveniences connected therewith and may enter upon take and

use such of the lands delineated on the deposited plans thereof and described in the deposited books of reference relating thereto as may be required for those purposes :

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(1.) A railway (No. 1) 1 mile 3 furlongs 1 chain and 90 links in length commencing in the parish of Landkey in the county of Devon by a junction with the Devon and Somerset Railway and terminating in the parish of Tawstock in the same county by a junction with the North Devon Railway of the London and South-western Railway Company :

(2.) A railway (distinguished on the deposited plans and sections and in this Act referred to as Railway No. 3) 1 furlong 6 chains and 60 links in length wholly situate in the parish of St. Bride's Minor in the county of Glamorgan commencing by a junction with the Company's Ogmore Branch Railway at or near the junction therewith of the Garw Branch Railway and terminating by a junction with the Company's Pencoed Branch Railway about two chains eastward of the east end of the bridge which carries that railway over the River Ogmore :

(3.) A railway (distinguished on the deposited plans and sections and in this Act referred to as Railway No. 4) 5 furlongs 9 chains and 5 links in length commencing in the parish of Neath in the county of Glamorgan by a junction with the Company's South Wales Railway and terminating in the parish of Cadoxton-juxta-Neath in the same county by a junction with the Company's Swansea and Neath Railway : Provided always that notwithstanding anything shown on the deposited sections Railway No. 4 shall be carried over the Neath Canal and the towing-path thereof by a bridge of not less than 22 feet span and 19 feet in height above the ordinary level of the water in the said canal and the Company shall not except by agreement with the owners of the properties numbered on the deposited plans 2, 3 and 3a in the parish of Neath acquire those properties or any of them.

5. For the protection of the mayor aldermen and burgesses of the borough of Barnstaple (in this section called the corporation) the following provisions shall have effect (that is to say)—

For the protection of the corporation of Barnstaple.

(1.) The Company in constructing Railway No. 1 shall not at the point of crossing the property numbered on the deposited plans 47 in the parish of Bishop's Tawton deviate northward from the centre line thereof delineated on the deposited plans to a greater extent than 2 chains and shall not in crossing the properties numbered on the deposited plans 48 and 49 in the same parish deviate northward from the centre line thereof delineated on

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the deposited plans to a greater extent than 6 chains without the consent in writing of the corporation under their common seal :

- (2.) The bridge by which Railway No. 1 shall be carried over the property numbered on the deposited plans 47 in the parish of Bishop's Tawton shall be constructed of one span or opening of not less than 25 feet in width and 14 feet clear height in the centre of the archway above the present level of the surface of the footpath and shall be of a reasonably ornamental character and shall at all times be repaired and kept in a reasonable state of repair by and at the expense of the Company :
- (3.) The bridges by which Railway No. 1 shall be carried over the footpaths or river banks being part of the property numbered on the deposited plans 49 in the parish of Bishop's Tawton and 2 in the parish of Tawstock shall be in continuation of the bridge over the River Taw and shall be of the greatest practicable height having regard to the construction of the railway according to the deposited sections and not less than 6 feet 4 inches clear height above the present level of the surface of such footpaths and shall be of a reasonably ornamental character and shall at all times be repaired and kept in a reasonable state of repair and when necessary painted by and at the expense of the Company :
- (4.) The bridge over the River Taw which is numbered on the deposited plans 50 in the parish of Bishop's Tawton and 1 in the parish of Tawstock shall be a lattice girder bridge and notwithstanding anything shown on the deposited plans and sections shall unless otherwise agreed with the corporation be constructed with 2 spans or openings of not less than 80 feet each in width and 4 spans or openings of not less than 40 feet each in width and all such spans or openings shall be 9 feet in clear height above the surface level of the water at ordinary spring tides and the piers of such bridge shall be placed in a line with the flow of the tide and the position of the said 2 spans of 80 feet each shall unless otherwise determined by the Board of Trade be the centre spans of the bridge :
- (5.) Before the Company proceed with the construction of the bridge they shall give at least 42 days notice in writing to the corporation that they intend to do so and should the corporation so desire and deliver to the Company written notice to that effect within the said period of 42 days the Company shall construct at the cost and expense in all respects of the corporation a footpath 6 feet in width on or springing from the northern

side of the said bridge and the corporation shall before the works for the construction of the footpath are commenced deposit with the Company the estimated amount of the additional cost which the Company may incur in constructing the works for the footpath and the footpath and all costs and charges of and incidental thereto and shall also undertake under their common seal to pay to the Company in the event of the estimate proving insufficient the amount of any such insufficiency and in the event of the estimate being in excess of the amount for the construction of the footpath and the expenses incidental thereto the balance shall be repaid to the corporation by the Company. Failing the corporation making such deposit with the Company as aforesaid and entering into such undertaking the Company shall not be required to construct the said footpath :

(6.) From and after the construction of the said footpath the Company will from time to time as and when required by the corporation and at their expense repair such footpath and the approaches thereto so far as on the property of the Company and the parapets of the footpath and the fences of the approaches and the corporation shall on demand repay to the Company the expenses incurred by them in such repairs and approaches and in the event of their failing to do so the same shall be recovered against them together with full costs in any court of competent jurisdiction. Provided always that the Company shall from time to time paint at their own expense the wood and iron work of that portion of the footpath passing over the bridge as and when they paint the other portion of the said bridge :

(7.) The northern slope of the embankment to be constructed in the property numbered on the deposited plans 48 and 49 in the parish of Bishop's Tawton so far as such embankment can be seen from Rock Park shall be at all times kept turfed and planted by the Company at their own expense :

(8.) If any dispute shall arise between the Company and the corporation respecting the matters and provisions aforesaid or any of them such dispute shall except as in this section otherwise provided be settled by an arbitrator to be agreed upon between the parties or in case of difference to be appointed on the application of either party by the President for the time being of the Institution of Civil Engineers in London the cost of such arbitration to be in the discretion of such arbitrator.

6. The railways shall for all purposes including the demanding and recovering of tolls and charges be deemed to be part of the Company's railway. Provided always that the tolls rates and

Railways to be part of Company's undertaking.

A.D. 1885. — charges to be demanded and recovered in respect of the railways and the traffic thereon shall not exceed as follows:—

With respect to Railway No. 1 the tolls rates and charges prescribed by the Bristol and Exeter Railway Act 1863:

With respect to Railways Nos. 3 and 4 the tolls rates and charges prescribed by the South Wales Railway Consolidation Act 1855.

For the protection of the River Neath.

7. In carrying Railway No. 4 over the River Neath the following provisions for the protection of the traffic in the river shall be obligatory on the Company and have effect:

(1.) The bridge for carrying Railway No. 4 over the River Neath shall have an opening span over the deep water channel of not less than 50 feet in clear width in every part for the passage of vessels such span to be capable of being opened and closed for the passage of vessels and to be executed according to a plan and drawings to be previously approved by the engineer of the Neath Harbour Commissioners and deposited at their office at Neath:

(2.) The traffic on the River Neath shall not be at any time stopped or interrupted more than is absolutely necessary for carrying out the works: And the Company shall indemnify the said commissioners from the result of any action at law both as to costs and damages in respect of any accident or damage to any vessel from obstruction to navigation caused by the works of the Company during construction of the bridge. The mode of construction of the bridge to be approved of by the engineer of the said commissioners before the works are carried into execution. Any difference between the engineer of the said commissioners and the engineer of the Company under this or the preceding subsection to be determined by an engineer to be appointed by the President for the time being of the Institution of Civil Engineers in London the costs of such reference to be in the discretion of the arbitrator:

(3.) The Company if so required by the commissioners to provide and maintain efficient mooring posts two on each side of the river above and below the bridge (not exceeding eight in all) for the purpose of checking vessels approaching the bridge the posts to be fixed in positions to be selected by the harbour master of the said commissioners.

Not to enter on lands of the Neath Harbour Commissioners

8. The Company shall not enter upon or interfere with the railway of the Neath Harbour Commissioners or any of the land or works of the commissioners or execute any works whatever under or affecting the same until the Company shall have delivered to

the commissioners plans and drawings of such intended works and until those plans and drawings shall have been approved in writing by the principal engineer for the time being of the commissioners or in the event of his failure for thirty days after the delivery of the plans and drawings to approve the same until the same shall have been approved by an engineer to be appointed on the application of the Company by the President for the time being of the Institution of Civil Engineers in London and all the intended works shall be executed by the Company at their sole expense in all things according to such approved plans and drawings and to the reasonable satisfaction of the said engineer for the time being of the Neath Harbour Commissioners or in case of difference to the reasonable satisfaction of an engineer to be appointed by the said president.

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until plans of proposed works affecting the Commissioners are approved.

9. In constructing the Railway No. 4 by this Act authorised through or over the land or property of the Neath Harbour Commissioners the Company shall not without the previous consent in writing of the Neath Harbour Commissioners under their common seal deviate more than 20 yards from the centre line shown on the deposited plans where the said railway crosses the railway and roadway of the Neath Harbour Commissioners and the said railway where the same is intended to cross the railway or roadway of the Neath Harbour Commissioners shall be carried over that railway and roadway by means of a bridge with a span of not less than 60 feet on the square and having a headway of not less than 14 feet 3 inches above the surface of the rails and 15 feet over the road as being constructed and such crossing shall be effected in such a manner as not to injure the stability of the railway and roadway and works of the Neath Harbour Commissioners.

As to execution of railway on lands of Neath Harbour Commissioners.

10. The Company shall bear and on demand pay to the Neath Harbour Commissioners the reasonable expense of the employment by them of a sufficient number of inspectors signalmen or watchmen to be appointed (if necessary) by them for watching their railways roadway and works and the conduct of the traffic thereon during the making of the said railway where it will cross the railway roadway and works of the Neath Harbour Commissioners and for preventing as far as may be all interference obstruction danger and accident from any of the operations or from the acts or defaults of any person or persons in the employ of the Company.

Company to pay to the Neath Harbour Commissioners the expenses of watchmen during construction of works.

11. Notwithstanding anything in this Act contained the Company shall from time to time be responsible for and make good to the Neath Harbour Commissioners all losses costs damages and expenses which may be occasioned to them or any of their works or property or to the traffic on their railways or to any Company or person

Damages sustained by Neath Harbour Commissioners to be repaid.

A.D. 1885. using the same by reason of the failure of any of the intended works or of any act default or omission of the Company or of any persons in their employ or of their contractors and the Company shall effectually indemnify and hold harmless the Neath Harbour Commissioners from all claims and demands upon or against them by reason of such execution or failure and of any such failure act default or omission.

Maintenance of works affecting the railway and road of the Neath Harbour Commissioners.

12. The Company shall at their sole expense at all times maintain the bridge and other works by which the said railway by this Act authorised shall be carried over the railway and roadway of the Neath Harbour Commissioners in substantial repair and good order and condition to the reasonable satisfaction in all respects of the principal engineer for the time being of the Neath Harbour Commissioners and if and whenever the Company fail so to do then after one month's notice in writing from the Neath Harbour Commissioners for that purpose or in case of urgency without any notice whatever the Neath Harbour Commissioners may make and do in and upon as well the lands of the Company as their own lands all such works and things as shall be requisite in that behalf for ensuring such repair and the sum from time to time certified by the principal engineer of the Neath Harbour Commissioners to be the amount of the expenditure reasonably incurred in that behalf shall be repaid to them by the Company and in default of full repayment the amount due may be recovered with costs by the Neath Harbour Commissioners from the Company in any court of competent jurisdiction.

Not to interfere with traffic on Neath Harbour Commissioners railway and road.

13. In constructing or maintaining the Railway No. 4 the Company shall not in any way obstruct or interfere with the traffic passing along the said railway and roadway of the Neath Harbour Commissioners and if by reason of any works or proceedings of the Company there shall be any unnecessary obstruction of or interference with the said railway and roadway of the Neath Harbour Commissioners or either of them so as to impede or prevent the convenient passage of engines and carriages along such railway and roadway or either of them the Company shall pay to the Neath Harbour Commissioners the sum of five pounds per hour during which any such obstruction of or interference with such railway shall continue and the sum of one pound per hour during which any such obstruction or interference with such roadway shall continue.

No land of Neath Harbour Commissioners to

14. Except for the purpose of constructing Railway No. 4 across the railway and roadway of the Neath Harbour Commissioners nothing in this Act shall empower the Company to take or acquire

any land of the Neath Harbour Commissioners or to alter vary or interfere with the railways and roadway of the Commissioners or with any of the works thereof without the consent in writing in every instance for that purpose first had and obtained of the Neath Harbour Commissioners under their common seal and with respect to any lands of the Neath Harbour Commissioners required for the purpose of their undertaking which the Company are by this Act authorised to purchase take use enter upon or interfere with for the purposes of such crossings the Company shall not purchase or take any greater or other estate or interest in any such lands than an easement or right of using such lands in perpetuity for the purpose for which but for this enactment the Company might purchase and take the same and the provisions of this Act and of the Acts incorporated with this Act shall be construed and applied accordingly.

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be taken
except for
certain
works.

15. The Company shall pay to the Neath Harbour Commissioners by way of purchase or compensation for the rights and easements to be acquired under the provisions of this Act such an amount as may be agreed upon or in the event of difference as may be determined by arbitration under the provisions of the Lands Clauses Consolidation Act 1845 relating to the purchase of lands otherwise than by agreement.

Company to
pay for ease-
ment.

16. If any dispute shall arise between the Neath Harbour Commissioners and the Company respecting the matters and provisions aforesaid or any of them such dispute shall be settled by an arbitrator to be agreed upon between the parties or in case of difference to be appointed on the application of either party by the President for the time being of the Institution of Civil Engineers in London the costs of such arbitration to be in the discretion of such arbitrator.

Arbitration.

17. Nothing in this Act contained shall take away lessen prejudice or alter any of the estates rights privileges powers or authorities of the Neath Harbour Commissioners except as herein otherwise specially provided.

Saving
rights of
Neath Har-
bour Com-
missioners.

18. The Company may make the arch of the bridge for carrying the Railway No. 4 over the road numbered on the deposited plans 12 in the parish of Neath of any height not less than fifteen feet and of any span not less than twenty feet.

Height and
span of a
certain
bridge.

19. The Company may make the roadway over the bridges by which the following roads will be carried over the under-mentioned railways and over the conversion of tunnel into open cutting of such width between the fences thereof as the Company think fit not

Widths of
certain road
ways.

A.D. 1885. being less than the respective widths herein-after specified (that is to say) :

No. on Plan.	Parish.	Description of Roadway	Width of Roadway.
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RAILWAY NO. 1.

20	Bishops Tawton	Turnpike	30 feet
33	Bishops Tawton	Public carriage	25 feet
36	Bishops Tawton	Turnpike	30 feet

CONVERSION OF TUNNEL INTO OPEN CUTTING.

6	Brislington	Public carriage	25 feet
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Period for completion of railways.

20. If the railways are not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Company for making and completing the railways or otherwise in relation thereto shall cease to be exercised except as to so much thereof as is then completed.

Imposing penalty unless railways opened.

21. If the Company fail within the period limited by this Act to complete the railways the Company shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until the uncompleted railway or railways is or are completed and opened for public traffic or until the sum received in respect of such penalty shall amount to five per centum on the estimated cost of the uncompleted railway or railways :

The said penalty may be applied for by any landowner or other person claiming to be compensated in respect of the railway or railways in reference to which the penalty has been incurred in accordance with the provisions of the next following section of this Act or by the solicitor to Her Majesty's Treasury and in the same manner as the penalty provided in section three of the Railway and Canal Traffic Act 1854 :

Every sum of money recovered by way of such penalty as afore-said shall be paid under the warrant or order of such court or judge as is specified in that section to an account opened or to be opened in the name and with the privity of Her Majesty's Paymaster-General on behalf of the Chancery Division of the High Court of Justice in the bank and to the credit specified in such warrant or order and shall not be paid thereout except as herein-after provided :

But no penalty shall accrue in respect of any time during which it shall appear by a certificate to be obtained from the Board of Trade that the Company was prevented from completing or opening the uncompleted railway or railways by unforeseen accident or circumstances beyond their control Provided that want of sufficient funds shall not be held to be a circumstance beyond their control.

22. Every sum of money so recovered by way of penalty as aforesaid shall be applicable and after due notice in the "London Gazette" shall be applied towards compensating any landowners or other persons whose property may have been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the railway or railways in respect of which the penalty has been incurred or any portion thereof or who may have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act and for which injury or loss no compensation or inadequate compensation shall have been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Chancery Division of the High Court of Justice may seem fit :

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 Providing for application of penalty.

If no such compensation shall be payable or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid shall have been found sufficient to satisfy all just claims in respect of such compensation then the said sum or sums of money recovered by way of penalty or such portion thereof as may not be required as aforesaid shall either be forfeited to Her Majesty and accordingly be paid to or for the account of Her Majesty's Exchequer in such manner as the said Chancery Division thinks fit to order on the application of the solicitor to Her Majesty's Treasury and shall be carried to and form part of the Consolidated Fund of the United Kingdom or in the discretion of the said Chancery Division if the Company is insolvent and has been ordered to be wound up or a receiver has been appointed shall wholly or in part be paid to such receiver or to the liquidator or liquidators of the Company or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof.

23. The further quantity of land to be taken by the Company for the extraordinary purposes mentioned in the Railways Clauses Consolidation Act 1845 shall not exceed one acre.

Land for extraordinary purposes.

24. Subject to the provisions of this Act the Company in the lines and according to the levels shown upon the deposited plans and sections relating thereto may make the new roads and alterations of roads and other works and may make the new footpaths and may stop up and discontinue the portions of roads and footpaths and exercise the other powers herein-after mentioned and may enter upon take and use such of the lands delineated on the deposited plans thereof and described in the deposited books of reference relating thereto as may be required for those purposes (that is to say) :—

Power to make new roads alterations of roads footpaths, &c.

- (1.) They may widen the bridge which carries the railway of the Company over the River Avon near Bristol about $2\frac{1}{4}$ chains

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westward of the mile-post on the said railway indicating $117\frac{1}{4}$ miles from Paddington :

(2.) They may convert into an open cutting the tunnel on their railway which is situate in the parish of Brislington in the county of Somerset and is called or known as No. 1 Tunnel and may widen the said portion of railway :

(3.) They may stop up and discontinue the portions of roads and footpaths herein-after described (that is to say)—

(a.) So much as lies between the boundaries of the Company's property of the footpath in the parish of Harbury in the county of Warwick which crosses the railway of the Company on the level at a point about 2 chains northward of the mile-post on the said railway indicating 101 miles from Paddington And in lieu thereof may make a footpath to commence by a junction with the existing footpath where it enters the Company's property on the south-western side of their railway and to terminate by a junction with the road which is carried over the said railway by a bridge about 5 chains south-eastward of the said level crossing :

(b.) So much as lies between the boundaries of the Company's property of the footpath in the parish of Knowle in the county of Warwick which crosses the railway of the Company on the level and is situate about 13 chains northward of the mile-post on the said railway indicating $116\frac{3}{4}$ miles from Paddington near Kingswood Station :

(c.) So much as lies between a point about 6 chains eastward of the mile-post on the railway of the Company indicating $116\frac{3}{4}$ miles from Paddington and a point about $4\frac{1}{4}$ chains westward of the said mile-post of the footpath in the parish of Brislington in the county of Somerset which runs parallel with the said railway between those points And in lieu thereof may make a footpath wholly in the said parish between the same points about one chain northward of the existing footpath :

(d.) So much as lies between the boundaries of the Company's property of the road in the parish of Brislington in the county of Somerset which passes under the railway of the Company about $4\frac{1}{4}$ chains eastward of the mile-post on the said railway indicating $117\frac{1}{4}$ miles from Paddington And in lieu thereof may make a bridge under the Company's railway in the said parish of Brislington at a point about 2 chains westward of the said mile-post :

(e.) So much as lies between the southern boundary of the Company's property and Albion Road Pontypool of the

footpath in the parishes of Panteg and Trevethin in the county of Monmouth which crosses the railway of the Company on the level about 1 chain westward of the mile-post on that railway indicating 48 miles from Swansea And in lieu thereof may make a new footpath wholly in the said parishes or one of them commencing by a junction with the existing footpath which passes under the railway of the Company about 10 chains westward of the said mile-post on the said railway indicating 48 miles from Swansea and terminating at Limekiln Road immediately to the westward of the slaughter-house on the same road Provided always that nothing in this Act contained shall take away the right if any of the Blaendare Company Limited to convey coal and other materials over a tram-road which formerly existed between the archway carrying the same under the Taff Vale Extension of the Company's Railway about 28 chains westward of the Pontypool (Clarence) Station and the level crossing of the same in Albion Road :

- (f.) So much as lies between the boundaries of the Company's property of the road in the parish of Aberystruth in the county of Monmouth which crosses the Company's Ebbw Vale Branch Railway on the level immediately adjoining the mile-post on the said branch indicating $16\frac{1}{2}$ miles from Newport And in lieu thereof may make a new road not less than twenty feet in width commencing by a junction with the existing road at a point about 2 chains south-eastward of the said mile-post and terminating at a point about 5 chains northward of the said mile-post and which new road will be wholly situate in the said parish of Aberystruth :
- (g.) So much as lies between the boundaries of the Company's property of the road in the parish of Aberystruth in the county of Monmouth which crosses the Company's Ebbw Vale branch on the level at a point about $6\frac{1}{4}$ chains south-eastward of the mile-post on the said branch indicating $14\frac{3}{4}$ miles from Newport And in lieu thereof may make a new road not less than 20 feet in width commencing by a junction with the existing road at a point about $1\frac{1}{2}$ chains eastward of the said mile-post and terminating by a junction with the existing road at a point 7 chains south-eastward of such mile-post and which new road will be wholly situate in the said parish of Aberystruth :
- (h.) So much as lies between the boundaries of the Company's property of the road in the parish of Llanhilleth in the

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county of Monmouth which crosses the railway of the Company on the level about 2 chains southward of the mile-post on the said railway indicating 14 miles from Newport And in lieu thereof may make a new road not less than 14 feet in width wholly in the said parish commencing by a junction with the said road at a point about $2\frac{1}{2}$ chains southward of the said mile-post and terminating by a junction with the road from Crumlin to Aberbeeg about 8 chains north-eastward of the mile-post on the said railway indicating $13\frac{3}{4}$ miles from Newport :

- (i.) So much as lies between the boundaries of the Company's property of the road in the parish of Llanharan in the county of Glamorgan which crosses the Ely Valley Railway on the level at a point about 5 chains north-westward of the mile-post indicating 2 miles from the junction of the said railway with the Company's South Wales Railway And in lieu thereof may make a new road not less than 14 feet in width commencing by a junction with the existing road at a point about 2 chains westward of the said level crossing and terminating at a point about 6 chains eastward of such level crossing :
- (j.) So much as lies within the boundaries of the Company's property of the road in the parish of Bettws in the county of Glamorgan which crosses the Company's Garw Branch Railway on the level about $1\frac{1}{4}$ chains northward of the Pontycymmer Station on the said railway And in lieu thereof may make a new road not less than 20 feet in width commencing by a junction with the said existing road in the parish of Llangeinor at a point about $1\frac{1}{2}$ chains northward of the "Pontycymmer Arms" public-house and terminating by a junction with another existing road at a point about 2 chains westward of the said level crossing and which new road will be situate in the parishes of Llangeinor and Bettws in the county of Glamorgan :
- (k.) So much as lies within the boundaries of the Company's property of the road in the parish of Llangeinor in the county of Glamorgan which crosses the Company's Garw Branch Railway on the level at or near the Chapel Crossing And in lieu thereof may make a new road not less than 20 feet in width commencing by a junction with the existing road at a point about $2\frac{1}{2}$ chains south-eastward of the said crossing and terminating in a field in the parish of Bettws at a point about $1\frac{1}{2}$ chains south-eastward of the bridge carrying the footpath over the River Garw near the said level crossing :

(l.) So much as lies within the boundaries of the Company's property of the road in the parish of Briton Ferry in the county of Glamorgan called or known by the name of Church Street which crosses the railway of the Company on the level at Briton Ferry And in lieu thereof may make a new road wholly in the said parish of Briton Ferry commencing by a junction with the existing road at a point about $2\frac{1}{2}$ chains westward of the centre of the said level crossing and passing under the Company's railways by an arch of the height and dimensions shown on the deposited sections and terminating by a junction with Villiers Street Railway Terrace Charles Street and the road to the Vernon Tinworks at a point upon each of the said roads about $2\frac{1}{2}$ chains from the centre of the said level crossing and for the purposes of such new road may raise and alter the levels and works of the sidings leading to the east side of the Company's dock at Briton Ferry between a point about 5 chains northward and another point about 5 chains southward of the said crossing :

(m.) So much as lies within the boundaries of the Company's property of the road in the said parish of Briton Ferry called or known by the name of Regent Street which crosses the railways of the Company and the South Wales Mineral Railway Company on the level at Briton Ferry And in lieu thereof may make a new road wholly in the said parish of Briton Ferry commencing at Regent Street aforesaid at a point about 2 chains westward of the said South Wales Mineral Railway and passing under the said railway and the South Wales Railway of the Company by an arch or bridge of the height and dimensions shown on the deposited sections and terminating in Regent Street about 3 chains eastward of the said last-mentioned railway And for the purposes of such new road may raise and alter the levels and works of so much of the South Wales Railway of the Company as lies between a point about 7 chains southward and another point about 6 chains northward of the said level crossing and so much of the levels and works of the South Wales Mineral Railway as lies between a point about 7 chains southward and another point about 5 chains northward of the said level crossing :

(n.) So much of the footpath in the parish of Llandebie in the county of Carmarthen as crosses the station yard sidings and railway of the Llanelly Railway and Dock Company at the Llandebie station of that company and also so much of the said footpath as extends for a distance of about

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4 chains south-eastward of the eastern boundary of the Llanelly Railway and Dock Company's property measured along the said footpath And in lieu thereof may make a new footpath wholly in the said parish commencing by a junction with the existing footpath at the point last above described and terminating by a junction with the public carriage road which crosses the said railway on the level near to and northward of the said Llandebie Station at a point thereon about 2 chains eastward of the eastern gate of the said level crossing.

For the protection of the corporation of Bristol.

25. For the protection of the mayor aldermen and burgesses of the city of Bristol (in this section called "the corporation") the following provisions shall have effect (that is to say):—

(1.) Before the Company begin the construction of the widening by this Act authorised of the bridge which carries the railway of the Company over the River Avon (and which is herein-after referred to as "the widening") they shall deliver to the corporation plans and drawings of the widening and also of the temporary works including staging and scaffolding required for the construction of the widening and shall not proceed with the construction thereof until the said plans and drawings shall have been approved in writing by the engineer for the time being of the corporation or in the event of his failure for 30 days after the delivery of the plans and drawings to approve the same until the same shall have been approved by an engineer to be appointed on the application of the Company by the President for the time being of the Institution of Civil Engineers in London and all the intended works shall be executed by the Company at their sole expense in all things according to such approved plans and drawings and to the reasonable satisfaction of the said engineer for the time being of the corporation or in case of difference to the reasonable satisfaction of an engineer to be appointed by the said president:

(2.) Unless otherwise agreed between the Company and the corporation in constructing the widening the Company shall not build any piers (except foundation work below the level of river bed) in any portion of the river except within the spaces coloured green upon a plan signed in duplicate by John Ward Girdlestone on behalf of the corporation and by Lancaster Owen on behalf of the Company one copy of which is deposited with the town clerk of Bristol and the other copy with the secretary of the Company and the Company shall not construct any abutments (except foundation work below the level of river bed) nearer to the river than is indicated by the lines marked upon the said

plans "lines of abutments" and each of such piers shall be provided with cutwaters at both ends which shall also be constructed within the spaces coloured green on the said plan :

- (3.) Unless otherwise agreed between the Company and the corporation the headway of the bridge shall not be less than 15 feet above high water level at ordinary spring tides throughout the whole extent thereof unless the Company shall elect to construct the bridge with arches in a line with the existing arches in which event the headway shall be the same as the headway of the existing bridge :
- (4.) Nothing in this Act authorised shall take away or limit any right of way which the corporation may have along the river bank in the parish of Saint George in the county of Gloucester adjoining the existing bridge :
- (5.) If any dispute shall arise between the corporation and the Company respecting the matters and provisions aforesaid or any of them such dispute except when otherwise provided in this section shall be settled by an arbitrator to be agreed upon between the parties or in case of difference to be appointed on the application of either party by the said president the costs of such arbitration to be in the discretion of such arbitrator.

26. For the protection of the South Wales Mineral Railway Company and also of the Glyncoerrwg Colliery Company Limited (herein-after called the Glyncoerrwg Company) by which company the railway of the South Wales Mineral Railway Company is worked under a certain agreement (which two companies are called in this section "the companies") in respect of the work authorised by section 24 sub-section (m) of this Act :

For the protection of the South Wales Mineral Railway Company and the Glyncoerrwg Colliery Company.

- (1.) The Company shall not enter upon or interfere with the railway of the South Wales Mineral Railway Company or any of the works of that Company or execute any works whatever under or affecting the same until the Company shall have delivered to the secretary of the South Wales Mineral Railway Company plans and drawings of such intended works and until the plans and drawings shall have been approved in writing by the engineer of the South Wales Mineral Railway Company or in the event of his failure for thirty days after the delivery of the plans and drawings to approve the same until the same shall have been approved by an engineer to be appointed on the application of the Company by the President for the time being of the Institution of Civil Engineers in London and all the intended works shall be executed by the Company at their own expense in all things according to such approved plans and drawings and to the reasonable satisfaction of the engineer of

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the South Wales Mineral Railway Company or in case of difference to the reasonable satisfaction of an engineer to be appointed by the said president :

- (2.) In constructing the works authorised by the said sub-section through or under the land or property of the South Wales Mineral Railway Company the Company shall not without the previous consent in writing of the companies under their respective common seals raise the level of the South Wales Mineral Railway at any point more than 3 feet 5 inches above its existing level at such point and shall not by reason of such work make any gradient on the South Wales Mineral Railway more than 1 foot in 140 feet on the south side of the arch or bridge herein-after mentioned and more than 1 foot in 202 feet on the north side thereof and the arch or bridge to be constructed by the Company shall when constructed have no opening whatever in the land of the South Wales Mineral Railway Company and the girders supporting the said arch or bridge shall if and when required by the South Wales Mineral Railway Company be placed by the Company when they are being fixed in such positions as shall admit of three lines of rails being laid down on the South Wales Mineral Railway and the arch or bridge shall be constructed of such width as not to diminish the width of the South Wales Mineral Railway and be constructed and maintained of adequate strength to support the said railway and the traffic from time to time passing thereover and the road and archway under the South Wales Mineral Railway shall in all respects be made similar to and in continuation of the road and archway under the railway of the Company :
- (3.) The Company shall on demand pay to the South Wales Mineral Railway Company or the Glyncorrrwg Company or such other company as shall be working the South Wales Mineral Railway the reasonable expense of the employment by them of the inspectors signalmen or watchmen to be appointed (if necessary) by the South Wales Mineral Railway Company or the Glyncorrrwg Company or such other company as afore-said for watching their railway and the conduct of their traffic thereon during the making of the work authorised by the said sub-section and for preventing as far as may be all interference obstruction damage and accident from the said work or from the acts or defaults of any person in the employ of the Company :
- (4.) The Company shall at their sole expense at all times maintain the said arch or bridge and the works connected therewith (but not the permanent way or the levels or works of the South

Wales Mineral Railway as altered under the provisions of this Act) in substantial repair and good order and condition to the reasonable satisfaction of the engineer of the South Wales Mineral Railway Company and if and whenever the Company fail so to do then after one month's notice in writing from the South Wales Mineral Railway Company or its authorised agent for that purpose or in case of emergency without any notice whatever the South Wales Mineral Railway Company or its authorised agent may make and do all such works and things as may be requisite in that behalf for ensuring such repair and the sum from time to time certified by the engineer of the South Wales Mineral Railway Company to be the amount of the expenditure reasonably incurred in that behalf shall be repaid to the said company by the Company or in default of repayment may be recovered from the Company by the said company as a simple contract debt:

- (5.) In constructing and maintaining the work authorised by the said sub-section the Company shall not in any way unnecessarily obstruct the railway of the South Wales Mineral Railway Company or the traffic thereon and if there shall be any such unnecessary obstruction the Company shall pay to the South Wales Mineral Railway Company or the Glyncoirwg Company or such other Company as shall be working the said railway the sum of ten pounds an hour during which any such obstruction shall continue:
- (6.) Notwithstanding anything in this Act contained the Company shall from time to time be responsible for and make good to the companies or either of them or any other company working the said railway all losses costs damages and expenses which may be occasioned to them or any of them by reason of the failure of the said arch or bridge or of the said work or any part thereof or of any person in the employ of the Company or their contractors and the Company shall further pay to the said companies and each of them as compensation for any losses to them or either of them caused by interference (if any) with the traffic on the said railway occasioned by the execution of the said work during the course of the construction thereof such sum as shall be agreed on or in default of agreement determined by arbitration under the provisions of the Lands Clauses Consolidation Act 1845 applicable thereto:
- (7.) If any dispute shall arise between the Company and the companies or either of them respecting the construction of this section or anything to be done thereunder otherwise than is herein-before expressly provided such dispute shall be determined by arbitration under the provisions of the Common

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Law Procedure Act 1854 and any statutory modification thereof :

(8.) Nothing in this Act contained shall extend to prejudice diminish alter or take away any of the rights privileges and powers of the South Wales Mineral Railway Company or the Glyncoerrwg Company or either of them otherwise than is by this Act expressly provided.

Power to deviate in construction of new roads &c.

27. The Company may in constructing the new roads footpaths and other works by this Act authorised deviate from the lines thereof to the extent of the limits of deviation marked on the deposited plans and may deviate from the levels of the new roads shown on the deposited sections to any extent not exceeding five feet but not so as to increase the rate of inclination of any new road as shown on the said sections.

As to vesting of site and soil of portions of roads, &c. stopped up.

28. Subject to the provisions of the Railways Clauses Consolidation Act 1845 with respect to mines lying under or near to the railway the site and soil of the portions of roads footpaths and highways stopped up and discontinued under the authority of this Act and the fee simple and inheritance thereof shall (except where by this Act otherwise provided) if the Company are or if and when under the powers of this Act they become the owners of the lands on both sides thereof be wholly and absolutely vested in the Company and they may appropriate the same to the purposes of their undertaking.

Extinguishment of rights of way.

29. All rights of way over or along the several roads footpaths or other highways or portions thereof which shall under the provisions of this Act be stopped up and all rights of way over any of the lands which shall under the compulsory powers of this Act be purchased or acquired shall be and the same are hereby extinguished.

Roads not to be stopped up till new roads opened.

30. No road or footpath or portion of road or footpath which is by this Act authorised to be stopped up shall be so stopped up unless and until the new road or footpath footbridge or other work (if any) which is by this Act authorised to be substituted therefor is completed and opened to the public or a substituted temporary road footpath or footbridge is provided.

Provision as to repair of new roads.

31. The new roads and footpaths to be made under the authority of this Act (except the stone iron or other structure of any bridge carrying the same over any railway which structure shall be repaired and maintained by and at the expense of the Company) shall unless otherwise agreed when made and completed respectively from time to time be repaired and maintained by and at the expense of the same parties in the same manner and to the same extent

as the roads and footpaths for which the same are respectively substituted are now repaired or maintained :

If any question shall arise between the Company and any of such parties as to the due completion of any new road or footpath such question shall from time to time be determined by two justices on the application of either of the parties in difference and after not less than seven days notice to both parties of the sitting of such justices for the purpose and the certificate of such justices of the due completion of such new road or footpath shall be conclusive evidence of the fact so certified.

32. The Company may enter into and carry into effect agreements with the parties having the charge management or control of such roads footpaths or other highways or any of them portions whereof shall under the provisions of this Act be stopped up with reference to the construction or contribution towards the cost of any new road footpath or highway to be substituted therefor and with reference to any other matters relating thereto and if so agreed the Company may delegate to such parties as aforesaid the power of constructing all or any of such new roads footpaths or highways in which they may be interested.

Power to Company to make agreements as to the construction or contribution towards the cost of new roads.

33. Subject to the provisions of this Act and in addition to the other lands which they are by this Act authorised to acquire the Company may from time to time enter upon take use and appropriate for the general purposes of their undertaking and works connected therewith and for providing increased accommodation all or any of the lands following delineated on the deposited plans and described in the deposited books of reference respectively relating thereto (that is to say) :

Power to Company to acquire additional lands for general purposes.

Certain lands in the parish of Wootton Bassett in the county of Wilts on the northern side of the Company's railway and adjacent thereto and extending for a distance of about 21 chains westward of the goods shed of the Company at Wootton Bassett :

Certain lands in the parish of Dauntsey in the county of Wilts on the northern side of the Company's railway and adjacent thereto and lying between the mile-post on the said railway indicating $85\frac{3}{4}$ miles from Paddington and a point about 10 chains eastward of the said mile-post :

Certain lands in the parish of Saint George in the county of Gloucester on each side of the Company's said railway and adjacent thereto and extending on the south side from the western side of the River Avon for a distance of about $14\frac{1}{2}$ chains westward thereof and on the northern side for a distance

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of about $11\frac{1}{2}$ chains eastward from the mile-post on the said railway indicating $117\frac{1}{2}$ miles from Paddington :

Certain lands in the parish of Brislington in the county of Somerset on each side of the Company's said railway and adjacent thereto and extending on the northern side thereof for a distance of about 24 chains eastward of the River Avon and on the southern side of the said railway for a distance of about 27 chains eastward of such river :

Certain lands in the parish of Brislington in the county of Somerset on the northern side of the Company's said railway and adjacent thereto and extending from the eastern end of the tunnel on the said railway known as No. 1 Tunnel to a point about 15 chains eastward thereof :

Certain lands in the parish of Saint George in the county of Gloucester (that is to say) :

(a.) On the eastern side of the Company's Bristol and South Wales Union Railway and adjacent thereto and situated between the northern side of the Midland Railway Company's Bristol and Gloucester Railway and the south-western side of the Upper Easton Road :

(b.) The properties known as Nos. 45 and 46, Cattybrook Street :

(c.) On the eastern side of the said railway and adjacent thereto and extending for a distance of about $5\frac{1}{2}$ chains northward from a point about $1\frac{3}{4}$ chains northward of the mile-post on the said railway indicating $1\frac{1}{2}$ miles from Bristol :

Certain lands in the parish of Almondsbury in the county of Gloucester on the southern side of the Company's Severn Tunnel Railway now in course of construction and adjacent thereto and extending for a distance of about 36 chains eastward and about 16 chains westward of the door of the booking office at Pilning Station on the Company's Bristol and South Wales Union Railway :

Certain lands in the parishes of Stapleton and Horfield in the county of Gloucester on both sides of the Company's Bristol and South Wales Union Railway and adjacent thereto and extending from a point in the said parish of Stapleton about 4 chains north-westward of the mile-post on that railway indicating $3\frac{1}{4}$ miles from Bristol to a point in the said parish of Horfield about 12 chains north-westward of the same mile-post :

Certain lands in the parish of Llanhilleth in the county of Monmouth on the eastern side of the Company's Western Valleys

Railway and extending for a distance of about $1\frac{1}{2}$ chains northward and about 16 chains southward of the mile-post on the said railway indicating 14 miles from Newport:

Certain lands in the parish of Llanhilleth in the county of Monmouth on each side of under and adjoining the Company's Western Valleys Railway and on part of which lines of rails of the Company are now laid and which land is bounded on the south side by the public road leading from Pontypool to Newbridge on the west by the River Ebbw on the east partly by the Monmouthshire Canal and partly by the Crumlin Viaduct Works and on the north by lands belonging or reputed to belong to Rosa Juliana Harriett Nurse and extending from the said southern boundary a distance of about 230 yards:

Certain lands in the parish of Risca in the county of Monmouth on the southern side of the Company's Western Valleys Railway and partly adjacent thereto, and extending from a point opposite the subway at Pontymister Foundry in an easterly direction for a distance of about 120 yards to a point about 66 yards eastward of the mile-post on the said railway indicating $5\frac{1}{4}$ miles from Newport and also certain other lands in the said parish on the northern side of the approach to the said subway bounded on the east by the said Pontymister Foundry on the south by the said approach road to the subway and on the north and west by land belonging to William George Rees and others:

Certain lands in the parish of Gellygaer in the county of Glamorgan on the south side of the Company's railway from Quaker's Yard to Hereford and adjacent thereto and situate on the west side of the bridge carrying the turnpike road leading from Caerphilly to Merthyr over the said railway and extending for a distance measured along the said railway of about 7 chains westward from the said bridge:

Certain lands in the parishes of Llanharan and Llantrissant in the county of Glamorgan on the north-eastern side of the Ely Valley Railway and adjacent thereto and extending for a distance of about 35 chains northward of the south-eastern end of the goods shed on the South Wales Railway at the Company's Llantrissant Station and certain other lands in the said parish of Llanharan and county of Glamorgan on the western side of the Ely Valley Railway and adjacent thereto and extending for a distance of about 15 chains measured along the said Ely Valley Railway in a southerly direction from the road which passes under that railway about $4\frac{1}{2}$ chains southward of the mile-post thereon indicating half a mile from the

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junction of the Ely Valley Railway with the South Wales Railway at Llantrissant :

Certain lands in the parishes of Llangeinor and Bettws in the county of Glamorgan on the eastern side of the Company's Garw Branch Railway and adjacent thereto and extending for a distance of about 30 chains southward from the southern end of the platform at Llangeinor Station on the said railway :

Certain lands in the parishes of Llangeinor and Bettws in the county of Glamorgan on the western side of the Company's Garw Branch Railway and adjacent thereto and extending for a distance of about 12 chains southward and about 10 chains northward from the junction of the Llest Colliery Siding with the said Garw Branch Railway :

Certain lands in the parishes of Bettws and Llangeinor in the county of Glamorgan on the western side of the Company's Garw Branch Railway and adjacent thereto and extending for a distance of about 22 chains southward and about 2½ chains northward from the southern end of the platform of the Pontycymmer Station on the said railway :

Certain lands in the parish of Llandeilo-fawr in the county of Carmarthen on the north-western side of the railway of the Llanelly Railway and Dock Company and adjacent thereto and extending from the turnpike road leading from Neath to Llangadock which passes over the Brynamman Branch of the said company's railway about 2 chains eastward of the Brynamman Station of the said Company and extending for a distance measured along the said railway of about 16 chains westward from the said road.

Restriction
on displacing
persons of
labouring
class.

34.—(1.) The Company shall not under the powers of this Act purchase or acquire in any parish within the metropolis as defined by the Metropolis Management Act 1855 twenty or more houses or in any other city borough or other urban sanitary district or any parish or part of a parish not being within an urban sanitary district ten or more houses which after the passing of this Act have been or on the 15th day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until—

(a.) They shall have obtained the approval in the case of the metropolis of the Secretary of State for the Home Department or in any other case of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the 15th day of December last or for such number of persons as the said Secretary of State or the Local Government Board (as the case may be) shall

after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case; and

(b.) They shall have given security to the satisfaction of the said Secretary of State or the Local Government Board (as the case may be) for the carrying out of the scheme.

(2.) The approval of the said Secretary of State or the Local Government Board (as the case may be) to any scheme under this section may be given either absolutely or conditionally and after the said Secretary of State or the Local Government Board (as the case may be) have approved of any such scheme they may from time to time approve either absolutely or conditionally of any modifications in the scheme.

(3.) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced:

Provided that the said Secretary of State or the Local Government Board (as the case may be) may dispense with the last-mentioned requirement subject to such conditions if any as they may see fit.

(4.) Any conditions subject to which the said Secretary of State or the Local Government Board (as the case may be) may have approved of any scheme under this section or of any modifications of any scheme or subject to which they may have dispensed with the above-mentioned requirement shall be enforceable by a writ of Mandamus to be obtained by the said Secretary of State or the Local Government Board (as the case may be) out of the Queen's Bench Division of the High Court of Justice.

(5.) If the Company acquire or appropriate any house or houses for the purposes of this Act in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the said Secretary of State or the Local Government Board (as the case may be) by action in the High Court of Justice and shall be carried to and form part of the Consolidated Fund of the United Kingdom:

Provided that the court may if it think fit reduce such penalty.

(6.) For the purpose of carrying out any scheme under this section the Company may appropriate any lands for the time being belonging

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(7.) The Company may on any lands belonging to them or purchased or acquired under this section or any provisional order issued in pursuance of this section erect such dwellings for persons of the labouring class as may be necessary for the purpose of any scheme under this section and may sell demise or let or otherwise dispose of such dwellings and any lands purchased or acquired as aforesaid and may apply for the purposes of this section to which capital is properly applicable or any of such purposes any moneys which they may be authorised to raise or apply for the general purposes of their undertaking :

Provided that all lands on which any buildings have been erected or provided by the Company in pursuance of any scheme under this section shall for a period of 25 years from the passing of this Act be appropriated for the purpose of dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this enactment :

Provided also that the said Secretary of State or the Local Government Board (as the case may be) may at any time dispense with all or any of the requirements of this sub-section subject to such conditions if any as they may see fit.

(8.) All buildings erected or provided by any company within the metropolis for the purpose of any scheme under this section shall be subject to the provisions of the Metropolitan Building Act 1855 and the Metropolis Management Act 1855 and any Acts amending those respective Acts.

(9.) So much of section 157 of the Public Health Act 1875 as provides that the provisions of that section and of sections 155 and 156 of the same Act shall not apply to buildings belonging to any railway company and used for the purposes of such railway under any Act of Parliament shall not apply to buildings erected or provided by the Company for the purpose of any scheme under this section.

(10.) The said Secretary of State or the Local Government Board (as the case may be) may direct any inquiries to be held by their inspectors which they may deem necessary in relation to any scheme under this section and for giving effect to any of the provisions of this section and the inspectors of the said Secretary of State or the

Local Government Board (as the case may be) shall for the purposes of any such inquiry have all such powers as they have for the purposes of inquiries directed by the Local Government Board under the Public Health Act 1875.

(11.) The Company shall pay to the Local Government Board a sum to be fixed by that board in respect of the preparation and issue of any provisional order in pursuance of this section and any expenses incurred by that board in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector and a sum to be fixed by that board not exceeding three guineas a day for the services of such inspector and the provisions of this sub-section shall apply mutatis mutandis to expenses incurred by or on behalf of the said Secretary of State.

(12.) For the purposes of this section the expression "labouring class" includes mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them.

35. The powers of this Act for the compulsory purchase of lands shall not be exercised after the expiration of three years from the passing of this Act.

Period for compulsory purchase of lands.

36. Persons empowered by the Lands Clauses Consolidation Act 1845 to sell and convey or release lands may subject to the provisions of that Act and of the Lands Clauses Consolidation Acts Amendment Act 1860 and of this Act grant to the Company any easement right or privilege required for the purposes or under the powers of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges as far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Power to owners to grant easements.

37. And whereas in the construction by the Company of the railways and works herein-before authorised or otherwise in the exercise by the Company of the foregoing powers of this Act it may happen that portions only of the lands or other buildings or manufactories shown on the deposited plans will be sufficient for the purposes of the same and that such portions may be severed from the remainder of the said properties without material detriment thereto :

Owners may be required to sell to Company parts only of certain lands and buildings.

Therefore notwithstanding section ninety-two of the Lands Clauses Consolidation Act 1845 the owners of and other persons interested

A.D. 1885. in the lands buildings or manufactories described in the First Schedule to this Act and whereof portions only are required for the aforesaid purposes of this Act may if such portions can in the opinion of the jury arbitrators or other authority to whom the question of disputed compensation shall be submitted be severed from the remainder of such properties without material detriment thereto be required to sell and convey to the Company the portions only of the premises so required without the Company being obliged or compellable to purchase the whole or any greater portion thereof the Company paying for the portions required by them and making compensation for any damage sustained by the owners thereof or other parties interested therein by severance or otherwise :

Provided always that if in the opinion of the jury arbitrators or other authority as aforesaid any such portions cannot be severed from the remainder of such properties without material detriment thereto the Company may withdraw their notice to treat for the portion of the property required by them and thereupon they shall pay to the owners of and other persons interested in the property in respect of which they have given notice to treat all costs charges and expenses reasonably and properly incurred by them in consequence of such notice.

Provision
with respect
to super-
fluous lands
of the Com-
pany.

38. And whereas the Company have from time to time purchased or acquired lands adjoining or near to their railway or a station belonging solely or jointly to the Company but which lands are not immediately required for the purposes of their undertaking and it is expedient that the Company should be relieved from the obligation under certain circumstances to sell the same as superfluous lands :

Therefore nothing in the Lands Clauses Consolidation Act 1845 or any Act relating to the Company with which that Act is incorporated with respect to the sale of superfluous lands shall until the expiration of ten years from the passing of this Act be held to apply to any lands and the appurtenances thereto acquired by the Company in the parishes or places enumerated in the Second Schedule to this Act any part of which lands adjoins the Company's railway or any station belonging solely or jointly to the Company or is situate within one mile measured along the railway of any station belonging solely or jointly to the Company And the Company may during the same period of ten years from the passing of this Act continue to hold such lands and appurtenances although not immediately required for the purposes of their undertaking But the Company shall at the expiration of such period of ten years sell and dispose of all such parts of those lands respectively as shall not then have been applied to or are not then required for the purposes of their undertaking as superfluous lands.

39. The powers granted by the Company's No. 2 Act of 1882 for the compulsory purchase of lands so far as the same relate to or affect the Railways Nos. 1 2 and 3 by that Act authorised are by this Act extended and may be exercised during the period of two years from the 24th day of July 1885 and at the expiration of that period those powers shall cease and determine.

A.D. 1885.
—
Extension of time for purchase of lands for railways of 1882.

40. The powers granted by the Company's No. 2 Act of 1882 for the construction of the railways by that Act authorised are hereby extended and may be exercised by the Company for the period of three years from the 24th day of July 1885 and on the expiration of that period those powers shall cease to be exercised except as to so much of the said railways as are then completed and section 10 of that Act shall be read and construed as if the period limited by this Act for the completion of the said railways had been the period limited by the said Act of 1882 for the completion thereof :

Extension of time for construction of railways of 1882.

If the said railways be not completed within the said period of three years then on the expiration of that period the powers by this Act granted for making and completing the same or otherwise relating thereto shall cease to be exercised except as to so much hereof as shall then be completed.

41. The powers granted by the Helston Railway Act 1880 for the compulsory purchase of lands so far as the same relate to or affect the railway by that Act authorised are by this Act revived and continued and may be exercised during the period of two years from the ninth day of July 1885 and at the expiration of that period those powers shall cease and determine.

Revival of powers for purchase of lands for Helston Railway.

42. The powers granted by the Helston Railway Act 1880 for the construction of the railway by that Act authorised are hereby extended and may be exercised by the Helston Railway Company for the period of three years from the ninth day of July 1885 and on the expiration of that period those powers shall cease to be exercised except as to so much of the said railway as is then completed and section 35 of that Act shall be read and construed as if the period limited by this Act for the completion of the said railway had been the period limited by the said Act of 1880 for the completion thereof :

Extension of time for construction of Helston Railway.

If the said railway be not completed within the said period of three years then on the expiration of that period the powers by this Act granted for making and completing the same or otherwise relating thereto shall cease to be exercised except as to so much hereof as shall then be completed.

43. The working or use by the Company of the railways and works of the Helston Company's undertaking shall not affect the

Saving rights of Postmaster-General,

A.D. 1885. rights of the Postmaster-General under the Telegraph Act 1878 in respect to the railways and works comprised in such undertaking.

Amendment
in respect of
debenture
stock of the
Company of
sections 18
19 & 20 of
Companies
Clauses Con-
solidation
Act, 1845.

44. Sections 18 19 and 20 of the Companies Clauses Consolidation Act 1845 shall be deemed and construed to include and apply to the debenture stock of the Company and the interest thereon as fully and effectually as if debenture stock had been expressly named therein: Provided that such interest shall be calculated to the 30th day of June and the 31st day of December in each year and shall be payable not later than the 15th day of July and the 15th day of January to the proprietors whose names are registered in the books of the Company on such first-mentioned dates respectively.

Savings
banks.

45. With respect to any savings banks to be established by the Company the following provisions shall apply:

- (1.) The Company may establish a savings bank or savings banks with or without branches at such of their stations or offices as they may think fit and may thereat receive by way of deposit from any officers clerks servants workmen or apprentices of the Company or of the Company jointly with any other company and from the husbands wives and children being minors of such officers clerks servants workmen or apprentices any money at interest:
- (2.) Two copies of the rules of any such savings bank and of every amendment of the same from time to time (the term amendment to include a new rule and the cancelling of a rule) under the hands of three of the directors and of the secretary of the Company shall be sent to the registrar of friendly societies (as defined by the Friendly Societies Act 1875):
- (3.) Such rules shall contain provisions—
 - (a.) For the management of the savings bank and for the chief office of the same:
 - (b.) For the appointment and discharge of trustees:
 - (c.) For the payment in and the withdrawal of deposits the rate of interest thereon and the payment of such interest:
 - (d.) For the keeping and auditing of accounts:
 - (e.) For the balancing of accounts once a year at least and the sending on or before the first April in every year to the registrar of friendly societies a general statement (to be called the annual return) of the receipts and expenditure funds and effects of the savings bank as audited made out to the thirty-first December then last inclusively with a copy of the auditors report if any:

- (f.) For supplying every depositor on demand with a copy of the rules for the time being at a price not exceeding sixpence and with a copy of the annual return gratuitously :
- (g.) For keeping a copy of the last annual return with the auditors report if any always hung up in a conspicuous place at the chief office of the savings bank :
- (h.) For giving notice within fourteen days to the registrar of any change in the chief office and of the appointment of any new trustees :
- (4.) The registrar on being satisfied that the rules or that any amendment of rules of a savings bank are or is in conformity with law and with the provisions of this section shall issue to the Company an acknowledgment of registry of such savings bank or of such amendment of rules which shall be conclusive evidence that such savings bank or such amendment of rules are or is duly registered :
- (5.) The rules when so registered shall be binding on the Company and its officers and on the depositors and their executors administrators and nominees. Unless otherwise provided the Company shall be deemed to be the trustees of any savings bank established by them :
- (6.) Deposits may if the rules so allow be received from or on behalf of infants and infants above the age of sixteen years may execute all instruments and give all acquittances necessary to be executed or given under the rules but all instruments and acquittances relating to the deposits or claims of infants under the age of sixteen shall be executed or made by their parents or guardians :
- (7.) A depositor above the age of sixteen may by writing under his hand sent to the office of the savings bank nominate any person to whom his deposits not exceeding fifty pounds shall be paid at his decease and may from time to time in like manner revoke or vary such nomination :
- (8.) The deposits not exceeding fifty pounds of a person who dies intestate and without having made any nomination under this Act which remains unrevoked at his death may be paid without letters of administration to the person who appears to the trustees or a majority of the trustees upon such evidence as they may deem satisfactory to be entitled by law to receive the same :
- (9.) Sections 9 10 44 45 46 48 and 49 of the Act of the twenty-sixth and twenty-seventh Victoria chapter eighty-seven to consolidate and amend the laws relating to savings banks as amended by the Savings Bank Barrister Act 1876 shall apply to every savings bank herein mentioned :

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(10.) If the trustees or officers of a savings bank fail to give any notice to send any document or return or to do anything which the savings bank is hereby required to do or make a return or wilfully furnish information to the registrar in any respect false or insufficient or otherwise act contrary to the provisions of this section they shall be liable to a penalty not exceeding five pounds recoverable at the suit of any person aggrieved or of the chief or any assistant registrar of friendly societies in a court of summary jurisdiction and in manner directed by the Summary Jurisdiction Acts :

(11.) Section 39 of the Friendly Societies Act 1875 shall apply to any instrument or document copy or extract of any instrument or document to be executed or issued by a registrar for the purposes of this section. A copy of the rules under the seal of the Company shall also be evidence of such rules :

(12.) The following fees shall be payable to the registrar for matters to be transacted under the provisions of this section and shall be paid by such registrar into the receipt of Her Majesty's Exchequer :

	<i>£</i>	<i>s.</i>	<i>d.</i>
For the acknowledgment of registry of a savings bank and of every amendment of rules of the same - - - - -	1	1	0
For the determination of a registrar on a dispute -	1	1	0
And if more than one hearing or adjournment become necessary then <i>£1</i> <i>ls.</i> more for every hearing after the first and for every adjournment.			
For every document required to be signed by a registrar or to bear the seal of the central office (as defined by the Friendly Societies Act 1875) not chargeable with any other fee to the registrar - - - - -	0	2	6
For every inspection on the same day of documents (whether one or more) in the custody of the registrar relating to one and the same savings bank - - - - -	0	1	0
For every copy or extract of any document in the custody of the registrar not exceeding two hundred and sixteen words - - - - -	0	1	0
And if exceeding that number <i>4d.</i> per folio of seventy-two words (in addition to the fee if any for the signature of a registrar or seal of the central office).			

46. The Company and any other company or companies who are jointly with the Company owners of any line or lines of railway or stations may subject to the consent and concurrence of the managers of the guarantee fund established under the provisions of the Great Western Railway Act 1864 enter into and carry into effect agreements by which the Company and such other company or companies may accept as security for the officers and servants employed by or for them jointly the said guarantee fund of the Company.

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Power to Company and associated companies to accept guarantee fund as security for officers.

47. Notwithstanding the vesting of the undertaking of the Vale of Towy Company in the London and North-western Railway Company or anything contained in the London and North-western Railway Act 1884 from and after the payment by the Company to the London and North-western Railway Company of the sum of nine thousand pounds together with interest thereon at the rate of five per cent. per annum from the thirty-first day of December one thousand eight hundred and eighty-four until payment no interest shall be payable under the lease dated the 25th day of June 1868 and made between the Vale of Towy Railway Company of the one part and the Knighton Railway Company the Central Wales Railway Company the Central Wales Extension Railway Company and the Llanelly Railway and Dock Company of the other part upon the capital which now represents that which was the debenture debt of the Vale of Towy Railway Company prior to the vesting of the undertaking of that company in the London and North-western Railway Company.

Providing for cesser of interest on Vale of Towy debenture debt.

48. The Company may by agreement with the several holders of the Portishead Railway rentcharges authorised to be created by the Great Western and Portishead Railway Companies Act 1884 issue to such holders such an amount of debenture or other stock in their undertaking as will yield an amount of annual dividend or interest thereon not exceeding the amount of the Portishead Railway rentcharges held by them respectively And the Company may create such an additional amount of debenture or other stock in their undertaking as may be required for that purpose And such rentcharges and all powers and obligations in relation thereto shall be deemed to be cancelled Provided always that any additions to the Company's stock of whatever denomination made under the authority of this Act shall be deemed to be part of and shall rank *pari passu* with the other like stock of the Company.

Providing for substitution of stock of the Company for Portishead Railway rentcharges.

49. Subject to the provisions of section 46 of the Tiverton Act of 1875 with respect to compensation to landowners or other persons injured and to the protection of creditors the Chancery Division of

Provision as to repayment of Tiverton deposit.

A.D. 1885. — the High Court of Justice at any time after the passing of this Act on the application of the person or persons named in the warrant or order mentioned in section 45 of the Tiverton Act of 1875 or the survivor of them or the executors or administrators of such survivor may and shall order that the sum of three thousand two hundred and forty-three pounds four shillings and ninepence Three pounds per cent. Consolidated Bank Annuities which annuities represent the sum of three thousand two hundred and fifty pounds deposited as mentioned in the 45th and 46th sections of the said Act and the interest or dividends (if any) on that sum shall be transferred and paid to the person or persons so applying or to any other person or persons whom he or they may appoint in that behalf and on such order being made the said sum and the interest or dividends thereon shall be transferred and paid to such person or persons accordingly.

Subscrip-
tions to
undertak-
ings of other
companies.

50. The Company with the authority of three fourths of the votes of their shareholders present in person or by proxy at a general meeting of the Company specially convened for the purpose may in their own name from time to time subscribe for and take shares in or by lending money on mortgage or subscribing for or taking debenture stock contribute funds towards the undertakings of the under-mentioned companies respectively to any amount not exceeding the sums herein-after specified in connexion with those companies respectively beyond that (if any) which the Company are already authorised to contribute (that is to say) :

The Newent Railway Company	-	-	£30,000
The Abbotsbury Railway Company	-	-	£10,000

Provided always that the Company shall not sell transfer or dispose of any shares or stock so held by them :

The Company shall in respect of any shares in either of the said two companies held by them in virtue of any such subscription have all the powers rights and privileges (except in regard to voting at general meetings which shall be as herein-after provided) and be subject to all the obligations and liabilities of proprietors of shares in that Company :

The Company when they have become shareholders in either of the said two companies may by writing under their common seal from time to time appoint some person to attend any meeting of that company and such person shall have all the privileges and powers attaching to other shareholders at such meetings and shall be entitled to one vote in respect of every fifty pounds of the capital held by the Company in that company :

Every such appointment by the Company of any person to vote on their behalf shall be delivered to the respective company and kept with their records and shall be at all reasonable times open to

the inspection and transcription of all parties interested and every such instrument shall as between the Company and the respective company as aforesaid be sufficient evidence of the facts therein stated. A.D. 1885.

51. The Company on the one hand and either of the two companies herein-before mentioned on the other hand may make and carry into effect agreements not being inconsistent with the provisions of this Act with respect to any of the matters aforesaid in which they are jointly interested. Power to Company and other companies to make agreements.

52. The Company from time to time by the order of any general meeting of the Company may create and issue new shares or stock for such additional capital as they shall think necessary not exceeding three hundred thousand pounds exclusive of the other capital and other moneys which they are or may be authorised to create and issue by this Act or by any other Act or Acts of Parliament and the Company may create and issue such new shares or stock either wholly or partially as ordinary or wholly or partially as preferential shares or stock as they may think fit. Power to Company to raise additional capital.

53. Notwithstanding anything contained in Part II. of the Companies Clauses Act 1863 the Company may from time to time in issuing any portion of the additional capital by this Act authorised dispose of all or any of the shares or stock representing the same at such times to such persons on such terms and conditions and in such manner as the directors think advantageous to the Company. As to disposal by Company of new shares or stock.

54. If the Company after having created any new shares or stock under the provisions of this Act or any other Act or Acts of Parliament relating to the Company or to any company amalgamated therewith determine not to issue the whole of the shares or stock so created they may cancel the unissued shares or stock and may from time to time thereafter create and issue instead thereof other new shares or stock of an aggregate amount not exceeding the aggregate amount of the shares or stock so cancelled and in like manner the Company may create and issue new shares or stock in lieu of any new shares or stock which may have been issued and redeemed or in lieu of any certificate entitling the holder to be registered in respect of shares or stock. Power to Company to cancel unissued shares or stock.

55. The Company shall not issue any share nor shall any share vest in the person accepting the same unless and until a sum not being less than one fifth of the amount of such share shall have been paid in respect thereof. Shares not to be issued by Company until one fifth part thereof paid.

56. Except as by or under the powers of this Act otherwise provided the capital in new shares or stock created by the Company Except as otherwise provided

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new shares or stock of the Company to be subject to the same incidents as other shares or stock.

Dividends on new shares or stock of Company.

Restriction as to votes in respect of preferential shares or stock of Company.

New shares or stock of Company raised under this Act and any other Act of present session may be of same class.

Power to Company to borrow.

under this Act and the new shares or stock therein and the holders thereof respectively shall be entitled and subject to the same powers provisions liabilities rights privileges and incidents whatsoever in all respects as if that capital were part of the now existing capital of the Company and the new shares or stock were shares or stock in that capital:

The capital in new shares or stock so created shall form part of the capital of the Company.

57. Every person who becomes entitled to new shares or stock of the Company under this Act shall in respect of the same be a holder of shares or stock in the Company and shall be entitled to a dividend with the other holders of shares or stock of the same class or description proportioned to the whole amount from time to time called and paid on such new shares or stock.

58. Except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of any new shares or stock of the Company to which a preferential dividend shall be assigned.

59. Subject to the provisions of any Act already passed by which the Company are authorised to create new shares or stock not already issued and to the provisions of this Act and any other Act passed in the present session of Parliament whether before or after the passing of this Act by which the Company may be authorised to create and issue capital by new shares or stock the Company may if they think fit create and issue new shares or stock of one and the same class for all or any part of the aggregate capital which they are by such other Act and this Act respectively authorised to create and issue by the creation and issue of new shares or stock.

60. The Company may in respect of the additional capital of three hundred thousand pounds which they are by this Act authorised to create and issue from time to time borrow on mortgage of their undertaking any sum not exceeding in the whole one hundred thousand pounds but no part thereof shall be borrowed until shares for so much of the said capital as is to be created by means of shares are issued and accepted and one half of such capital is paid up and the 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 the whole of that capital have been issued and accepted and that one half of that capital has been paid up and that not less than one fifth part of the amount of each separate share in that capital has been paid on account thereof before or at the time of the issue or acceptance thereof and until stock for one half of so much of the

said additional capital as is to be created by means of stock is fully paid up and the Company have proved to such justice as aforesaid before he so certifies that such shares or stock as the case may be were issued and accepted and to the extent aforesaid paid up bonâ fide and are held by the persons or corporations to whom the same were issued or their executors administrators successors or assigns and also so far as the said capital is raised by shares that such persons or corporations or their executors administrators successors or assigns are legally liable for the same And upon production to such justice of the books of the 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.

61. The Company may subject to the provisions of Part III. of the Companies Clauses Act 1863 create and issue debenture stock But notwithstanding anything therein contained the interest of all debenture stock at any time after the passing of this Act created and issued by the Company shall rank *pari passu* with the interest of all mortgages at any time after the passing of this Act granted by the Company and shall have priority over all principal moneys secured by such mortgages.

Company may issue debenture stock.

62. Notwithstanding anything in this Act contained no person or corporation shall become entitled under this Act to any fractional part of a pound of stock of any denomination (including debenture stock) in the capital of the Company but in every case in which any such person or corporation would but for this enactment have become entitled to a fractional part of a pound of any such stock the Company may at their option receive from such person or corporation such a further sum in cash as will make up an even pound or pay to such person or corporation in cash the amount of such fractional part.

As to fractional parts of a pound of stock of the Company.

63. All moneys raised by the Company under this Act whether by shares stock debenture stock or borrowing shall unless otherwise provided by this Act be applied only to the purposes of this Act to be carried into effect by the Company and subject thereto to the general purposes of the undertaking of the Company being in every case purposes to which capital is properly applicable.

Application of moneys raised by Company.

64. All mortgages or bonds granted before the passing of this Act by the Company or by or in the name of any Company whose undertaking is under the powers of any Act of Parliament purchased by the Company or amalgamated with or vested in the undertaking of the Company shall during the continuance of such mortgages or bonds and subject to the provisions of the Acts under which such mortgages and bonds were respectively granted have priority over

Mortgages already granted by Company to have priority.

A.D. 1885.

all mortgages granted after the passing of this Act by the Company But nothing in this section contained shall affect any priority of the interest of any debenture stock at any time created and issued by the Company.

Power to Company to apply surplus moneys to purposes of this Act.

65. The Company may from time to time apply to all or any of the purposes of this Act to which capital is properly applicable any moneys from time to time raised by them and which are not by any of the Acts relating to the Company made applicable to any special purpose or which being so made applicable are not required for the special purpose And the Company may from time to time for the general purposes of their undertaking and for the more efficient working of their traffic issue any shares or stocks which under the authority of any Act passed prior to the present session of Parliament the Company may have created or may hereafter create but which are not or may not be required for the special purposes for which such shares or stocks respectively were authorised to be created Provided that all money raised by the issue of such shares or stocks shall be applied only to purposes to which capital is properly applicable.

Helston Company may cancel unissued or surrendered shares.

66. The Helston Company may from time to time cancel all or any unissued forfeited or surrendered shares in their authorised capital to the amount of fifty-six thousand pounds and may create new shares in lieu thereof not being of less nominal amount than twenty pounds each and Part II. (relating to additional capital) of the Companies Clauses Act 1863 is extended to any shares created by the Helston Company in lieu of forfeited surrendered or cancelled shares as if such shares had been created for the purpose of raising additional capital.

Power to Helston Company to assign preferential dividend.

67. The Helston Company with the consent of three fourths of the votes of the shareholders present personally or by proxy at a meeting of that Company convened with special notice of such object may create and issue any shares to be created or issued by them under the authority of the last preceding enactment not exceeding in the aggregate fifty-six thousand pounds as preference shares and such shares shall be entitled to a preferential dividend not exceeding three pounds ten shillings per centum per annum on the amount for the time being paid up on any such shares and shall rank equally with the ordinary shares in respect of any further dividend after a dividend at the like rate shall have been paid upon such ordinary shares.

Power to Helston Company to raise additional capital.

68. The Helston Company may subject to the provisions of Part II. of the Companies Clauses Act 1863 and in addition to their authorised capital of seventy-six thousand pounds raise by the creation and issue of new ordinary shares any additional capital not

exceeding in the whole six thousand pounds but that Company shall not issue any share of less nominal value than ten pounds nor shall any share vest in the person or corporation accepting the same unless and until a sum not being less than one fifth of the amount of such share shall have been paid in respect thereof:

The capital in new ordinary shares so created shall form part of the ordinary share capital of the Helston Company.

69. One fifth of the amount of a share shall be the greatest amount of a call and three months at least shall be the interval between successive calls and three fourths of the amount of a share shall be the utmost aggregate amount of calls in any year upon any share.

Calls on Helston Company's shares.

70. The holders of the new shares or stock created by the Helston Company under this Act to which a preferential dividend shall be assigned shall be entitled to vote in respect thereof as if such new shares or stock were ordinary shares of the Helston Company.

As to votes in respect of preferential shares or stock of Helston Company.

71. If any money be payable to any shareholder in the Helston Company being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Helston Company for the same.

Receipts to Helston Company on behalf of incapacitated persons.

72. The Helston Company may in respect of the additional capital of six thousand pounds which they are by this Act authorised to raise from time to time borrow on mortgage of their undertaking in addition to the sums which they are already authorised to borrow any sum or sums not exceeding in the whole two thousand pounds but no part of any such sum of two thousand pounds shall be borrowed until shares for the whole of the said capital of six thousand pounds are issued and accepted and one half of such capital is paid up and the Helston 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 the whole of the said capital have been issued and accepted and that one half of such capital has been paid up and that not less than one fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof and the Helston Company have proved to such justice as aforesaid before he so certifies that such shares were issued and accepted and paid up bonâ fide and are held by the persons or corporations to whom the same were issued or their executors administrators successors or assigns and that such persons or corporations or their executors administrators successors or assigns are legally liable for the same and upon production to such justice of the books of the Helston Company and of such other

Power to Helston Company to borrow.

A.D. 1885. 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.

For appointment of a receiver of Helston Company.

73. Section twenty of the Helston Railway Act 1880 relating to the appointment of a receiver is hereby repealed but without prejudice to any appointment which may have been made or to the continuance of any proceedings which may have been commenced prior to the passing of this Act under that section. The mortgagees of the Helston Company may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver and in order to authorise the appointment of a receiver in respect of principal or principal and interest the amount owing to the mortgagees by whom the application for a receiver shall be made shall not be less than ten thousand pounds in the whole.

Existing mortgages of Helston Company to have priority.

74. All mortgages granted by the Helston Company under the authority of any Act or Acts passed before the passing of this Act which shall be subsisting at the passing of this Act shall during the continuance thereof have priority over all mortgages granted under the authority of this Act.

Helston Company may create debenture stock.

75. The Helston Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 but notwithstanding anything therein contained the interest of all debenture stock and of all mortgages at any time after the passing of this Act created and issued or granted by that Company under this or any subsequent Act shall subject to the provisions of any subsequent Act rank *pari passu* (without respect to the dates of the securities or of the Acts of Parliament or resolutions by which the stock and mortgages were authorised) and shall have priority over all principal moneys secured by such mortgages.

Application of moneys by Helston Company.

76. All moneys raised by the Helston Company under this Act whether by shares debenture stock or borrowing shall be applied only for the purposes of this Act to be carried into effect by the Helston Company and for the general purposes of that company's undertaking being in every case purposes to which capital is properly applicable.

Power to Helston Company to apply corporate funds.

77. The Helston Company may apply to the purposes of this Act to be executed by them and to which capital is properly applicable any of the moneys which they now have in their hands or which they have power to raise by virtue of any Acts relating to that company and which may not be required for the purposes to which they are by any such Acts made specially applicable.

78. Nothing contained in this Act or to be done under the authority thereof shall in any manner affect the title to any of the subjects or any rights powers or authorities mentioned in or reserved by sections twenty-one and twenty-two of the Crown Lands Act 1866 and belonging to or exerciseable on behalf of Her Majesty Her heirs or successors.

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Saving rights of Crown under Crown Lands Act 1866.

79. Nothing contained in this Act shall authorise the Company to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any right in respect thereof belonging to the Queen's most Excellent Majesty in right of Her Crown and under the management of the Board of Trade without the previous consent in writing of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may give) neither shall anything in this Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exerciseable by the Queen's Majesty Her heirs or successors.

Saving rights of the Crown in the foreshore.

80. No interest or dividend shall be paid out of any share or loan capital which the Company or the Helston Company are by this or any other Act authorised to raise to any shareholder on the amount of the calls made in respect of the shares held by him but nothing in this Act shall prevent those companies 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.

Interest not to be paid on calls paid up.

81. The Company and the Helston Company shall not out of any money by this Act authorised to be raised by them respectively 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 authorising either of them to construct any other railway or to execute any other work or undertaking.

Deposits for future Bills not to be paid out of capital.

82. Nothing in this Act contained shall exempt the Company or their railways or the Helston Company or their railways from the provisions of any general Act relating to railways or the better or 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 or alteration under the authority of Parliament of the maximum rates of fares and charges or of the rates for small parcels authorised to be taken by those companies respectively.

Provision as to general railway Acts.

83. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

Costs of Act.

A.D. 1885.

SCHEDULES referred to in the foregoing Act.

FIRST SCHEDULE.

DESCRIBING LANDS BUILDINGS and MANUFACTORIES whereof portions only are required to be taken by the Company.

Number on deposited Plan.	Description of Property.
	<p>RAILWAY No. 4. PARISH OF NEATH.</p>
22	Yard
23	Store-houses and yard
	<p>LANDS IN THE PARISH OF LLANHILLETH ON EACH SIDE OF UNDER AND ADJOINING THE WESTERN VALLEYS RAILWAY.</p>
4	Railway sidings and land by side travelling crane and supports.
	<p>ROAD IN THE PARISH OF LLANHILLETH AND STOPPING UP OF LEVEL CROSSING THERE.</p>
2	Railway sidings and land by side.

SECOND SCHEDULE.

A.D. 1885.

SUPERFLUOUS LANDS.

<p style="text-align: center;">BERKSHIRE.</p> <p>Compton Beauchamp.</p> <p style="text-align: center;">BRISTOL (City and County of).</p> <p>St. James and St. Paul.</p> <p style="text-align: center;">BUCKINGHAMSHIRE.</p> <p>Horsendon.</p> <p style="text-align: center;">CARMARTHENSHIRE.</p> <p>Llanelly.</p> <p style="text-align: center;">DORSETSHIRE.</p> <p>Bradford Abbas. Bradford Peverell. Broadway. Clifton Maybank. Frome St. Quinton. Maiden Newton. Melbury Bubb. Yetminster.</p> <p style="text-align: center;">FLINTSHIRE.</p> <p>Gresford. Wrexham.</p> <p style="text-align: center;">GLAMORGANSHIRE.</p> <p>Laleston. Llandaff. Llangynwyd (otherwise Llangonoyd). Llansamlet. Newcastle. Newton Nottage. Pyle. St. John Swansea. St. Mary Cardiff. Swansea.</p> <p style="text-align: center;">GLOUCESTERSHIRE.</p> <p>Newnham.</p>	<p style="text-align: center;">HEREFORDSHIRE.</p> <p>Aston Ingham. Ross. St. John Baptist Hereford.</p> <p style="text-align: center;">MONMOUTHSHIRE.</p> <p>Llantillio Pertholey.</p> <p style="text-align: center;">OXFORDSHIRE.</p> <p>Crowell. Lewknor.</p> <p style="text-align: center;">SOMERSETSHIRE.</p> <p>Bathampton. Brislington. Barton. Freshford. Frome Selwood. Huntspill. Kilmersdon. Marston Magna. Pensford St. Thomas. Radstock. Shepton Mallet. Sparkford. Twerton. Whitchurch.</p> <p style="text-align: center;">WARWICKSHIRE.</p> <p>Aston Cantlow. Old Stratford.</p> <p style="text-align: center;">WILTSHIRE.</p> <p>Liddiard Tregooze. Malmesbury. Somerford Parva. Westbury.</p> <p style="text-align: center;">WORCESTERSHIRE.</p> <p>Yardley.</p>
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