

CHAPTER cxliv.

An Act to empower the Great Western Railway Company to make New Railways in the county of Denbigh and to authorise Agreements between that Company and the Shropshire Union Railways and Canal Company and the London and North Western Railway Company and for other purposes. A.D. 1896.
[20th July 1896.]

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 acquire the lands in the county of Denbigh in this Act described or referred to :

And whereas plans and sections showing the lines and levels of the railways by this Act authorised to be constructed and plans of the lands by this Act authorised to be acquired and also a book 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 clerk of the peace for the county of Denbigh and are herein-after respectively referred to as the deposited plans sections and book of reference :

And whereas it is expedient that the agreement between the Shropshire Union Railways and Canal Company (in this Act called "the Shropshire Union Company") the London and North Western Railway Company (in this Act called "the North Western Company") and the Company with respect to the purchase by the Company of the Pontycysyllte Branch Railway of the Shropshire Union Company should be confirmed :

And whereas it is expedient that the Company should be authorised to apply their funds to the purposes of this Act :

And whereas the objects aforesaid cannot be attained without the authority of Parliament :

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Railways) Act, 1896.*

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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:—

Short title.

1. This Act may be cited for all purposes as the Great Western Railway (Denbighshire Railways) Act 1896.

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 Acts;

The Railways Clauses Consolidation Act 1845; and

Part I. (relating to the construction of a railway) of the Railways 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 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 and described in the deposited book of reference as may be required for those purposes The railways herein-before referred to and authorised by this Act are situate in the county of Denbigh and are:—

(1) A Railway (on the deposited plans and sections described as Railway No. 2) 3 furlongs and 6 chains in length commencing by a junction with the said Pontycysyllte Branch and terminating by a junction with the Legacy Colliery Branch Railway of the Company:

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(2) A Railway (on the deposited plans and sections described as Railway No. 3) 1 mile 7 furlongs and 1·80 chains in length commencing by a junction with the said Legacy Colliery Branch Railway and terminating by a junction with the Shrewsbury and Chester Railway of the Company. A.D. 1896.

5. The railways shall for the purposes of maximum rates and charges for merchandise traffic (including perishable merchandise by passenger train) and for all other purposes be deemed to be part of the Company's railways as if the same had been part of the Great Western Railway at the date of the passing of the Great Western Railway Company (Rates and Charges) Order Confirmation Act 1891 and Scale I. of Part I. in the Appendix to the said Order shall be applicable to the railways. Provided always that as respects passenger traffic and parcels by passenger train the tolls fares rates and charges to be demanded and recovered shall not exceed the tolls fares rates and charges prescribed by the Shrewsbury and Chester Railway Act 1846. Rates and charges.

6. Notwithstanding anything contained in section 46 of the Railways Clauses Consolidation Act 1845 the Company shall not be liable to maintain the surface of any road or public highway which shall be carried over the railway by a bridge or bridges or the immediate approaches thereto except so far as the level of such road highway or approaches is permanently altered. Company not liable to repair surface of road level of which is not permanently altered.

7. If the railways be not completed within three 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 except as to so much thereof as is then completed. Period for completion of railways.

8. 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 railways are completed and opened for the public conveyance of passengers 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 : Imposing penalty unless railways opened.

The said penalty may be applied for by any landowner or other person claiming to be compensated or interested in accordance with the provisions of the next following section of this Act and in the same manner as the penalty provided in section 3 of the Railway and Canal Traffic Act 1854 :

Every sum of money recovered by way of such penalty as aforesaid shall be paid under the warrant or order of such court or

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A.D. 1896. judge as is specified in that section to an account opened or to be opened in the name of the Paymaster-General for and on behalf of the Supreme Court 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 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.

Application
of penalty.

9. 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 railways 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 High Court may seem fit:

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 if a receiver has been appointed or the Company is insolvent or the railways have been abandoned be paid to such receiver or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof and subject to such application shall be repaid to the Company.

Power to
acquire
additional
lands.

10. Subject to the provisions of this Act and in addition to the other lands which the Company 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 thereof and described in the deposited book of reference (that is to say):—

Certain lands in the parish of Brymbo lying between the Railway Inn and the Company's Wrexham and Minera Railway and

adjoining that railway near to the junction between the branch to the Vron Colliery and the said railway :

Certain other lands in the same parish on the western side of the Company's said railway and adjoining thereto and extending from a point about 3 chains northward of the said junction for a distance of about 6 chains in a northerly direction :

Provided always that the Company shall not acquire without the consent of the trustees of the Wrexham Parochial Charities any greater quantity of the land numbered on the deposited plans 2 in the parish of Brymbo than $67\frac{1}{2}$ square yards thereof and which land so to be acquired is coloured pink on a plan signed in duplicate by James Charles Inglis on behalf of the Company and John Morison on behalf of the trustees one part of which has been deposited with the secretary of the Company at his office at Paddington and the other with the clerk to the trustees at his office at Wrexham :

Certain other lands in the same parish on the south-eastern side of the Company's said railway and adjoining thereto and extending from a point about 5 chains north-eastward of the post on that railway indicating $4\frac{1}{2}$ miles from the junction of that railway with the Shrewsbury and Chester Railway for a distance of about 1 chain in a south-easterly direction :

Certain lands in the parish of Minera on the south-eastern side of the said Wrexham and Minera Railway and adjoining thereto and extending from a point near to the post on that railway indicating $5\frac{3}{4}$ miles from the junction of that railway with the Shrewsbury and Chester Railway for a distance of about 14 chains in a south-westerly direction.

11. The powers of this Act for the compulsory purchase of lands shall cease after the expiration of three years from the passing of this Act.

Period for compulsory purchase of lands.

12. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Company any easement right or privilege (not being an easement right or privilege of water in which persons other than the parties to the agreement have an interest) 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.

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Owners may
be required
to sell part
only of
certain
property.

13. And whereas in the construction of the railways and works by this Act authorised or otherwise in the exercise by the Company of the powers of this Act it may happen that a portion only of a certain property shown or partly shown on the deposited plans will be sufficient for the purposes of the Company and that such portion or some other portion less than the whole can be severed from the remainder of the said property without material detriment thereto Therefore the following provisions shall have effect:—

- (1) The owner of and persons interested in the property whereof the whole or part is described in the deposited book of reference under the Number 4 in the parish of Brymbo and whereof a portion only is required for the purposes of the Company each or any of them are herein-after included in the term “the owner” and the said property is herein-after referred to as “the scheduled property”:
- (2) If for twenty-one days after the service of notice to treat in respect of a specified portion of the scheduled property the owner shall fail to notify in writing to the Company that he alleges that such portion cannot be severed from the remainder of the property without material detriment thereto he may be required to sell and convey to the Company such portion only without the Company being obliged or compellable to purchase the whole the Company paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise:
- (3) If within such twenty-one days the owner shall by notice in writing to the Company allege that such portion cannot be so severed the jury arbitrators or other authority to whom the question of disputed compensation shall be submitted (herein-after referred to as “the tribunal”) shall in addition to the other questions required to be determined by it determine whether the portion of the scheduled property specified in the notice to treat can be severed from the remainder without material detriment thereto and if not whether any and what other portion less than the whole (but not exceeding the portion over which the Company have compulsory powers of purchase) can be so severed:
- (4) If the tribunal determine that the portion of the scheduled property specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder without material detriment thereto the owner may be required to sell and convey to the Company the portion which the tribunal

shall have determined to be so severable without the Company being obliged or compellable to purchase the whole the Company paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the tribunal:

- (5) If the tribunal determine that the portion of the scheduled property specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder without material detriment thereto the tribunal may in its absolute discretion determine and order that the costs charges and expenses incurred by such owner incident to the arbitration or inquiry shall be borne and paid by such owner:
- (6) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto (and whether or not they shall determine that any other portion can be so severed) the Company may withdraw their notice to treat and thereupon they shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice:
- (7) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto but that any such other portion as aforesaid can be so severed the Company in case they shall not withdraw the notice to treat shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice or such portion thereof as the tribunal shall having regard to the circumstances of the case and their final determination think fit:

The provisions of this section shall be in force notwithstanding anything in the Lands Clauses Consolidation Act 1845 contained and nothing contained in or done under this section shall be held as determining or as being or implying an admission that the scheduled property or any part thereof is or is not or but for this section would or would not be subject to the provisions of section 92 of the Lands Clauses Consolidation Act 1845:

The provisions of this section shall be stated in every notice given thereunder to sell and convey any premises:

Provided always that the provisions of this section shall not apply in the event of the Company requiring to take more of the said property than 20 square yards or any part of the said property within 6 feet of the western corner of the Railway Inn.

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A.D. 1896.
Restrictions
on displacing
persons of
labouring
class.

14.—(1) The Company shall not under the powers of this Act purchase or acquire in any city borough or urban district or any parish or part of a parish not being within an urban district ten or more houses which on the fifteenth day of December last were or at any time since that day have been or hereafter shall be occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until the Company—

(a) Shall have obtained the approval 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 fifteenth day of December last or for such number of persons as the Local Government Board 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) Shall have given security to the satisfaction of the Local Government Board for the carrying out of the scheme.

(2) The approval of the Local Government Board to any scheme under this section may be given either absolutely or conditionally and after the Local Government Board 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 Local Government Board may dispense with the last-mentioned requirement subject to such conditions if any as they may see fit.

(4) Any provisions of any scheme under this section or any conditions subject to which the Local Government Board may have approved of any scheme 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 Local Government Board out of the High Court.

(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 Local Government Board by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom: A.D. 1896.

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 to them or which they have power to acquire and may purchase such further lands as they may require and for the purpose of any such purchase sections 176 and 297 of the Public Health Act 1875 shall be incorporated with this Act and shall apply to the purchase of lands by the Company for the purposes of any scheme under this section in the same manner in all respects as if the Company were a local authority within the meaning of the Public Health Act 1875 and the scheme were one of the purposes of that Act.

(7) The Company may on any land 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 twenty-five years from the date of the scheme be appropriated for the purpose of such dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this enactment:

Provided also that the Local Government Board may at any time dispense with all or any of the requirements of this subsection subject to such conditions if any as they may see fit.

(8) 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.

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A.D. 1896.

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

(10) 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.

(11) Any houses on any of the lands shown on the deposited plans occupied or which may have been occupied by persons of the labouring class within five years before the passing of this Act which have been acquired by or on behalf of the Company and for which houses no substitutes have been or are directed to be provided by any scheme approved by the Local Government Board under the powers of any previous Act relating to the Company shall for the purposes of this section be deemed to have been acquired under the powers of this Act and to have been occupied on the fifteenth day of December last by the same number of persons belonging to the labouring class as were occupying the said houses at the date of their acquisition. Provided that if the Local Government Board is unable to ascertain the number of such persons who were then occupying the said houses the said houses shall be deemed to have been occupied by such number of such persons as in the opinion of the Local Government Board they might have been sufficient to accommodate.

(12) For the purposes of this section the expression "labouring class" means and includes mechanics artificers 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 of such persons who may be residing with them.

15. The agreement dated the 11th day of February 1896 and made between the Shropshire Union Company and the North Western Company of the one part and the Company of the other part as set forth in the schedule to this Act is hereby confirmed and made binding upon the parties thereto and on the completion

Confirming
agreement
for purchase
of Ponty-
cysyllte
Branch
Railway.

of the purchase of the Pontycysyllte Branch Railway in accordance with the said agreement the said branch railway shall by virtue of this Act be vested in the Company and the Company may in respect of traffic conveyed upon the said branch railway demand rates and charges not exceeding the rates and charges by this Act authorised to be demanded in respect of traffic conveyed upon the railways by this Act authorised.

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16. The Company may exercise all such powers as may be requisite or convenient for making the said portion of the Pontycysyllte Branch Railway fit and proper for the conveyance of passenger traffic so as to comply with the Board of Trade requirements for a passenger railway.

Power to adapt Pontycysyllte Branch for passenger traffic.

17. 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.

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

18. Nothing in this Act contained shall exempt the Company the Shropshire Union Company or the North Western Company or their respective 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 the said companies.

Provision as to general Railway Acts.

19. 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.

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The SCHEDULE referred to in the foregoing Act.

HEADS OF AN AGREEMENT made and entered into this 11th day of February 1896 between THE SHROPSHIRE UNION RAILWAYS AND CANAL COMPANY (herein-after called "the Shropshire Union Company") and THE LONDON AND NORTH WESTERN RAILWAY COMPANY of the one part and THE GREAT WESTERN RAILWAY COMPANY (herein-after called "the Great Western Company") of the other part.

WHEREAS under the Shropshire Union Railways and Canal Lease Act 1847 and the Shropshire Union Railways and Canal Act 1854 the undertaking of the Shropshire Union Company has been leased in perpetuity to the London and North Western Railway Company AND WHEREAS negotiations have been entered into for the acquisition by the Great Western Company of the railway herein-after particularly described and forming part of the undertaking of the Shropshire Union Company and it has been agreed that the Shropshire Union Company and the London and North Western Company according to their respective rights and interests shall sell and the Great Western Railway Company shall purchase the said railway upon the terms and conditions herein-after appearing Now therefore these presents witness and it is hereby agreed and declared by and between the companies parties hereto as follows (that is to say):—

1. The Shropshire Union Company and the London and North Western Company according to their respective rights and interests will sell and the Great Western Company will purchase at or for the price or sum of £51,000 all that railway known as the Pontycysyllte Branch Railway situate wholly in the county of Denbigh commencing in the parish of Llangollen at a point 70 yards or thereabouts north of the northern end of the Shropshire Union Company's Canal warehouse in the said parish and extending in a northerly direction to its termination in the parish of Wrexham at a point 4 miles 11 chains or thereabouts from its commencement as above defined together with all the depôts sheds and other buildings lands works conveniences fixed appliances rights and privileges belonging or appertaining thereto which said railway and premises are more particularly delineated upon the plan hereto annexed being thereon coloured green and red but which plan is not intended to restrict the generality of the above verbal description.

2. The said purchase shall be deemed and construed to take effect as from the 1st day of February 1896 on which day the Great Western Company shall be deemed to have taken possession of the said railway and premises and up to that date all rates taxes quit or chief rents tithe rentcharge and outgoings shall (if necessary) be apportioned The said purchase money shall be paid on or before the 12th day of August 1896 and shall bear interest at the rate of £4 per centum per annum from the 1st day of February 1896 to the day of actual payment thereof.

3. Upon the completion of the purchase the said railway and premises shall be conveyed to and vested in the Great Western Company freed and discharged

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as from the 1st day of February 1896 from all debts obligations and liabilities of the vendor companies except quit or chief rents and tithes or rentcharges in lieu thereof (if any) and except such obligations and engagements relating to the said railway and premises hereby agreed to be sold or to the traffic thereon as the Shropshire Union Company may have entered into with any company or person owning sidings or railways connecting with the said railway hereby agreed to be purchased or the owner or occupier of any works from or to which traffic is forwarded over the said railway and which last mentioned obligations and engagements the Great Western Company are to undertake observe and perform. The said railway and premises are also sold subject to all easements affecting the same and to the reservation of such mines and minerals in or under the said lands railway and premises as do not belong to the vendor companies or either of them and to any rights which may be possessed by adjoining landowners or others in respect thereof but all mines and minerals in or under the said lands railway and premises and all rights and interests therein which are vested in the vendor companies or either of them are to be included in the sale and purchase and are to be expressly conveyed to the Great Western Company. A.D. 1896.

4. The Shropshire Union Company having been in undisturbed possession of the portions of the said lands railway and premises in respect of which they have not conveyances for over forty years as tenants in fee simple the vendor companies shall not be required to show any documentary title to the land forming the site of the said railway and premises but upon completion of the purchase they shall hand over to the Great Western Company all conveyances deeds agreements parliamentary plans and sections of the railway books of reference thereto working plans and sections and all other books and other documents whatsoever in the possession of them or either of them relating to the said lands railway and premises or to the traffic thereon and the vendor companies respectively shall after the completion of the purchase from time to time produce to the Great Western Company free of charge all such conveyances deeds plans books and other documents relating to the lands railway and premises hereby agreed to be sold or to the traffic thereon but retained by the vendor companies or either of them as relating also to their other property or affairs as the Great Western Company may reasonably require for any purpose relating to the lands railway and premises hereby agreed to be sold or to the traffic thereon and shall permit the Great Western Company at their own expense to make and shall at the expense of the Great Western Company deliver to them such copies of or extracts from such documents as the Great Western Company may reasonably require for the purposes aforesaid and the conveyance of the said lands railway and premises shall if the Great Western Company so require contain joint and several covenants by the vendor companies to the above effect. Until the said documents are handed over or covenanted to be produced as aforesaid the Great Western Company shall be entitled free of charge to the production of the same and at their own expense to take copies of or extracts therefrom and to be furnished with copies of or extracts therefrom as they may reasonably require for the purposes aforesaid.

5. The companies parties hereto shall respectively afford all reasonable and proper facilities for the interchange of traffic between the railway hereby agreed

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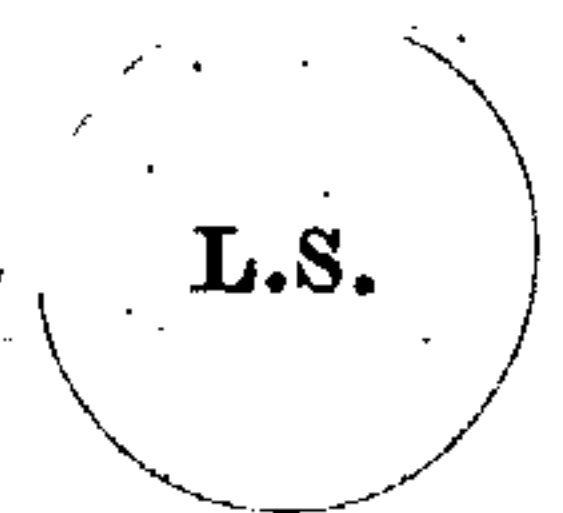
A.D. 1896.

to be purchased and the canal of the Shropshire Union Company including (if required by any of the companies) through bookings at through rates and all other facilities usual between friendly companies to the intent that the said railway and the said canal may be used as a continuous line of communication and the companies respectively shall with regularity and despatch collect and deliver convey and carry over the said railway and canal respectively all traffic brought upon or passing to or from the said railway and places beyond from or to the said canal and places beyond and the rates and charges to be made by the companies respectively therefor and any through rates and the apportionment thereof shall be such as shall from time to time be agreed upon between the said companies or failing agreement as shall be fixed by arbitration in accordance with the provisions of the Railway Companies Arbitration Act 1859 The existing differential rates in favour of traffic conveyed over the said canal and railway shall continue in operation so far as the same are not inconsistent with any existing agreements or obligations of the companies respectively.

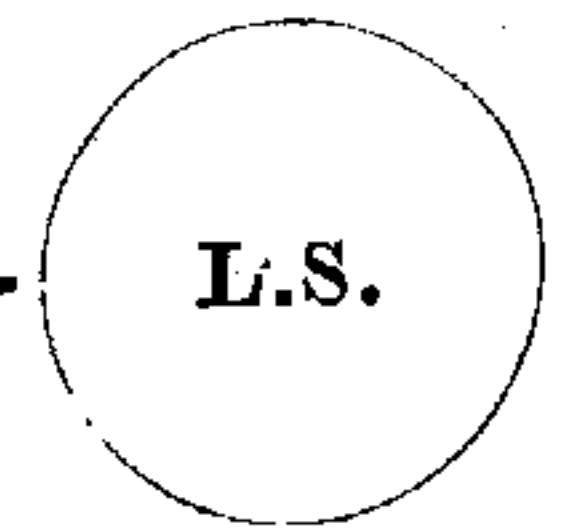
6. The Great Western Company shall at their own expense insert clauses in the Bill which they are promoting in the ensuing session of Parliament for obtaining from Parliament the necessary powers for vesting the said railway and premises in the Great Western Company and each Company party hereto undertakes to use their best endeavours to obtain the passing of such clauses and at the request cost and charges of the Great Western Company to supply such evidence and assistance as may be necessary for that end Should from any cause such sanction not be obtained in the said session of Parliament the application may be renewed by any of the companies in any subsequent session.

IN WITNESS whereof the companies parties hereto have caused their respective common seals to be hereunto affixed the day and year first before written.

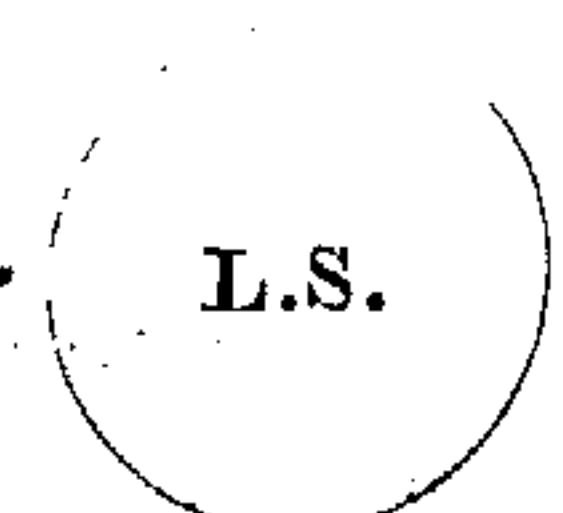
The common seal of the Shropshire Union Railways and Canal
Company was hereunto affixed in the presence of
T. HOUGHTON
Secretary.



The common seal of the London and North Western Railway
Company was hereunto affixed in the presence of
T. HOUGHTON
Secretary.



The common seal of the Great Western Railway Company was
hereunto affixed in the presence of
G. K. MILLS
Secretary.



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HODGES, FIGGIS, & Co., LIMITED, 104, GRAFTON STREET, DUBLIN.