



CHAPTER clxxiv.

An Act for making a light railway between Aberystwyth and Devil's Bridge in the county of Cardigan and for other purposes. A.D. 1897.
[6th August 1897.]

WHEREAS the making and maintaining of the railways herein-after described would be of public and local advantage :

And whereas it is expedient that the said railways should be constructed and worked as light railways subject to the provisions of this Act and the Regulation of Railways Act 1868 :

And whereas the persons in this Act named with others are willing to carry the undertaking into execution on being incorporated into a company (herein-after referred to as "the Company") for the purpose and having the powers herein-after contained conferred upon them :

And whereas it is expedient that the Company should be authorised subject to the provisions of this Act to pay interest upon the amount paid up from time to time in respect of the shares in their capital as by this Act provided :

And whereas plans and sections showing the lines and levels of the railways authorised by this Act and also books of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the clerk of the peace for the county of Cardigan and are herein-after referred to as the deposited plans sections and books of reference :

And whereas the purposes of this Act cannot be effected without the authority of Parliament :

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and

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A.D. 1897. Commons in this present Parliament assembled and by the authority
— of the same as follows :—

Short title. 1. This Act may be cited as the Vale of Rheidol (Light) Railway
Act 1897.

Incorporation of Acts. 2. The Companies Clauses Consolidation Act 1845 and Part I
(relating to cancellation and surrender of shares) and Part III
(relating to debenture stock) of the Companies Clauses Act 1863 as
amended by subsequent Acts the Lands Clauses Acts the Railways
Clauses Consolidation Act 1845 and Part I (relating to construction
of a railway) of the Railways Clauses Act 1863 are (except where
expressly varied by [this Act) incorporated with and form part
of this Act.

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

The expression "the Company" means the company incorporated
by this Act :

The expressions "the railway" "the railways" and "the
undertaking" mean respectively the railways and the undertaking
by this Act authorised :

And for the purposes of this Act 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 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.

Company 4. John Francis Walter Taylor Hugh Lowe and all other persons
incorporated. and corporations who have already subscribed to or shall hereafter
become proprietors in the undertaking and their executors
administrators successors and assigns respectively shall be and are
hereby united into a company for the purpose of making maintaining
and working the railways and for other the purposes of this Act
and for those purposes shall be and are hereby incorporated by the
name of "The Vale of Rheidol (Light) Railway Company" and by
that name shall be a body corporate with perpetual succession
and a common seal and with power to purchase take hold and dispose
of lands and other property for the purposes of this Act.

Power to 5. Subject to the provisions of this Act the Company may make
make rail- and maintain in the lines and according to the levels shown on the
ways. deposited plans and sections the railways herein-after described with

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all proper stations sidings approaches works and conveniences connected therewith and may enter upon take and use such of the lands delineated on the said plans and described in the deposited books of reference as may be required for that purpose The railways herein-before referred to and authorised by this Act are—

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Railway No. 1 eleven miles five furlongs and six chains in length commencing in the parish of Aberystwyth in the county of Cardigan in the enclosure numbered 72 upon the ordnance map of that parish at the north-eastern corner of such enclosure abutting upon the Smithfield Road and terminating in the parish of Upper Llanfihangel-y-Creuddyn abutting upon the public road forming the eastern boundary of the enclosure numbered 98 upon the ordnance map of that parish sixty-six yards or thereabouts south of the north-eastern corner of such enclosure :

Railway No. 2 three furlongs and 7.65 chains in length wholly in the parish and borough of Aberystwyth commencing upon the quay of Aberystwyth Harbour at the southern end thereof and terminating by a junction with the Railway No. 1 before described at the north-western corner of the enclosure numbered 73 upon the ordnance map of that parish.

6. The railways shall be constructed and worked as a light railway subject to the provisions of Part V of the Regulation of Railways Act 1868.

Railways to be a light railway.

7. The railway shall be made and maintained on a gauge of two feet Provided that it shall be lawful for the Company at any time hereafter with the previous approval of the Board of Trade to increase the gauge from two feet to any gauge not exceeding four feet eight and a half inches.

Gauge of railway.

8. The capital of the Company shall be thirty-nine thousand pounds in three thousand and nine hundred shares of ten pounds each.

Capital.

9. The Company shall not issue any share created under the authority of this Act nor shall any such 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 is paid in respect thereof.

Shares not to be issued until one-fifth paid.

10. 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 the calls made in any year upon any share.

Calls.

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Receipts
in case of
persons not
sui juris.

Power to
divide
shares.

11. If any money be payable to a shareholder or mortgagee or debenture stock holder being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

12. Subject to the provisions of this Act the Company with the authority of three-fourths of the votes of the shareholders present in person or by proxy at a general meeting of the Company specially convened for the purpose may from time to time divide any share in their capital into half shares of which one shall be called "preferred half share" and the other shall be called "deferred half share" but the Company shall not divide any share under the authority of this Act unless and until not less than sixty per centum upon such share has been paid up and upon every such division fifty per centum upon the entire share shall be carried to the credit of the deferred half share (being the whole amount payable thereon) and the residue to the credit of the preferred half share.

Dividends
on half
shares.

13. The dividend which would from time to time be payable on any divided share if the same had continued an entire share shall be applied in payment of dividends on the two half shares in manner following (that is to say) First in payment of dividend after such rate not exceeding five pounds per centum per annum as shall be determined once for all at a general meeting of the Company specially convened for the purpose on the amount for the time being paid up on the preferred half share and the remainder (if any) in payment of dividend on the deferred half share and the Company shall not pay any greater amount of dividend on the two half shares than would have from time to time been payable on the entire share if the same had not been divided.

Dividend
on preferred
shares to be
paid out of
the profits
of the year
only.

14. Each preferred half share shall be entitled out of the profits of each year to the dividend which may have been attached to it by the Company as aforesaid in priority to the deferred half share bearing the same number but if in any year ending the thirty-first day of December there shall not be profits available for the payment of the full amount of dividend on any preferred half share for that year no part of the deficiency shall be made good out of the profits of any subsequent year or out of any other funds of the Company.

Half shares
to be regis-
tered and
certificates
issued.

15. Forthwith after the creation of any half shares the same shall be registered by the directors and each half share shall bear the same number as the number of the entire share certificate in respect of which it was issued and the directors shall issue certificates of the half shares accordingly and shall cause an entry

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to be made in the register of the entire shares of the conversion thereof but the directors shall not be bound to issue a certificate of any half share until the certificate of the existing entire share be delivered to them to be cancelled unless it be shown to their satisfaction that such certificate is destroyed or lost and on any certificate being so delivered up the directors shall cancel it. A.D. 1897.

16. The terms and conditions on which any preferred half share or deferred half share created under this Act is issued shall be stated on the certificate of each such half-share. Terms of issue to be stated on certificates.

17. The provisions of the Companies Clauses Consolidation Act 1845 with respect to the forfeiture of shares for non-payment of calls shall apply to all preferred half shares created under the authority of this Act and every such preferred half share shall for that purpose be considered an entire share distinct from the corresponding deferred half share and until any forfeited preferred half share shall be sold by the directors all dividends which would be payable thereon if the same had not been forfeited shall be applied in or towards payment of any expenses attending the declaration of forfeiture thereof and of the arrears of calls for the time being due thereon with interest. Forfeiture of preferred shares.

18. No preferred half share created under the authority of this Act shall be cancelled or be surrendered to the Company. Preferred shares not to be cancelled or surrendered.

19. The several half shares under this Act shall be half shares in the capital of the Company and every two half shares (whether preferred or deferred or one of each) held by the same person shall confer such right of voting at meetings of the Company and (subject to the provisions herein-before contained) shall confer and have all such other rights qualifications privileges liabilities and incidents as attach and are incident to an entire share. Half shares to be half shares in capital.

20. The Company may from time to time borrow on mortgage of the undertaking any sum not exceeding in the whole thirteen thousand pounds and of that sum they may borrow six thousand five hundred pounds when not less than one half the length of the railway shall have been constructed to formation level and a like sum of six thousand five hundred pounds when the remainder of the railway shall also have been constructed to formation level but neither of such sums shall be borrowed until nineteen thousand five hundred pounds being the portion of capital by this Act authorised in respect of which each of such sums is to be borrowed is issued and accepted and one half thereof 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 Power to borrow.

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A.D. 1897. — that the whole of such portion of capital has been issued and accepted and that one half thereof has been paid up and that not less than one-fifth part of the amount of each separate share in such portion of capital has been paid on account thereof before or at the time of the issue or acceptance thereof and that such portion of capital was issued *bonâ fide* and is held by the persons or corporations to whom the same was issued or their executors administrators successors or assigns and that such persons or corporations 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 shall be sufficient evidence thereof.

For appointment of a receiver.

21. The mortgagees of the undertaking may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver. In order to authorise the appointment of a receiver in respect to arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than one thousand pounds in the whole.

Debenture stock.

22. The 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 created and issued or granted by the 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. Notice of the effect of this enactment shall be endorsed on all mortgages and certificates of debenture stock.

Application of moneys.

23. Subject as herein-after provided as to payment of interest out of capital during construction all moneys raised under this Act whether by shares debenture stock or borrowing shall be applied only to the purposes of this Act to which capital is properly applicable.

Ordinary meetings.

24. The first ordinary meeting of the Company shall be held within six months after the passing of this Act and the subsequent ordinary meetings of the Company shall be held twice in every year in the months of February or March and August or September as the directors may appoint.

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25. The number of directors shall be five but the Company may from time to time reduce and again increase the number of directors but so that the number shall be never less than three nor more than five. A.D. 1897.
Number of directors.

26. The qualification of a director shall be the possession in his own right of not less than twenty-five shares. Qualification of directors.

27. The quorum of a meeting of directors shall be three. Quorum of directors.

28. John Francis Walter Taylor Hugh Lowe and two other persons to be nominated by them or the majority of them and consenting to such nomination shall be the first directors of the Company and shall continue in office until the first ordinary meeting held after the passing of this Act At that meeting the shareholders present in person or by proxy may either continue in office the directors appointed by this Act or nominated as aforesaid or any of them or may elect a new body of directors or directors to supply the place of those not continued in office the directors appointed by this Act or nominated as aforesaid being if they continue qualified eligible for re-election and at the first ordinary meeting to be held in every year after the first ordinary meeting the shareholders present in person or by proxy shall (subject to the power herein-before contained for varying the number of directors) elect persons to supply the places of the directors then retiring from office agreeably to the provisions of the Companies Clauses Consolidation Act 1845 and the several persons elected at any such meeting being neither removed nor disqualified nor having died or resigned shall continue to be directors until others are elected in their stead in manner provided by the same Act. First directors.
Election of directors.

29. The quantity of land to be taken by the Company by agreement for the extraordinary purposes mentioned in the Railways Clauses Consolidation Act 1845 shall not exceed three acres but nothing in that Act or in this Act shall exempt the Company from any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them upon any land so taken. Lands for extraordinary purposes.

30. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act. Period for compulsory purchase of lands.

31. In altering for the purposes of this Act the roads next herein-after mentioned the Company may make the same of any Inclination of roads.

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No. on Deposited Plans.	Parish.	Description of Road.	Intended Inclination.
22	Lower Llanbadarn-y-Creuddyn	Public -	1 in 12 on one side of the bridge and 1 in 20 on the other
71	Upper Llanbadarn-y-Creuddyn	Public -	1 in 6
91	Upper Llanbadarn-y-Creuddyn	Public -	1 in 7

Widths of certain roadways.

32. The Company may make the roadway over the bridges by which the following roads will be carried over the railway of such width between the fences thereof as the Company think fit not being less than the respective widths herein-after mentioned in connexion therewith respectively (that is to say) :—

No. on Plans.	Parish.	Description of Roadway.	Width of Roadway.
22	Lower Llanbadarn-y-Creuddyn	Public -	15 feet
71	Upper Llanbadarn-y-Creuddyn	Public -	15 feet
91	Upper Llanbadarn-y-Creuddyn	Public -	15 feet

Provisions as to construction of Railway No. 2.

33.—(1) The Company shall notwithstanding the provisions of this Act before commencing the construction of Railway No. 2 obtain the approval of the Board of Trade both as to the mode of construction thereof and also as to the bridges openings or access to the harbour at Aberystwyth and such construction shall only be carried out according to plans to be previously submitted to and approved by the Board of Trade and the Company shall for ever after maintain and keep in repair such works bridges openings and access to the satisfaction of the said Board.

(2) The Company may if they think fit deviate Railway No. 2 within the limits of the harbour at Aberystwyth and carry the same so far to the northward of the centre line shown upon the deposited plans as to skirt the land at or about high water-mark as shown by the ordnance survey of the town of Aberystwyth dated 1886.

For protection of Manchester

34.—(1) The Company shall construct the portion of Railway No. 1 where the same passes under the railway of the Manchester

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and Milford Railway Company so as to leave undisturbed the lines of railway of the Manchester and Milford Railway Company and so as in no way to obstruct impede or interfere with the free and uninterrupted and safe use of the said Manchester and Milford Railway or with the traffic thereon.

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and Milford
Railway
Company.

(2) The Company shall construct the said portion of Railway No. 1 and all works both temporary and permanent necessary and incident thereto affecting the property and lines of the Manchester and Milford Railway Company and all alterations thereto in accordance with the provisions of this section and according to plans sections and specifications previously submitted to and reasonably approved in writing by the engineer of or an engineer approved by the Manchester and Milford Railway Company.

(3) The said portion of Railway No. 1 and all works connected therewith and incident to the construction thereof or affecting the railway or works of the Manchester and Milford Railway Company shall be constructed and executed and at all times maintained in substantial repair and condition at the expense of the Company.

35. 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 grantors have an interest) required for the purposes of this Act in or over or affecting any such lands and the provisions of the said Acts with respect to lands and rent-charges so 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
take ease-
ments &c. by
agreement.

36.—(1) The Company shall not under the powers of this Act purchase or acquire ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Local Government Board ten or more houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied.

Restriction
on taking
houses of
labouring
class.

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

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Deposit
money not
to be repaid
except so far
as railways
are opened.

37. Whereas pursuant to the standing orders of both Houses of Parliament and to the Parliamentary Deposits Act 1846 a sum of one thousand five hundred and sixty pounds being five per centum upon the amount of the estimate in respect of the railways has been deposited with the Paymaster-General for and on behalf of the Supreme Court in respect of the application to Parliament for this Act (which sum is referred to in this Act as "the deposit fund") Be it enacted that notwithstanding anything contained in the said Act the said deposit fund shall not be paid or transferred to or on the application of the person or persons or the majority of the persons named in the warrant or order issued in pursuance of the said Act or the survivors or survivor of them (which persons survivors or survivor are or is in this Act referred to as "the depositors") unless the Company shall previously to the expiration of the period limited by this Act for completion of the railways open the same for the public conveyance of passengers and if the Company shall make default in so opening the railways the deposit fund shall be applicable and shall be applied as provided by the next following section. Provided that if within such period as aforesaid the Company open any portion of the railways for the public conveyance of passengers then on the production of a certificate of the Board of Trade specifying the length of the portion of the railways opened as aforesaid and the portion of the deposit fund which bears to the whole of the deposit fund the same proportion as the length of the railways so opened bears to the entire length of the railways the High Court shall on the application of the depositors order the portion of the deposit fund specified in the certificate to be paid or transferred to them or as they shall direct and the certificate of the Board of Trade shall be sufficient evidence of the facts therein certified and it shall not be necessary to produce any certificate of this Act having passed anything in the above-mentioned Act to the contrary notwithstanding.

Application
of deposit.

38. If the Company do not previously to the expiration of the period limited for the completion of the railways complete the same and open them for the public conveyance of passengers then and in every such case the deposit fund or so much thereof as shall not have been paid to the depositors shall be applicable and after due notice in the London Gazette shall be applied towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the railways or any portion thereof or who 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 has 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 and if no such compensation is payable or if a portion of the deposit fund has been found sufficient to satisfy all just claims in respect of such compensation then the deposit fund 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 undertaking has been abandoned be paid or transferred to such receiver or be applied in the discretion of the Court as part of the assets of the Company for the benefit of the creditors thereof and subject to such application shall be repaid or retransferred to the depositors. Provided that until the deposit fund has been repaid or retransferred to the depositors or has become otherwise applicable as herein-before mentioned any interest or dividends accruing thereon shall from time to time and as often as the same shall become payable be paid to or on the application of the depositors.

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39. 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 except as to so much thereof as shall then be completed.

Period for completion of works.

40. The Company may demand and take for the use of the railways by any other company or person with engines and carriages such reasonable tolls as they think fit.

Tolls.

41. The classification of merchandise traffic including perishable merchandise by passenger train and the schedule of maximum rates and charges applicable thereto and the regulations and provisions contained in the schedule to the Railway Rates and Charges No. 6 (Festiniog Railway &c.) Order Confirmation Act 1892 shall be applicable and apply to the Company as if it were one of the railway companies named in the Order confirmed by the said Act:

Rates for merchandise

Provided that in respect of the conveyance of a consignment of perishable merchandise not exceeding fifty-six pounds in weight by passenger train the Company shall not be entitled to charge a higher rate than the maximum rate which they are authorised to charge for the conveyance of parcels of the same weight.

42. For the conveyance on the railways of small parcels not exceeding five hundred pounds in weight by passenger trains the

Charges for small parcels.

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For any parcel not exceeding seven pounds in weight threepence ;

For any parcel exceeding seven pounds but not exceeding fourteen pounds in weight fivepence ;

For any parcel exceeding fourteen pounds but not exceeding twenty-eight pounds in weight sevenpence ;

For any parcel exceeding twenty-eight pounds but not exceeding fifty-six pounds in weight ninepence ;

And for any parcel exceeding fifty-six pounds but not exceeding five hundred pounds in weight the Company may demand any sum they think fit :

Provided always that articles sent in large aggregate quantities although made up in separate parcels such as bags of sugar coffee meal and the like shall not be deemed small parcels but that term shall apply only to single parcels in separate packages.

Maximum rates for passengers.

43. The maximum rate of charge to be made by the Company for the conveyance of passengers upon the railways including every expense incidental to such conveyance shall not exceed the following (that is to say):—

For every passenger conveyed in a first-class carriage threepence per mile ;

For every passenger conveyed in a second-class carriage twopence per mile ;

For every passenger conveyed in a third-class carriage one penny per mile ;

For every passenger conveyed on the railways for a less distance than three miles the Company may charge as for three miles and every fraction of a mile beyond three miles or any greater number of miles shall be deemed a mile.

Passengers' luggage.

44. Every passenger travelling upon the railways may take with him his ordinary luggage not exceeding one hundred and twenty pounds in weight for first-class passengers one hundred pounds in weight for second-class passengers and sixty pounds in weight for third-class passengers without any charge being made for the carriage thereof.

Foregoing charges not to apply to special trains.

45. The restrictions as to the charges to be made for passengers shall not extend to any special train run upon the railways in respect of which the Company may make such charges as they think fit but shall apply only to the ordinary and express trains appointed from time to time by the Company for the conveyance of passengers upon the railways.

Power to pay interest out of capital

46. Notwithstanding anything in this Act or in any Act or Acts incorporated herewith contained it shall be lawful for the Company

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out of any money by this Act authorised to be raised to pay interest at such rate not exceeding three pounds per centum per annum as the directors may determine to any shareholder on the amount from time to time paid up on the shares held by him from the respective times of such payments until the expiration of the time limited by this Act for the completion of the works by this Act authorised or such less period as the directors may determine but subject always to the conditions herein-after stated (that is to say) :—

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during construction.

- (a) No such interest shall begin to accrue until the Company shall have obtained a certificate from the Board of Trade that two-thirds at least of the share capital authorised by this Act in respect of which such interest may be paid has been actually issued and accepted and is held by shareholders who or whose executors administrators or assigns are legally liable for the same :
- (b) No such interest shall accrue in favour of any shareholder for any time during which any call on any of his shares is in arrear :
- (c) The aggregate amount to be so paid for interest shall not exceed nine hundred pounds and the amount so paid shall not be deemed share capital in respect of which the borrowing powers of the Company may be exercised but such borrowing powers shall be reduced to the extent of one-third of the amount paid for interest as aforesaid :
- (d) Notice that the Company have power so to pay interest out of capital shall be given in every prospectus advertisement or other document of the Company inviting subscriptions for shares and in every certificate of shares :
- (e) The half-yearly accounts of the Company shall show the amount of capital on which and the rate at which interest has been paid in pursuance of this section :

Save as herein-before set forth no interest or dividend shall be paid out of any share or loan capital which the Company are by this 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 the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the Companies Clauses Consolidation Act 1845.

47. The Company shall not under the powers of this Act construct on the shore of the sea or of any creek bay arm of the sea or navigable river communicating therewith where and so far up the same as the tide flows and reflows any work without the previous consent of the Board of Trade to be signified in writing under the

Works below high-water mark not to be commenced without consent of