CHAPTER xxiii.

An Act to enable the Bristol and Exeter Railway Company to make a new Branch Railway in the County of Devon, and to confer further Powers upon the Company with respect to their Undertaking and the Undertaking of the Culm Valley Railway Company, and upon the Bristol and Exeter and Great Western Railway Companies with respect to the Bristol Harbour Railway. [30th June 1874.]

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WHEREAS it is expedient that the Bristol and Exeter Railway Company (in this Act called "the Company") be enabled to make a railway from their Stoke Canon Station to the town of Silverton in the county of Devon:

And whereas it is expedient that the Company be authorised to lay down narrow gauge rails on that part of their undertaking which lies between the junction of the proposed new railway with the Company's main line and the Cowley Bridge Junction:

And whereas by The Culm Valley Light Railway Act, 1873, the Culm Valley Light Railway Company (in this Act called "the Culm Valley Company") were incorporated and empowered to make and work as a light railway a railway from the Tiverton Junction Station of the Bristol and Exeter Railway to Hemyock in the county of Devon, and it is expedient that the Company be authorised to subscribe to the undertaking of the Culm Valley Company and to enter into agreements with that Company for the purposes in this Act mentioned: 36 & 37 Vict. c. xxv.

And whereas it is expedient that further powers be granted to the Company:

And whereas by The Bristol Harbour Railway Act, 1866, the Company and the Great Western Railway Company (in that Act and in this Act called "the two Companies") were authorised to construct at Bristol a wharf depôt and a railway to connect the railways of the two Companies with the Floating Harbour, and for that 29 & 30 Vict. c. cxlviii.

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purpose to raise capital by shares or stock and by borrowing, with the option of raising the share capital as a separate capital with the joint guarantee of the two Companies of dividends at a rate not exceeding five pounds per centum per annum, and it was provided by that Act that the amount of such share capital should be limited to one hundred and fifteen thousand pounds if the Municipal Corporation of Bristol should elect to provide the said wharf depôt as they were thereby empowered to do and have done:

32 & 33 Vict. c. lxiii.

And whereas by The Bristol Harbour Railway Act, 1869, the two Companies were authorised to acquire for the purposes of that railway certain lands and houses situate in Pile Street in the parish of Saint Mary Redcliff in the city and county of Bristol, (the time limited for the compulsory purchase of which expired on the twenty-fourth day of June one thousand eight hundred and seventy-two,) and to raise an additional capital of fifty thousand pounds by shares or stock, with further proportionate borrowing powers:

34 & 35 Vict. c. ci.

And whereas by The Bristol and Exeter Railway Act, 1871, the Company were authorised to purchase certain lands in the parish of Bedminster in the said city and county of Bristol, and the Great Western Railway Company were enabled to require that such lands should be purchased by and vested in the two Companies for the purposes of the Bristol Harbour Railway, and the time limited for the compulsory purchase of those lands will expire on the fifteenth day of July one thousand eight hundred and seventy-four:

36 & 37 Vict. c. lxvi.

And whereas by The Bristol Harbour Railway Act, 1873, the two Companies were authorised to extend the Bristol Harbour Railway and provide an additional wharf depôt:

And whereas it is expedient that the powers for the purchase of the said lands in Pile Street be revived and extended, and that the time limited for the purchase of the said lands in Bedminster be extended, and that the two Companies be authorised to acquire additional lands and raise additional capital by shares or by stock and by borrowing, for the purposes of their said joint undertaking:

And whereas plans and sections showing the lines and levels of the railway authorised by this Act and of the lands in or through which the same is to be made and maintained, and also a book of reference containing the names of the owners and lessees, or reputed owners and lessees, and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act, were duly deposited with the clerks of the peace for the county of Devon and the city and county of Bristol, and are herein-after respectively referred to as the deposited plans, sections, and book 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 Commons, in this present Parliament assembled, and by the authority of the same, as follows; (that is to say,)

Short title.

1. This Act may be cited as The Bristol and Exeter Railway Act, 1874.

Provisions of certain general Acts incorporated.

2. The Lands Clauses Consolidation Acts, 1845, 1860, and 1869;
The Railways Clauses Consolidation Act, 1845;
Part I. of The Railways Clauses Act, 1863 (relating to the construction of a railway);
The clauses and provisions of The Companies Clauses Consolidation Act, 1845, with respect to—
The distribution of the capital of the Company into shares;
The transfer or transmission of shares;
The payment of subscriptions and means of enforcing the payment of calls;
The forfeiture of shares for nonpayment of calls;
The remedies of creditors of the Company against the shareholders;
The borrowing of money by the Company on mortgage or bond;
The conversion of the borrowed money into capital;
The consolidation of shares into stock;
The making of dividends;
The giving of notices; and
The provision to be made for affording access to the special Act by all parties interested;
And also Parts I., II., and III. of The Companies Clauses Act, 1863, relating respectively to the cancellation and surrender of shares, to additional capital, and to debenture stock;
are (except where expressly varied by or inconsistent with this Act) incorporated with and form part of this Act.

Same meaning to words, &c. in incorporated Acts as in this Act.

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 railway" means the railway by this Act authorised;
"The harbour undertaking" means the joint undertaking of the

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two Companies authorised by the recited Acts relating to the Bristol Harbour Railway;

"Superior courts" or "courts of competent jurisdiction," or other like expressions 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 execute works according to deposited plans.

4. Subject to the provisions of this Act, the Company may make and maintain in the line and according to the levels shown on the deposited plans and sections the railway herein-after described, with 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 book of reference as may be required for that purpose.

The railway herein-before referred to and authorised by this Act is—

A railway four miles and four furlongs in length, commencing in the parish of Stoke Canon in the county of Devon by a junction with the main line of the Bristol and Exeter Railway, and terminating in the parish of Silverton in a field numbered 574 in the tithe commutation map of the said parish.

Lands for extraordinary purposes.

5. The quantity of land to be taken by the Company by agreement under the powers of this Act for the extraordinary purposes mentioned in The Railways Clauses Consolidation Act, 1845, shall not exceed two acres.

Powers for compulsory purchases limited.

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

Power to take easements, &c. by agreement.

7. Persons empowered by The Lands Clauses Consolidation Act, 1845, to sell and convey or release lands may, if they think fit, 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 of this Act in, over, or affecting any such lands, and the provisions of the said Acts with respect to lands and rentcharges, 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 cross certain roads on the level.

8. Subject to the provisions in The Railways Clauses Consolidation Act, 1845, and in Part I. (relating to the construction of a

railway) of The Railways Clauses Act, 1863, contained in reference to the crossing of roads on the level, the Company may in the construction of the railway carry the same with a single line only, whilst the railway shall consist of a single line, and afterwards with a double line only, across and on the level of the roads next hereinafter mentioned; (that is to say,)

Number on deposited Plan.	Parish.	Description of Road.
29	Netherex - - - -	Public.
83A	Rew - - - -	Public.
90	Rew - - - -	Public.

Inclination of certain road.

9. In altering for the purposes of this Act the road next herein-after mentioned the Company may make the same of any inclination not steeper than the inclination herein-after mentioned in connexion therewith; (that is to say,)

Number on deposited Plan.	Parish.	Description of Road.	Intended Inclination.
92	Silverton - - -	Turnpike - -	1 in 23 on one side and 1 in 35 on the other side.

Penalty imposed unless the line opened within the time limited.

10. If the Company fail within the period limited by this Act to complete the railway, 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 railway is 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 railway, and the said penalty may be applied for by any landowner or other person claiming to be compensated in accordance with the provisions of the next following section of this Act, or by the Solicitor of Her Majesty's Treasury, and in the same manner as the penalty provided in section three of The Railway and Canal Traffic Act, 1854, and every sum of money recovered by way of such penalty as aforesaid 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 Court of Chancery in England 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

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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 such line by unforeseen accident or circumstances beyond their control; provided that the want of sufficient funds shall not be held to be a circumstance beyond their control.

Application of penalty.

11. 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 any portion thereof, or who may have been subjected to injury or loss in consequence of the compulsory powers of taking property for the railway 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 Court of Chancery in England may seem fit; and 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 or transferred to or for the account of Her Majesty's Exchequer in such manner as the Court of Chancery in England thinks fit to order on the application of the Solicitor of 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 Court, 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 or transferred 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.

Period for completion of works.

12. If the railway is 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 railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as is then completed.

Railway as to tolls, &c. to form part

13. The Company may demand and take in respect of the railway the same tolls and charges as they are authorised to receive for

and in respect of the Bristol and Exeter Railway, as if the railway was part of such undertaking, and the railway shall in all respects be deemed part of the Bristol and Exeter Railway.

of original railway.

14. The Company may lay down and maintain on that portion of their main line of railway which lies between the junction therewith of the railway by this Act authorised to be constructed and the junction at Cowley Bridge of the Exeter and Crediton Railway with the Bristol and Exeter said main line of railway, additional rails, so as to adapt that portion of their said railway to the passage of narrow as well as of broad gauge engines and carriages.

Company may lay narrow gauge rails on portion of their railway.

15. The Company may, 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, from time to time subscribe towards and become shareholders in the undertaking of the Culm Valley Company to any extent not exceeding four thousand pounds, and shall in respect of the money thus subscribed and the shares or stock in the Culm Valley Company representing that money which shall from time to time be held by the Company have all the powers, rights, and privileges, (except in regard to voting at general meetings, which shall be regulated by the special provisions herein-after contained,) and be subject to all the obligations and liabilities of proprietors of shares in the Culm Valley Company: Provided always, that the Company shall not sell or dispose of any shares or stock in the undertaking of the Culm Valley Company which may be acquired by them under the authority of this Act.

Power to Company to subscribe to Culm Valley Railway.

16. The Company from time to time may nominate one of their directors to be a director of the Culm Valley Company in respect of their subscription of four thousand pounds to the capital of the Culm Valley Company, and every such nomination shall be made in writing under seal, and shall be deposited with the secretary of the Culm Valley Company, and may in like manner be revoked and renewed, and so long as any such director from time to time remains in office the number of the directors of the Culm Valley Company shall, subject as after mentioned, be seven, namely, the six directors appointed by the proprietors of the Culm Valley Company and the director appointed by the Company, and every director so appointed by the Company shall enter upon office immediately upon his appointment, and shall remain in office until his appointment be revoked, or until he die or resign, and need not be a shareholder in the Culm Valley Company: Provided always, that nothing herein contained shall prejudice the powers of the Culm

Company may nominate director of Culm Valley Company.

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Valley Company to reduce the number of directors appointed by their proprietors.

Company may nominate person to vote at meetings of Culm Valley Company.

17. The directors of the Company, when and so long as the Company are shareholders in the capital of the Culm Valley Company, may from time to time nominate (such nomination to be signified in writing under the hand of the chairman or secretary of the Company) some person to attend on behalf of the Company any meeting of the Culm Valley Company, and every such person shall (except as to the appointment of directors of the Culm Valley Company) have all the privileges and powers attaching to other shareholders at such meetings, and may vote thereat in respect of the capital held by the Company in the undertaking of the Culm Valley Company.

The Company and the Culm Valley Company may enter into agreements.

18. The Company on the one hand and the Culm Valley Company on the other hand may enter into and carry into effect agreements for or with respect to—

The guarantee by the Company of the debenture debt of the Culm Valley Company and the interest thereon.

Powers as to new hotel at Exeter.

19. The Company may upon land adjoining their Saint David's Station at Exeter erect and maintain an hotel, and hold the same as part of their undertaking, and may furnish the same, and either manage and work or let the same, or they may agree with any person or persons or with any Company for the carrying into execution the aforesaid purposes or any of them.

Power to the two Companies to acquire additional lands in Bedminster.

Period for compulsory acquisition thereof.

20. Subject to the provisions of this Act the two Companies may enter upon, take, and use for the purposes of the Bristol Harbour Railway the lands situate in the parish of Bedminster in the city and county of Bristol which are delineated upon the deposited plans and described in the deposited books of reference, and may stop up and appropriate the site of the road shown on the said deposited plans and passing along the north side of the said lands; provided that the powers of the two Companies for the compulsory purchase of such lands shall not be exercised after the expiration of three years from the passing of this Act.

Revival of powers for purchase of lands in Pile Street, Bristol.

21. The powers granted by the Bristol Harbour Railway Act, 1869, for the compulsory purchase of lands in Pile Street in the city and county of Bristol are hereby revived and extended until the first day of December one thousand eight hundred and seventy-six, on which day those powers shall cease.

Extension of time for purchase of

22. The time limited by the Bristol and Exeter Railway Act, 1871, for the purchase of lands in the parish of Bedminster in the

city and county of Bristol is hereby extended until the first day of December one thousand eight hundred and seventy-six.

lands in Bedminster.

23. In the exercise of the powers conferred upon them the two Companies shall be subject to the following conditions, obligations, and restrictions:

Conditions attaching to the taking of certain lands in Bedminster and Saint Mary Redcliff parishes.

Except with the previous consent of the mayor, aldermen, and burgesses of the city of Bristol, herein-after called the Corporation, in writing under their corporate seal,

The two Companies shall not put in force their compulsory powers over the lands numbered 1, 2, 3, 4, and 5 in the deposited plans for the said parish of Bedminster, nor shall they stop up or appropriate the site of the road shown on the said plans and passing along the north side of the said lands:

If the two Companies shall acquire the lands respectively numbered 2, 3, 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 26, 27, 28, 29, 30, 31, 42, 43, 44, 45, 54, and 55 in the said deposited plans for the said parish of Saint Mary Redcliff, they shall, on the requisition of the Corporation, acting as, the urban sanitary authority for the said city, sell to them so much of the said lands as shall be necessary to widen Pile Street to an uniform width of thirty feet according to a line laid down by the Bristol Improvement Committee under the provisions of The Bristol Improvement Acts, 1840 and 1847, or one of them, and shown on a plan in the possession of the treasurer of the city of Bristol signed by Samuel Charles Fripp, one of the district inspectors appointed under the said Acts, and by George Thomas as chairman of the said committee, and dated ninth September one thousand eight hundred and fifty, the terms of purchase, in case of difference between the Corporation and the two Companies, to be settled by arbitration in the manner prescribed by The Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

24. The Company as to such of the houses in this section described as are to be taken by them, and the two Companies as to such of those houses as are to be taken by them jointly, shall, not less than eight weeks before they respectively take in any parish under the powers of this Act fifteen houses or more occupied either wholly or partially by persons belonging to the labouring classes as

Notice to be given of taking houses of labouring classes.

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tenants or lodgers, make known their intention to take the same by placards, hand-bills, or other general notice placed in public view upon or within a reasonable distance from such houses, and the Company or the two Companies, as the case may be, shall not take any such houses until they have obtained the certificate of a justice that it has been proved to his satisfaction that the Company or the two Companies, as the case may be, have made known their intention to take the same in manner herein-before required.

Vesting of lands for harbour undertaking in the two Companies.

25. All lands purchased by the two Companies under the powers of this Act for the purposes of the harbour undertaking shall be conveyed to and vest in the two Companies jointly, and shall be for ever after held and enjoyed by them jointly for the purposes of that undertaking, and the form of conveyance of lands prescribed by The Lands Clauses Consolidation Act, 1845, may be used with the requisite alterations thereof for the conveyance of lands to the two Companies jointly.

Companies may agree for absolute vesting of land in only one of them.

26. Each of the two Companies may enter into and carry into effect agreements with the other as to vesting in one of the Companies alone any lands acquired by the two Companies jointly or separately or of any lands to be acquired by them under the powers of this Act for the harbour undertaking, and may execute all necessary conveyances or other deeds for effectually vesting such lands as aforesaid.

Extending to this Act certain sections of Bristol Harbour Railway Act, 1866.

27. Sections forty-one (contracts between the Companies inter se) and forty-two (recovery of expenses from Companies) of the Bristol Harbour Railway Act, 1866, so far as they are applicable, shall extend and apply to and be incorporated with this Act.

The two Companies may raise additional capital.

28. The two Companies respectively may apply to the purposes of this Act to be jointly executed by them any moneys they may have already raised or are authorised to raise, and which may not be required for the purposes for which they were authorised to be raised, and subject to the provisions of Part II. of The Companies Clauses Act, 1863, and for the same purposes of this Act, the two Companies may separately or jointly or either of the two Companies may raise, in addition to the sums of money they are already separately or jointly authorised to raise, any additional sum or sums of money not exceeding in the whole one hundred thousand pounds by the creation and issue at their option, or at the option of the respective Companies, of new ordinary shares or stock, or new preference shares or stock, or wholly or partially by any one or more of those modes respectively; provided that if the said capital be raised by

the two Companies separately, two fifths thereof shall be raised by the Company and three fifths thereof shall be raised by the Great Western Railway Company.

Restrictions as to issue of shares.

29. The two Companies shall not, nor shall either of them, issue any share of a less nominal value than ten pounds, nor shall any share vest in the person accepting the same unless and until a sum not being less than one fifth part of the amount of such share shall have been paid in respect thereof.

Companies may create stock.

30. If the two Companies think fit they may raise the said sum of one hundred thousand pounds in the same manner as and to form part of the separate capital raised under The Bristol Harbour Railway Act, 1866, and subject to the same provisions as are contained in the forty-ninth section of that Act with respect to such separate capital.

Power to restrict right of voting in respect of new preference shares.

31. The two Companies respectively may on the creation and issue of any preference shares or stock under the powers of this Act make such restrictions upon the right of voting in respect of or qualifications conferred by such preference shares or stock as they think fit.

Power to raise capital under any other Act of this session and this Act by new shares of same class.

32. Subject to the provisions of this Act and of any Act already passed, and any other Act passed in the present session of Parliament, whether before or after the passing of this Act, by which the two Companies or either of them are authorised to raise any capital by new shares or stock, the Company so authorised, if they think fit, may raise by the creation and issue of new shares or stock of one and the same class all or any of the aggregate capital which they are by such other Act and this Act respectively authorised to raise by the creation and issue of new shares or stock.

Power to borrow on mortgage.

33. Each of the two Companies may, in addition to any other moneys authorised to be borrowed by them respectively under any previous Act, borrow on mortgage, on the security of their respective undertakings, such sums of money as shall from time to time be authorised to be borrowed by any general or special meeting of the borrowing Company, not exceeding in the whole one third part of the capital to be raised by that Company under this Act, but no such money shall be borrowed until shares for the whole of such additional capital as is to be raised by shares by the borrowing Company shall have been issued and accepted and one half of such capital shall have been paid up, and until the borrowing Company shall have proved to the justice who is to certify, under

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the fortieth section of The Companies Clauses Consolidation Act, 1845, before he so certifies, that shares for the whole of the capital to be raised by the borrowing Company are 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 has been paid up 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 raised by that Company by means of stock is fully paid up, and that such shares or stock, as the case may be, were issued, accepted, and paid up in good faith and are held by the persons or corporations to whom the same were issued, or their executors, administrators, or assigns, and also, if the said capital is raised by shares, that such persons or corporations, their executors, administrators, or assigns, are legally liable for the same; and upon production to such justice of the books of the borrowing Company, and of such other evidence as he shall think sufficient, he shall grant a certificate that the proofs aforesaid have been given, which certificate shall be sufficient evidence thereof.

Powers to borrow jointly.

34. If the two Companies think fit to create separate capital under the powers herein-before contained, it shall also be lawful for them to borrow jointly, on mortgage of their respective undertakings and of the harbour undertaking, or of the harbour undertaking alone, such sums of money not exceeding one third part of the capital hereby authorised to be raised by the two Companies by shares or stock as shall from time to time be sanctioned by any general or special meetings of the respective Companies, and the provisions and restrictions contained in the last preceding section with respect to the borrowing of money shall apply to the money by this section authorised to be jointly borrowed by the two Companies.

Existing mortgages to have priority.

35. All existing mortgages and bonds granted by the two Companies or either of them respectively, under the powers of any former Acts relating to the two Companies or either of them respectively, shall during the continuance of such mortgages and bonds have priority over any mortgages to be granted by them or either of them by virtue of this Act, but nothing in this section shall affect any priority of the interest of any debenture stock at any time created and issued by the two Companies or either of them respectively.

Debenture stock.

36. The two Companies jointly or separately, or either of the two Companies, in lieu of borrowing any sum or sums of money

which by this Act they are authorised to borrow, 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 at any time after the passing of this Act created by the two Companies or either of them respectively, as the case may be, shall rank pari passu with the interest of all mortgages at any time after the passing of this Act granted by the two Companies or either of them respectively, as the case may be, and shall have priority over all principal moneys secured by such mortgages.

Application of moneys by the two Companies.

37. All moneys raised by the two Companies under the powers of this Act for the purposes of the harbour undertaking shall be applied only to those purposes.

Interest or dividends on calls not to be paid out of capital.

38. The two Companies or either of them shall not, out of any money by this Act authorised to be raised by calls or by borrowing, pay interest or dividend to any shareholder on the amount of the calls made in respect of the shares held by him: Provided always, that this Act shall not prevent the two Companies or either of them from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with The Companies Clauses Consolidation Act, 1845.

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

39. The two Companies or either of them shall not, out of any money by this Act authorised to be raised, pay or deposit any sum which, by any standing order of either House of Parliament now or hereafter in force, may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act authorising the two Companies or either of them to construct any other railway or to execute any other work or undertaking.

Railways not exempt from provisions of present and future general Acts.

40. Nothing herein contained shall exempt the two Companies or either of them, or their or either of their undertakings, from the provisions of any general Act relating to railways, or to the better and more impartial audit of the accounts of railway companies, now in force or which may hereafter pass during this or any future session of Parliament, or from any future revision or alteration, under the authority of Parliament, of the maximum rates of fares and charges or of the rates for small parcels authorised by this Act.

Expenses of Act.

41. All costs, charges, and expenses of and incident to the preparing and obtaining and passing of this Act, or otherwise in re-

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lation thereto, shall be paid as to so much thereof as relates to the Company solely by the Company, and as to so much thereof as relates to the two Companies by the joint committee out of the capital to be raised by or for them under the authority of this Act.

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