CHAPTER clxxix.

An Act for making a Railway from Daventry to Weedon in the county of Northampton. [6th August 1872.] A.D. 1872.

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

And whereas the persons in this Act named, with others, are willing at their own expense to construct such railways, and it is expedient that they should be incorporated into a company, and that powers should be conferred on them for that purpose:

And whereas plans and sections showing the lines and levels of the proposed railways, and a book of reference to such plans containing the names of the owners and lessees, or reputed owners and lessees, and of the occupiers of the lands in or through which the railways are to be made and maintained, have been deposited with the clerk of the peace for the county of Northampton, and those plans, sections, and book of reference are in this Act referred to as the deposited plans, sections, and book of reference:

And whereas it is expedient that the Company and the other companies in this Act in that behalf named should be empowered to make and carry into effect such agreements and arrangements as are herein-after expressed:

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

May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as "The Daventry and Weedon Railway Act, 1872."

Provisions of general Acts herein named incorporated.

2. "The Companies Clauses Consolidation Act, 1845," Part I. (relating to cancellation and surrender of shares) of "The Companies

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Clauses Act, 1863," "The Lands Clauses Consolidation Acts, 1845, 1860, and 1869," "The Railways Clauses Consolidation Act, 1845," and Part I. (relating to construction of a railway) and Part III. (relating to working agreements) of "The Railways Clauses Act, 1863," are (except where expressly varied by this Act) incorporated with and form part of this Act.

Interpretation of terms.

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 Company" means the Company incorporated by this Act; the expressions "the railway" and "the undertaking" mean respectively the railways and undertaking by this Act authorised; and 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 common simple contract debt, and not a debt or demand created by statute.

Company incorporated.

4. Arthur Chandler, Thomas Vivian Gurney, and William Briton Stephens, and all other persons and corporations who have already subscribed or shall hereafter subscribe to the undertaking, and their executors, administrators, successors, and assigns respectively, shall be united into a company for the purpose of making and maintaining the railways, and for other the purposes of this Act, and for those purposes shall be incorporated by the name of "The Daventry and Weedon 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 make railway according to deposited plans.

5. 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, 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 railways herein-before referred to and authorised by this Act will be wholly situated in the county of Northampton, and are as follows:

(1.) A railway three miles two furlongs and four chains in length, commencing in the parish of Daventry in a field near the

public pound adjoining the road from Daventry to Norton, and terminating in the parish of Dodford in a field numbered 48a in that parish, on the plan deposited in November 1867, of the Weedon and Daventry Railway, with the clerk of the peace of the said county; and,

(2.) A railway five furlongs and nine and one half chains, wholly situated in the said parish of Dodford, commencing by a junction with Railway No. 1 at the termination thereof before described, and terminating by a junction with the London and North-western Railway at a point on or adjoining the down line of that railway on the north side of the bridge which carries the turnpike road to Daventry over the said railway near the Weedon station. No. 2 will be wholly situated within the said parish of Dodford.

For protection of London and North-western Railway Company.

6. Unless with the consent of the London and North-western Railway Company, in writing under their common seal, the Company shall not take or otherwise interfere with the properties numbered 9 and 10 respectively in the parish of Dodford on the deposited plans of the Railway No. 2, belonging or reputed to belong to that company, or any of the works or any other the property of that company.

Capital.

7. The capital of the Company shall be forty thousand pounds, in four thousand shares of ten pounds each.

Shares not to issue until one fifth paid up.

8. The Company shall not issue any share created under the authority of this Act, nor shall any share vest in the person accepting the same, unless and until a sum not being less than one fifth of the amount of such share shall have been paid in respect thereof.

Calls.

9. 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 four fifths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share.

Power to divide shares.

10. 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 the capital authorised by the recited Act into half shares, of which one shall be called "preferred half share," and the other shall be called "deferred half share:" Provided always, that the Company shall not divide any share unless and until not less than sixty per centum upon such share has been paid up, and upon every such

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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.

11. 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 six 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.

12. 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 registered, and certificates issued.

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

Term of issue to be stated in certificates.

14. The terms and conditions on which any preferred half share or deferred half share is issued shall be stated on the certificate of each such half share.

Forfeiture of preferred shares.

15. The provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the forfeiture of shares for nonpayment of calls, shall apply to all preferred half shares to be created under the

authority of this Act, and every such preferred half share shall for that purpose be considered a whole share, distinct from the corresponding deferred half share: Provided always, that until any forfeited preferred half share shall be sold by the directors of the Company, 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. A.D. 1872.

Preferred shares not to be cancelled, &c.

16. No preferred shares created under the authority of this Act shall be cancelled, or be surrendered to the Company.

Half shares to be half shares in capital.

17. The several half shares 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.

Power to borrow on mortgage.

18. The Company may from time to time borrow on mortgage any sums not exceeding in the whole thirteen thousand three hundred pounds, but no part thereof shall be borrowed until the whole capital of forty thousand pounds is subscribed for, 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, that the whole of such capital has been subscribed for, 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 capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such capital was issued bonâ fide, and is held by the subscribers or their assigns, and that such subscribers or their assigns are legally liable for the same; and upon production to such justice of the books of the 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.

Arrears may be enforced by appointment of a receiver.

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

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Application of moneys.

20. All moneys raised under this Act, whether by shares or borrowing, shall be applied for the purposes of this Act only.

General meetings.

21. The first ordinary meeting of the Company shall be held within two months after the passing of this Act, and the quorum for general meetings, whether ordinary or extraordinary, shall be ten shareholders holding together not less than one thousand pounds in the capital of the Company.

Number of directors.

22. The number of the directors shall be three.

Qualification of directors.

23. The qualification of a director shall be the possession in his own right of not less than ten shares.

Quorum.

24. The quorum of a meeting of directors shall be two.

First directors.

Election of directors.

25. Arthur Chandler, Thomas Vivian Gurney, and William Briton Stephens 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 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 being, if 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 elect persons to supply the places of the directors then retiring from office, agreeably to the provisions in "The Companies Clauses Consolidation Act, 1845," contained; and the several persons elected at such meeting, being neither removed nor disqualified, nor having resigned, shall continue to be directors until others are elected in their stead, in manner provided by the same Act.

Lands for extraordinary purposes.

26. 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 two acres.

Powers for compulsory purchases limited.

27. 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.

Height and span of bridges for carrying railway over roads.

28. The Company may make the arches of the bridges for carrying the railway over the roads next herein-after mentioned of any heights and spans not less than the heights and spans herein-after mentioned in connexion with those roads respectively; (that is to say,)

No. on deposited plans.	Parish.	Description of road.	Height. Feet.	Span. Feet.
35	Dodford - -	Public - -	15	20
38	Dodford - -	Do. - -	15	20

Deposit money not to be repaid until line opened, or half the capital paid up and expended.

29. Whereas, pursuant to the standing orders of both Houses of Parliament, and to an Act of the ninth and tenth years of Her present Majesty, chapter twenty, two thousand one hundred and sixty pounds bank three per cent. annuities, being five per centum upon the amount of the estimate in respect of the railway, has been transferred to the Accountant General of the Court of Chancery in England in respect of the application to Parliament for this Act: Be it enacted, notwithstanding anything contained in the said recited Act, the said stock shall not be re-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, unless the Company shall, previously to the expiration of the period limited by this Act for completion of the railways, either open the same for the public conveyance of passengers, or prove to the satisfaction of the Board of Trade that the Company have paid up one half of the amount of the capital by this Act authorised to be raised by means of shares, and have expended for the purposes of this Act a sum equal in amount to such one half of the said capital; and if the said period shall expire before the Company shall either have opened the railway for the public conveyance of passengers, or have given such proof as aforesaid to the satisfaction of the Board of Trade, the said stock shall be applied in the manner herein-after specified, and the certificate of the Board of Trade that such proof has been given to their satisfaction as aforesaid shall be sufficient evidence of the fact so certified, and it shall not be necessary to produce any certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding.

Application of deposit.

30. The said stock transferred 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 hereof, 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

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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 said stock shall have been found sufficient to satisfy all just claims in respect of such compensation, then the said stock, or such portion thereof as may not be required as aforesaid, shall be re-transferred to or on the application of the person or persons or the majority of the persons named in such warrant or order as aforesaid, or the survivors or survivor of them: Provided, that until the said stock shall have been re-transferred, or shall have 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 person or persons or the majority of the persons named in such warrant or order as aforesaid, or the survivors or survivor of them.

Period for completion of works.

31. The railway shall be completed within three years from the passing of this Act, and if the railway shall not be completed within that period, then on the expiration thereof 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 shall then be completed.

Tolls.

32. The Company may demand and take in respect of the use of the railway any tolls not exceeding the following; (that is to say,)

For passengers, &c.

In respect of passengers and animals conveyed on the railway:

For every person conveyed in or upon any carriage, per mile not exceeding twopence; and if conveyed in or upon any carriage provided by the Company, an additional sum per mile not exceeding one penny:

For every horse, mule, ass, or other beast of draught or burden conveyed in or upon any carriage, per mile not exceeding threepence; and if conveyed in or upon any carriage provided by the Company, an additional sum per mile not exceeding one penny:

For every ox, cow, bull, or head of neat cattle conveyed in or upon any carriage, per mile not exceeding twopence; and if conveyed in or upon any carriage provided by the Company, an additional sum per mile not exceeding one penny:

For every calf or pig, sheep, lamb, or other small animal conveyed in or upon any carriage, per mile not exceeding one penny; and if conveyed in or upon any carriage provided by the Company, an additional sum per mile not exceeding one halfpenny.

In respect of goods conveyed on the railway :

For goods.

For all coals, cinders, dung, compost, and all sorts of manure, and all undressed materials for the repair of public roads or highways, per ton per mile not exceeding one penny; and if conveyed in carriages provided by the Company, an additional sum per ton per mile not exceeding one penny :

For all coke, culm, charcoal, sand, lime, and limestone, and all stones for building, pitching, and paving, all bricks, tiles, slates, clay, chalk, marl, ironstone, copper ore, lead ore, and iron ore, per ton per mile not exceeding twopence; and if conveyed in carriages provided by the Company, an additional sum per ton per mile not exceeding one penny :

For all pig iron, bar iron, rod iron, hoop iron, and all other similar descriptions of wrought iron and iron castings not manufactured into utensils or other articles of merchandise, per ton per mile threepence; and if conveyed in carriages provided by the Company, an additional sum per ton per mile not exceeding one penny :

For all sugar, grain, corn, flour, hides, dyewoods, earthenware, timber, staves, and deals, metals (except iron), tinned nails, nails, anvils, vices, and chains, per ton per mile not exceeding fourpence; and if conveyed in carriages provided by the Company, an additional sum per ton per mile not exceeding one penny :

For all cotton and other wools, drugs, manufactured goods, fish, and all other wares, merchandise, articles, matters, or things, per ton per mile not exceeding fivepence; and if conveyed in carriages provided by the Company, an additional sum per ton per mile not exceeding one penny :

For every carriage of whatever description, not being a carriage adapted and used for travelling on a railway, and not weighing more than one ton, carried or conveyed on a truck or platform belonging to the Company, per mile not exceeding sixpence; and a sum of twopence per mile for every additional quarter of a ton or fractional part of a quarter of a ton which any such carriage may weigh.

Tolls for propelling power.

33. The toll which the Company may demand for the use of engines for propelling carriages on the railway shall not exceed one penny per mile for each passenger or animal, or for each ton of goods, in addition to the several other tolls or sums by this Act authorised to be taken.

Regulations as to tolls.

34. The following provisions and regulations shall apply to the fixing of all tolls and charges payable under this Act; (that is to say,)

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For all passengers, animals, or goods conveyed on the railway for a less distance than four miles, the Company may demand tolls and charges as for four miles:

For a fraction of a mile beyond four miles, or beyond any greater number of miles, the Company may demand tolls and charges on animals and goods for such fraction in proportion to the numbers of quarters of a mile contained therein; and if there be a fraction of a quarter of a mile such fraction shall be deemed a quarter of a mile; and in respect of passengers, every fraction of a mile beyond an integral number of miles shall be deemed a mile:

For a fraction of a ton the Company may demand toll according to the number of quarters of a ton in such fraction, and if there be a fraction of a quarter of a ton such fraction shall be deemed a quarter of a ton:

With respect to all articles except stone and timber, the weight shall be determined according to the usual avoirdupois weight:

With respect to stone and timber, fourteen cubic feet of stone, forty cubic feet of oak, mahogany, teak, beech, or ash, and fifty cubic feet of any other timber, shall be deemed one ton weight, and so in proportion for any smaller quantity.

Tolls for small parcels and single articles of great weight.

35. With respect to small parcels not exceeding five hundred pounds in weight, and single articles of great weight, notwithstanding the rates prescribed by this Act, the Company may demand and take any toll not exceeding the following; (that is to say,)

For the carriage of small parcels on the railway, as follows:

If not exceeding seven pounds in weight, threepence;

If exceeding seven pounds in weight but not exceeding fourteen pounds in weight, fivepence;

If exceeding fourteen pounds in weight but not exceeding twenty-eight pounds in weight, sevenpence;

If exceeding twenty-eight pounds in weight but not exceeding fifty-six pounds in weight, ninepence;

If exceeding fifty-six pounds in weight but not exceeding one hundred and twelve pounds in weight, one shilling;

If exceeding one hundred and twelve pounds in weight but not exceeding two hundred and fifty pounds in weight, one shilling and sixpence;

And for parcels exceeding two hundred and fifty pounds in weight but not exceeding five hundred pounds in weight, the Company may demand any sum which 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 only apply to single parcels in separate packages.

For the carriage of single articles of great weight:

For the carriage of any one boiler, cylinder, bob, or single piece of machinery, or single piece of timber or stone, or other single article the weight of which, including the carriage provided by the Company, shall exceed four tons but shall not exceed eight tons, the Company may demand such sum as they think fit, not exceeding one shilling per ton per mile:

For the carriage of any single piece of timber, stone, machinery, or other single article the weight of which with the carriage shall exceed eight tons, the Company may demand such sum as they think fit.

Maximum rate for passengers.

36. The maximum rate of charge to be made by the Company for the conveyance of passengers upon the railway, including the tolls for the use of the railway and for carriages and locomotive power, and every other expense incidental to such conveyance, shall not exceed the following; (that is to say,)

For every passenger conveyed in a first-class carriage, the sum of threepence per mile:

For every passenger conveyed in a second-class carriage, the sum of twopence per mile:

For every passenger conveyed in a third-class carriage, the sum of one penny halfpenny per mile.

Maximum charges for animals and goods.

37. The maximum rate of charge to be made by the Company for the conveyance of animals and goods on the railway, including the tolls for the use of the railway and for waggons or trucks and locomotive power, and every other expense incidental to the conveyance, except a reasonable charge for loading and unloading goods at any terminal station in respect of such goods, and for delivery and collection, and any other service incidental to the business or duty of a carrier, where any such service is performed by the Company, shall not exceed the following sums; (that is to say,)

For every horse, mule, ass, or other beast of draught or burden, per mile not exceeding fourpence:

For every ox, cow, bull, or head of neat cattle, per mile not exceeding threepence:

For every calf or pig, sheep, lamb, or other small animal, per mile not exceeding three halfpence:

For all coals, cinders, dung, compost, and all sorts of manure, and all undressed materials for the repair of public roads or highways, per ton per mile not exceeding one penny halfpenny:

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For all coke, culm, charcoal, sand, lime, and limestone, and all stones for building, pitching, and paving, all bricks, tiles, slates, clay, chalk, marl, ironstone, copper ore, lead ore, and iron ore, per ton per mile not exceeding twopence halfpenny:

For all pig iron, bar iron, rod iron, hoop iron, and all other similar descriptions of wrought iron and iron castings not manufactured into utensils or other articles of merchandise, per ton per mile not exceeding fourpence:

For all sugar, grain, corn, flour, hides, dyewoods, earthenware, timber, staves, and deals, metals (except iron), tinned nails, nails, anvils, vices, and chains, per ton per mile not exceeding fivepence:

For all cotton and other wools, drugs, manufactured goods, fish, and all other wares, merchandise, articles, matters, or things, per ton per mile not exceeding sixpence:

For every carriage of whatever description, not being a carriage adapted and used for travelling on a railway, and not weighing more than one ton, carried or conveyed on a truck or platform belonging to the Company, per mile not exceeding sixpence; and a sum of twopence per mile for every additional quarter of a ton or fractional part of a quarter of a ton which any such carriage may weigh.

Passengers luggage.

38. Every passenger travelling upon the railway 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.

Terminal station.

39. No station shall be considered a terminal station in regard to any goods conveyed on the railway unless such goods have been received thereat direct from the consignor, or are directed to be delivered thereat to the consignee.

Restrictions as to charges not to apply to special trains.

40. The restrictions as to the charges to be made for passengers shall not extend to any special train run upon the railway, 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 and goods upon the railway.

Company may take increased charges by agreement.

41. Nothing in this Act shall prevent the Company from taking any increased charges, over and above the charges by this Act limited for the conveyance of animals or goods of any description, by agreement with the owners or persons in charge thereof, either

by reason of any special service performed by the Company in relation thereto, or in respect to the conveyance of animals or goods (other than small parcels) by passenger trains.

Power to enter into working agreements with London and North-western Railway Company.

42. The Company and the London and North-western Railway Company may, subject to the provisions of Part III. of "The Railways Clauses Act, 1863," from time to time enter into working agreements with respect to the following purposes, or any of them; (that is to say,)

The management, use, working, and maintenance of the railway, or of any part or of parts thereof:

The payments to be made and the conditions to be performed with respect to the matters aforesaid:

The interchange, accommodation, conveyance, and delivery of traffic coming from or destined for the undertakings of the contracting Companies, and the fixing and division between the said Companies of the receipts arising from such traffic.

Tolls partly on railway and partly on London and North-western Railway.

43. Where under this Act any passengers, animals, or goods are conveyed by the London and North-western Company for a distance less in the whole than four miles, partly on the London and North-western Railway and partly on the railway, tolls, fares, rates, and charges may be demanded as for four miles only; and in respect of passengers, for every mile or fraction of a mile beyond four miles, tolls and charges as for one mile only; and in respect of animals and goods, for every quarter of a mile or fraction of a quarter of a mile beyond four miles, tolls and charges as for a quarter of a mile only; and no other short-distance charge shall be made for the conveyance of passengers, animals, or goods partly on the railway and partly on the London and North-western Railway.

Interest not to be paid on calls paid up.

44. The Company 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 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."

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

45. The Company 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

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Company to construct any other railway, or to execute any other work or undertaking.

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

46. Nothing herein contained shall be deemed or construed to exempt the railway from the provisions of any general Act relating to railways, or the better and more impartial audit of the accounts of railway companies, now in force or which may hereafter pass during this or any future session of Parliament, or from any future revision 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.

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

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