CHAPTER xliii.

An Act for enabling the Great Southern and Western Railway Company to construct Railways at Cork and Dublin; to acquire additional Lands for the purposes of their Undertaking; to widen or alter certain of their Bridges; and for other purposes. [30th June 1874.]

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WHEREAS it is expedient that the Great Southern and Western Railway Company (in this Act called "the Company") should be empowered to construct the railways, to widen the viaducts or bridges, to stop up the roads, and to execute the other works in this Act mentioned, and to acquire for such purposes, and for other purposes connected with their undertaking, the lands and buildings in this Act also mentioned:

And whereas plans and sections showing the respective lines and levels of the new railways and works above referred to and by this Act authorised to be made, and plans of the lands above referred to and by this Act authorised to be acquired and appropriated, 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 clerks of the peace for the several counties within which those works will be constructed and those lands are situate, which plans, sections, and books of reference are in this Act referred to as the deposited plans, sections, and books of reference:

And whereas it is expedient that the Company should be authorised to abandon and discontinue the maintenance of a portion of their railway which will be rendered unnecessary by the construction of one of the railways by this Act authorised, and that they should have power to sell or otherwise dispose of the site of such portion of railway so disused:

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And whereas it is expedient that the Company should be empowered to raise further capital for the purposes of this Act, and for the purpose of providing additional station, siding, rolling stock, and other accommodation, and for the general purposes of the Company:

And whereas it is expedient that such further powers should be granted to the Company as are herein-after mentioned:

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:

Short title.

1. This Act may be cited for all purposes as "The Great Southern and Western Railway Act, 1874."

Provisions of certain general Acts incorporated.

2. Part I. (relating to the construction of a railway) of "The Railways Clauses Act, 1863," and Part II. (relating to additional capital) and Part III. (relating to debenture stock) of "The Companies 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 shall have the same respective meanings, unless there be something in the subject or context repugnant to such construction.

As to deposit of plans with clerks of unions.

4. With reference to this Act all the provisions of sections seven, eight, and nine of "The Railways Clauses Consolidation Act, 1845," shall be read and construed as if instead of the expression "postmasters of the post towns in or nearest to such parishes in Ireland," the expression "clerks of the unions within which such parishes are included in Ireland," and as if, instead of the word "postmasters," the words "clerks of the union" had been used and inserted throughout those sections.

Power to make railways and other works.

5. 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 railways and other works herein-after described, with all proper stations, approaches, works, and conveniences connected with such railways, and may exercise the powers herein-after described, 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 those purposes; (that is to say,)

They may make a railway (described on the deposited plans as No. 1) two furlongs and nine and three quarter chains in length, wholly situate in the parish of Saint Anne's Shandon, in the county of the city of Cork, in substitution for a portion of the existing Great Southern and Western and Cork and Youghal Junction Railway of the Company, commencing by a junction with the main line of the railway of the Company at a point distant fifty-eight yards or thereabouts north of the south face of the tunnel adjoining the terminus of the Company at Cork, and terminating by a junction with the said Great Southern and Western and Cork and Youghal Junction Railway at a point thirty-four yards or thereabouts south-west of the bridge carrying the said railway over the Lower Glanmire Road:

They may make a railway (described on the deposited plans as No. 4) three furlongs one chain and two yards in length, situate wholly in the parish of Saint James and in the county of the city of Dublin, commencing in the station yard of the Great Southern and Western Railway at King's Bridge, Dublin, at a point one hundred and forty yards or thereabouts measured in a westerly direction from the middle of the coping of the platform adjoining Long Lane, and terminating at a point on the south side of the mill stream which runs eastward from the junction of Steeven's Lane and the Military Road, and at a distance of one hundred and twenty-four yards or thereabouts from the eastern side of Steeven's Lane: Provided always, that no carriage or truck shall be propelled by steam or by atmospheric agency, or drawn by ropes in connexion with a stationary steam engine upon the said railway; neither shall any carriage or truck stand or remain upon the railway so as to impede or incommode the traffic passing along the road crossed on the level by the said railway:

They may stop up a portion of the road known as Long Lane, in the parish of Saint James in the county of the city of Dublin, between a point in the said road eighty-one yards eastward from the junction of the said road with the Circular Road, and a point four hundred and sixty-seven yards eastward from the junction of the aforesaid Long Lane with the aforesaid Circular Road; and they may also stop up a portion of the aforesaid road known as Long Lane, between a point five hundred yards eastward from the junction of the said road with the

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Circular Road, and the junction of the said road with the Military Road at the gate of the Royal Hospital, and may substitute therefor a new road, wholly situate in the townland of Saint James and parish of Saint James in the county of the city of Dublin, commencing at a point in Long Lane distant one hundred and ten yards or thereabouts from the southernmost corner of the eastern abutment of the bridge which carries the main lines of the Company's railway over the said Long Lane, measured in an easterly direction along the said Long Lane, and terminating in Bully's Acre at the southernmost corner of the eastern abutment of the bridge which carries the road leading from Island Bridge to Kilmainham over the railway:

They may stop up the public road crossing the railway on the level at a point eleven chains south of Kilmallock station house on the railway, situate partly in the townland of Gorthboy and parish of Saint Peter's and Saint Paul's in the county of Limerick, and partly in the townland of Gotoon and parish of Ballingaddy in the county of Limerick, and may divert the traffic to the public road which leads over the railway at the northern end of the Kilmallock station:

They may stop up and discontinue the level crossing by the railway of the public road leading from Cork to Mallow, in the townland of Monard and parish of Whitechurch in the county of Cork, such level crossing being situate on the railway at a point eighteen chains north of the northern face of the bridge carrying the said public road over the railway, and may substitute in place thereof an approach road, commencing on the said public road at a point four chains south of the northern face of the aforesaid bridge, and terminating at a point one chain and eleven yards west of the railway, measured at right angles from a point on the railway two chains north of the northern face of the aforesaid bridge, in the townland of Monard and parish of Whitechurch in the county of Cork:

They may stop up that portion of the public road leading from Cork to Mallow lying between the northern pier of the iron bridge at the south end of Kilbarry station and a point in the said road thirty chains or thereabouts to the north-east of the said bridge, and may substitute in place thereof a new road, commencing at the northern pier of the iron bridge at the south end of Kilbarry station, and terminating in the existing public road at a point thirty chains or thereabouts to the north-east of the aforesaid bridge:

They may remove or alter the southern end of the tunnel of their railway at Cork, and remove the wooden bridge carrying the Company's branch of the Cork, Youghal, and Queenstown Railway over the same, and may substitute in place thereof a bridge of a wider span, which bridge will be situate wholly in the parish of Saint Anne's Shandon and county of the city of Cork:

They may remove the present iron girder bridge which carries the Lower Glanmire Road leading from the city of Cork to Youghal and Queenstown over the railway at the north side of the Cork station, and may substitute a bridge of a wider span:

They may remove the bridge which carries the Great Southern and Western and Cork and Youghal Junction Railway of the Company over Hargreave Street in the county of the city of Cork, and may substitute therefor a bridge at a point in Hargreave Street distant one chain and eight yards or thereabouts to the north side of the existing bridge:

They may widen on the north-eastern side the viaduct of the Company which carries the Queenstown branch of the Company's railway over that portion of the estuary of the River Lee which lies to the north-west side of Harper's Island:

They may widen on the eastern side the viaduct which carries the Queenstown branch of the Company's railway over that portion of the estuary of the River Lee known as the Slatty Channel:

They may widen on the eastern side the viaduct of the Company which carries the Queenstown branch of the Company's railway over that portion of the estuary of the River Lee known as Belvelly Channel.

Lands for extraordinary purposes.

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

Period for completion of works.

7. The railways shall be completed within three years from the passing of this Act.

Power to cross 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

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a double line only, across and on the level of the roads herein-after mentioned; (that is to say,)

Number on deposited Plan.	Description of Road.	Parish.
3	Public road - - -	Saint James.
5	Public road - - -	Saint James.
7	Public road - - -	Saint James.

Bridges at Cork to be constructed to satisfaction of corporation.

9. Before constructing the new and substituted bridges in the county of the city of Cork the Company shall be bound to submit their plans to the corporation of the city of Cork, and shall not construct the same until the engineer of the corporation shall have approved the same; and in case of any difference of opinion as to the width, span, size, or construction of the bridges, the matter shall be referred to the arbitration of the Board of Trade.

Notice to be given of taking houses of labouring classes.

10. The Company shall, not less than eight weeks before they take in any parish fifteen houses or more occupied either wholly or partially by persons belonging to the labouring classes as tenants or lodgers, make known their intention to take the same by placards, handbills, or other general notice placed in public view upon or within a reasonable distance from such houses, and the Company 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 have made known their intention to take the same in manner herein-before required.

Railways to form part of railway of the Company.

11. The Company may demand and receive for and in respect of the railways by this Act authorised the same tolls and charges which they may now receive in respect of their existing undertaking, and the railways shall in all respects be deemed part of the railway of the Company.

Company may discontinue part of Cork and Youghal Railway rendered unnecessary.

12. At any time after the opening for public traffic of the railway No. 1 by this Act authorised, the Company may abandon and discontinue the user of such portion of the Great Southern and Western and Cork and Youghal Junction Railway of the Company as will be rendered unnecessary by the construction of the said railway No. 1.

Imposing penalty unless railways are opened.

13. If the Company fail within the period limited by this Act to complete the railways authorised to be made by this Act, the Company shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until the railways are completed and opened for public traffic, or until the sum received

in respect of such penalty shall amount to five per centum on the estimated cost of the works, 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 the third section of the Act seventeen and eighteen Victoria, chapter thirty-one, known as "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 to be opened in the name and with the privity of the accountant general of the Court of Chancery in Ireland in the bank named in such warrant or order, and shall not be paid thereout except as herein-after provided; but no penalty shall accrue in respect of any time during which it shall appear, by a certificate to be obtained from the Board of Trade, that the Company was prevented from completing or opening such railways by unforeseen accident or circumstances beyond their control; provided that want of sufficient funds shall not be held to be a circumstance beyond their control.

Providing for application of penalty in compensation to parties, &c. injured.

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

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Kingdom, or 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.

On expiration of time limited for completion of railways powers to cease.

15. If the railways authorised by this Act shall not be completed within the period limited by this Act, then on the expiration of such period the powers by this Act granted to the Company for making and completing the said railways, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

Company may acquire additional lands for general purposes.

16. Subject to the provisions of this Act, and in addition to the other lands which they are by this Act authorised to acquire, the Company may from time to time enter upon, take, use, and appropriate to purposes connected with their undertaking all or any of the lands, houses, and buildings following, delineated on the deposited plans and described in the deposited books of reference relating thereto respectively; (that is to say,)

Certain lands situate wholly in the townland of Marino and parish of Clonmel, in the county of Cork, adjoining the railway and on the southern side thereof:

Certain lands situate wholly in the townland of Ballynoe and parish of Clonmel, in the county of Cork, adjoining this railway and on the southern side thereof:

Certain lands in the townland of Saint James and parish of Saint James, in the county of the city of Dublin, lying to the south side of the railway, adjoining the bridge which carries the public road leading from Island Bridge to Kilmainham over the railway:

Certain lands in the townland of Saint James and parish of Saint James, in the county of the city of Dublin, lying on the south side of the railway, and adjoining the boundary wall of the Company's land where the boundary wall meets Long Lane:

Certain lands in the townland of Piercetown and parish of Morristownbiller, in the county of Kildare, lying on the west side of the railway, and adjoining the Newbridge station of the Company:

Certain lands in the townland of Loughbrown and parish of Pollardstown, in the county of Kildare, lying on the east side of the railway, adjoining the twenty-six and three quarters milepost from Dublin on the railway:

Certain lands in the townland of Pollardstown and parish of Pollardstown, in the county of Kildare, lying on the west side

of the railway, adjoining the twenty-six and three quarters milepost from Dublin on the railway:

Certain lands in the townland of Carr or Curraghane and parish of Coolbanagher, in the Queen's County, lying on the west side of the railway, adjoining the bridge which carries the public road leading from the village of Emo to the town of Mountmellick over the railway:

Certain lands in the townland of Castlefleming Giles and parish of Rathdowney, in the Queen's County, lying on the west side of the railway, adjoining the seventy and a half milepost from Dublin on the railway:

Certain lands in the townland of Garryvicleheen and parish of Thurles, in the county of Tipperary, lying on the west side of the railway, adjoining the Thurles station on the railway:

Certain lands in the townland of Golden Garden and parish of Kilpatrick, in the county of Tipperary, lying on the west side of the railway, near the one hundred and second milepost from Dublin on the railway:

Certain lands in the townland of Rathnapish and parish of Carlow, in the county of Carlow, lying on the west side of the Kilkenny branch of the Company's railway, adjoining the Carlow station on that railway:

Certain lands in the townland of Ballydrohid in the parish of Kilbride, in the King's County, lying on the east side of the Athlone branch of the Company's railway, adjoining the bridge which carries the road leading from the village of Rahan to the town of Tullamore over the railway:

Certain lands in the townland of Moorock and parish of Lemanaghan, in the King's County, lying on the west side of the Athlone branch of the Company's railway, and adjoining the Prospect station of that railway:

Certain lands in the townland of Lackenavea Egremont and parish of Kilmastulla, in the county of Tipperary, lying on the west side of the Nenagh and Birdhill branch of the Company's railway, adjoining the bridge which carries the public road leading from the city of Limerick to the town of Nenagh over the railway;

Certain lands in the townlands of Gortboy, Gotoon, and parish of Saint Peter and Saint Paul, in the county of Limerick, lying on the south side of and adjoining the Kilmallock station of the Company;

Certain lands in the townland of Coarliss and parish of Ballyhay, in the county of Cork, lying on the west side of and adjoining the Charleville station of the Company;

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Certain lands in the townland of Monard and parish of Whitechurch, in the county of Cork, lying on the west side of and adjoining the Rathpeacon goods station of the Company:

Certain lands in the townland of Doonens and parish of Drishane, in the county of Cork, lying on the north side of and adjoining the Mill Street station of the Company:

Certain lands in the townland of Kilbarry, parish of Saint Anne's Shandon, in the county of Cork, lying east of the railway, and adjoining the public road at the south-east side of the Kilbarry station of the Company:

Certain lands in the townland of Shinnagh in the parish of Nohavaldaly, in the county of Kerry, lying on the south side of the railway, and adjoining the Rathmore station of the Company:

Certain lands in the parish of Saint Anne's Shandon, in the county of the city of Cork, lying to the north side of the Cork and Youghal and Queenstown Railway of the Company, contiguous to Rockgrove Terrace:

Certain lands in the townland of Creggane and parish of Buttevant, in the county of Cork, lying to the east side of the railway, and one furlong one hundred and fifty yards or thereabouts south of the public road, on the north side of the station of the Company at Buttevant:

Certain lands in the townland of Harper's Island in the parish of Little Island, in the county of Cork, lying on the east side of and adjoining the railway of the Company:

Certain lands in the townland of Marino in the parish of Clonmel, in the county of Cork, lying on the east side of and adjoining the railway of the Company:

Certain lands in the townland of Ballynoe in the parish of Clonmel, in the county of Cork, lying partly on the east and partly on the west sides of and adjoining the railway of the Company:

Certain lands in the townland of Ringmeen in the parish of Clonmel and township of Queenstown, in the county of Cork, lying partly on the north and partly on the south sides of and adjoining the railway of the Company.

Period for compulsory purchase of lands.

17. 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.

Alteration of gas pipes, &c.

18. In case it shall be necessary for the Company, for the purpose of constructing the works by this Act authorised, to raise, sink, or otherwise alter in any road or street the position of any

mains, pipes, or other works belonging to the Alliance and Dublin Consumers Gas Company (in this Act referred to as "the Alliance Company"), and used for supplying gas, the same shall be done with as little detriment and inconvenience to the Alliance Company, and to any houses or persons supplied with gas by means of such mains, pipes, or other works, as the circumstances will permit, and all works relating to or involving interference with such mains, pipes, or other works as aforesaid, shall be executed at the cost of the Company, and to the reasonable satisfaction in all things of the Alliance Company or their engineer, if they or he think fit to attend, after receiving not less than forty-eight hours notice from the Company or their proper officer.

As to disturbance of pipes by Company.

19. It shall not be lawful for the Company, in executing any of the works by this Act authorised, to remove or displace any of the mains, pipes, or other distributory works belonging to the Alliance Company, or to do anything to interrupt or impede the supply of gas into or through such mains, pipes, or other distributory works, until good and sufficient arrangements be made at the expense of the Company for carrying on the supply of gas to the reasonable satisfaction of the engineer of the Alliance Company.

Company to make good all damage.

20. The Company shall repair and make good all damage done to the property of the Alliance Company by the disturbance thereof occasioned by the construction of the works authorised by this Act, to the reasonable satisfaction of the engineer of the Alliance Company.

Indemnity for obstructing supply of gas.

21. If the Company, or any of their contractors, agents, officers, workmen, or servants, or any person in the employment of them or any of them, shall, in the execution of any of the works by this Act authorised, interrupt the supply of gas supplied by the Alliance Company, the Company shall make good any loss occasioned thereby to the Alliance Company, the amount to be determined by arbitration, according to the provisions of "The Railway Companies Arbitration Act, 1859," and for the purpose of any such arbitration the Alliance Company shall be deemed to be a railway company.

When works cross the mains protection to be made.

22. If it shall be necessary to construct any of the works by this Act authorised over or under any mains of the Alliance Company, the Company shall at their own expense construct and maintain reasonable protection from injury to the mains of the Alliance Company, to the reasonable satisfaction of their engineer.

Saving rights of Alliance Company.

23. Except as is by this Act expressly provided, nothing in this Act shall take away, lessen, prejudice, or alter any of the estates,

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rights, interests, powers, and privileges hitherto vested in and possessed by the Alliance Company.

Power for Company to raise capital by shares or stock.

24. The Company may, subject to the provisions of Part II. of "The Companies Clauses Act, 1863," raise, by the issue at their option 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, such additional capital beyond the amount which they may be authorised to raise by other Acts of Parliament as they may think fit, not exceeding in the whole three hundred and sixty thousand pounds; but the Company shall not issue any share of less nominal value than ten pounds, nor shall any share vest in the corporation or person accepting the same, unless and until a sum not being less than one fifth of the amount of such share shall have been paid in respect thereof.

Shares or stock to form part of Company's general capital.

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

New shares or stock to be subject to same incidents as other shares or stock.

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

Dividends on new shares or stock.

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

Power to borrow on mortgage.

28. The Company may, in respect of the additional capital of three hundred and sixty thousand pounds which they are by this Act authorised to raise, from time to time borrow on mortgage, as herein-after mentioned, such sums as they think fit, not exceeding in the whole one hundred and twenty thousand pounds; (that is to say), when ninety thousand pounds of the said additional capital by this Act authorised to be raised has been issued and accepted, and one half thereof is paid up and certified as herein-after mentioned, they may borrow on mortgage any sum of money not exceeding thirty thousand pounds, and when each further sum of ninety thousand pounds of the said additional capital has been issued and accepted, and one half thereof is paid up and certified as herein-

after mentioned, they may borrow on mortgage any sum or sums not exceeding in the whole thirty thousand pounds in respect of each such sum of ninety thousand pounds, but no such borrowing powers shall be exercised by the Company until shares for so much of the additional capital as is to be raised by shares are issued and accepted, and one half of such capital is paid up, and the Company have proved to the justice who is to certify under the fortieth section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that shares for the whole of such capital in respect whereof the borrowing powers are in each case sought to be exercised 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 has been paid on account thereof before or at the time of issue or acceptance thereof, and until stock for one half of so much of the said capital as is to be raised by means of stock is fully paid up, and the Company have proved to such justice as aforesaid that such shares or stock, as the case may be, were issued bonâ fide and are held by the persons or corporations to whom the same were issued, or their executors, administrators, successors, or assigns, and also, if the said capital is raised by shares, 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 proofs aforesaid have been given, which certificate shall be sufficient evidence thereof.

Debenture stock.

29. 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 at any time after the passing of this Act created and issued by the Company shall rank pari passu with the interest of all mortgages at any time after the passing of this Act granted by the Company, and shall have priority over all principal moneys secured by such mortgages.

Power to apply corporate funds to purposes of this Act.

30. The Company may apply to the purposes of this Act any of the moneys which they now have in their hands, or which they have power to raise by shares or mortgage by virtue of any Acts relating to the Company, and which may not be required for the purposes to which they are by any such Acts made specially applicable.

Existing mortgages to have priority.

31. All mortgages and bonds granted by the Company in pursuance of the powers of any Act of Parliament before the passing of this Act, and which shall be subsisting at the time of the passing

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of this Act, shall, during the continuance of such mortgages and bonds, have priority over any mortgages or debenture stock to be granted by virtue of this Act.

Application of moneys.

32. All moneys raised under this Act, whether by shares, debenture stock, or by borrowing, shall be applied for the purposes of this Act, and for the general purposes of the Company only.

Interest not to be paid on calls paid up.

33. The Company shall not, out of any money by this Act authorised to be raised, pay interest or dividend 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."

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

34. The Company shall not, out of any money by this Act authorised to be raised, pay or deposit any sum of money 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 those Companies respectively to construct any other railway, or to execute any other work or undertaking.

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

35. Nothing herein contained shall be deemed or construed to exempt the railways of the Company 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 authorised maximum rates of fares and charges, or for small parcels.

Expenses of Act.

36. All the costs, charges, and expenses of and attending the passing of this Act, or incidental thereto, shall be paid by the Company.

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