CHAPTER clxxxiii.

An Act for conferring further powers upon the Great Western Railway Company in respect of their own undertaking and upon that Company and the London and North Western Railway Company in respect of undertakings in which they are jointly interested and for other purposes. [5th August 1891.]

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WHEREAS it is expedient that the Great Western Railway Company (in this Act called "the Company") should be empowered to execute make and maintain the railway and other works and to exercise the powers by this Act respectively authorised and conferred upon them and to acquire for the purposes of this Act and for the general purposes of their undertaking and works connected therewith and for providing increased accommodation certain lands houses and buildings in this Act described or referred to: (New railway and other works and lands.)

And whereas it is expedient that the Company and the London and North Western Railway Company (in this Act called "the North Western Company") should be empowered to acquire the lands in this Act respectively mentioned or referred to:

And whereas plans and sections showing the lines and levels of the railway and other works by this Act authorised to be constructed and plans of the lands by this Act authorised to be acquired and also books of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of those lands were duly deposited with the clerks of the peace for the several counties within which such railway and other works will be constructed and those lands are situated and are herein-after respectively referred to as the deposited plans sections and books of reference: (Deposit of plans &c.)

And whereas the Branch Railway at Cardiff fourthly described in and authorised by the Great Western Railway Act 1880 (in this

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Act referred to as "the Riverside Branch") was duly completed and opened as a single line railway for goods traffic but has never been opened for the public conveyance of passengers and it is expedient that the powers granted by that Act for the purchase of lands for and for the completion of the said railway should be revived and continued so far as necessary to enable the Company to complete and open the same as a double line of railway for passenger and other traffic:

(Revival of powers and extension of time.)

And whereas it is expedient that the period limited by the Great Western Railway (No. 2) Act 1882 as amended by the Great Western Railway Act 1885 and the Great Western Railway Act 1888 for the construction of the Railway No. 2 by the first mentioned Act authorised should be extended:

(Leominster and Bromyard Railway Revival of powers &c.)

And whereas the Leominster and Bromyard Railway Company were incorporated by the Leominster and Bromyard Railway Act 1874 and by that Act were authorised to make a certain railway from the Shrewsbury and Hereford Railway at Leominster to the Worcester Bromyard and Leominster Railway at Bromyard but so much only of the said railway as extends from Leominster to Steens Bridge has yet been completed:

And whereas the periods for the compulsory purchase of lands for and for the completion of the said railway were by the Leominster and Bromyard Railway Act 1884 extended till the 7th day of August 1887 and the 7th day of August 1889 respectively:

And whereas by the Great Western Railway Act 1888 provision was made for transferring the undertaking of the Leominster and Bromyard Railway Company to the Company upon the terms set forth in the Agreement contained in the sixth schedule to the said Act and by the said Agreement the Company undertook to complete the said Railway between Steens Bridge and the authorised junction with the Worcester Bromyard and Leominster Railway upon satisfactory arrangements being made with the landowners by the Leominster and Bromyard Railway Company:

And whereas unexpected delays occurred in carrying out the said transfer by reason whereof the Company have been prevented from completing the said railway and it is expedient that the powers granted by the Leominster and Bromyard Railway Act 1874 and the Leominster and Bromyard Railway Act 1884 for the construction thereof should be revived and continued:

(Superfluous lands.)

And whereas it is expedient that the time limited for the sale of certain lands acquired by the Company for the purposes of their undertaking should be extended and that further powers should be

conferred upon the Company in respect of the sale lease or other disposal of those lands: A.D. 1891.

And whereas it is expedient that further provision should be made as contained in this Act for ascertaining the number of votes to which joint proprietors of stocks or shares of the Company are entitled: (Voting at general meetings.)

And whereas the railway of the East Usk Railway Company (in this Act called "the East Usk Company") is connected with the railway of the Company and it is expedient that the Company should be empowered to subscribe to the capital of the East Usk Company and to take and hold shares stock and debenture stock in the undertaking of that company: (East Usk Railway Subscription.)

And whereas it is expedient that some of the provisions of existing Acts of the Company should be amended or repealed as herein-after provided: (Amendment of Acts.)

And whereas it is expedient that the Company should be authorised to apply their funds for the purposes of this Act and for the general purposes of their undertaking: (Application of funds.)

And whereas it is expedient that the North Western Company should be empowered to apply their funds as provided by this Act: (North Western Company Application of funds.)

And whereas the objects aforesaid 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:—

1. This Act may be cited for all purposes as the Great Western Railway Act 1891. Short title.

2. The following Acts and parts of Acts are except where expressly varied by this Act incorporated with and form part of this Act (that is to say):— Incorporation of general Acts.

The Lands Clauses Acts:

The Railways Clauses Consolidation Act 1845:

Part I. (relating to the construction of a railway) and Part II. (relating to extension of time) of the Railways Clauses Act 1863:

And Part III. (relating to debenture stock) of the Companies Clauses Act 1863.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith Interpretation.

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have the same respective meanings unless there be something in the subject or context repugnant to such construction :

The expression "the railway" means the new railway by this Act authorised :

The expression "superior courts" or "court of competent jurisdiction" or any other like expression in this Act or any Act wholly or partially incorporated herewith shall for the purposes of this Act be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt and not a debt or demand created by statute.

Power to make new railway.

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 relating thereto the new railway hereinafter described with all proper stations sidings approaches roads works and conveniences connected therewith and may enter upon take and use such of the lands delineated on the deposited plans thereof and described in the deposited books of reference relating thereto as may be required for that purpose The new railway herein-before referred to and authorised by this Act is—

A railway (on the deposited plans described as Railway No. 2) seven chains and thirty links in length to be wholly situate in the parish of St. Mary the Virgin Cardiff in the county of Glamorgan commencing by a junction with the Riverside Branch at or near the termination thereof and terminating on the north side of Corporation Road at a point about four chains westward of the bridge carrying that road over the Glamorganshire Canal.

Railway to be part of Company's undertaking.

5. The railway herein-before described shall for all purposes including the demanding and recovering of tolls rates and charges be deemed to be part of the Company's railways Provided always that subject to the provisions of the railway and Canal Traffic Act 1888 the tolls rates and charges to be demanded and recovered in respect of the said railway and the traffic thereon shall not exceed the tolls rates and charges prescribed by the South Wales Railway Consolidation Act 1855.

Period for completion of railway.

6. 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 except as to so much thereof as is then completed.

Imposing penalty unless railway opened.

7. 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 the public conveyance of passengers or until the sum received in respect of such penalty shall amount to five per centum on the estimated cost of the railway:

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

Every sum of money recovered by way of such penalty as aforesaid shall be paid under the warrant or order of such court or judge as is specified in that section to an account opened or to be opened in the name of the Paymaster-General for and on behalf of the Supreme Court in the bank and to the credit specified in such warrant or order and shall not be paid thereout except as herein-after provided:

But no penalty shall accrue in respect of any time during which it shall appear by a certificate to be obtained from the Board of Trade that the Company was prevented from completing or opening the railway by unforeseen accident or circumstances beyond their control Provided that want of sufficient funds shall not be held to be a circumstance beyond their control.

Application of penalty.

8. 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 conferred upon the Company by this Act and for which injury or loss no compensation or inadequate compensation shall have been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the High Court may seem fit:

If no such compensation shall be payable or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid shall have been found sufficient to satisfy all just claims in respect of such compensation then the said sum or sums of money recovered by way of penalty or such portion thereof as may not be required as aforesaid shall if a receiver has been appointed or the Company is insolvent and has been ordered to be wound up or if the railway or any part thereof has been abandoned be paid to such receiver or to

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the liquidator or liquidators of the Company or be applied in the discretion of the Court as part of the assets of the Company for the benefit of the creditors thereof and subject to such application shall be repaid to the Company.

Power to make new road alterations of roads footpaths &c.

9. Subject to the provisions of this Act the Company may make in the lines and according to the levels shown upon the deposited plans and sections relating thereto the new road footpaths and other works and may stop up and discontinue the portions of roads and footpaths and exercise the other powers herein-after mentioned and may enter upon take and use such of the lands delineated on the deposited plans thereof and described in the deposited books of reference relating thereto as may be required for those purposes (that is to say):—

They may stop up and discontinue the portions of roads and footpaths and make the new road and footpaths herein-after described (that is to say):—

So much as lies between the boundaries of the Company's property of the public footpath in the Township of Lye in the parish of Old Swinford in the county of Worcester which crosses the railway of the Company on the level about 30 chains westward of the post thereon indicating 140 miles from Paddington and so much as lies between the boundaries of the Company's property of the public footpath in the said township parish and county which crosses the railway of the Company on the level about 39 chains westward of the post thereon indicating 140 miles from Paddington and in lieu thereof they may make and maintain a footbridge over the railway immediately adjoining the said last-mentioned level crossing with the necessary approaches thereto:

Provided always that nothing in this Act shall impose upon the Company any obligation to construct the last-mentioned footbridge and approaches unless and until the local authority referred to in section 16 of the Railway and Canal Traffic Act 1888 shall have entered into an agreement with the Company to pay the whole or a portion of the expenses of constructing the same and the said bridge and approaches shall be deemed to be such a bridge or work as is referred to in that section and the provisions of that section shall (as far as applicable) apply accordingly but not so as to impose any obligation on the local authority with respect thereto:

So much as lies between the boundaries of the Company's property of the public footpath in the parish of Cwmcarvan formerly

part of the parish of Mitchel Troy in the county of Monmouth which crosses the railway of the Company on the level at or near the eastern end of the passenger platform at Dingestow Station and also so much of the said footpath as lies between the boundaries of the Company's property near the said passenger station and a point 180 yards or thereabouts measured in a southerly direction from the booking office at such station and in lieu thereof they may make and maintain a new footpath wholly in the said parish and county commencing by a junction with the said footpath at the said last mentioned point and terminating by a junction with the public highway adjoining the said passenger station 15 yards or thereabouts on the south side of the bridge which carries the Company's said railway over the said public highway :

So much as lies between the boundaries of the Company's property of the road in the parish of Canton in the County of Glamorgan which crosses under the Penarth South Branch Railway of the Company at or near the junction of the Penarth North Branch Railway of the Company with the said Penarth South Branch and also so much of the said road as runs parallel with and on the northern side of the said Penarth North Branch to a point 20 yards south-west of the bridge under the railway of the Penarth Harbour Dock and Railway Company near the junction of the north curve with the last mentioned railway and in lieu thereof they may make and maintain a new road to be wholly situate in the said parish commencing at a point in Virgil Street Saltmead 33 yards or thereabouts north-eastward of the bridge under the railway near the junction of the said Penarth South Branch with the said railway of the Penarth Harbour Dock and Railway Company and terminating by a junction with Sloper Road at a point about 460 yards from its junction with the Penarth Road near Grangetown Station :

So much as lies between the boundaries of the Company's property of the roads and public footpaths in the parish of Llanstadwell in the county of Pembroke which cross the railways and lands of the Company on the level at Neyland and are numbered on the plans deposited with the Clerk of the Peace for the said county in respect of the South Wales Railway Act 1852 92 102 and 103 in the said parish of Llanstadwell and all other rights of way (if any) over the said railways and lands southward of the intended new footpath herein-after described and in lieu thereof they shall within twelve months after the passing of this Act make and maintain a new footpath wholly in the said

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parish to commence by a junction with the existing pathway leading from Cambrian Terrace to the Company's factory at a point thereon one chain or thereabouts west of the northern corner of the said factory and crossing the railways of the Company by a footbridge and terminating on the existing foreshore of Neyland Pill opposite Barnlake And the Company shall continue and extend the said footpath through the land of the Company from the commencement thereof as shown on the deposited plans along the line A B C to the public road from Neyland to Haverfordwest at the point marked C on the plan signed by the Right Honourable the Earl of Belmore the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred and deposited in the Parliament Office.

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

10. The Company shall not under the powers of this Act construct on the shore of the sea or of any creek bay arm of the sea or navigable river communicating therewith where and so far up the same as the tide flows and re-flows any work without the previous consent of the Board of Trade to be signified in writing under the hand of one of the secretaries or assistant secretaries of the Board of Trade and then only according to such plan and under such restrictions and regulations as the Board of Trade may approve of such approval being signified as last aforesaid and where any such work may have been constructed the Company shall not at any time alter or extend the same without obtaining previously to making any such alteration or extension the like consents or approvals If any such work be commenced or completed contrary to the provisions of this Act the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the cost and charge of the Company and the amount of such costs and charges shall be a debt due from the Company to the Crown and shall be recoverable accordingly with costs.

Power to deviate in construction of new road footpaths &c.

11. The Company may in constructing the new road footpaths and other works by this Act authorised deviate from the lines thereof to the extent of the limits of deviation marked on the deposited plans and may deviate from the levels of the new road shown on the deposited sections to any extent not exceeding five feet but not so as to increase the rate of inclination of any new road as shown on the said sections.

As to vesting of site and soil of portions of roads &c. stopped up.

12. Subject to the provisions of the Railways Clauses Consolidation Act 1845 with respect to mines lying under or near to the railway the site and soil of the portions of roads footpaths and

highways stopped up and discontinued under the authority of this Act and the fee simple and inheritance thereof shall (except where by this Act otherwise provided) if the Company are or if and when under the powers of this Act or of any other Act relating to the Company already passed they become the owners of the lands on both sides thereof be wholly and absolutely vested in the Company and they may appropriate the same to the purposes of their undertaking.

Extinguishment of rights of way.

13. All rights of way over or along the portions of roads footpaths or highways which shall under the provisions of this Act be stopped up and all rights of way over any of the lands which shall under the compulsory powers of this Act be purchased or acquired shall be and the same are hereby extinguished.

Roads not to be stopped up till substituted work completed.

14. No road or footpath or portion of road or footpath which is by this Act authorised to be stopped up shall be so stopped up unless and until the new road footpath or other work which is by this Act authorised to be substituted therefor is completed to the satisfaction of two justices and opened to the public:

Provided that the Company shall before applying to such justices for their certificate that such road or footpath is completed to their satisfaction give fourteen days' notice in writing of their intention to apply for the same to the road authority of the district in which such road or footpath is situate.

Provision as to repair of new road and footpaths.

15. The new road and footpaths to be made under the authority of this Act (except the stone iron or other structure of any bridge carrying any new road or footpath over any railway which structure shall be repaired and maintained by and at the expense of the Company) shall unless otherwise agreed or otherwise specially provided by this Act when made and completed respectively from time to time be repaired and maintained by and at the expense of the parties on whom the expense of maintaining the adjoining portions of the same roads and footpaths now devolves:

Provided always that nothing in this section shall relieve the Company from any obligation to repair and maintain any road or footpath or any part thereof made or deviated for the purposes of the new railway by this Act authorised which they would be bound to repair and maintain under the provisions of the Railways Clauses Consolidation Act 1845:

If any question shall arise between the Company and any of such parties as to the due completion of any new road or footpath such questions shall from time to time be determined by two justices on the application of either of the parties in difference and after not

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less than fourteen days' notice to both parties of the sitting of such justices for the purpose and the certificate of such justices of the due completion of such new road or footpath shall be conclusive evidence of the fact so certified.

Power to make agreements as to the construction or contribution towards the cost of new roads or footpaths.

16. The Company may enter into and carry into effect agreements with the parties having the charge management or control of the roads footpaths or highways or any of them portions whereof shall under the provisions of this Act be stopped up with reference to the construction or contribution towards the cost of any new road footpath or highway to be substituted therefor and with reference to any other matters relating thereto and if so agreed the Company may delegate to such parties as aforesaid the power of constructing all or any of such new road footpaths or highways in which they may be interested.

Power to Company to acquire additional lands.

17. Subject to the provisions of this Act and in addition to the other lands which the Company are by this Act authorised to acquire the Company may from time to time enter upon take use and appropriate for the general purposes of their undertaking and works connected therewith and for providing increased accommodation all or any of the lands following delineated on the deposited plans thereof and described in the deposited books of reference relating thereto (that is to say):—

Certain lands in the parish of Mynyddislwyn in the county of Monmouth forming part of the site of the railway or tramway known as Hall's Tramway and partly on the western side thereof and near to the termination of the said tramway at Manmoel:

Certain lands in the parishes of Mynyddislwyn and Llanhilleth in the county of Monmouth bounded on the north-east by that part of the railway of the Company which lies between the mile-posts on that railway indicating 13 and 13½ miles from Newport and extending on the south side of the said railway for a distance of about 25 chains:

Certain lands in the parishes of Mynyddislwyn and Llanhilleth in the county of Monmouth bounded on the east by that part of the railway of the Company which lies between the mile-posts on that railway indicating 12½ and 13 miles from Newport and on the west by Trinant Wood and extending along the western side of the said railway and the River Ebbw for a distance of about 300 yards:

Certain lands in the parish of Canton in the county of Glamorgan bounded on the north and east by lands of the Company adjoining their locomotive depôt near the Penarth Branch

Railways of the Company on the south partly by the Penarth North Branch Railway of the Company and partly by the railway of the Penarth Harbour Dock and Railway Company near the junction therewith of the said Penarth North Branch and on the west by lands of the Taff Vale Railway Company:

Certain lands in the parish of St. Peter Carmarthen in the county of Carmarthen bounded on the north and south by the yard and premises of the Company on the east by the railway and sidings of the Company and on the west by the parade and slopes of the Corporation of Carmarthen and the Company:

Certain lands on the eastern side of the Company's railway and adjoining thereto in the parish of Rosemarket in the county of Pembroke including the site of Westfield Mill:

Provided always that the Company shall not without the consent of the owner thereof for the time being acquire under the provisions of this Act the lime kiln situate in the south-east corner of the property numbered on the deposited plans 13 in the parish of Rosemarket nor shall they acquire any part of the property numbered 13 as aforesaid.

Agreement with Lady Llanover.

18. And whereas the Right Honourable Augusta Dowager Baroness Llanover (herein-after referred to as "Lady Llanover") is or claims to be the owner of the railway or tramway known as Hall's Tramway which is leased to the Company for a long term of years and is now worked managed and maintained by the Company And whereas the lands secondly described in the last preceding section of this Act form part of the site of the said railway or tramway and are also partly on the western side thereof and immediately adjoining thereto and the said lands are now in the possession of Lady Llanover and the Company and it is expedient that the said lands should continue to be used as part of the site of the said tramway and in connexion therewith Therefore the Company may from time to time enter into and carry into effect agreements with Lady Llanover with reference to the acquisition of the said lands herein-before referred to and with reference to the purchase money thereof and after the acquisition of such lands by the Company they may sell the same to Lady Llanover on such terms and conditions as may be agreed upon or on the same terms and conditions as the Company acquired the same and unless otherwise agreed Lady Llanover shall purchase from the Company the said lands and pay to the Company all moneys expended by them on or incident to the acquisition thereof and the said lands shall continue to be used as part of the site of the said tramway and in connexion therewith.

Period for compulsory purchase of lands by Company.

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

Power to Company and North Western Company to acquire additional lands.

20. Subject to the provisions of this Act and in addition to the other lands which the Company are by this Act authorised to acquire the Company and the North Western Company or either of them with the consent of the other may enter upon take use and appropriate for the purposes of the said Companies or either of them and for providing increased accommodation all or any of the lands following delineated on the deposited plans thereof and described in the deposited books of reference relating thereto (that is to say):—

Certain lands in the township of Wharton in the parish of Leominster in the county of Hereford lying on the eastern and western sides of the Shrewsbury and Hereford Railway and adjacent thereto and extending from a point opposite the occupation level crossing near the post on the said railway indicating 40½ miles from Shrewsbury for a distance of about 14 chains measured along the said railway in a southerly direction:

Certain lands in the townships of Little Lyth and Westley and Chatford in the parish of Condover in the county of Salop lying on the western side of the said Shrewsbury and Hereford Railway and adjacent thereto and extending from the bridge carrying the public road over the railway near the Condover Station for a distance of about 16 chains measured along the said railway in a southerly direction:

Certain lands in the township of Dorrington in the parish of Condover in the county of Salop lying on the south-west side of the said Shrewsbury and Hereford Railway and adjacent thereto and extending from a point opposite the northern end of the up-platform of the Dorrington Station for a distance of about 17½ chains measured along the said railway in a northerly direction.

Period for compulsory purchase of lands by Company and North Western Company.

21. The powers of this Act for the compulsory purchase of lands by the Company and the North Western Company shall cease after the expiration of three years from the passing of this Act.

Power to owners to grant easements.

22. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may subject to the provisions of those Acts and of this Act grant to the Company or to the Company and the North Western Company (as the case may be) any easement right or privilege (not being an easement of water) required for the

purposes or under the powers of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges as far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively. A.D. 1891.

Restrictions on displacing persons of labouring class.

23.—(1.) Neither of the Companies who are under the powers of this Act authorised to acquire lands by compulsion or agreement shall under the powers of this Act or under the powers of any former Act revived or extended by this Act purchase or acquire in any city borough or urban sanitary district or any parish or part of a parish not being within an urban sanitary district ten or more houses which after the passing of this Act have been or on the fifteenth day of December next before the passing of this Act or of the respective former Act by which such purchase or acquisition was originally authorised as the case may be were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until the Company or Companies exercising the said powers—

(*a.*) Shall have obtained the approval of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the respective fifteenth day of December aforesaid or for such number of persons as the Local Government Board shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case; and

(*b.*) Shall have given security to the satisfaction of the Local Government Board for the carrying out of the scheme.

(2.) The approval of the Local Government Board to any scheme under this section may be given either absolutely or conditionally and after the Local Government Board have approved of any such scheme they may from time to time approve either absolutely or conditionally of any modifications in the scheme.

(3.) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced:

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Provided that the Local Government Board may dispense with the last-mentioned requirement subject to such conditions if any as they may see fit.

(4.) Any provisions of any scheme under this section or any conditions subject to which the Local Government Board may have approved of any scheme or of any modifications of any scheme or subject to which they may have dispensed with the above-mentioned requirement shall be enforceable by a writ of mandamus to be obtained by the Local Government Board out of the High Court.

(5.) If either of the said Companies acquire or appropriate any house or houses for the purposes of this Act in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Local Government Board by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom:

Provided that the Court may if it think fit reduce such penalty.

(6.) For the purpose of carrying out any scheme under this section either of the said Companies may appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase such further lands as they may require and for the purpose of any such purchase sections 176 and 297 of the Public Health Act 1875 shall be incorporated with this Act and shall apply to the purchase of lands by either of the said Companies for the purposes of any scheme under this section in the same manner in all respects as if the Company or Companies exercising the said powers were a local authority within the meaning of the Public Health Act 1875 and the scheme were one of the purposes of that Act.

(7.) Either of the said Companies may on any lands belonging to them or purchased or acquired under this section or any Provisional Order issued in pursuance of this section erect such dwellings for persons of the labouring class as may be necessary for the purpose of any scheme under this section and may sell demise or let or otherwise dispose of such dwellings and any lands purchased or acquired as aforesaid and may apply for the purposes of this section to which capital is properly applicable or any of such purposes any moneys which they may be authorised to raise or apply for the general purposes of their undertaking:

Provided that all lands on which any buildings have been erected or provided by either of the said Companies in pursuance of any

scheme under this section shall for a period of twenty-five years from the passing of this Act be appropriated for the purpose of such dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this enactment:

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

(8.) So much of section 157 of the Public Health Act 1875 as provides that the provisions of that section and of sections 155 and 156 of the same Act shall not apply to buildings belonging to any railway company and used for the purposes of such railway under any Act of Parliament shall not apply to buildings erected or provided by either of the said Companies for the purpose of any scheme under this section.

(9.) The Local Government Board may direct any inquiries to be held which they may deem necessary in relation to any scheme under this section and may appoint or employ inspectors for the purposes of any such inquiry and the inspectors so appointed or employed shall for the purposes of any such inquiry have all such powers as inspectors of the Local Government Board have for the purposes of inquiries directed by the Local Government Board under the Public Health Act 1875.

(10.) The Company or Companies exercising the said powers shall pay to the Local Government Board a sum to be fixed by that Board in respect of the preparation and issue of any Provisional Order in pursuance of this section and any expenses incurred by that Board in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

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

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such persons who were then occupying the said houses the said houses shall be deemed to have been occupied by such number of such persons as in the opinion of the Local Government Board they might have been sufficient to accommodate.

(12.) For the purposes of this section the expression "labouring class" includes mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them.

Provision with respect to superfluous lands of the Company.

24. And whereas the Company have from time to time purchased or acquired lands adjoining or near to their railway or a station belonging solely or jointly to the Company but which lands are not immediately required for the purposes of their undertaking and it is expedient that the Company should be relieved from the obligation under certain circumstances to sell the same as superfluous lands:

Therefore nothing in the Lands Clauses Consolidation Act 1845 or any Act relating to the Company with which that Act is incorporated with respect to the sale of superfluous lands shall until the expiration of ten years from the passing of this Act be held to apply to any lands and the appurtenances thereto acquired by the Company in the parishes or places mentioned in the schedule to this Act any part of which lands adjoins the Company's railway or any station belonging solely or jointly to the Company or is situate within one mile measured along the railway of any station belonging solely or jointly to the Company or which may be required for the purposes of any undertaking belonging solely or jointly to the Company And the Company may during the same period of ten years from the passing of this Act continue to hold such lands and appurtenances although not immediately required for the purposes of their undertaking But they shall at the expiration of such period of ten years sell and dispose of all such parts of such lands respectively as shall not then have been applied to or are not then required for the purposes of their undertaking as superfluous lands.

Revival of unexercised powers for acquisition of lands for Riverside Branch.

25. The powers granted by the Great Western Railway Act 1880 for the purchase of lands for the Riverside Branch so far as such powers have not been exercised and may be required for the purpose of enabling the Company to complete and open the said railway as a passenger railway with a double line of

rails thereon and the necessary sidings works and conveniences connected therewith are hereby revived and continued and may be exercised for the period of three years from the passing of this Act.

Revival of powers for construction of last mentioned railway.

26. The powers granted by the Great Western Railway Act 1880 for the construction of the Riverside Branch so far as such powers have not been exercised and may be required for the purpose of enabling the Company to complete and open the said railway as a passenger railway with a double line of rails thereon and the necessary sidings works and conveniences connected therewith are hereby revived and continued and may be exercised for the period of five years from the passing of this Act.

For the protection of the Marquess of Bute.

27. For the protection of the Marquess of Bute and the trustees of the will of the late Marquess of Bute and other the person or persons for the time being owner or owners of or interested in the estates in the county of Glamorgan of which the said Marquess is tenant for life (all of whom together with the said Marquess are herein-after deemed to be included in the expression "the said Marquess") the following provisions shall unless otherwise agreed between the said Marquess and the Company apply and have effect (that is to say):—

(1) The Company under the powers of this Act shall not between the points A and B on the plan next herein-after referred to take or interfere with any land of the said Marquess either for the purpose of the railway by this Act authorised or for the purpose of completing and opening the Riverside Branch as a passenger railway with a double line of rails thereon other than the lands coloured pink and edged blue upon the plan marked C signed by Sir Richard Paget the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred and which plan has been deposited in the Private Bill Office of the House of Commons Provided that if the distances as measured on the said plan shall differ from the distances as figured thereon the figures shall be taken to represent the correct distance in every case:

(2) The Company shall be entitled to take for the widening and extension of the Riverside Branch and the completion of the same as a passenger railway with a double line of rails thereon without being required to pay for the acquisition of the same other than in accordance with the provisions of an agreement dated the twenty-fourth day of June one thousand eight hundred and eighty and made between the

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Marquess of Bute of the first part John Boyle and William Stuart the then trustees under the will of the late Marquess of Bute of the second part and the Company of the third part all such lands as they would have been entitled to take under the said agreement for the purposes of that agreement the piece of land coloured pink on the said plan being deemed to be lands which the Company are entitled to take for the purposes of the said agreement The Company shall not under the powers of this Act take or interfere with any lands of the said Marquess north of the point B on the said plan except such lands as they would have been entitled to take under the said agreement as aforesaid:

(3) The Company shall not in constructing the railway by this Act authorised or any works of the Company or by the said railway or works when constructed take or interfere with any part of the road known as the Dumballs Road (which extends southward as far as Corporation Road) or any lands to the east thereof but shall construct their said railway and works entirely on the western side of such road and in such a manner as to leave a clear roadway of at least thirty feet in width throughout:

(4) Nothing in this Act contained shall authorise the Company to take away remove or diminish or prejudicially interfere with (otherwise than temporarily and so far as necessary for the purpose of the construction of the works) any existing sidings or junctions communicating with any lands or works of the said Marquess or his lessees or tenants or alter prejudice or affect any existing agreement or arrangement made between the Company and the said Marquess or his lessees or tenants of any existing sidings or junctions from or to any lands or works of the said Marquess or such lessees or tenants Provided that whether so stipulated in any such agreement or arrangement or not any points crossings gates signalling and interlocking and other works which may be requisite at any such sidings or junctions in consequence of the completion and opening of the Riverside Branch as a passenger railway shall be provided and worked by the Company at their own expense:

(5) During the construction of the works by this Act authorised and as part thereof the Company shall at their own expense form and construct so that the same may be open for use and capable of being used for traffic at the same time as the other

works by this Act authorised are open for traffic a siding upon the eastern side of the Riverside Branch to be constructed wholly on the property of the Company commencing by a junction with that branch railway at a point about one chain measured along the same in a southerly direction from the southern abutment of the bridge carrying that branch over the canal connecting the two timber ponds existing on either side of the said branch and terminating by a junction with a siding constructed by the said Marquess on the property of the Company opposite the timber yard in the occupation of Messieurs Alexanders and Company at a point in such siding nine chains measured along the Riverside Branch and siding in a southerly direction from the southern abutment of the said bridge over the said canal:

(6) Subject to the provisions of the Railways Clauses Consolidation Act 1845 the Company shall afford facilities for the construction by the said Marquess of a siding upon the western side of the Riverside Branch commencing by a junction therewith at a place to be agreed upon between the Company and the engineer of the said Marquess between two points on that branch one distant fifteen chains or thereabouts and the other twenty-five chains or thereabouts measured along the said branch in a southerly direction from the southern abutment of the bridge carrying the same over the canal last herein-before mentioned and leading therefrom in a north-westerly direction towards the westernmost of the said two timber ponds:

(7) Unless otherwise agreed between the Company and the said Marquess the existing level crossing leading to the Bute Engineering Company's works shall be preserved and a footbridge for passengers shall be constructed and maintained by the Company near the site of the first mentioned level crossing the land (if any) required for the purposes of the footbridge to be granted by the said Marquess free of charge:

(8) In lieu of the existing level crossing about four chains north of the level crossing herein-before mentioned the Company shall make and thereafter for ever keep open and maintain at their own expense a level crossing at a place to be agreed on not further north than the southern boundary of Alexander's Timber Yard:

(9) All drains and watercourses at present existing under the Riverside Branch shall be extended and continued by the Company under the whole width of the railway as widened and the communication canal at present existing under the said branch

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and connecting the two timber ponds herein-before mentioned shall not be unnecessarily interfered with and the bridge carrying the said branch over the same shall be maintained throughout of at least as great a height and span as at present:

(10) Inasmuch as by the said agreement dated the twenty-fourth day of June one thousand eight hundred and eighty it was agreed (Article 10) that the Company should pay to the Marquess and the trustees or one of them certain tonnage tolls therein mentioned on all traffic being foreign traffic as therein defined conveyed on the Riverside Branch until such payments reached a sum to be ascertained as therein mentioned now it is hereby enacted that as from the passing of this Act passenger traffic on the Riverside Branch shall be deemed to be foreign traffic within the meaning of the said agreement and there shall be paid to the said Marquess and the trustees or one of them in addition to the tonnage tolls mentioned in the said agreement one-fourth of the mileage proportion of the gross receipts of the Company in respect of passenger traffic on the said branch until such payments together with the said tonnage tolls reach such amount as in the said agreement is mentioned:

(11) In the event of any other Company obtaining powers to run over work and use the Riverside Branch the said Marquess and the trustees or one of them shall be entitled to the same proportion of the receipts from traffic (whether passenger or goods traffic) conveyed by such Company over the said branch as they would have been entitled to had the said traffic been conveyed by the Company:

(12) The Riverside Branch and the railway by this Act authorised shall be deemed in all respects and for all purposes an integral portion of the South Wales Railway of the Company.

For the protection of the Corporation of Cardiff.

28. The following provisions for the protection of the Mayor Aldermen and Burgesses of the County Borough of Cardiff (in this section referred to as "the Corporation") shall unless otherwise agreed between the Corporation and the Company apply and have effect (that is to say):—

(1) Before the Company under the powers of this Act commence any alteration of or interference with any street road sewer waterpipe or other work under the jurisdiction or control of the Corporation the Company shall give to the Corporation twenty-one days' notice in writing of their intention to commence the same by leaving such notice with the town clerk of the said borough and the Company in carrying out the same shall take all reasonable precautions and do and maintain such works as

may be reasonably necessary for preventing any injury to the property or works of the Corporation and shall make good all damage which may be occasioned thereto:

(2) Before the Company shall under the powers of this Act stop up and discontinue any portion of the road in the parish of Canton by this Act authorised to be stopped up they shall in lieu thereof make and construct to the reasonable satisfaction of the Corporation and dedicate to public use a new road at the levels and rates of inclination shown on the deposited plans with a minimum width of fifty feet throughout commencing at a point in Virgil Street Saltmead thirty-three yards or thereabouts north-eastward of the Penarth Railway Bridge and terminating by a junction with Sloper Road at a point about four hundred and sixty yards from its junction with the Penarth Road near Grangetown Station and after the road has been constructed and completed by the Company to the reasonable satisfaction of the Corporation it shall be maintained by the Corporation as one of the highways of the borough and the Company shall take down the bridge of the Penarth Harbour Dock and Railway Company at the western end of Virgil Street and re-construct the same to a width of fifty feet throughout with a headway of not less than that of the existing bridge throughout and shall make and maintain such bridge so as to prevent as far as reasonably can be the dripping of water therefrom on any part of the roadway and footpaths thereunder:

(3) Notwithstanding anything in this Act contained the Company shall not under the powers of this Act take or acquire the store yards and stabling of the Corporation numbered on the deposited plans 11 F F in the parish of St. Mary:

(4) The Company shall not under the provisions of this Act without the reasonable consent of the Corporation make any extension of the present abutments of the bridge carrying the Riverside Branch over the Penarth Road and any extension or addition to the superstructure of the bridge shall be made and maintained so as to prevent as far as reasonably can be the dripping of water therefrom on any part of the roadway or pathways thereunder:

(5) In case the Corporation at any future time require to construct any sewer or to lay any water main or pipe across or under any land acquired or work constructed under the powers of this Act the Company shall free of charge give to the Corporation all reasonable facilities for carrying out the work subject to the

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Corporation making reasonable compensation to the Company for any damage the latter may sustain by the execution of such work such compensation in case of difference to be determined by arbitration as herein-after provided:

(6) The provisions of sections eighteen to twenty-three both inclusive of the Railways Clauses Consolidation Act 1845 shall extend and apply to and in relation to the water mains pipes and apparatus of the Corporation and in construing those sections for the purposes of this Act the expression "Water Company" or "Society" when used in those sections shall mean the Corporation:

(7) If any difference or dispute arise between the Corporation and the Company touching this section or anything to be done or any money to be paid thereunder such difference or dispute shall be determined by an arbitrator to be agreed upon between the parties or in default of agreement to be appointed by the Board of Trade on the application of either party and the costs of and incident to the arbitration shall be borne as he shall direct:

(8) The provisions of this section shall be in addition to and not in derogation of any other provisions of this Act or of any public Acts which may exist for the protection or benefit of the Corporation Provided that the Corporation shall not be entitled to proceed under more than one enactment with respect to one and the same matter.

For the protection of the Taff Vale Railway Company.

29. For the protection of the Taff Vale Railway Company (in this section called "the Taff Vale Company") the following provisions shall unless otherwise agreed between the Company and the Taff Vale Company be observed and have effect (that is to say):—

(1) In constructing the bridge by which the Penarth Branch Railway of the Taff Vale Company will be carried over the new road in the parish of Canton in the county of Glamorgan by this Act authorised (in this section referred to as "the said bridge") the Company shall not enter upon or interfere with the railway or lands of or leased to the Taff Vale Company or any of the works of the Taff Vale Company or execute any works whatever under or affecting the same until the Company shall have delivered to the Taff Vale Company plans and drawings of such intended works and until those plans and drawings shall have been approved in writing by the principal engineer for the time being of the Taff Vale Company or in the event of his failure for thirty days after the delivery of the plans and drawings to approve the same until the same shall have been

approved by an engineer to be appointed on the application of the Company by the President for the time being of the Institution of Civil Engineers in London and all works in respect of the said bridge shall be executed by the Company at the sole expense in all things of the Company according to such approved plans and drawings and to the reasonable satisfaction of the engineer for the time being of the Taff Vale Company or in case of difference to the reasonable satisfaction of an engineer to be appointed as aforesaid by the said President Provided that if at any time hereafter the Taff Vale Company require to widen the said branch railway the Company shall on demand pay to the Taff Vale Company the amount of any additional expenses to which the Taff Vale Company may be put in carrying out such widening by reason of the increased span of the said bridge:

(2) The Company shall bear and on demand pay to the Taff Vale Company the reasonable expense of the employment by them of a sufficient number of inspectors signalmen or watchmen to be appointed (if necessary) by them for watching the said branch railway and works and the conduct of the traffic thereon during the construction of the said bridge and for preventing as far as may be all interference obstruction danger and accident from any of the operations or from the acts or defaults of any person or persons in the employ of the Company:

(3) The said bridge and the incidental works connected therewith for carrying the said new road under the said branch railway shall from and after the completion thereof be the property of the Taff Vale Company and be deemed to be part of the structure of the said railway and the Company shall from time to time repay to the Taff Vale Company on demand the amount of any additional expenses incurred by that company in repairing and maintaining the said bridge by reason of its increased span:

(4) Notwithstanding anything in this Act contained the Company shall from time to time be responsible for and make good to the Taff Vale Company all losses costs damages and expenses which may be occasioned to them or any of their works or property or to the traffic on their railway or to any company or persons using the same by reason of the failure of any of the intended works or of any act default or omission of the Company or of any persons in their employ or of their contractors and the Company shall effectually indemnify and hold harmless the Taff Vale Company from all claims and demands upon or against them by reason of such execution or failure and of any such failure act default or omission:

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(5) In constructing the said bridge or the incidental works connected therewith the Company shall not in any way obstruct or interfere with the traffic passing along the said branch railway and if by reason of any works or proceedings of the Company there shall be any obstruction of or interference with the said branch railway so as to impede or prevent the convenient passage of engines and carriages along the same the Company shall pay to the Taff Vale Company the sum of twenty pounds per hour during which any such obstruction or interference shall continue:

(6) Except for the purpose of constructing the said bridge nothing in this Act shall empower the Company to take or acquire any land of or leased to the Taff Vale Company or to alter vary or interfere with the railways of that company or with any of the works thereof without the consent in writing in every instance for that purpose first had and obtained of the Taff Vale Company under their common seal and with respect to any lands of or leased to the Taff Vale Company which the Company are by this Act authorised to purchase take use enter upon or interfere with for the purposes of the said bridge the Company shall not purchase or take any greater or other estate or interest in any such lands than an easement or right of using such lands for the purposes for which but for this enactment the Company might purchase and take the same and the provisions of this Act and of the Acts incorporated with this Act shall be construed and shall apply accordingly and the provisions of the Lands Clauses Acts with respect to lands shall extend and apply to such easement or right of user so far as such provisions are not inconsistent with this enactment:

(7) If any dispute shall arise between the Taff Vale Company and the Company respecting the matters and provisions aforesaid or any of them such dispute shall (unless otherwise provided in this section) be settled by an arbitrator to be agreed upon between the parties or in case of difference to be appointed on the application of either party by the President for the time being of the Institution of Civil Engineers in London the costs of such arbitration to be in the discretion of such arbitrator.

For the protection of the Company of Proprietors of the Glamorganshire Canal Navigation.

30. For the protection of the Company of Proprietors of the Glamorganshire Canal Navigation (herein-after referred to as "the Canal Company") the following provisions shall have effect:—

(1) No land or property of the Canal Company shall be taken or interfered with for any of the purposes of this Act otherwise than by agreement with the Canal Company:

(2) The Riverside Branch and the railway by this Act authorised shall be deemed in all respects and for all purposes an integral portion of the South Wales Railway of the Company :

(3) Nothing in this Act contained shall alter prejudice or affect the memorandum of agreement made and entered into the twenty-second day of June one thousand eight hundred and eighty between the Company and the Canal Company and such agreement shall be as valid and binding as if this Act had not passed except that any points crossings gates signalling and interlocking and other works which may be requisite at any junctions in consequence of the completion and opening of the said branch as a passenger railway shall be provided maintained and worked by the Company at their own expense.

Extension of time for construction of Railway No. 2 authorised by Great Western Railway Act (No. 2) 1882.

31. The powers granted by the Great Western Railway (No. 2) Act 1882 as amended and extended by the Great Western Railway Act 1885 and the Great Western Railway Act 1888 for the construction of the Railway No. 2 authorised by the first mentioned Act are hereby further extended and may be exercised for the period of three years from the twenty-fourth day of July one thousand eight hundred and ninety-one and sections ten and eleven of the first mentioned Act shall be read and construed as if the period limited by this Act for the completion of the said railway had been the period limited by that Act for the completion thereof except that no part of any penalty to be incurred in respect of the said railway under those sections shall be forfeited to Her Majesty but all sum or sums of money to be recovered by way of penalty under the said sections shall (subject to the application thereof in payment of compensation or for the benefit of creditors as provided in the said eleventh section) be repaid to the Company :

If the said Railway No. 2 be not completed within the said period of three years then on the expiration of that period the powers by the said Acts granted to the Company for making and completing the same or otherwise in relation thereto shall cease except as to so much thereof as shall be then completed.

Revival of powers for construction of portion of Leominster and Bromyard Railway.

32. The powers granted by the Leominster and Bromyard Railway Act 1874 and the Leominster and Bromyard Railway Act 1884 for the construction of so much of the railway by the first mentioned Act authorised as lies between Steens Bridge and Bromyard are hereby revived and continued and may be exercised by the Company for the period of three years from the passing of this Act.

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Imposing penalty unless Leominster and Bromyard Railway opened.

33. If the Company fail within the period limited by this Act to complete the said portion of the Leominster and Bromyard 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 said portion of railway is completed and opened for the public conveyance of passengers or until the sum received in respect of such penalty shall amount to five per centum on the estimated cost of the said portion of railway:

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

Every sum of money recovered by way of such penalty as aforesaid shall be paid under the warrant or order of such court or judge as is specified in that section to an account opened or to be opened in the name of the Paymaster-General for and on behalf of the Supreme Court in the bank and to the credit specified in such warrant or order and shall not be paid thereout except as hereinafter provided:

But no penalty shall accrue in respect of any time during which it shall appear by a certificate to be obtained from the Board of Trade that the Company was prevented from completing or opening the said portion of railway by unforeseen accident or circumstances beyond their control Provided that want of sufficient funds shall not be held to be a circumstance beyond their control.

Application of Leominster and Bromyard penalty.

34. 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 said portion of the Leominster and Bromyard Railway 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 Leominster and Bromyard Railway Company by the Leominster and Bromyard Railway Act 1884 and for which injury or loss no compensation or inadequate compensation shall have been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the High Court may seem fit:

If no such compensation shall be payable or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid

shall have been found sufficient to satisfy all just claims in respect of such compensation then the said sum or sums of money recovered by way of penalty or such portion thereof as may not be required as aforesaid shall if a receiver has been appointed or the Company is insolvent and has been ordered to be wound up or if the said railway or any part thereof has been abandoned be paid to such receiver or to the liquidator or liquidators of the Company or be applied in the discretion of the court as part of the assets of the Company for the benefit of the creditors thereof and subject to such application shall be repaid to the Company.

Release of Leominster and Bromyard deposit.

35. In consideration of the liability of the Company to the penalty by this Act provided in respect of the Leominster and Bromyard Railway as authorised by the Leominster and Bromyard Railway Act 1874 and the Leominster and Bromyard Railway Act 1884 sections 10 and 11 of the last mentioned Act (relative to the deposit) are hereby repealed and the High Court may and shall at any time after the passing of this Act but without requiring the production of a certificate of the passing of the said Act of 1884 order (according to the provisions of the Act of the session of the ninth and tenth years of Her Majesty's reign chapter twenty) the payment or transfer to the depositors or the person or persons to whom the same has been assigned of the sum of four thousand five hundred and five pounds twelve shillings and fivepence two and three quarters per centum Consolidated Stock now in court in respect of the said railway and any interest or dividend payable thereon.

Amendment of section 56 of Great Western Railway Act 1880.

36. The proviso to section 56 of the Great Western Railway Act 1880 shall be read and construed as empowering the Company and any person or persons authorised or appointed by them to prevent any person or persons from holding or attempting to hold or addressing any meeting or otherwise obstructing or impeding the use of or the traffic upon or in any dock pier quay wharf or landing place in that section mentioned or referred to notwithstanding that such last mentioned person or persons may have paid the tolls rates or dues in that section mentioned or referred to and to remove any such last mentioned person or persons from any such dock pier quay wharf or landing place and the Company or any person or persons authorised by them may exclude any person or persons from any such dock pier quay wharf or landing place as aforesaid whom there may be reasonable cause for believing to be seeking admission for any such purpose as aforesaid and may also exclude any person or persons from any such dock pier quay wharf or landing place for the purpose of promenade or pleasure at any time or times when

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the traffic would or might render it unsafe for him or them to be thereon or therein.

Provision as to votes in respect of stocks held jointly.

37. For the purpose of better ascertaining the number of votes to which proprietors of stocks of the Company are entitled the Company may if they think fit require that in the case of any stocks to which several persons are jointly entitled whether beneficially or as trustees or otherwise all the stocks to which such persons are so entitled shall be registered in the same name or names and in the same order of names and the Company may refuse to register the holders of any stocks in cases to which this section applies otherwise than in accordance with this section:

Where at the time of the passing of this Act any persons are registered otherwise than as aforesaid the Company may apply to the High Court in a summary way or in such manner as may be directed by any rules of court for leave to amend the register in accordance with this section and the court after such notices inquiry or hearing as it thinks just may give leave accordingly subject to such conditions if any and on such terms as to costs as the court thinks just:

Any person aggrieved by any requirement or refusal of the Company under this section may in like manner apply to the court and the court may make such order on such terms as to costs or otherwise as the court thinks just:

Expressions in this section have the same meanings as in the Companies Clauses Consolidation Acts.

Company may borrow the sum paid by them to the North Western Company under the Great Western Railway Act 1885.

38. The Company may in their own name and under their own seal and upon the security of their own undertaking borrow on mortgage or create and issue debenture stock to the amount of nine thousand pounds being the sum paid by the Company to the London and North Western Railway Company under the provisions of section 47 of the Great Western Railway Act 1885.

Subscription to undertaking of East Usk Company.

39. The Company 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 may in their own name from time to time subscribe for and take shares in or by lending money on mortgage or subscribing for or taking debenture stock contribute funds towards the undertaking of the East Usk Company to any amount which may be agreed between that company and the Company not exceeding the sum of seventy-two thousand pounds:

Provided always that the Company shall not sell transfer or dispose of any shares or stock so held by them:

The Company shall in respect of any shares in the East Usk Company held by them in virtue of such subscription have all the powers rights and privileges (except in regard to voting at general meetings which shall be as herein-after provided) and be subject to all the obligations and liabilities of proprietors of shares in that company:

The Company when they have become shareholders in the East Usk Company may by writing under their common seal from time to time appoint some person to attend any meeting of that company and such person shall have all the privileges and powers attaching to other shareholders at such meetings and shall be entitled to one vote in respect of every fifty pounds of the capital held by the Company in that company:

Every such appointment by the Company of any person to vote on their behalf shall be delivered to the East Usk Company and kept with their records and shall be at all reasonable times open to the inspection and transcription of all parties interested and every such instrument shall as between the Company and the East Usk Company be sufficient evidence of the facts therein stated:

The Company and the East Usk Company may make and carry into effect agreements with respect to the matters aforesaid so as the same are not inconsistent with the provisions of this Act.

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

40. The Company may from time to time apply to all or any of the purposes of this Act to which capital is properly applicable any moneys from time to time raised by them and which are not by any of the Acts relating to the Company made applicable to any special purpose or which being so made applicable are not required for the special purpose And the Company may from time to time for the general purposes of their undertaking and for the more efficient working of their traffic issue any shares or stocks which under the authority of any Act passed prior to the present session of Parliament the Company may have created or may hereafter create but which are not or may not be required for the specia purposes for which such shares or stocks respectively were authorised to be created Provided that all money raised by the issue of such shares or stocks shall be applied only to purposes to which capital is properly applicable.

Power to North Western Company to apply cor-

41. The North Western Company may apply to the purposes of this Act which they are empowered to carry into execution and to which capital is properly applicable any of the moneys which they now have in their hands or which they have power to raise by

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shares stock debenture stock or mortgage by virtue of any Acts relating to that Company and which may not be required for the purposes to which they are by any such Acts made specially applicable.

porate funds to purposes of Act.

Saving rights of Crown under Crown Lands Act.

42. Nothing contained in this Act or to be done under the authority thereof shall in any manner affect the title to any of the subjects or any rights powers or authorities mentioned in or reserved by sections twenty-one and twenty-two of the Crown Lands Act 1866 and belonging to or exerciseable on behalf of Her Majesty Her heirs or successors.

Saving rights of the Crown in the foreshore.

43. Nothing contained in this Act shall authorise the Company to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any right in respect thereof belonging to the Queen's most Excellent Majesty in right of Her Crown and under the management of the Board of Trade without the previous consent in writing of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may give) neither shall anything in this Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exerciseable by the Queen's Majesty Her heirs or successors.

Provision as to general Railway Acts.

44. Nothing in this Act contained shall exempt the Company or their railways or the North Western Company or their railways from the provisions of any general Act relating to railways or the better or more impartial audit of the accounts of railway companies now in force or which may hereafter pass during this or any future session of Parliament or from any future revision or alteration under the authority of Parliament of the maximum rates of fares and charges or of the rates for small parcels authorised to be taken by those companies respectively.

Costs of Act.

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

SCHEDULE referred to in the foregoing Act.

SUPERFLUOUS LANDS.

GLOUCESTERSHIRE.	MONMOUTHSHIRE.
Almondsbury	St. Woollos, Newport
Stoke Gifford	Llanfihangel Llantarnam
STAFFORDSHIRE.	Llangattock-juxta-Caerleon
Rowley Regis	Mynyddislwyn
WILTSHIRE.	Risca
Pewsey	Bettws
CARMARTHENSHIRE.	Llanfrechfa Lower
St. Peters, Carmarthen	Trevethin

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