CHAPTER clviii.

An Act to empower the Taff Vale Railway Company to make new Railways and acquire additional Lands in the county of Glamorgan, and to run over and use a portion of the Railway of the Great Western Railway Company; and for other purposes. [21st July 1873.]

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WHEREAS it is expedient that the Taff Vale Railway Company (in this Act called the Company) should be empowered to make the railways by this Act authorised, and to acquire for the purposes of those railways, and for general purposes connected with their undertaking, the lands and buildings in this Act mentioned or referred to:

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

And whereas it is expedient that the Company should be empowered to run over and use the portion herein-after mentioned of the railway of the Great Western Railway Company (in this Act called the Great Western Company):

And whereas it is expedient that the Company should be empowered to raise further sums of money for the purposes of this Act, and for the general purposes of their undertaking, and that some of the powers and provisions of the existing Acts relating to the Company should be altered, amended, extended, and enlarged:

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

May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and

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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 Taff Vale Railway Act, 1873.

Provisions of general Acts herein named incorporated.

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,)

The Lands Clauses Consolidation Acts, 1845, 1860, and 1869;

The Railways Clauses Consolidation Act, 1845;

Part I. (relating to construction of a railway) of the Railways Clauses Act, 1863;

The clauses and provisions of the Companies Clauses Consolidation Act, 1845, with respect to the following matters; (that is to say,)

The distribution of the capital of the Company into shares;

The transfer and transmission of shares;

The payment of subscriptions and the means of enforcing the payment of calls;

The forfeiture of shares for nonpayment of calls;

The remedies of creditors of the Company against the shareholders;

The consolidation of the shares into stock;

The general meetings of the Company and the exercise of the right of voting by the shareholders;

The making of dividends;

The borrowing of money on mortgage or bond;

The conversion of the borrowed money into capital;

The giving of notices; and

The provision to be made for affording access to the special Act by all parties interested;

and Part I. (relating to cancellation and surrender of shares), Part II. (relating to additional capital), and Part III. (relating to debenture stock) of the Companies Clauses Act, 1863.

Interpretation of terms.

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

The expression "the railway" or "the railways" means the railways 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 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 railways according to deposited plans.

4. 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 plan and section, the railways herein-after described, with all proper stations, sidings, approaches, works, and conveniences connected therewith respectively, all in the county of Glamorgan, and may enter upon, take, and use such of the lands delineated on the deposited plan and described in the deposited book of reference as may be required for that purpose.

The railways herein-before referred to and authorised by this Act are :—

Railway No. 1 (one mile four furlongs and eight chains in length), commencing in the parish of Llanwonno by a junction with the Company's Llancaiach Branch Railway, and terminating in the parish of Llanfabon by a junction with the same branch railway :

Railway No. 2 (one furlong in length), commencing in the said parish of Llanfabon by a junction with the said Llancaiach Branch Railway, and terminating in the parish of Gellygaer by a junction with the Great Western Company's Newport, Abergavenny, and Hereford Taff Vale Extension Railway :

Railway No. 3 (described on the deposited plan and section as Railway No. 4), two furlongs and four chains in length, commencing in the said parish of Llanfabon by a junction with the said Llancaiach Branch Railway, and terminating in the said parish of Gellygaer by a junction with the Great Western Company's said Newport, Abergavenny, and Hereford Taff Vale Extension Railway :

Railway No. 4 (described on the deposited plan and section as Railway No. 5), four miles five furlongs and six chains in length, wholly within the parish of Llanwonno, commencing by a junction with the Company's main line of railway, and terminating in a field belonging or reputed to belong to and in the occupation of Mr. David Llewellyn, and adjoining a waterfall called Pistill Gola :

Railway No. 5 (described on the deposited plan and section as Railway No. 6), one furlong and five chains in length, wholly within the parish of Llanwonno, commencing by a junction with the Company's main line of railway, and terminating by a junction with the intended Railway No. 5 at a point thereon

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three hundred and ten yards or thereabouts south-westward of the commencement of that railway:

Railway No. 6 (described on the deposited plan and section as Railway No. 7), seven furlongs and eight chains in length, wholly within the parish of Ystradyfodwg, commencing by a junction with the Company's Rhondda Fawr Branch Railway, and terminating in a field belonging or reputed to belong to the Marquess of Bute, and in the occupation of Mr. Llewellyn Llewellyn, at a point eighty yards or thereabouts north-eastward of the ruins of Blaen-selsig Farmhouse:

Provided always, that Railway No. 2 shall be used only for the purpose of conveying traffic to and from the Railway No. 1 authorised by the Great Western Railway (Various Powers) Act, 1867, and traffic to and from the Company's sidings on the north side of the Llancaiach Station of the Great Western Company, and also to and from the colliery of Harris's Navigation Coal Company, Limited, except with the consent in writing of the Great Western Company, and the Company shall construct all sidings, works, and other conveniences which may be necessary to enable them to convey their traffic on the level across the said Newport, Abergavenny, and Hereford Taff Vale Extension Railway with safety and despatch, and without using the said railway, except for the purpose of crossing such railway.

For protection of the Merthyr Tydfil local board of health.

5. For the protection of the sewage water and other works and property of the Merthyr Tydfil local board of health (herein-after mentioned as the board) the following provisions shall have effect:

1. With respect to that portion of Railway No. 1 which will extend in a northwardly direction from the public-house known as the "Travellers' Rest" for a distance of twenty chains from the said public-house, the Company shall not take any land lying west of the turnpike road from Pontypridd to Merthyr Tydfil:

2. With respect to that portion of Railway No. 1 which will extend in a northwardly direction for a distance of forty-five chains from the northern end of the aforesaid distance of twenty chains from the said public-house known as the Travellers' Rest, the Company shall not injuriously interfere with the conduit or sewer of the said board now laid down between those points; and where any interference therewith is necessary, such conduit or sewer shall be restored, or a substituted portion of conduit or sewer shall be provided to the reasonable satisfaction of the surveyor of the board:

3. The Company shall not take any greater portion of the properties numbered on the deposited plans 39 and 41, in the parish of Llanfabon, than may be necessary for the diversion of the turnpike road between the letters E and G as shown on those plans; and where any interference with any conduit, sewer, or tank is necessary, such conduit, sewer, or tank shall be restored, or a substituted conduit, sewer, or tank shall be provided to the reasonable satisfaction of the surveyor of the board:

4. Where the sewer or sewage conduit of the board is carried across the Llancaiach Branch of the Company's railway between the river Taff and the Glamorganshire Canal, the Company shall construct to the reasonable satisfaction of the surveyor to the board, in lieu of the wooden portion of the existing sewer, a brick or iron sewer of equal internal dimensions across any new works which the Company may construct, and shall also, if needful, support, strengthen, or reconstruct that portion of the said sewer which now crosses the said Llancaiach Branch:

5. If, in executing any of the works by this Act authorised, the Company shall interfere with the supply of water to Navigation House and Navigation Village, or shall damage or injuriously interfere with the pipes, tanks, or works provided or constructed by the board for furnishing such supply, the Company shall, at their own expense, construct such works, or take such other measures as shall be necessary for supplying water to Navigation House and Navigation Village, or, as the case may be, for repairing and making good such damage or interference:

6. If any difference shall arise between the Company and the board as to the true intent and meaning of this section, or the mode of giving effect thereto, the same shall from time to time be determined by arbitration in the manner prescribed by the Railways Clauses Consolidation Act, 1845, with respect to the settlement of disputes by arbitration.

Company may acquire additional lands for general purposes.

6. 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 in the parishes of Eglwysilan, Llantwit-Fardre, Llanwonno, Llantrissant, and Ystradyfodwg, in the county of Glamorgan, delineated on the deposited plans and described in the deposited books of reference, and therein respectively referred to as additional lands.

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Power to Company to raise additional capital.

7. The Company may, subject to the provisions of Part II. of the Companies Clauses Act, 1863, from time to time raise any additional capital, not exceeding in the whole the sum of three hundred thousand pounds, 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.

Shares not to issue until one fifth paid up.

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

Calls.

9. One fifth of the amount of a share shall be the greatest amount of a call, and two months at least shall be the interval between successive calls, and four fifths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share.

Power to borrow on mortgage.

10. The Company may from time to time borrow on mortgage, in addition to the sums which they have been already authorised to borrow, any sum not exceeding in the whole the sum of one hundred thousand pounds, but no part thereof shall be borrowed until the whole capital of three hundred thousand pounds is issued and accepted, and one half thereof is paid up, and the Company have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act, 1845, before he so certifies, that the whole of the said capital has been issued and accepted, and that one half thereof has been paid up, and that not less than one fifth part of the amount of each separate share or the whole of the stock in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such capital was issued bonâ fide, and is held by the persons or corporations to whom the same was issued, or their executors, administrators, successors, or assigns, and that such persons or corporations, their executors, administrators, successors, or assigns, are legally liable for the same; and upon production to such justice of the books of the Company, and of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

Repealing provisions of former Acts with respect to appointment of a receiver.

11. Every provision in any Act passed before the present session of Parliament, whereby the Company is authorised to raise by borrowing money for the purposes of their undertaking with respect to the appointment of a receiver for enforcing payment by the Company of arrears of principal money or principal money and interest, shall be and the same is hereby repealed, but without

prejudice to any appointment which may have been made or to the continuance of any proceedings which may have been commenced prior to the passing of this Act under any such provision.

Arrears may be enforced by appointment of a receiver.

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

Priority of existing mortgages.

13. All mortgages granted by the Company in pursuance of the powers of any Act of Parliament before the passing of this Act, and subsisting at the passing hereof, shall, during the continuance of such mortgages, have priority over any mortgages granted by virtue of this Act, but nothing in this section contained shall affect any priority of the interest of any debenture stock at any time created and issued by the Company.

Debenture stock.

14. The Company may create and issue debenture stock, subject to the provisions of Part III. of the Companies Clauses Act, 1863.

Application of moneys.

15. All moneys raised under this Act, whether by shares or stock, or debenture stock, or borrowing, shall be applied to the purposes of this Act, and to the general purposes of the undertaking of the Company, including the railways, docks, and works belonging to and held in lease by them, and to no other purpose whatever.

Power to apply corporate funds to purposes of Act.

16. 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 them, and which may not be required for the purposes to which they are by any such Acts made specially applicable.

Railways to form part of Company's undertaking.

17. For the purposes of tolls and charges, and for all other purposes, the railways shall form part of the undertaking of the Company.

Lands for extraordinary purposes.

18. 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 five acres.

Powers for compulsory purchases limited.

19. 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.

Heights and spans of certain bridges.

20. The Company may make the arches of the bridges for carrying Railway Number 1 over the public roads mentioned in the next

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following table of any heights and spans not being less than the heights and spans therein specified:

Parish.	Number on Plan.	Description of Road.	Height.		Span.
			ft.	in.	ft.
Llanwonno -	7	Public road - -	12	6	17
Llanfabon -	3	Public road - -	20	6	17

For protection of the Marquess of Bute.

21. In the construction of the Railway No. 1 the following provisions for the protection of the Most Honourable the Marquess of Bute and his tenants and lessees shall have effect:

A. The railway shall be carried over the coal level situate at or near the third furlong mark, measured from the commencement of Railway No. 1, by means of an arch or opening, or by such other means as may secure and protect the convenient user of that coal level, and if it shall be necessary for the Company in the execution of their works to alter or otherwise interfere with the said coal level they shall forthwith make good and restore the same to its then present condition, or as near thereto as circumstances will permit:

B. The Company shall, before they interfere with the said coal level or in any way impede or obstruct the user thereof or of the approach thereto, make and provide a suitable and permanent cart road from the said coal level along the Company's western boundary, in a northernly direction, to Craig Evan Leyshon Common; provided that the Company shall not be required to make such cart road of a greater width than ten feet, nor to repair the same after the expiration of six months from the making and completion thereof:

C. The Company shall make and maintain, for the accommodation of the adjoining lands, an opening of not less than twelve feet in width and not less than six feet in height under the said railway, at such point between the furlong marks on the deposited plan indicating four furlongs and four furlongs five chains respectively, and another opening of the same dimensions between the same furlong marks indicating one mile and one mile two furlongs respectively, as shall be agreed on between the engineer of the Company and the mining engineer of the Marquess of Bute, or as, failing agreement, shall be determined in the manner herein-after prescribed:

D. If in the execution of the works by this Act authorised the Company alter the bridge by which their Llancaiach Branch Railway is carried over the river Taff, so as to raise the level

of the rails carried by that bridge, they shall provide and maintain on that bridge, or on an addition thereto or widening thereof, a single line of rails on the level of the existing railway from their Llancaiach Branch to a point on the eastern side of the river Taff indicated by the one furlong mark on the deposited plan, and the Company shall permit the said Marquess of Bute, or his lessee or tenant, to make and maintain a junction by means of a branch railway or siding with the said single line of rails on the eastern side of the river Taff: Provided that such junction, and any works or operations connected therewith upon the lands of the Company, shall be made and done under the superintendence and to the reasonable satisfaction of the engineer of the Company:

E. The Company shall not, without the previous consent in writing of the Marquess of Bute, his trustees or agents, enter upon, take, use, or interfere with any land or property of the said Marquess in the said parish of Llanfabon lying west of the dotted red line delineated on the plan marked B, and signed in duplicate by George Fisher on behalf of the Company, and William Thomas Lewis on behalf of the Marquess of Bute:

F. Should any difference arise as to the true intent and meaning of this section, or the mode of giving effect thereto, the same shall from time to time be determined by arbitration in the manner prescribed by the Railways Clauses Consolidation Act, 1845, with respect to the settlement of disputes by arbitration.

For protection of the Glamorganshire Canal Company.

22. In the construction of Railway No. 1, and the works connected therewith, the following provisions for the protection of the Glamorganshire Canal Company (herein-after called the Canal Company) shall be binding upon the Company, and full effect shall be given thereto:

1. The Company shall not, without the previous consent in writing of the Canal Company, under their common seal, enter upon, take, use, or interfere with any land, canal, basin, or property of that company in the parish of Llanfabon lying west of the dotted red line delineated on the plan marked A, and signed in duplicate by George Fisher on behalf of the Company, and Thomas Shepherd on behalf of the Canal Company:
2. The bridge by which Railway No. 1 is carried over the Glamorganshire Canal in the parish of Llanfabon shall be so altered as to give a clear height of not less than eight feet over the towing-path of the canal.

Notice to be given of taking

23. The Company shall, not less than eight weeks before they take in any parish fifteen houses or more occupied either wholly or

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houses of labouring classes.

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 they have so made known their intention.

Imposing penalty unless railways opened.

24. 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 uncompleted railway.

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 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 the said third section to an account opened or to be opened in the name and with the privity of Her Majesty's Paymaster General in the bank named in such 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 uncompleted 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.

Providing for application of penalty in compensation to parties injured by non-completion of railways.

25. 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 uncompleted 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 Court of Chancery in England 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 either be forfeited to Her Majesty and accordingly be paid or transferred to or for the account of Her Majesty's Exchequer in such manner as the Court of Chancery in England thinks fit to order on the application of the Solicitor of Her Majesty's Treasury, and shall be carried to and form part of the Consolidated Fund of the United Kingdom, or, in the discretion of the Court, if the Company is insolvent and has been ordered to be wound up or a receiver has been appointed, shall wholly or in part be paid or transferred to such receiver or to the liquidator or liquidators of the Company, or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof.

If railways not completed powers to cease.

26. If the railways are not completed within five years from the passing of this Act, then on the expiration of that period the powers by this Act granted to the Company for making and completing the railways, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof respectively as shall then be completed.

Power to abandon portion of Llancaiach Branch.

27. After the completion and opening for public traffic of Railway No. 1 it shall not be incumbent on the Company to maintain and keep open for public traffic that portion of their Llancaiach Branch Railway which will be rendered unnecessary by reason of the construction of the said Railway No. 1, and the Company may apply to other purposes connected with their undertaking the site and soil of that portion of their Llancaiach Branch, or may sell or otherwise dispose of the same, or any part thereof.

Extending time for sale of certain lands.

28. The Company may, notwithstanding anything to the contrary in the Lands Clauses Consolidation Act, 1845, or in any Act relating to the Company with which that Act is incorporated, retain and hold any lands in the parishes of Eglwysilan, Llantwitfadre, Llanwonno, Llantrissant, Llandaff, and Ystradyfodwg, all in the county of Glamorgan, belonging to them, which have not yet been applied to the purposes of their undertaking, or sold or disposed of by them, for the period of ten years after the passing of this Act; but the Company shall at the expiration of that period sell and dispose of all such parts of those lands respectively as shall not then have been sold or disposed of, or applied to or are not then required for the purposes of their undertaking: Provided always, that so much of any land acquired by or on behalf of the Company as may be required for laying additional lines of rails shall be deemed to be lands required for the purposes of their undertaking.

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Power to Company to use portion of Great Western Company's railway.

29. The Company may, for the purposes of the traffic to be conveyed by them under their running powers over the Railway No. 1 authorised by the Great Western Railway (Various Powers) Act, 1867, and to and from the colliery of Harris's Navigation Coal Company, Limited, run over and use with their engines and carriages of every description, and with their clerks, officers, and servants, the portion of railway following, together with all stations, sidings, buildings, approaches, water supplies, telegraphs, signals, works, and conveniences on or connected or used therewith; (that is to say,)

So much of the Newport, Abergavenny, and Hereford Taff Vale Extension Railway of the Great Western Company as lies between the junction therewith of the Railway No. 1 authorised by the Great Western Railway (Various Powers) Act, 1867, and the termination of the Railway No. 2 by this Act authorised:

Provided always, that the Company, except with the consent in writing of the Great Western Company, shall not, after they have commenced to exercise the running powers conferred upon them by this Act, exercise the running powers which they now have over the railway of the Great Western Company between Quaker's Yard and the colliery of Harris's Navigation Coal Company, Limited.

Terms of user.

30. The terms and conditions to which the Company shall be subject in respect of the running powers granted to them by the last preceding enactment, and the toll to be paid for such running powers, shall, unless otherwise agreed upon between the Company and the Great Western Company, be the same in every respect, including the amount of the toll, as if the Company had exercised their running powers over the railway of the Great Western Company between Quaker's Yard and the point of junction of the said Railway No. 1 authorised by the Great Western Railway (Various Powers) Act, 1867, and in the event of difference the same shall be settled by an arbitrator to be appointed by the Board of Trade at the instance of either of those companies.

Every decision of the arbitrator shall be binding and conclusive upon each of the two companies, and the costs and expenses of the arbitration shall be paid as the arbitrator shall direct. In case either of the two companies refuse or neglect to observe, perform, and conform to any award or decision under any such arbitration the company in default shall forfeit and pay to the other company any sum or sums to be fixed by such award or decision, not exceeding fifty pounds for every such refusal or neglect, and not exceeding twenty pounds for every day during which such refusal or neglect shall continue.

Byelaws to be observed.

31. The Company, in exercising the running powers aforesaid, shall at all times observe the regulations and byelaws for the time being in force on the portion of railway run over, so far as such regulations and byelaws shall be applicable to the Company.

For protecting local traffic.

32. In exercising the running powers aforesaid the Company shall not, unless with the previous consent in writing of the Great Western Company under their common seal, take up at any station upon the portion of railway over which those running powers are exercised any passengers, parcels, animals, goods, minerals, or other article of traffic, and deliver the same at any other station upon that portion of railway.

Tolls on traffic conveyed partly on the railways of the Company and partly on the portion of railway run over.

33. During the exercise by the Company of the running powers aforesaid the railway of the Company and the portion of railway run over shall 'for the purposes of short-distance tolls and charges be considered as one railway; and in estimating the amount of tolls and charges in respect of traffic conveyed partly on such portion of railway and partly on the railway of the Company for a less distance than four miles, tolls and charges may only be charged as for four miles; and in respect of passengers, for every mile or fraction of a mile beyond four miles, tolls and charges as for one mile only; and in respect of animals and goods, for every quarter of a mile or fraction of a quarter of a mile beyond four miles, tolls and charges as for a quarter of a mile only; and no other short-distance charge shall be made for the conveyance of passengers, animals, or goods partly on such portion of railway and partly on the railway of the Company.

Provision as to appointment of directors in case of certain vacancies.

34. Notwithstanding anything in the Act (local and personal) 6 William IV., cap. 82., or in any other Act relating to the Company, it shall not be incumbent upon the Company or the directors of the Company to appoint any person as a director in order to supply any vacancy occasioned by the death or resignation of a director, until the number of directors in office is reduced to eight, and when the number of the directors is reduced to eight the quorum of a meeting of directors shall be four, and the qualification of a director shall, as regards any future appointment of directors, be the possession in his own right of one thousand pounds in ordinary shares or ordinary stock in the capital of the Company.

Interest not to be paid on calls paid up.

35. 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.

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

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

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

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

Expenses of Act.

38. 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.

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