

ANNO DECIMO NONO

VICTORIAE REGINAE.

Cap. xiv.

An Act for the incorporating of the Milford Railway Company, and for the making of the Milford Railway in the County of Pembroke.

[5th June 1856.]

HEREAS the following Acts (Local) relating to the South Wales Railway Company have been passed; to wit, the Acts of the Session of the Eighth and Ninth Years of Her present Majesty, Chapter 190, and of the Session of the Ninth and Tenth Years of Her present Majesty, Chapter 239, and of the Session of the Tenth and Eleventh Years of Her present Majesty, Chapter 109, and of the Session of the Thirteenth and Fourteenth Years of Her present Majesty, Chapters 7 and 44, and of the Session of the Fourteenth and Fifteenth Years of Her present Majesty, Chapters 52 and 74, and of the Session of the Fifteenth and Sixteenth Years of Her present Majesty, Chapter 117, and under the Authority of those Acts, or some of them, the South Wales Railway has been made, with a Branch or Extension therefrom extending from Haverfordwest to Neyland Point, and which Branch or Extension Railway is in this Act called the "Neyland Extension Railway:" And whereas the making of a Railway from a Point near the Johnston Station of the Neyland Extension Railway to Milford, and commencing by a Junction with [Local.]the

the Neyland Extension Railway, would be of public Advantage: And whereas the Persons in that Behalf named in this Act and others are willing to make and maintain the Railway by this Act authorized, and it is expedient that they be incorporated with proper Powers and Provisions for that Purpose: And whereas the Objects of this Act cannot be attained without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same as follows; (to wit,)

Short Title.

I. This Act may be cited for all Purposes as "Milford Railway Act, 1856."

8 & 9 Vict. cc. 16. 18. & 20. incorporated.

II. The "Companies Clauses Consolidation Act, 1845," the "Lands Clauses Consolidation Act, 1845," and the "Railways Clauses Consolidation Act, 1845," save so far as any of the Clauses and Provisions of those Acts respectively are expressly excepted or varied by this Act, are incorporated with this Act.

Same Meanings to
Words in
incorporated
Acts and
this Act.

III. The several Words and Expressions to which by the Acts incorporated with this Act Meanings are assigned, have in this Act the same respective Meanings, unless there be in the Subject or Context something repugnant to or inconsistent with such Construction.

Company incorporated.

IV. William Austin, Thomas Croft, Joseph Rodney Croskey, Charles Gilpin, Robert Fulke Greville, and Jelinger Symons, and all other Persons who have already subscribed or who hereafter subscribe to the Undertaking, and their Successors, Executors, Administrators, and Assigns respectively, shall be a Company for the Purpose of making and maintaining the Railway by this Act authorized, and to be called the Milford Railway, and for other the Purposes of this Act, and for such Purposes are by this Act incorporated by the Name of the "Milford Railway Company," and by that Name shall be One Body Corporate (in this Act called the Company), with perpetual Succession and a Common Seal, and with Power to purchase, take, hold, and dispose of Lands and other Property for the Purposes but subject to the Restrictions of this Act, and to put this Act in all respects into execution.

Capital.

V. The Capital of the Company shall be Sixty thousand Pounds in Six thousand Shares of Ten Pounds each.

Calls.

VI. Two Pounds Ten Shillings a Share shall be the greatest Amount of a Call, and Two Months at least shall be the Interval between successive Calls, and the aggregate Amount of all Calls made on any One

One Share in any One Year shall not exceed Three Fourths of the nominal Amount of the Share.

VII. The Company shall not, out of any Money by this Act or any other Act relating to the Company authorized to be raised, pay to any Shareholder Interest or Dividend on the Amount of Calls made in respect of the Shares held by him: Provided always, that the Company may pay to any Shareholder such Interest on Money advanced by him, beyond the Amount of the Calls actually made, as shall be in conformity with the Provisions in that Behalf of the "Companies Clauses Consolidation Act, 1845."

Interest not to be paid on Callspaid up.

VIII. The Company may borrow on Mortgage any Sums not Power to exceeding in the whole Twenty thousand Pounds; but no Part thereof borrow on Mortgage. shall be borrowed until the whole of the Capital be subscribed for, and One Half thereof be paid up.

IX. The Mortgagees may enforce the Payment of the Arrears of Arrears may Principal and Interest due on their respective Mortgages by the Appointment of a Receiver, and the Amount to authorize a Requisition ment of a for a Receiver shall be Three thousand Pounds.

be enforced by Appoint-Receiver.

X. The Company shall not, out of any Money by this Act or Deposits on any other Act relating to the Company authorized to be raised, pay or future Bill deposit any Sum of Money which by any Standing Order of either House of Parliament from Time to Time in force may be required to Company's be deposited in respect of any Application to Parliament, for the Purpose of obtaining an Act authorizing the Company to construct any Railway, or to execute any other Work or Undertaking.

not to be paid out of Capital.

XI. All and every Part of the Money raised under this Act, whether Application by Shares or by borrowing, shall be applied only to Purposes by this of Money. Act authorized.

XII. The First Ordinary Meeting of the Company shall be held First Meeting. within Six Months after the passing of this Act.

XIII. The Number of Directors shall be Six.

Number of Directors.

XIV. The Qualification for a Director shall be the Possession in Qualification of Director. his own Right of Fifty Shares.

XV. The Directors appointed by this Act shall continue in Office Retirement until the First Ordinary Meeting held after the passing of this Act, of First Directors. and at such Meeting the Shareholders present personally or by Proxy may either continue in Office the Directors appointed by this Act or elect

elect a new Body of Directors to supply their Places, the retiring Directors being, if qualified, eligible for Re-election.

First Directors.

XVI. William Austin, Thomas Croft, Joseph Rodney Croskey, Charles Gilpin, Robert Fulke Greville, and Jelinger Symons shall be the First Directors of the Company.

Quorum for Meeting of Directors.

XVII. The Quorum of a Meeting of Directors shall be Three.

Advertisements.

XVIII. The Newspaper for Advertisements shall be any Newspaper published in the County of *Pembroke*.

Power to make Railway according to deposited Plans. XIX. Whereas Plans and Sections of the Railway and the Works connected therewith, showing the Lines and Levels thereof respectively, and a Book of Reference thereto containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands in which the same respectively are intended to be made, have been deposited with the Clerk of the Peace for the County of Pembroke: Therefore, subject to the Provisions of this Act, the Company may make and maintain the Railway and the Works connected therewith in the Lines and upon the Lands delineated on those Plans and described in that Book of Reference, and according to the Levels shown by those Sections, and may enter upon, take, and use such of those Lands as they think expedient for the Purposes of this Act.

Period for compulsory Purchases limited.

XX. 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 Two Years after the passing of this Act.

Lands for extraordinary Purposes. XXI. The Company may purchase by Agreement, in addition to the Lands by this Act authorized to be taken compulsorily, any Quantity of Land, not exceeding in the whole Ten Acres, for extraordinary Purposes.

Railway authorized, as herein mentioned. XXII. The Railway by this Act authorized is the following; (to wit,)

A Railway commencing by a Junction with the Neyland Extension Railway of the South Wales Railway Company near the Third Bridge over the Neyland Extension Railway, on the Line towards Neyland, from the Johnston Station thereof, in the Parish of Johnston in the County of Pembroke, and terminating at or near to the Building Yard in the Occupation of Mrs. Roberts on the Shore of Priory Pill at Milford in the Parish of Steynton otherwise Stainton in that County, and which intended Railway will extend, or pass to, from, through, or into, or be made and maintained within the several Parishes, Townships, or Places of Johnston,

Johnston, Llandstadwell, Walwyn's Castle, Steynton otherwise Stainton, Hubberston, Harbrandstone otherwise Herbrandstone, Rosemarket, and Milford, all in the County of Pembroke, or some or One of them.

XXIII. The Company, in the Execution of the several Works by Limits of this Act authorized, may deviate from the Lines of the Works delineated on the Plans deposited for the Purposes of this Act to any Extent within the Limits of Deviation in that Behalf delineated on those Plans.

XXIV. The Railway by this Act authorized may be constructed Gauge of Railway. upon the Broad Gauge of Seven Feet.

XXV. In carrying the following Roads over, under, or across the Inclination Railway, the Company may make the Inclination of those Roads such as or not steeper than as follows; (to wit,)

of certain Roads.

Pari	Parish.		No. on Plan.	Proposed Inclination.	
Stainton - Rosemarket	-	.	No. 65. No. 6.	1 in 12. 1 in 20.	

XXVI. The Junction with the Neyland Extension Railway shall As to Juncbe made at such Point within the Limits of Deviation defined on the tion with Neyland Plans deposited for the Purposes of this Act as the Engineer for the Extension Time being of the South Wales Railway Company approves, and all Railway. Works required for effecting such Junction upon or affecting the Lands or Works of the South Wales Railway Company shall be made according to Plans first approved by such Engineer, and shall be executed under his Superintendence and Control, and at the Expense of the Company.

XXVII. The Company shall not further or otherwise than is by Company this Act expressly authorized enter upon, take, or use any of the Lands or Property of the South Wales Railway Company, or in any Property of Manner vary or alter the Undertaking of that Company, or any of the the South Works appertaining thereto, without the previous Consent in Writing of that Company.

not to interfere with the Wales Rail-

XXVIII. The Railway shall be completed within Four Years from Period for the passing of this Act, and on the Expiration of that Period the Completion Powers under this Act for making the Railway or otherwise in relation thereto shall cease to be exercised, except as to so much of the Railway as is then completed.

of Works.

[Local.]

XXIX. Whereas

Bond for Completion of Railway.

XXIX. Whereas pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Session of the Ninth and Tenth Years of Her present Majesty, Chapter 20, Exchequer Bills and Money of the Value of Three thousand three hundred and seventy-five Pounds, being One Tenth Part of Three Fourth Parts of the estimated Expense of making the Railway, have been deposited with the Court of Chancery with respect to the Application to Parliament for this Act: Therefore, notwithstanding anything contained in that Act, that Sum of Three thousand three hundred and seventy-five Pounds so deposited with respect to the Application for this Act, or the Interest or Dividends of that Sum, shall not, except upon the Execution and Deposit of such Bond as herein-after mentioned, be paid or transferred to or on the Application of the Person or Persons or the Majority of the Persons named in the Warrant or Order issued in pursuance of that Act, or the Survivors or Survivor of them, unless the Company before the Expiration of the Period limited by this Act for the Completion of the Railway either open the Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Board of Trade that the Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of that Capital, and if that Period expire before the Company either have opened the Railway for the public Conveyance of Passengers, or have given such Proof to the Satisfaction of the Board of Trade, the Sum deposited and the Interest and Dividends thereof shall immediately from and after the Expiration of that Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they are then deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of Great Britain and Ireland: Provided that at any Time after the passing of this Act, if a Bond in twice the Amount of that Sum of Three thousand three hundred and seventy-five Pounds be executed by the Company with One or more Sureties (such Bond to be prepared to the Satisfaction of, and such Surety or Sureties to be approved by, the Solicitor to the Treasury,) conditional for Payment to Her Majesty, Her Heirs or Successors, of the Sum of Three thousand three hundred and seventy-five Pounds, if the Company shall not, within the Time limited for the Completion of the Railway, either open the Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Board of Trade that the Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of that Capital; and if such Bond be deposited with the Solicitor to the Treasury, then such Sum of Money

Money and the Interest or Dividends thereof shall be paid to or on the Application of the Person or Persons, or the Majority of the Persons named in such Warrant or Order, or the Survivors or Survivor of them, and it shall not be necessary to produce any Certificate of this Act having passed, anything in that Act to the contrary notwith-standing, and the Moneys to be recovered upon such Bond shall be dealt with in like Manner as such Sum of Money and the Interest or Dividends thereof would be dealt with under this Act if such Bond were not so executed and deposited; and the Certificate of that Solicitor that such Bond has been so executed and deposited, and the Certificate of the Board of Trade that such Proof has been given to their Satisfaction, shall respectively be sufficient Evidence of the Facts so certified.

XXX. The Company may demand and take any Tolls for the Tolls. Use of the Railway not exceeding the following; (that is to say,)

With respect to the Tonnage of all Articles conveyed thereupon or Tolls for upon any Part thereof, and included within the following Classes; Goods, &c. to wit,

Class 1. For all Coals, Coke, Culm, Charcoal, and Cinders, Compost, Dung, and all Sorts of Manure, Lime, and Limestone, and all undressed Materials for the Repair of Roads or Highways, and all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron, and Iron Castings, not manufactured into Utensils or other Articles of Merchandise, not exceeding Sixpence a Ton;

And if conveyed in Carriages belonging to the Company, an additional Sum not exceeding Twopence a Ton;

And if propelled by an Engine belonging to the Company, a further Sum not exceeding Twopence a Ton:

Class 2. For all Sugar, Grain, Corn, Flour, Fish, Hides, Dyewoods, Earthenware, Timber, Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, not exceeding Ninepence a Ton;

And if conveyed in Carriages belonging to the Company, an additional Sum not exceeding Twopence a Ton; and if propelled by an Engine belonging to the Company, a further Sum not exceeding Twopence a Ton:

Class 3. For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandise, Articles, Matters, or Things, not exceeding One Shilling a Ton;

And if conveyed in Carriages belonging to the Company, an additional Sum not exceeding Twopence a Ton;

And if propelled by an Engine belonging to the Company, a further Sum not exceeding Twopence a Ton:

Class

Class 4. For every Carriage of whatever Description (not being a Carriage adapted and used for travelling on a Railway, and not weighing more than Two Tons), not exceeding Two Shillings;

And if any such Carriage be conveyed on a Truck or Platform belonging to the Company, an additional Sum not exceeding

Fourpence;

And if propelled by an Engine belonging to the Company, a further Sum not exceeding Fourpence;

And for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton above Two Tons which any such Carriage weighs, an additional Sum not exceeding Sixpence;

And if conveyed on a Truck or Platform belonging to the Company, an additional Sum not exceeding One Penny for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton above Two Tons;

And if propelled by an Engine belonging to the Company, a further Sum not exceeding One Penny for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton above Two Tons.

Tolls for Animals.

With respect to Animals conveyed in Carriages upon the Railway, as follows:

Class 5. For every Horse, Mule, Ass, or other Beast of Draught or Burden conveyed in or upon any such Carriage, any Sum not exceeding One Shilling;

And if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding Fourpence;

And if propelled by an Engine belonging to the Company, an additional Sum not exceeding Twopence:

Class 6. For every Ox, Cow, Bull, or Neat Cattle conveyed in or upon any such Carriage, any Sum not exceeding Sixpence;

And if conveyed in any Carriage belonging to the Company, an additional Sum not exceeding Twopence;

And if propelled by an Engine belonging to the Company, an additional Sum not exceeding Twopence:

Class 7. For every Calf or Pig, Sheep, Lamb, or other small Animal conveyed in or upon any such Carriage, any Sum not exceeding Threepence;

And if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding One Penny;

And if propelled by an Engine belonging to the Company, an additional Sum per Mile not exceeding One Penny:

Tolls for Passengers.

With respect to Passengers conveyed in Carriages upon the Railway, as follows:

For every Person conveyed in or upon any such Carriage, not exceeding One Shilling;

And

And if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding Twopence; And if propelled by an Engine belonging to the Company, an additional Sum per Mile not exceeding One Penny.

XXXI. The following Provisions and Regulations shall be applicable Regulations to the fixing of such Tolls; (that is to say,)

as to the Tolls.

- For a Fraction of a Ton the Company may demand and take Toll according to the Number of Quarters of a Ton in such Fraction, and if there be a Fraction of a Quarter of a Ton, such Fraction shall be deemed a Quarter of a Ton;
- With respect to all Articles, except Stone and Timber, the Weight shall be determined according to the usual Avoirdupois Weight;
- With respect to Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Teak, Beech, or Ash, and Fifty Cubic Feet of any other Timber shall be deemed One Ton Weight, and so on in proportion for any smaller Quantity.

XXXII. With respect to small Packages and single Articles of Tolls for great Weight, notwithstanding the Rate of Tolls by this Act pre- small Parcels and Articles scribed, the Company may demand and take the Tolls following; (that of great is to say,)

Weight.

For the Carriage of small Parcels on the Railway, as follows:

For any Parcel not exceeding Seven Pounds in Weight, Fourpence;

For any Parcel exceeding Seven Pounds and not exceeding Fourteen Pounds in Weight, Sixpence;

For any Parcel exceeding Fourteen Pounds and not exceeding Twenty-eight Pounds in Weight, One Shilling;

For any Parcel exceeding Twenty-eight Pounds and not exceeding Fifty-six Pounds in Weight, One Shilling and Sixpence;

And for Parcels exceeding Fifty-six Pounds in Weight, but not exceeding Five hundred Pounds in Weight, the Company may demand and take any Sum which they think fit:

Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but that Term shall apply only to single Parcels in separate Packages:

For the Carriage of any One Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber, or Stone, or Rope, or other single Article, the Weight of which, including the Carriage, exceeds Four Tons, but does not exceed Eight Tons, the Company may demand any Sum not exceeding Three Shillings;

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And if conveyed in or upon a Carriage belonging to the Company, an additional Sum not exceeding Two Shillings; And if propelled by an Engine belonging to the Company, a further Sum not exceeding Eighteenpence:

For the Carriage of any Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber, Stone, or Rope, or other single Article, the Weight of which, with the Carriage, exceeds Eight Tons, the Company may demand and take any Sum which they think fit.

Passengers Luggage. XXXIII. Every Passenger travelling upon the Railway may take with him his ordinary Luggage, not exceeding One hundred and fifty Pounds in Weight for First-class Passengers, One hundred Pounds in Weight for Second-class Passengers, and Sixty Pounds in Weight for Third-class Passengers, without any Charge being made for the Carriage thereof.

Maximum
Charges for
Goods and
Animals.

XXXIV. The maximum Rate of Charge to be made by the Company, including the Tolls for the Use of the Railway and of Carriages, and for Locomotive Power, and every other Expense incidental to such Conveyance, (except the loading and unloading of Goods when such Service is performed by the Company,) shall not exceed the Amounts mentioned in the following Table; (that is to say,)

For everything in Class 1, not exceeding Sixpence:

For everything in Class 2, not exceeding Ninepence:

For everything in Class 3, not exceeding One Shilling:

For any Carriage in Class 4, not weighing more than Two Tons, not exceeding Two Shillings;

And if weighing more than Two Tons, not exceeding One Shilling for every Quarter of a Ton or fractional Part of a Quarter of a Ton above Two Tons:

For everything in Class 5, not exceeding One Shilling:

For everything in Class 6, not exceeding Sixpence:

For everything in Class 7, not exceeding Threepence.

Maximum Rates of Charges for Passengers. XXXV. The maximum Rates of Charge to be made by the Company for the Conveyance of Passengers upon the Railway, including the Tolls for the Use of the Railway and of Carriages, and for Locomotive Power, and every other Expense incidental to such Conveyance, shall not exceed the following Sums:

For every Passenger conveyed in a First-class Carriage, the Sum of One Shilling:

For every Passenger conveyed in a Second-class Carrriage, the Sum of Eightpence:

For every Passenger conveyed in a Third-class Carriage, forming Part of a Mixed Train, the Sum of Fourpence.

XXXVI. The

XXXVI. The Restriction to the Charges to be made for Passengers shall not extend to any Special Train that may be required to be run upon the Railway, but shall apply only to the Ordinary Trains from to Special Time to Time appointed by the Company for the Conveyance of Trains. Passengers and Goods upon the Railway.

Restriction as to Charges not to apply

XXXVII. Nothing in this Act shall prevent the Company from taking any increased Charges over and above the Charges by this Act increased limited for the Conveyance of Goods of any Description by Agreement with the Owners or Persons in charge of such Goods, either by reason of any special Service performed by the Company in relation thereto, or with respect to the Conveyance of any Goods other than small Parcels by Passenger Trains, or with respect to the Conveyance of such Parcels by Express Trains.

Company may take Charges by Agreement.

XXXVIII. That this Act or anything therein contained shall not Saving in any way defeat or take away, alter, vary, prejudice, or affect any Rights, Powers, or Privileges to which the Honourable Robert Fulke Fulke Gre-Greville, his Heirs or Assigns, is or may be entitled under an Act passed in the Thirtieth Year of the Reign of King George the Third, the 30 G. 3. intituled Am Act to another Straweller and the Straweller S intituled An Act to enable Sir William Hamilton, Knight of the most Honourable Order of the Bath, his Heirs and Assigns, to make and provide Quays, Docks, Piers, and other Erections, and to establish a Market, with proper Roads and Avenues thereto respectively, within the Manor or Lordship of Hubberston and Pill, in the County of Pembroke.

Rights of the Hon. R. ville under

XXXIX. Provided always, That where the Limits of Deviation as Restricting shown on the deposited Plans extend into the Tideway, no Deviation Seaward or Outward of the central Line of Way as shown on such Seawards. Plans shall be made without the Consent of the Lords Commissioners of the Admiralty.

Deviation of Railway to

XL. The Company shall have no exclusive Right of Water Frontage where the Railway skirts the Shore, except such Frontage exclusive as may be required for the Purposes of the said Railway.

Company not to have Right of Water Frontage.

XLI. Wherever the Railway would otherwise cut off Access from Access to the the Land to the Water by skirting the Shore, all such Crossings and Roads over, under, or across the Railway shall be made and provided provided as required by by the Company as the Lords Commissioners of the Admiralty shall the Admifrom Time to Time require, in order to afford free Access to and ralty. from the Water.

Sea to be

XLII. Except as is by this Act expressly provided, nothing in this Saving Act shall take away, lessen, alter, or affect any of the Estates, Rights, Rights of Privileges,

certain Rail-

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way Companies. Privileges, Powers, or Authorities of the Great Western Railway Company or of the South Wales Railway Company.

Railway
not exempt
from Provisions of
present and
future General Acts.

XLIII. This Act shall not exempt the Railway by this Act authorized from the Provisions of any General Act relating to this Act, or of any General Act relating to Railways, or to 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 and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges by this Act authorized, or of the Rates for small Parcels.

Expenses of Act.

XLIV. All the Costs, Charges, and Expenses of and incident to the obtaining and passing of this Act, or otherwise in relation thereto, shall be paid by the Company.

LONDON:

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