



ANNO VICESIMO SEXTO & VICESIMO SEPTIMO

VICTORIÆ REGINÆ.

Cap. cxlv.

An Act to enable the *West Shropshire Mineral Railway Company* to make a Deviation and a new Railway, and to make Agreements with other Companies ; and for other Purposes.

[13th July 1863.]

WHEREAS by "The *West Shropshire Mineral Railway Act*, 24 & 25 Vict. 1862," the *West Shropshire Mineral Railway Company* (in c. clxxxv. this Act called "the Company,") were incorporated and authorized to make a Railway from the *Oswestry and Newtown Railway* near *Llanymynech* to the *Shrewsbury and Welchpool Railway* in the Parish of *Westbury*, for which Purpose the Company were authorized to raise by Shares a Sum not exceeding Ninety thousand Pounds, and by borrowing on Mortgage a Sum not exceeding Thirty thousand Pounds: And whereas it is expedient that the Company be authorized to make the Deviation herein-after described in the Line of the Railway authorized to be made by the recited Act: And whereas it is expedient that the Company be authorized to make the *Moat Hall Railway* herein-after mentioned: And whereas it is expedient that the Company, and all or any of the following Companies, (that is to say,) the *London and North-western*, the *Great Western*, the *West Midland*, the *Shrewsbury and Welchpool*, and the *Oswestry and Newtown Railway Companies* (herein called the Five Companies), be authorized to enter into Agreements for

[Local.] 25 D the

The West Shropshire Mineral Railway Act, 1863.

the Purposes herein-after mentioned: And whereas the Objects and Purposes of this Act cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. In citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "*The West Shropshire Mineral Railway Act, 1863.*"

Interpretation of Terms.

2. In this Act the following Expressions have respectively the several Meanings hereby assigned to them: The Expression "the Company" means the *West Shropshire Mineral Railway Company*; the Expression "the Five Companies" means the *London and North-western Railway Company*, the *Great Western Railway Company*, the *West Midland Railway Company*, the *Shrewsbury and Welchpool Railway Company*, and the *Oswestry and Newtown Railway Company*; the Expression "the Act of 1862" means the *West Shropshire Mineral Railway Act, 1862*; and the Expressions "Superior Court" or "Court of competent Jurisdiction," or any other like Expression in this Act or in the Acts incorporated herewith, shall be read and have effect as if the Debt or Demand in respect to which the Expression is used were a Simple Contract Debt, and not a Debt or Demand created by Statute.

9 & 9 Vict.
ce. 18. & 20.
and
23 & 24 Vict.
c. 106. in-
corporated.

3. "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," and "The Railways Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act.

Power to
make a De-
viation
Railway and
a Tramway.

4. It shall be lawful for the Company to make and maintain the Railway and Tramway herein-after mentioned, with all proper Stations, Works, and Conveniences connected therewith respectively; (that is to say,)

A new or substituted Railway (in this Act called "the Deviation") commencing by a Junction with the *Shrewsbury and Welchpool Railway* in the Parish of *Meole Brace* in the County of *Salop*, at a Point Eight hundred and seventy-eight Yards or thereabouts to the South-west of the Bridge which carries the Turnpike Road leading from *Shrewsbury* to *Longden* and *Bishop's Castle* over the *Shrewsbury and Welchpool Railway*, and terminating by a Junction with the authorized Railway of the Company in or near an Enclosure numbered on the Plans referred to in the Act of 1862 (32) in the Parish of *Great Ness* in the County of *Salop*:

And a Railway (to be called the *Moat Hall Railway*) commencing by a Junction with the *Shrewsbury and Welchpool Railway* in the Parish of *Meole Brace* in the County of *Salop*, at a Point Five hundred

The West Shropshire Mineral Railway Act, 1863.

hundred and six Yards or thereabouts to the South-west of the Bridge which carries the Turnpike Road leading from *Shrewsbury* to *Longden* and *Bishop's Castle* over the *Shrewsbury and Welchpool* Railway, and terminating in the Parish of *Pontesbury* in the County of *Salop* at or near the Highway leading to *Little Hanwood* out of the said Turnpike Road from *Shrewsbury* to *Longden* and *Bishop's Castle*.

5. Whereas Plans and Sections of the Railways by this Act authorized showing the Lines and Levels thereof, and also Books of Reference containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and of the Occupiers of the Lands which may be required to be taken for the Purposes thereof, have been deposited for public Inspection with the Clerk of the Peace for the County of *Salop*: Therefore, subject to the Provisions and Powers of Deviation in this Act and in "The Railways Clauses Consolidation Act, 1845," contained, the said Railways shall be made in the Line or Course and upon the Lands delineated upon the said Plans and described in the said Books of Reference, and according to the Levels defined on the said Sections; and, subject to the Provisions in this and the recited Acts contained, it shall be lawful for the Company to enter upon, take, and use such of the said Lands as may be necessary for the Purposes of the said Railways and the Works connected therewith, or for any Purpose by this Act authorized.

Railways to be made according to deposited Plans.

6. Subject to the Provisions in this Act and in "The Railways Clauses Consolidation Act, 1845," contained, it shall be lawful for the Company in the Construction of the Deviation to carry the same with not exceeding a Single Line of Railway so long as the Deviation shall be a Single Line, and with not exceeding a Double Line of Railway if the Deviation shall be made a Double Line, across and on a Level of the Road numbered on the Plans deposited as aforesaid as follows; that is to say,

Level Crossing.

No. on Plan.	Parish.	Description of Road.
5	Shrawardine	Public Road.

7. Provided always, That it shall not be lawful for the Company in shunting Trains to pass any Train over such level Crossing, or to allow any Train, Engine, Carriage, or Truck to stand across the same.

As to shunting of Trains.

8. For the greater Convenience and Security of the Public the Company shall erect and permanently maintain a Lodge at the Points where the Deviation crosses the before-mentioned Road on the Level, and the Company shall be subject to and abide by all such Rules and Regulations with regard to the crossing of such Road on the Level, or with regard to the Speed at which Trains shall pass such Road, as may from

Lodge to be erected at Point of Crossing.

The West Shropshire Mineral Railway Act, 1863.

from Time to Time be made by the Board of Trade ; and if the Company shall fail to erect or at all Times maintain such Lodge, or appoint a proper Person to watch or superintend the level Crossing, or to observe or abide by any such Rule or Regulation as aforesaid, they shall for every such Offence be liable to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred.

Board of
Trade may
require
Bridge in
lieu of level
Crossing.

9. It shall be lawful for the Board of Trade, if it shall appear to them to be necessary for the public Safety, at any Time hereafter, either before or after the Railway shall have been completed and opened for Traffic, to require the Company, within such Time as the said Board shall direct, and at the Expense of the Company, to carry the said Road either under or over the Railway by means of a Bridge or Arch in lieu of crossing the same on a Level, or to execute such other Works as under the Circumstances of the Case shall appear to the said Board to be best adapted for removing or diminishing the Danger arising from such level Crossing ; but if such level Crossing shall not be made, or shall be discontinued, it shall not be necessary for the Company to erect or maintain any Station or Lodge at the Point where such Road may be crossed, or to appoint any Person to watch or superintend the Crossing thereat, nor shall they be liable to any of the aforesaid Penalties for Failure so to do.

Power to
alter en-
gineering
Works.

10. Notwithstanding anything in "The Railways Clauses Consolidation Act, 1845," contained, the Company in the Construction of the Railways by this Act authorized may deviate from the Line of any Arches or Viaducts described in the deposited Plans or Sections, so as the Deviations be made within the Limits of Deviation shown on those Plans, and subject to the Limitations contained in the Eleventh, Twelfth, and Fifteenth Sections of that Act, and so as the Nature of the Work as described be not altered, and they may also substitute any other Engineering Work not shown on the Plans or Sections, instead of a Viaduct, Arch, or Arches, as shown thereon ; provided that every such Substitution be authorized by a Certificate of the Board of Trade, and the said Board is hereby empowered to grant such Certificate, provided it shall appear to them, upon due Inquiry, that the Company has acted in the Matter with good Faith, and that the Owners, Lessees, and Occupiers of the Land in which the Substitution is intended to be made consent thereto, and also that the Safety and Convenience of the Public will not be diminished thereby : Provided, that nothing herein contained shall take away or affect any of the Powers given to the Company or to the Board of Trade by the Eleventh, Twelfth, Fourteenth, or Fifteenth Sections of "The Railways Clauses Consolidation Act, 1845."

11. The

The West Shropshire Mineral Railway Act, 1863.

11. The Company may by Agreement purchase Land adjoining or near to the Railway for the extraordinary Purposes mentioned in "The Railways Clauses Consolidation Act, 1845," but the Quantity of Land so to be purchased shall not exceed One Acre. Lands for extraordinary Purposes.
12. The Powers of the Company for the compulsory Purchase of Land for the Purposes of this Act shall not be exercised after the Expiration of Three Years after the passing of this Act. Powers for compulsory Purchases limited.
13. The Deviation shall be completed on or before the Twenty-ninth Day of *July* in the Year One thousand eight hundred and sixty-seven, and the *Moat Hall* Railway shall be completed within Four Years from the passing of this Act, and on the Expiration of those respective Periods the Powers by this Act granted to the Company for executing the Deviation and the *Moat Hall* Railway shall cease. Period for Completion of Railway.
14. The Company may make such Openings in and Alterations of the Rails of the *Shrewsbury and Welchpool* Railway, and may do all such Acts and Works, as are necessary in order to effect the Junction with that Railway by this Act authorized; and such Junction shall be effected in a substantial Manner by means of Connexion Rails and Points of the Construction and laid in the Manner which the Engineer for the Time being of the *Shrewsbury and Welchpool* Railway Company may from Time to Time approve and require, and shall be executed to his Satisfaction in all respects: Provided always, that in case of Difference between such Engineer and the Engineer of the Company with respect to any Works for effecting such Communication the same shall be determined by an Engineer to be appointed by the Board of Trade. As to Communication with Shrewsbury and Welchpool Railway.
15. The Expense of the said Junction, and of all the necessary Openings in the Rails of the *Shrewsbury and Welchpool* Railway, and of all other Works which may from Time to Time be requisite for effecting, altering, and amending such Communication, and for repairing and maintaining such Rails and Points, shall be borne and paid by the Company; and such Communication, Openings, and Works shall be in the first instance made, and be afterwards from Time to Time altered, amended, repaired, and maintained, under the Direction and Superintendence and to the reasonable Satisfaction of the Engineer for the Time being of the *Shrewsbury and Welchpool* Railway Company, and in such Manner and by such Ways and Means respectively as shall not injure the *Shrewsbury and Welchpool* Railway, or impede or interfere with the free, uninterrupted, and safe Passage along the same. Expense of Communications to be borne by the Company.
16. The *Shrewsbury and Welchpool* Railway Company may from Time to Time, either on their own Land or on the Land of the Company, erect, maintain, and alter such Signals and other Works and Conveniences, and appoint and remove such Watchmen, Pointsmen, and other Signals, &c., to be erected and maintained, and proper Persons to be

The West Shropshire Mineral Railway Act, 1863.

provided to
prevent
Danger at
Point of
Junction.

Servants, as that Company may deem necessary for the Prevention of Danger to, or Detention of, or Interference with Traffic at or near the Junction between their Railway and the Deviation by this Act authorized; and the Working and Management of such Signals, Works, and Conveniences, and the Control and Direction of such Watchmen, Pointsmen, and other Servants, shall belong to the *Shrewsbury and Welchpool* Railway Company; and all the Costs and Expenses during each Half Year of erecting and maintaining and altering such Signals, Works, and Conveniences, and of employing and paying such Watchmen, Pointsmen, and other Servants, shall at the Expiration of each Half Year be repaid by the Company to the *Shrewsbury and Welchpool* Railway Company, on Demand, and in default the Amount of such Costs and Expenses may be recovered from the Company in any Court of competent Jurisdiction.

Railway to
form Part of
the Under-
taking of the
Company.

17. The Railways by this Act authorized shall be and be deemed for the Purposes of Tolls and Charges, and for all Purposes whatsoever, Part of the Undertaking of the Company: Provided always, that the Company may, if they think fit, employ Horse Power on the *Moat Hall* Railway, and may charge for the same as if it were locomotive Power.

Maximum
Charge for
Limestone
intended to
be calcined
and con-
veyed in
Waggons or
Trucks of or
provided by
the Con-
signor or
Consignee of
such Lime-
stone.

18. Provided always, That, notwithstanding anything in the recited Act contained, the maximum Rate of Charge to be made by the Company in respect of Limestone not calcined, and conveyed upon the Railways by this or the recited Act authorized to be made, or any Part thereof, in Waggons or Trucks of or provided by the Consignor or Consignee of such Limestone, to any Kiln for the Purpose of being calcined and made into Lime, shall not exceed the Sum of One Halfpenny *per Ton per Mile*; which Charge, when such uncalcined Limestone shall be loaded and unloaded by the Consignor or Consignee, shall include all the Tolls for the Use of the Railway, and Charges for locomotive Power, and all terminal and other Charges and Expenses whatsoever incidental to such Conveyance, except where the Services of loading and unloading, or either of them, are performed by the Company, in which Case the Company shall be entitled to make a reasonable Charge for such Services, or either of them.

Powers
of User
granted to
the Oswestry
and New-
town Rail-
way Com-
pany by the
Act of 1862
extended to
this Act.

19. The Forty-second Section of the *West Shropshire Mineral Railway Act, 1862*, with respect to the Use by the *Oswestry and Newtown* Railway Company of the Railway by that Act authorized, is incorporated with this Act; and, subject to the Provisions of the said Forty-second Section, the *Oswestry and Newtown* Railway Company shall be entitled to use the Deviation in the same Manner and to the same Extent as if the Deviation had formed Part of the Railway authorized to be made by the *West Shropshire Mineral Railway Act, 1862*.

20. The

The West Shropshire Mineral Railway Act, 1863.

20. The Company shall abandon and relinquish the Formation of so much of the Railway authorized to be made by the Act of 1862 as shall be rendered unnecessary in consequence of the Construction of the Deviation. .

Power to
abandon
Part of
authorized
Line.

21. In every Case in which before the passing of this Act any Contract has been entered into or Notice given by the Company for purchasing any Lands which the Company were by the recited Act empowered to purchase for the Purpose of constructing the Portion of Railway so authorized to be abandoned as aforesaid, the Company shall make to the Owners or Occupiers of or other Persons interested in such Lands full Compensation for all Injury or Damage sustained by such Owners or Occupiers and other Parties by reason of such Purchase not being completed pursuant to such Contract or Notice ; and the Amount and Application of such Compensation shall be determined in the Manner provided by "The Lands Clauses Consolidation Act, 1845," for determining the Amount and Application of the Compensation to be paid for Lands to be taken under the Provisions thereof : Provided also, that nothing herein contained shall prejudice or affect the Right of the Owner or Occupier of any Lands which the Company were so empowered to purchase as aforesaid [to recover from the Company Compensation for any Damage which may have been occasioned by the Entry of the Company upon such Lands for the Purpose of surveying and taking Levels, and of probing or boring to ascertain the Nature of the Soil, or of setting out the Line of the Railway, pursuant to the Provisions for that Purpose in "The Railways Clauses Consolidation Act, 1845," contained.

Compensa-
tion to be
made where
Contracts
have been
entered into
or Notice
given.

22. The Company and the Five Companies, or the Company and any or either of the Five Companies respectively, may from Time to Time make and enter into any Contracts and Agreements with respect to the following Purposes, or any of them ; (that is to say,)

Power to
make Traffic
Arrange-
ments with
the Five
Companies.

The forwarding and Transmission of all or any Part of the Traffic on the Railways of the Company and the Railways of the Five Companies respectively, or any Part thereof respectively :

The Division and Apportionment between the Company and the Five Companies respectively, or between the Company and either of the Five Companies who may be Parties to any such Agreement respectively, of the Tolls, Fares, Rates, Charges, Profits, and Receipts arising from such Traffic ; the Tolls, Rates, Duties, and Charges or other Consideration to be charged in respect of such Traffic, and the fixing of such Tolls, Rates, Duties, and Charges, Rent, or other Consideration, or any of them :

The renewing or modifying of any Agreements entered into in pursuance of this Enactment.

23. No

The West Shropshire Mineral Railway Act, 1863.

Restrictions
on Agree-
ments
between
Companies.

23. No such Agreement as aforesaid shall in any Manner alter, affect, increase, or diminish any of the Tolls, Fares, Rates, or Charges which the Companies, Parties thereto, are from Time to Time respectively authorized to demand and receive from any Person or any other Company; but all other Persons and Companies shall, notwithstanding any such Agreement, be entitled to the Use and Benefit of the Railways to which the Agreement relates, on the same Terms and Conditions, and on Payment of the same Tolls, Fares, Rates, and Charges, as they would be if the Agreement were not made.

Sanction of
Share-
holders of
Agreement.

24. No Agreement which shall hereafter be entered into for any of those Purposes, nor any Modification of any such Agreement, shall, so far as the Terms and Conditions thereof are not authorized by "The Railways Clauses Consolidation Act, 1845," or by any other General Statute or Law from Time to Time in force with respect to the Companies, Parties to the Agreement, have any Operation, unless and until it be sanctioned by not less than Three Fifths of the Votes of the Shareholders of every Company, Party thereto, present personally or by proxy at a General Meeting of the respective Company especially convened for the Purpose.

How Meet-
ings are to
be called.

25. Such Meeting shall be called by Circular, addressed to each Shareholder entitled to vote at Meetings of the Company, to be served in the Manner prescribed by "The Companies Clauses Consolidation Act, 1845," with respect to Notices requiring to be served by the Company upon the Shareholders, and also by Advertisement inserted once in each of Two consecutive Weeks in a Newspaper published in the County in which the principal Office of the Company intending to hold the Meeting is situate, and the last of such Advertisements shall be published not less than Seven Days before such Meeting.

Public
Notice to be
given of
Intention to
enter into
any such
Agreement.

26. Before the said Companies shall enter into any such Agreement as aforesaid they shall give Notice of their Intention so to do in a Form to be approved by the Board of Trade, inserted once in each of Three successive Weeks in such Newspaper or Newspapers as the Board may direct, and every such Notice shall set forth within what Time and in what Manner any Company or Person aggrieved by such proposed Agreement, and desiring to object thereto, may bring such Objections before the Board of Trade.

Approval of
Board of
Trade.

27. No such Agreement shall have any Operation until it be approved by the Board of Trade, and the Board of Trade shall not approve any such Agreement without being satisfied of its having received such Sanction of Shareholders as by this Act required,

28. Provided

The West Shropshire Mineral Railway Act, 1863.

28. Provided always, That at the Expiration of the first or any subsequent Period of Ten Years after the making of any such Agreement, or of any Modification of any such Agreement, the Board of Trade may, if they think fit, require the Companies, Parties thereto, to give such public Notice of any intended Revision as the Board may direct, and may cause the Agreement to be revised; and the Board of Trade shall have Power to modify the Agreement in such Manner as the Board may think necessary, and to declare the Modification made by them to be Part of such Agreement, and the same shall be read and take effect accordingly.

Agreements between Companies may be modified by the Board of Trade.

29. If the Railways of the Company, or any Part thereof, shall be worked continuously with any other Railway, Articles or Persons conveyed continuously for a less Distance than Four Miles upon any Railway of the Company and any other Railway shall only be charged once as for Four entire Miles, in the same Manner as if such Railway of the Company and such other Railway had formed Part of the Railways by this and the recited Act authorized, anything in any other Act to the contrary notwithstanding.

If Railway worked continuously with any other Railway only One Short-distance Charge to be made as for Four entire Miles.

30. It shall be lawful for the Company at any Time, and from Time to Time, to raise by the Creation of Shares in their Undertaking, in addition to the Sum of Ninety thousand Pounds which the Company are authorized to raise by Shares by the Act of 1862, such further Sums of Money as they shall from Time to Time deem necessary or expedient, not exceeding in the whole the further Sum of Sixty thousand Pounds; and all further Sums so raised shall form Part of the general Capital of the Company, and all additional Shares created and issued by the Company for the Purpose of raising the said Sum of Sixty thousand Pounds shall be ordinary Shares, and shall respectively be of the same Amount, and shall confer upon the Holders thereof the same Rights and Privileges only, and shall be subject to the same Provisions in all respects, whether with reference to the Amount and Times of making Calls, to the Payment of Calls, or the Forfeiture of Shares on Nonpayment of Calls, or otherwise howsoever, as if they had been created under the Authority of the Act of 1862, and all and every Part of the Money raised by the Creation of such Shares shall be applied only to Purposes authorized by the Act of 1862 and this Act, or either of such Acts.

Power to raise additional Money by new Shares.

31. The Company may borrow on Mortgage of their Undertaking, in addition to the Sum of Thirty thousand Pounds by the Act of 1862 authorized to be borrowed, any further Sum or Sums not exceeding in the whole Twenty thousand Pounds, and all and every Part of the Monies borrowed under the Authority of this Act shall be applied only to Purposes authorized by the Act of 1862 and this Act, or either of such Acts; Provided always, that until the whole Sum of Sixty thousand Pounds which the Company are by this Act authorized to raise by Shares is

Power to borrow on Mortgage.

[Local.]

25 F

subscribed

The West Shropshire Mineral Railway Act, 1863.

subscribed for, 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 said Sum of Sixty thousand Pounds has been subscribed for *bonâ fide*, and is held by Subscribers or their Assigns, and for which such Subscribers or their Assigns are legally liable, the Company shall not borrow any Money under the Provisions of this Act.

Priority of
existing
Mortgages.

32. All Mortgages granted by the Company before the passing of this Act, and which may be still in force at the Time of the passing of this Act, shall during the Continuance of such Mortgages respectively, and until they shall be paid off or renewed, have Priority over all Mortgages granted under the Authority of this Act.

Deposit may
not be re-
paid until
Lines
opened, or
Half the
Capital paid
up and
expended,
except in
Execution
of Bond, &c.

33. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of the Reign of Her present Majesty, Chapter Twenty, a Sum of Four thousand six hundred and forty Pounds, being Eight Pounds *per Centum* upon Twenty-one thousand Pounds, the Amount of the Estimate of the *Moat Hall* Railway, and also upon Thirty-seven thousand Pounds, the estimated Amount by which the Expense of the Deviation will exceed the Expense of the Works to be abandoned under the Authority of this Act, has been deposited with the Court of Chancery in respect of the Application to Parliament for this Act: Therefore, notwithstanding anything contained in the said Act, the said deposited Sum, or the Interest or Dividends of such Sum of Money, shall not, except upon the Execution and Deposit of such Bond as hereinafter 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 the said Act, or the Survivor or Survivors of them, unless the Company shall, previously to the Expiration of Four Years from the passing of this Act, either open the Deviation and the *Moat Hall* Railway for public Traffic, or prove to the Satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the Company have paid up One Half of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if the said Period shall expire before the Company shall either have opened the Deviation and the *Moat Hall* Railway for public Traffic, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the said deposited Sum and the Interest and Dividends thereof shall, immediately from and after the Expiration of the said Period, be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be 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

The West Shropshire Mineral Railway Act, 1863.

Bond in twice the Amount of the said deposited Sum shall have been 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 Lords Commissioners of Her Majesty's Treasury,) conditioned for Payment to Her Majesty, Her Heirs or Successors, of the said deposited Sum if the Company shall not within the said Period either open the Deviation and the *Moat Hall* Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee that the Company have paid up One Half of the Amount of the said Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital, and if such Bond shall have been deposited with the Solicitor to the said Lords Commissioners, then such Sum of 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 as aforesaid, or the Survivor or Survivors of them; and it shall not be necessary to produce any Certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding; and the Monies to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Money and the Interest or Dividends thereof would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitor to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Lords of the said Committee that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Fact so certified.

34. The Company shall not, out of any Money by this Act or any other Act relating to the Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, 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 Calls actually made as may be in conformity with the Provisions of "The Companies Clauses Consolidation Act, 1845."

Interest not
to be paid
out of
Capital.

35. The Company shall not, out of any Money by this Act or by any other Act relating to the Company authorized to be raised, pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament for the Time being in force, may require to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the Company to construct any other Railway, or execute any other Work or Undertaking.

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

36. Nothing in this Act shall be deemed or construed to exempt the Undertakings of the said Companies, or either of them, from the Provisions

Railways not
exempt from
Provisions of

The West Shropshire Mineral Railway Act, 1863.

present and
future Gene-
ral Acts.

Provisions of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, now in force, or which may hereafter pass during the present or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the Rates for small Parcels, and the maximum Rates of Fares and Charges authorized to be taken by the Acts relating to the said Companies.

Expenses of
Act.

37. All the Costs, Charges, and Expenses of and preparatory or incidental to the passing of this Act shall be paid by the Company.

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1863.