

three calendar months notice in writing of such intention, and upon payment of a sum equal to twenty five years purchase of the annual divisible profits, estimated on the average of the three then next preceding years ; provided that if the average rate of profits for the said three years shall be less than the rate of fifteen pounds in the hundred, it shall be lawful for the Company, if they should be of opinion that the said rate of twenty five years purchase of the said average profits is an inadequate rate of purchase of such Railway, reference being had to the prospects thereof, to require that it shall be left to arbitration in case of difference, to determine what (if any) additional amount of purchase money shall be paid to the said Company ; provided also, that such option of purchase shall not be exercised, except with the consent of the Company, while any such revised scale of tolls, fares and charges shall be in force.

Her Majesty's
Forces and Stores
to be conveyed
when required.

XXXIII. And be it enacted, That the Directors of the said Company shall be bound to provide such conveyance for the Officers or Soldiers of Her Majesty's Forces of the Line, Ordnance Corps, Marines, Militia or Police Forces, and for all Ordnance Stores, at such time or times (whether the same shall be the usual hours of starting trains or not) as shall be required or appointed by any Officer duly authorized for that purpose, and with the whole resources of the Company.

Rate of tolls may
be altered, but not
so as to prejudice
particular parties.

XXXIV. And be it enacted, That the Directors of the said Company shall be and they are hereby authorized from time to time to alter or vary the tolls to be taken upon the said Railway as they shall think fit, provided that all such tolls be at all times charged equally to all persons and after the same rate, whether per ton or otherwise, in respect of all passengers and of all goods, chattels or carriages of the same description, and conveyed or propelled by a like carriage or engine, passing only over the same portion of the line of Railway under the same circumstances ; and no reduction or advance in any such toll shall be made either directly or indirectly in favour of or against any particular company or person travelling upon or using the Railway.

Yearly dividends
of the profits to be
made.

XXXV. And be it enacted, That the Directors of the said Company shall make yearly dividend of tolls, income and profits, arising to the said Company, first deducting thereout the annual costs, charges and expenses of the said Company, as well of the repairs of the works belonging to them as for the salaries and allowances of the several officers and servants, and for such other purposes connected with the said Company as may be deemed proper by the said Directors, consistent with the bye laws, rules and regulations of the said Company.

Receipts of guar-
dians of minors and
committees of
lunatics to be good
discharges.

XXXVI. And be it enacted, That if any money be payable from the said Company to any shareholder or other person being a minor, idiot or lunatic, the receipt of the guardian of such minor, or the receipt of the committee of such lunatic, shall be a sufficient discharge to the said Company for the same.

A portion of the
profits may be re-
served before de-
claring dividends.

XXXVII. And be it enacted, That before apportioning the profits to be divided among the shareholders, the said Directors may, if they think fit, set aside thereout such sum as they may think proper to meet contingencies, or for enlarging, repairing and improving the works connected with the said Railway or any part of the said undertaking, and may divide the balance only among the shareholders.

No dividend to be
paid on shares in
arrear.

XXXVIII. And be it enacted, That no dividend shall be paid in respect of any share until all calls then due in respect of that and every other share held by the person to whom such dividend may be payable, shall have been paid.

Joint Stock to be
alone responsible
for the Company
debts.

XXXIX. And be it enacted, That joint stock or property of the said Company shall alone be responsible for the debts and engagements of the said Company, and that no person or persons who shall or may have dealings with the said Company shall upon any pretence whatsoever have recourse against the separate property of any of the individual shareholders of the said Company, or against their person or persons further than may be necessary for the faithful application of the funds of the said Company ; provided also, that no shareholder of the said Company shall be liable for or charged with the payment of any debt or demand due from the said Company beyond the extent of his share in the capital of the said Company not then paid out.

Time limited for
bringing actions for
any thing done
under this Act.

XL. And be it enacted, That no suit or action at law or equity shall be brought or prosecuted by any person or persons for any act, matter or thing done under the authority of this Act, unless such suit or action shall be commenced within six months next after the offence shall have been committed or cause of action accrued, and the defendant or defendants in such action or suit may plead the general issue, and give this Act and the special matter in evidence under the said plea, and that the same was done in pursuance and by the authority of this Act.

Punishment for
malicious acts, de-
stroying works, &c.

XLI. And be it enacted, That if any person or persons shall wilfully and maliciously, and to the prejudice of the undertaking, break, injure or destroy any of the works to be made by virtue of this Act, every such person or persons shall