

appointment, or otherwise the matter shall be left to be determined by the umpire, and if such umpire shall refuse or neglect to proceed and make his award for the space of twenty eight days after the matter shall have been referred to him, then a new umpire shall be appointed by the two first named arbitrators, who shall in like manner proceed and make his award within twenty eight days, or in default be superseded, and so *toties quoties*.

Her Majesty's  
Forces of the Line,  
&c. to be conveyed  
when required.

41. 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, 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.

42. 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 or its branches 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, per mile, 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 proportion 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 persons travelling upon or using the Railway.

Obligation to per-  
mit a line of Elec-  
trical Telegraph to  
be laid down for  
and by Her Ma-  
jesty's Govern-  
ment.

43. The said Company, on being required so to do by Her Majesty's Government, shall be bound to allow any person or persons duly authorized by Her Majesty's Government, with servants and workmen, at all reasonable times to enter into or upon the lands of the said Company, and to establish and lay down upon such lands adjoining the line of the said Railway, or any of its branches, a line of Electrical Telegraph for Her Majesty Service, and to give to him and them every reasonable facility for laying down the same, for the purpose of receiving and sending messages on Her Majesty's Service, subject to such reasonable remuneration to the Company as may be agreed upon between the Company and Her Majesty's Government; provided always, that subject to a prior right of use thereof for the purposes of Her Majesty, such Telegraph may be used by the Company for the purposes of the Railway, upon such terms as may be agreed upon between the parties, or in the event of differences, as may be settled by arbitration.

Yearly dividend  
of the profits to be  
made.

44. The Directors of the said Company shall make yearly dividends 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.

45. 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  
reserved before de-  
claring dividends.

46. 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 its branches, or any part of the said undertaking, and may divide the balance only among the shareholders.

No dividends to be  
paid on shares in  
arrear.

47. 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.

48. The joint stock and property of the said Company shall alone be responsible for the debts and engagements of the said Company, and no person or persons who shall or may have dealings with the said Company shall on any pretence whatever 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.