

THE CLAUSES IN THE RAILWAY ACTS OF SESSION OF 1858, GIVING POWERS TO THE BOARD OF TRADE, ARE TO THE FOLLOWING EFFECT :

CONSTRUCTION OF WORKS.

Alyth Railway Act, 1858, c. 43. s. 28., &c.—Provides that the junction with the Scottish North-Eastern Railway, in case of difference, is to be made according to a plan approved of by an engineer appointed by the Board of Trade previously to the commencement of such work ; and any difference as to the nature or necessity of the signals and other works at the junction, the same to be referred to arbitration or the decision of an engineer, to be appointed by the Board of Trade, at the option of the Scottish North-Eastern Company.

Andover and Redbridge Railway Act, 1858, c. 82. s. 22., &c.—Provides that the Company are not to proceed with any works affecting the Bishopstoke and Salisbury Railway, or any of the works of the London and South-Western Railway Company, until they shall have delivered to that Company a plan, &c. of the proposed works, and obtained the approval thereof of the principal engineer ; but if he shall not certify his approval within one calendar month of the delivery of such plan, &c., and shall fail to furnish within such period a plan of executing the works satisfactory to that Company, the Andover Company may submit a plan, &c., to the Board of Trade, and on the same being certified, proceed to the execution of the works, &c.

The Company shall also so make and maintain the Branch Railway as to enable the London and South-Western Company to make a convenient junction between it and the Southampton and Dorchester Railway ; and any difference with reference thereto is to be settled by the arbitrator of the Board of Trade, and the Company are not to open the railway between Romsey and Redbridge, or any part thereof, for public traffic, unless they simultaneously open for traffic the branch railway.

Banbridge, Lisburn, and Belfast Railway Act, 1858, c. 46. s. 32.—Provides that in case of difference with respect to any works for effecting the communication with the Ulster Railway and the Banbridge Junction Railway, the same is to be determined by an engineer, to be appointed by the Board of Trade.

Caledonian Railway (Branch to Port Carlisle Railway) Act, 1858, c. 66. s. 5.—Provides that all communications between the Branch

Railway authorized by this Act and the Port Carlisle Railway, in case of difference, are to be effected by means of connexion rails, and points of such construction, and laid in such manner as shall be determined by an engineer to be appointed by the Board of Trade.

Devon Valley Railway Act, 1858, c. 122. s. 26., &c.—Provides that in case of difference, the junctions of the railway with the Tillicoultry Branch of the Stirling and Dunfermline Railway, and with the Fife and Kinross Railway, are to be made according to a plan to be approved of by an engineer to be appointed by the Board of Trade ; and any difference as to the nature or necessity of the works to be constructed at such junctions shall be referred to arbitration, or the decision of an engineer to be appointed by the Board of Trade, at the option of the Stirling Company or the Fife and Kinross Company respectively.

A certain road in the parish of Dollar is to be carried over the railway by a stone bridge, to the satisfaction of the engineers of the Company and the landowners named in the Act, or in case of difference, of an engineer to be appointed by the Board of Trade.

Dublin and Meath Railway Act, 1858, c. 119.—Provides that communications between the railways authorized by the Act and the railway of any other Company, shall be made to the satisfaction of the engineer of the Company with whose line such communication is to be made ; and if such Company shall have no engineer, or the engineers shall differ, then such communications shall be made in the manner directed by an engineer to be appointed by the Board of Trade.

East Kent Railway (Western Extension) Act, 1858, c. 107. s. 7., &c.—Provides that all communications between the railway and the Mid Kent Railway (Bromley to St. Mary Cray), in case of dispute, shall be made in such manner as shall be directed by an engineer to be appointed by the Board of Trade. Before the Company open the railway for public traffic, they are to make a station at Sole Street at which all trains are to stop (except on Sundays), for the purpose of taking up and setting down passengers, goods, &c., special or express, or mail trains, only excepted.

East Suffolk Railway (Branch and Capital) Act, 1858, c. 47, s. 10.—Provides that in case of difference as to the mode of making the communications with the Lowestoft Railway, or as to the works necessary or convenient for effecting the same, the matter is to be settled by the Board of Trade, or its arbitrator.

Eden Valley Railway Act, 1858, c. 14, s. 28.—Provides that in case of disputes as to the nature or necessity of the works at the junctions of the railway authorized by this Act with the Lancaster and Carlisle Railway, or the South Durham and Lancashire Union Railway, the matter shall be referred to arbitration, or to the decision of an engineer to be appointed by the Board of Trade, on the application of either of the Companies.

Exeter and Exmouth Railway Act, 1858, c. 56, s. 46.—Provides that if any carriage way be made across the railway on the level for the benefit or convenience of any person interested in the shore or river bank adjoining the railway, the mode of making and watching such crossing shall be subject to the approval of the Board of Trade.

Fife and Kinross and Kinross-shire Railways Junction and Joint Station Act, 1858, c. 65, s. 5, §c.—Provides that the junction between the railways of the two Companies and the joint station at Kinross, and the bridge for carrying the Great North Road, &c. over the Kinross-shire Railway and the levels of the two railways, are to be made to the satisfaction of the engineers for the time being of the Companies, and in case of difference, of an engineer to be appointed by the Board of Trade, on the application of either Company.

Either of the Companies, on giving three months' notice, may construct the joint station at Kinross, and will be entitled to recover from the other Company one moiety of the expense, as the same shall be certified by the engineers, or in case of difference, by an engineer to be appointed by the Board of Trade.

Formartine and Buchan Railway Act, 1858, c. 108, s. 45, §c.—Provides that the Branch Railway to Ellon is to be constructed simultaneously with the main line from Dyce to Old Deer, and no part of the main line is to be opened to the public until the branch has been opened, and no part of the railway is to be opened until a double line of rails shall have been laid down upon the Great North of Scotland Railway between the point of junction at Dyce and Kittybrewster. Any difference as to the mode of effecting the communication with the Great North of Scotland Railway is to be determined by a referee, to be appointed by the Board of Trade.

Knighton Railway Act, 1858, c. 19, s. 22.—Provides that any difference as to the mode of effecting the communications with the Shrewsbury and Hereford Railway is to be determined by a referee, to be appointed by the Board of Trade.

Midland Great Western Railway of Ireland (Clare Deviation) Act, 1858, c. 94, s. 9.—Provides that in case of difference with reference to any works for effecting the communication between the railway authorized by the Act and the Great Southern and Western Railway, the same is to be determined by an engineer, to be appointed by the Board of Trade.

Newport, Abergavenny, and Hereford Railway Act, 1858, c. 126, s. 7, §c.—Provides that a deviation is to be made in the Aberdare Canal, at the expense of the Company, and to be maintained and repaired by them during a period of five years; and if any dispute shall arise between them and the Canal Company touching the said matters, the same is to be determined by an engineer, to be appointed by the Board of Trade.

North British Railway Consolidation Act, 1858, c. 109, s. 49.—Provides that this Act repeals the prohibition against the use of locomotive engines on the Old Leith Branch Railway, and empowers the Company to stop up such of the roads or accesses across the railway in the parish of South Leith as they may think fit, and to make provision for the crossing of the railway, at two or more points, by means of occupation or other roads, and to execute such works as may be necessary for adapting the railway to the use of locomotive engines, and to run the same thereon.

Portsmouth Railway Amendment Act, 1858, c. 101, s. 7, §c.—Provides that if any difference shall arise respecting the communication between the Portsmouth Railway and the railways belonging either jointly or separately to the Brighton and South-Western Companies, or as to the erection of signals at, and other matters connected with such junctions, the same is to be determined by arbitration, in the manner provided by the Railways Clauses Consolidation Act, 1845, section 21. The Company are prohibited from appropriating any part of a certain road, called Blackfriars Road, belonging to the Landport and Southsea Commissioners; but they may and shall, for the purpose of forming a communication between their railway and the line of the Brighton and South-Western Companies at Landport, make sidings, with two lines of rails, within the limit of deviation, across and on the level of the said road, subject to the usual provisions in reference to crossing roads on the level, and to such other reasonable regulations as may be agreed on between them and the surveyor, or, in case of dispute, as shall be settled by an officer to be appointed by the Board of Trade.

Redditch Railway Act, 1858, c. 137, s. 36.—Provides that the bridge for carrying the railway over the Worcester and Birmingham Canal is to be constructed, as to its position, form, and dimensions, to the satisfaction of the engineer of the Railway and Canal Companies, and, in the event of disagreement, to the satisfaction of an engineer to be approved by the Board of Trade.

Symington, Biggar, and Broughton Railway Act, 1858, c. 15, s. 25, §c.—Provides that in case of difference as to the mode of effecting the junction with the Caledonian Railway, the same is

to be made according to a plan approved of by an engineer, to be appointed by the Board of Trade previously to the commencement of the works; and any question as to the nature or necessity of works at the junction, in case of dispute, is to be referred to arbitration, or to the decision of the Board of Trade, at the option of the Caledonian Company.

Whitehaven Junction Railway (New Branches) Act, 1858, c. 127, s. 27.—Provides that if the Company shall be required by the Lords of the Admiralty, under the provisions of this Act, to make any carriage way across the railway on the level, for the purpose of affording access to the seashore, then the manner of making and watching such level crossing shall be subject to the approval of the Board of Trade, and the Company shall not be liable for the expenses of watching such level crossing.

ADDITIONAL RAILS.

East Suffolk Railway (Branch and Capital) Act, 1858, c. 47, s. 27.—Provides that the main line from the Leiston Junction to Halesworth, and the part from Halesworth to Haddiscoe, are to be completed, so that two lines of railway may be laid down when and as the Company think proper; and if the Company shall not lay down two such lines of rails, then when it shall appear to the Board of Trade that another line of rails, in addition to the single line of rails on such portions, is required for the public accommodation.

Portsmouth Railway Amendment Act, 1858, c. 101.—Provides that if the gross annual proceeds of the traffic on the line between Godalming and Havant for three consecutive years shall average 45,000*l.*, the Company, on request of the Board of Trade, shall lay down an additional line of rails, raising such an amount of additional capital as may be necessary for that purpose.

LEASE, SALE, OR AMALGAMATION.

East Suffolk Railway Companies Amalgamation Act, 1858, c. 111, s. 3, and s. 43, §c.—Provides that from the passing of the Act the undertakings of the East Suffolk Company, the Yarmouth and Haddiscoe Company, and the Lowestoft and Beccles Company were united and consolidated into one undertaking.

The Company may grant a lease of their undertaking to Sir M. Peto for any term not exceeding 21 years, determinable on 12 months' notice, after a resolution by the Company that such lease shall be determined, provided that if within three months after such notice the lessee shall apply to the Board of Trade and object to the determination of such lease, then the resolution and notice shall have no force or effect, unless the Board of Trade shall be of opinion that the lease is injurious to the public interests, and shall confirm such resolution. Any shareholder, voting against such resolution, within three months may require the Company to purchase the shares, in respect of which he voted, at par.

South Devon and Tavistock Railway Act, 1858, c. 102, s. 3.—Provides that lease to the South Devon Company, with consent of Shareholders of both Companies, the Company still remaining liable to the provisions of the 30th section, 17 & 18 Vict. c. 189, as to laying down additional rails on the narrow gauge, if required so to do by the Board of Trade: the terms and conditions of using the same by any Company, in case of dispute, are to be settled and adjusted by the Board of Trade.

Staines, Wokingham, and Woking Railway Act, 1858, c. 58, s. 19, §c.—Provides that the Company may lease all or any part of their undertaking to the South-Western Company, with consent of shareholders of both Companies. The lease, at the expiration of every ten years, to be subject to such modification as the Board of Trade may consider necessary to protect the public interests.

Ulverstone and Lancaster Railway Act, 1858, c. 98, s. 42, &c.—Provides for lease or sale to the Furness Company of all or any part of the undertaking; the terms to be approved of by the Board of Trade.

Vale of Towy Railway (Leasing) Act, 1858, c. 147, s. 3.—Provides that the Company may lease for a period of 10 years their undertaking to the Llanelly Railway and Dock Company, such lease to be approved of by the Board of Trade.

USE OF RAILWAY STATION, &c.

Fife and Kinross and Kinross-shire Railways Junction and Joint Station Act, 1858, c. 65, s. 17, §c.—Declares that the management and maintenance of the joint station are in the Companies; but in the event of any difference thereon, or on any other questions relating to the use and working of such station, or as to the expense thereof, the same is to be settled by an arbitrator, to be appointed by the Board of Trade. The Companies may agree with the Edinburgh, Perth, and Dundee Company with respect to the use and working of the railways authorized by this Act on the terms of the Fife and Kinross Railway Act, 1855, and the Kinross-shire Railway Act, 1857.

London, Brighton, and South Coast Railway (New Lines) Act, 1858, c. 84, s. 27, §c.—Provides that the Company and all persons lawfully using their railway, may likewise use the Mid-Sussex Railway Stations, &c.; and in case of dispute as to the time, conditions, and regulations respecting the use thereof, the same shall be determined by the Board of Trade, or its arbitrator.

London and North-Western Railway (Additional Works) Act, 1858, c. 131, s. 12.—Provides that the Company, and the Great Western Company may, if they shall think fit, instead of pro-

ceeding with the arbitration under the provisions of 17 & 18 Vict. c. 200, for the separation and allotment of the joint station at Wolverhampton, known as the High Level Station, or in addition thereto, so far as the same shall not extend, make and carry into effect agreements for the appropriation and allotment to and between, or to either of them, of the whole or any part of such station; and upon such appropriation and allotment being completed and approved of by the Board of Trade, the several portions shall vest in the Stour Valley and Great Western Companies accordingly. The portion which may be assigned to the Stour Valley Company shall be deemed to be included in the lease to the London and North-Western Company.

Portsmouth Railway Amendment Act, 1858, c. 101. s. 25.—Provides that the Company, and all other companies lawfully using the Portsmouth Railway, may pass over and use so much of the railway of the Brighton Company as will be situated between the point of junction with that railway, in the parish of Havant, and the Portsmouth Railway, and the point at or near Hilsa Redoubt, where the Brighton Railway unites with the line to Portsmouth belonging to the Brighton and South-Western Companies, and also of their line to Portsmouth between the said point at Hilsa Redoubt and the terminus of the said railway at the Landport road, in the parish of Portsea, and also so much of the line of the South-Western Company as will be situated between the point of junction therewith of the intended railway firstly described in this Act, and the before-mentioned point at Hilsa Redoubt. The terms and conditions of such user are to be settled, failing agreement between the Companies, by their principal engineers, or their umpire, or, failing such appointment, by some person to be appointed by the Board of Trade. The right of user of the joint station at Landport is limited to traffic conveyed on the public service, but the Companies may agree for the use thereof for the general traffic.

The Portsmouth Company, in working or using the railway of the Brighton and South-Western Companies, is to observe the regulations and bye-laws of the Companies in force on the railways so used, as far as the same shall be applicable to the Portsmouth Company; and in case of dispute respecting such regulations or bye-laws, or the mode in which the powers or privileges given by the Act shall be exercised, or the regulations to be adopted exclusively for the convenience or accommodation to be afforded to the traffic of the Portsmouth Company, the same shall be settled as before-mentioned, provided that neither such regulations and bye-laws, so far as they affect the Portsmouth Company, nor the award thereon of the engineers, or their umpire, shall have any force unless the same shall have been confirmed by the Board of Trade. Any award of an umpire may be reconsidered by order of the Board of Trade.

TRAFFIC ARRANGEMENTS.

Alyth Railway Act, 1858, c. 43. s. 47., &c.—Provides that a traffic agreement may be made with the Scottish North-Eastern, and Edinburgh and Perth, and Dundee Companies, or either of them. Agreement limited to ten years, and to be assented to by the shareholders of the several Companies in special meeting, and to be approved of by the Board of Trade.

Athlery and Tuam Railway Act, 1858, c. 112. s. 44., &c.—Provides that a traffic agreement may be made with the Midland Railway of Ireland Company. Agreement limited to ten years, and to be assented to by the shareholders of the Companies in general meeting, and to be approved of by the Board of Trade.

Banbridge, Lisburn, and Belfast Railway Act, 1858, c. 46. s. 44, &c.—Provides that a traffic agreement may be made with the Ulster, the Dublin and Belfast Junction, and the Banbridge Junction Companies, or either of them. Agreement limited to ten years, to be assented to by the shareholders of the Companies parties thereto, and approved of by the Board of Trade.

Caledonian Railway (Branch to Port Carlisle Railway) Act, 1858, c. 66. s. 16., &c.—Provides that a traffic agreement may be made with the Port Carlisle Company and the Carlisle and Sillitho Bay Company, or either of them. Agreement limited to ten years, to be assented to by the shareholders of each Company, and to be approved of by the Board of Trade.

Cleveland Railway Act, 1858, c. 114. s. 40.—Provides that a traffic agreement may be made with the West Hartlepool Company. Agreement to be assented to by the shareholders of the Companies, and approved of by the Board of Trade. On the expiration of ten years from the commencement of any agreement, the Board of Trade may cause the same to be revised, and the Board is empowered to declare that, if any modification required by it be not agreed to by the Companies, then, at the expiration of twelve months after notice given to the Companies of such modification being required, the said agreement shall determine.

East Kent Railway (Western Extension) Act, 1858, c. 107. s. 17., &c.—Provides for the due transmission of traffic to or from any part of the railways belonging to the South-Eastern Company, to or from any part of the railways belonging to the East Kent Railway Company, and empowers the Board of Trade, in case of dispute as to the nature and extent of the accommodation to be afforded by the latter Company, and the rates of charge at which the several services required of it shall be performed, to settle the terms and conditions. The Company and the West London and Crystal Palace Company may enter into traffic arrangements. Agreement limited to ten years, to be assented to by the shareholders of both Companies, and approved of by the Board of Trade. Any question or difference which

may arise between the Companies with reference to the construction of any such agreement, is to be settled by the Board of Trade, or its arbitrator.

East Suffolk Railway Companies Amalgamation Act, 1858, c. 111. s. 50. &c.—Provides that a traffic agreement may be entered into with the Eastern Counties Company, the Norfolk Company, and the Eastern Union Company. Agreement to be assented to by the shareholders of the several Companies, and approved of by the Board of Trade, and to be liable to revision by that Board at the expiration of every ten years. If the revision proposed by the Board of Trade be not agreed to, the Board may declare that the agreement, at the expiration of twelve months, shall determine.

Eden Valley Railway Act, 1858, c. 14. s. 39., &c.—Provides that a traffic agreement may be made with the Stockton and Darlington Company, the Lancaster and Carlisle Company, and the South Durham and Lancashire Union Company, or either of them. Agreement to be assented to by the shareholders of the several Companies, and approved of by the Board of Trade, and to be liable to revision by that Board on the expiration of every ten years. If the revision proposed by the Board of Trade be not agreed to, the Board may declare that the agreement, at the expiration of twelve months, shall determine. The South Durham Company are required by the Act to afford all proper facilities for the due transmission of the traffic.

Exeter and Exmouth Railway Act, 1858, c. 56. s. 63., &c.—Provides that a traffic agreement may be made with the South-Western Company. Agreement to be assented to by the shareholders of both Companies, and approved of by the Board of Trade. At the expiration of ten years after the date of any such agreement, if the Board of Trade is of opinion that the agreement is adverse to the public interests, it may require the Companies to modify the terms and conditions thereof.

Fornartine and Buchan Railway Act, 1858, c. 108. s. 52., &c.—Provides that a traffic agreement may be made with the Great North of Scotland Company. Agreement limited to ten years, to be assented to by the shareholders of both Companies, and approved of by the Board of Trade.

Great Northern and Manchester, Sheffield and Lincolnshire Railway Companies Act, 1858, c. 113. s. 1., &c.—Provides that the Companies from time to time during 50 years, with assent of shareholders, and approval of the Board of Trade, may enter into agreement with respect to the conduct of the traffic. The Manchester Company is to afford to the London and North-Western, or any other Company on demand, all reasonable facilities for the forwarding of traffic between Liverpool and the port of Great Grimsby, and between any other station of the London and North-Western Railway and the same port, or between any station of such other Company and the port of Great Grimsby; and any difference as to the facilities to be afforded, or as to the amount of the rates, is to be settled from time to time by an arbitrator, to be appointed by the Board of Trade. It is not incumbent on the Manchester Company to afford any such facilities, unless the Company applying shall afford to them similar facilities between the same places.

Great Northern and Western (of Ireland) Railway Act, c. 96. s. 21., &c.—Provides that agreements which the Companies may enter into under the 20 & 21 Vict. c. 84., may be for such periods as the Companies think fit. Any such agreement, at the expiration of ten years from the date or revision thereof, is liable to the revision of the Board of Trade, if the Board shall be of opinion that the public interests are injuriously affected by it.

Knighton Railway Act, 1858, c. 19. s. 43., &c.—Provides that a traffic agreement may be made with the Shrewsbury and Hereford Company. Agreement limited to ten years, to be assented to by the shareholders of both Companies, and approved of by the Board of Trade.

Liskeard and Looe Railway Act, 1858, c. 11. s. 33., &c.—Provides that a traffic agreement may be made with the Liskeard and Caradon Company. Agreement limited to ten years, to be assented to by the shareholders of both Companies, and approved of by the Board of Trade.

South-Western Railway (Works and Capital) Act, 1858, c. 89. s. 33., &c.—Provides that a traffic agreement may be made with the Wimbledon and Dorking Company and the Exeter and Exmouth Company, with consent of shareholders, and approval of the Board of Trade, which Board, at the end of every ten years, may call on the Companies to modify the terms and conditions of the agreements if the Board shall be of opinion that the public interests are thereby injuriously affected.

North Yorkshire and Cleveland Railway Act, 1858, c. 134. s. 25., &c.—Provides that a traffic agreement may be made with the North-Eastern Company. Agreement limited to ten years, to be assented to by shareholders of both Companies, and approved of by the Board of Trade.

Redditch Railway Act, 1858, c. 137. s. 26., &c.—Provides that a traffic agreement may be made with the Midland Company. Agreement limited to ten years, to be assented to by the shareholders of both Companies, and approved of by the Board of Trade.

Stokes Bay Railway and Pier Act, 1858, c. 50. s. 10., &c.—Provides that a traffic agreement may be made with the London and South-Western Company. Agreement limited to 10 years; to be assented to by the shareholders of both Companies, and approved of by the Board of Trade.

Symington, Biggar and Broughton Railway Act, 1858, c. 15. s. 46., &c.—The Act confirms an agreement for ten years, already entered into by the Company with the Caledonian Company, and provides that during the present or any future agreement, the tolls and charges shall be those contained in the Caledonian Railway Act 1845. The agreement may be renewed with assent of shareholders and approval of the Board of Trade.

Ulverstone and Lancaster Railway Act, 1858, c. 98. s. 42., &c.—Provides that a traffic agreement may be made with the Furness Company. Agreement to be assented to by the shareholders of both Companies, and to be approved of by the Board of Trade, and to be subject, at the end of every ten years, to be modified in such manner as the Board may consider necessary for the public interests.

Victoria Station and Pimlico Railway, Act 1858, c. 118.—Provides that a traffic agreement may be made with the Brighton Company, the Crystal Palace Railway Company, and the East Kent Company, or any one or more of them. Agreement to be assented to by the shareholders, and approved of by the Board of Trade, and to be subject, at the end of every ten years, to such revision as the Board of Trade may consider necessary. In the schedule to the Act is set out an agreement between the Company and the East Kent Company. The Act defines the west end traffic of the East Kent Company therein referred to be traffic for which the Company's intended station will, as regards its situation, afford convenient accommodation for the western parts of the Metropolis, and the words "West End of the Metropolis," in the said agreement, to be that portion of the Metropolis which may be conveniently accommodated by the said station. Any dispute with reference to the matters contained in the above provision is to be determined by the Board of Trade, or its arbitrator, or as to the rate of payment per passenger to be made by the East Kent Company being unreasonable, is to be determined by the Board of Trade, or its arbitrator, if the same be not settled by the Companies themselves.

MISCELLANEOUS.

North British Railway Consolidation Act, 1858.—Provides that certain portions of the authorized railway belonging to the Company are to be abandoned, and the Company are to make compensation to the owners of certain private roads, and to the trustees or surveyors of public roads, for the maintenance of bridges or tunnels erected by the Company under or over those roads, except when such bridges or tunnels shall, with the permission of the Board of Trade, be removed by the Company, and the roads restored to the satisfaction of the Board; sect. 48.

APPOINTMENT OF ARBITRATOR.

Dublin and Meath Railway Act, 1858.—The Act appoints (section 25) an arbitrator in the case of certain lands required by the Company, and provides in a certain event that the Board of Trade shall appoint an arbitrator in the matter.

Manchester, South Junction, and Altrincham Railway Act, No. 2.—This is an Act to improve the management of the Manchester, South Junction, and Altrincham Railway. It enacts that the chairman of the Company shall not, in the case of an equality of votes at any meeting of the Board, have, in addition to his original vote, a casting vote; and that the London and North-Western Company and the Sheffield Company shall, in the month of December in every year, appoint an arbitrator, whose duty it will be to attend any meeting of the South Junction Board, if required so to do, and to decide upon any matter affecting the undertaking of the South Junction Company, on which there shall be an equality of votes, and which may be referred to him under the provisions of the Act. In case the Companies do not concur in the appointment of the arbitrator, upon the requisition in writing of either of them, the Board of Trade shall appoint the arbitrator.