ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

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Cap. cccxxii.

An Act for incorporating a Company for making a Railway from *Portmadoc* to *Beddgelert* in the Counties of *Carnarvon* and *Merioneth*, and for other Purposes. [5th *July* 1865.]

WHEREAS the making of a Railway from *Portmadoc* to *Beddgelert* in the Counties of *Carnarvon* and *Merioneth* would be of public and local Advantage: And whereas the several Persons in that Behalf in this Act named, with others, are willing to execute the Undertaking: And whereas Plans and Sections showing the Lines and Levels of the Railways and Works by this Act authorized to be made, and the Lands to be taken for the Purposes thereof, and Books of Reference to those Plans containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of those Lands, have been deposited with the respective Clerks of the Peace for the Counties of *Carnarvon* and *Merioneth*, and those Plans, Sections, and Books of Reference are in this Act referred to as the deposited Plans, Sections, and Books of Reference: 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; (that is to say,)

Short Title.

1. This Act may for all Purposes be cited as "The *Beddgelert* Railway Act, 1865."

8 & 9 Vict. cc. 16., 18., & 20., 23 & 24 Vict. c. 106., and 26 & 27 Vict. c. 92. incorporated.

2. "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," "The Railways Clauses Consolidation Act, 1845," Parts I. and III. of "The Railways Clauses Act, 1863," (relating to the Construction of a Railway and to Working Agreements,) save so far as any of the Clauses and Provisions of those Acts respectively are expressly varied or excepted by or are inconsistent with this Act, are incorporated with this Act.

Same Meaning to Words in this Act as in incorporated Acts.

3. 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 excluded by the Subject or Context.

Definition of Term "Court of competent Jurisdiction."

4. The Term "Court of competent Jurisdiction," or any other like Expression in this Act or the Acts incorporated herewith, shall be read and have Effect as if the Debt or Demand with respect to which the Expression is used were a common Simple Contract Debt, and not a Debt or Demand created by Statute.

Incorporation of Company.

5. *David Williams, John Williams Jones, David Hart, Jasper Wilson Johns, Edward Ludwig Goetz,* and all other Persons or Corporations who have already subscribed or shall hereafter subscribe to the Undertaking or take Shares in the Capital of the Company, and their Executors, Administrators, Successors, and Assigns respectively, are by this Act united into a Company for the Purposes of the Undertaking by this Act authorized, and for those Purposes are by this Act incorporated by the Name of "the *Beddgelert* Railway Company," and by that Name shall be One Body Corporate, with perpetual Succession and a Common Seal, and with Power to purchase, take, hold, sell, and otherwise dispose of Lands and other Property for the Purposes but subject to the Restrictions of this Act, and to exercise the other Powers by this Act conferred upon them.

First Ordinary Meeting of the Company.

6. The First Ordinary Meeting of the Company shall be held within Six Months next after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held half-yearly in the Months of *February* and *August,* or such other Months as the Directors

Directors shall from Time to Time appoint, and Ten or more Shareholders present personally or by proxy shall form a Quorum at any such Meeting.

Newspapers for Advertisements.

7. The Newspapers for Advertisements shall be any Newspapers published and circulating in the County in which the principal Office of the Company shall be situate.

Number and Qualification of Directors.

8. The Number of Directors shall not exceed Six, and the Qualification of a Director appointed by the Shareholders shall be the Possession in his own Right of not less than Ten Shares in the Undertaking.

Quorum of Directors.

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

First Directors.

10. *David Williams*, *John Williams Jones*, *David Hart*, *Jasper Wilson Johns*, and *Edward Ludwig Goetz* shall be the First Directors of the Company, and shall continue in Office until the First Ordinary Meeting of the Company held after the passing of this Act.

Election of Directors at First Ordinary Meeting.

11. At the First Ordinary Meeting of the Company the Shareholders present, personally or by proxy, may continue in Office the First Directors or any Number of them, or may elect a new Body of Directors, or Directors to supply the Places of those not continued in Office, the First Directors appointed as aforesaid being eligible to be elected as Members of such new Body.

Power to reduce Number of Directors.

12. It shall be lawful for the Company from Time to Time to reduce the Number of Directors, provided that the reduced Number be not less than Five.

Subsequent Election of Directors.

13. At the First Ordinary Meeting to be held every Year after the Year in which the First General Meeting shall be held the Shareholders present personally or by proxy may elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions in "The Companies Clauses Consolidation Act, 1845," contained; and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead in the Manner provided by "The Companies Clauses Consolidation Act, 1845."

Capital.

14. The Capital of the Company shall be One hundred thousand Pounds in One thousand Shares of One hundred Pounds each.

15. It

Shares not to issue until One Fifth paid up.

15. It shall not be lawful for the Company to issue any Share, nor shall any Share vest in the Person accepting the same, unless and until a Sum not being less than One Fifth Part of the Amount of such Share shall have been paid up in respect thereof.

Calls.

16. Twenty Pounds a Share shall be the greatest Amount of any One Call, and Three Months at least shall be the Interval between successive Calls, and Three Fourths of the Amount of a Share shall be the utmost aggregate Amount of Calls in any One Year on any Share.

Power to borrow on Mortgage.

17. When the whole of the Capital of One hundred thousand Pounds has been subscribed, and One Half thereof paid up, the Company may borrow on Mortgage any further Sum or Sums of Money not exceeding in the whole Thirty-three thousand three hundred Pounds; but no Part of such last-mentioned Sum of Thirty-three thousand three hundred Pounds shall be borrowed until the whole of the said Capital of One hundred thousand Pounds shall have been subscribed and issued, and One Half thereof paid up, and the Company shall have proved to the Justice who is to certify under the Provisions contained in the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the whole of the said Capital of One hundred thousand Pounds has been subscribed for and issued, and One Half thereof has been paid up, and that not less than One Fifth of the Amount of each Share has been paid on Issue of the same, and that such Shares are held by the Subscribers or their Assigns, and for which such Subscribers or their Assigns are legally liable, of which Proof having been given the Certificate of the Justice under that Section shall be sufficient Evidence.

Arrears may be enforced by Appointment of a Receiver.

18. The Mortgagees of the Company may enforce the Payment of the Arrears of Principal and Interest due on their Mortgages by the Appointment of a Receiver, and the Amount to authorize a Requisition for a Receiver is Three thousand Pounds.

Application of Monies.

19. All and every Part of the Monies by this Act authorized to be raised by the Company by Shares and by borrowing respectively shall be applied only to the Purposes of this Act.

Power to take Lands authorized by Act.

20. Subject to the Provisions of this Act, the Company from Time to Time may enter upon, take, and use such of the Lands and Property shown on the deposited Plans, and described in the deposited Books of Reference, as the Company may from Time to Time think expedient.

21. The

Powers for compulsory Purchases limited.

21. 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 One Year after the passing of this Act.

Lands for extraordinary Purposes.

22. The Company, by Agreement, from Time to Time may purchase any Quantity of Land not exceeding in the whole Ten Acres for any of the extraordinary Purposes expressed in "The Railways Clauses Consolidation Act, 1845," incorporated with this Act, and other Purposes of the Company.

Power to make Works authorized by Act.

23. Subject to the Provisions of this Act and of the Acts and Parts of Acts incorporated herewith, the Company from Time to Time may make the several Works by this Act authorized in the Lines and according to the Levels respectively shown on the deposited Plans and Sections, and in and upon the Lands delineated on those Plans and described in the deposited Books of Reference.

Works authorized.

24. The Works by this Act authorized comprise the following Railways, with all proper Stations, Sidings, Bridges, Roads, Wharves, Jetties, Approaches, or Communications, and other incidental Works and Conveniences; (that is to say,)

RAILWAY No. 1.

A Railway commencing in the Parish of *Ynyscynhaiarn* and County of *Carnarvon* by a Junction with the authorized Line of the *Aberystwith and Welsh Coast* Railway, and terminating in the Parish of *Beddgelert* and County of *Merioneth* at a Point being 310 Yards or thereabouts of a Place known as "*Gelert's Grave*."

RAILWAY No. 2.

A Railway to be wholly situate in the said Parish of *Beddgelert*, commencing by a Junction with and at the Point of Termination of the last-described Railway, and terminating at the Boundary Wall between the *Hafod-y-Porth* and the *Hafod-y-llan* Estate, North of the Turnpike Road leading from *Beddgelert* to *Capelcurig*.

RAILWAY No. 3.

A Railway wholly situate in the Parish of *Ynyscynhaiarn* and County of *Carnarvon*, commencing by a Junction with Railway No. 1., Northwards of the herein-before described Point of Commencement of that Railway, and terminating on the Ballast Bank on the South Side of the public Pier Wharf at *Portmadoc*, and West of the *Festiniog* Railway Station at *Portmadoc*.

Level Crossings.

25. Subject to the Provisions of this Act, the Company may carry the Railway No. 3. with not more than One Line so long as the Railway is a single Line, and not more than Two Lines of Railway when the Railway is a double Line, across and on the Level of the Roads numbered on the said deposited Plans as follows; to wit,

No. on Plan.	Parish.	Description of Road.
9	Ynyscynhaiarn - -	Public Road.
14	Ynyscynhaiarn - -	Public Road.

Height of Arch.

26. In carrying Railway No. 2. over the Turnpike Road numbered 2. on the said Plans in the Parish of *Beddgelert* the Company may make the Arch for carrying the Railway over the said Road of the Height of Fifteen Feet.

Company not to take Land of Aberystwith and Welsh Coast Railway Company without Consent.

27. The Company shall not (except for the Purposes of the Crossing by the Railway No. 3., by this Act authorized, of the Railway of the *Aberystwith and Welsh Coast* Railway Company, herein-after referred to as the Coast Company, near *Ymys-cerrig-duo* at *Portmadoc*,) enter upon, take, or use any Land or Property of the Coast Company, or which that Company are now authorized to take or use, without the previous Consent in Writing of the Coast Company under their Common Seal; and the Company shall not, without the like Consent, take or use for the Purposes of the said Railway No. 3. more Land between the Commencement thereof and the Point marked on the deposited Plans of that Railway Four Furlongs than is sufficient for the Construction of a double Line of Railway.

Power to make Junction with Railway No. 3.

28. The Coast Company may, at any Time or Times hereafter, but at their own Expense in all things, make and maintain such Junction or Junctions between their Railway and any Branch or Siding thereof and Railway No. 3. by this Act authorized as shall be approved by the Engineer for the Time being of the Company, and the Coast Company may also lay down and maintain any additional Rail or Rails upon the said Railway No. 3., or any Part thereof, and such Siding or Sidings in connexion with that Railway, as shall be approved by the Engineer for the Time being of the said Company, and without making any Compensation or Payment to the Company in respect thereof, but all such Junctions or other Works shall be so laid out and constructed as not in any way to impede or interfere with the free and convenient working of and Traffic upon the said Railway No. 3., and in the event of any Dispute arising under this Section the same shall be settled by a single Arbitrator, to be appointed under "The Railway Companies Arbitration Act, 1859."

29. Subject

Power to other Companies to use Railway No. 3.

29. Subject to the Byelaws, Rules, and Regulations of the Company, the Coast Company and all Companies and Persons lawfully using their Railway may, with their Engines and Carriages, and for the Purposes of their Traffic of all Descriptions, work over and use the Railway No. 3. by this Act authorized, and also so much of Railway No. 1. by this Act authorized as lies between the Commencement thereof and the Point marked on the deposited Plans of that Railway Three Furlongs, and all Stations, Sidings, Watering Places, and other Conveniences in connexion with the said Railway and Portion of Railway respectively, paying to the Company One Penny *per* Ton for all Goods carried by the Coast Company over the said Railway No. 3., or any Part thereof, but free of all other Tolls and Charges whatsoever, and the Company shall afford to the Coast Company and all Companies and Persons lawfully using their Railway all proper Facilities for the Purposes aforesaid.

Period for Completion of Railways and Works.

30. The Railways shall be completed within Two Years after the passing of this Act, and on the Expiration of that Period the Powers by this Act granted to the Company for making the same respectively, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the same respectively as is then completed.

Bond for Completion of Railways.

31. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to the Act of the Session of the Ninth and Tenth Years of the Reign of Her present Majesty, Chapter Twenty, a Sum of Six thousand four hundred Pounds, being Eight *per Cent.* upon the Sum of Eighty thousand Pounds, the Amount of the Estimate in respect of the Railways by this Act authorized, has been deposited with the Court of Chancery with respect to the Application to Parliament for this Act: Therefore, notwithstanding anything in that Act, the Sum so deposited, or the Interest or Dividends thereof, shall not, except upon the Execution and Deposit of such a 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 lodged in pursuance of that Act, or the Survivors or Survivor of them, unless the Company, before the Expiration of the Period limited for the Completion of the Railways, either open the Railways 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; and if that Period expire before the Company either open the Railways for the public Conveyance of Passengers, or give the aforesaid Proof to the Satisfaction of the Board of Trade, the Sum so deposited, and the Interest and Dividends thereof, shall immediately from and after the Expiration of

that

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: Provided, that at any Time after the passing of this Act if a Bond in twice the Amount of the Sum so deposited be executed by the Company, with One or more Sureties, (the Bond to be prepared to the Satisfaction of, and the Surety or Sureties to be approved by, the Solicitor to the Treasury,) conditioned for Payment to Her Majesty, Her Heirs or Successors, of the Sum so deposited if the Company do not, within the Time limited for the Completion of the Railways, either open the Railways 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 the Bond be deposited with the Solicitor to the Treasury, then that 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 the 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; and the Monies recovered on the Bond shall be dealt with in like Manner as the deposited Sum of Money and the Interest or Dividends thereof would be dealt with under this Act if the Bond were not so executed and deposited; and the Certificate of that Solicitor that the Bond has been so executed and deposited, and the Certificate of the Board of Trade that the Proof has been given to their Satisfaction, shall respectively be sufficient Evidence of the Facts so certified.

Tolls.

32. It shall be lawful for the Company to demand and take any Tolls for the Use of the Railways, not exceeding the following; (that is to say,)

Tonnage on Articles of Merchandise.

In respect of the Tonnage of all Articles conveyed upon the Railways, or any Part thereof, as follows:

Class 1. For all Coals, Cinders, Dung, Compost, and all Sorts of Manuré, Lime and Limestone, and all undressed Materials for the Repair of public Roads or Highways, *per* Ton *per* Mile not exceeding One Penny; and if conveyed in Carriages provided by the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

Class 2. For all Coke, Culm, Charcoal, 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

and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandise, *per* Ton *per* Mile not exceeding One Penny; and if conveyed in Carriages provided by the Company, an additional Sum *per* Ton *per* Mile not exceeding Three Farthings:

Class 3. For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, and Deals, Nails, Anvils, Vices, and Chains, *per* Ton *per* Mile not exceeding Twopence; and if conveyed in Carriages provided by the Company, an additional Sum *per* Ton *per* Mile not exceeding Three Farthings:

Class 4. For all Cotton and other Wools, Drugs, manufactured Goods, Fish, and all other Wares, Merchandise, Articles, Matters, or Things, *per* Ton *per* Mile not exceeding Threepence; and if conveyed in Carriages provided by the Company, an additional Sum *per* Ton *per* Mile not exceeding One Penny:

Class 5. And for every Carriage of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried and conveyed on a Truck or Platform belonging to the Company, *per* Mile not exceeding Sixpence; and a Sum of One Penny Halfpenny *per* Mile for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh.

Tolls for Animals.

In respect of Animals conveyed in Carriages upon the Railways:

Class 6. For every Horse, Mule, Ass, or other Beast of Draught or Burden conveyed in or upon any Carriage belonging to the Company, *per* Mile not exceeding Threepence:

Class 7. For every Ox, Cow, Bull, or Head of Neat Cattle conveyed in or upon any Carriage belonging to the Company, *per* Mile not exceeding Twopence:

Class 8. For every Calf or Pig, Sheep, Lamb, or other small Animal conveyed in or upon any Carriage, *per* Mile not exceeding One Penny; and if conveyed in or upon any Carriage provided by the Company, an additional Sum *per* Mile not exceeding One Halfpenny.

Tolls for Passengers.

In respect of Passengers conveyed in Carriages upon the Railways:

For every Person conveyed in or upon any Carriage, *per* Mile not exceeding Twopence; and if conveyed in or upon any Carriage provided by the Company, an additional Sum *per* Mile not exceeding One Penny Halfpenny.

Tolls for propelling Power.

33. The Toll which the Company may demand and take for the Use of Engines for drawing or propelling Carriages on the Railways shall not exceed One Penny *per* Mile for each Passenger or Animal, or for each Ton of Goods or other Articles, in addition to the several other Tolls by this Act authorized to be taken.

Maximum Charges for Passengers.

34. The maximum Charges to be made by the Company for the Conveyance of Passengers upon the Railways, including the Tolls for the Use of the Railways, and of Carriages and for locomotive Power, and for every other Expense incidental to such Conveyance, shall not exceed the following Rates; (that is to say,)

For every Passenger conveyed in a First-class Carriage, Twopence Halfpenny *per* Mile:

For every Passenger conveyed in a Second-class Carriage, Twopence *per* Mile:

For every Passenger conveyed in a Third-class Carriage, One Penny Farthing *per* Mile.

Passengers Luggage.

35. Every Passenger travelling by the Railways may take with him his ordinary Luggage, not exceeding One hundred and twenty 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.

Restriction as to Charges not to apply to Special Trains.

36. The Restrictions as to the Charges to be made for Passengers do not extend to any Special Train that is required to run on the Railways, but apply only to the Ordinary and Express Trains from Time to Time appointed by the Company for the Conveyance of Passengers, Animals, and Things on the Railways.

Maximum Charges for Goods and Animals.

37. The maximum Rate of Charge to be made by the Company for the Conveyance of Goods and Animals, including the Tolls for the Use of the Railways, and Waggons or Trucks and locomotive Power, and every Expense incidental to such Conveyance, except a reasonable Sum for loading, covering, and unloading of Goods at any Terminal Station of such Goods, and for Delivery and Collection, and any other Services incidental to the Business or Duty of a Carrier, where such Services or any of them are or is performed by the Company, shall not exceed the following Sums; (that is to say,)

For all Articles comprised in Class 1, *per* Ton *per* Mile One Penny Halfpenny:

For all Articles comprised in Class 2, *per* Ton *per* Mile One Penny Halfpenny:

For all Articles comprised in Class 3, *per* Ton *per* Mile Threepence:

For all Articles comprised in Class 4, *per* Ton *per* Mile Threepence Halfpenny:

For every Carriage comprised in Class 5, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per* Mile Sixpence; and for every additional Quarter of a Ton or fractional

fractional Part of a Quarter of a Ton beyond One Ton which any such Carriage may weigh, the further Sum of One Penny Halfpenny *per* Mile:

For every Animal comprised in Class 6, *per* Mile Fourpence:

For every Animal comprised in Class 7, *per* Mile Twopence:

For every Calf or Pig, *per* Mile One Penny:

For every other Animal comprised in Class 8, *per* Mile Three Farthings.

Regulations as to Tolls.

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

In respect of Passengers, Animals, and Articles conveyed upon the Railways for a less Distance than Four Miles the Company may demand Tolls and Charges as for Four Miles:

For a Fraction of a Mile beyond Four Miles or beyond any greater Number of Miles the Company may, with respect to Goods, Minerals, and Animals, demand Tolls for such Fraction in proportion to the Numbers of Quarters of a Mile contained therein, and if there be a Fraction of a Quarter of a Mile such Fraction shall be deemed a Quarter of a Mile; and with respect to Passengers, every Fraction of a Mile beyond Four Miles or any greater Number of Miles shall be deemed a Mile:

For every Fraction of a Ton the Company may demand 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 in proportion for any greater or smaller Quantity.

Definition of Terminal Station.

39. No Station is to be considered a Terminal Station in regard to any Goods conveyed on the Railways which have not been received thereat direct from the Consignor of such Traffic, or are not directed to be delivered thereat to the Consignee.

Tolls for small Parcels and single Articles of great Weight.

40. With respect to small Packages and single Articles of great Weight, notwithstanding the Rate of Tolls prescribed by this Act, the Company may lawfully demand and take any Tolls not exceeding the Tolls following; (that is to say,)

For the Carriage of small Parcels on the Railways, or any Part thereof, as follows:

If not exceeding Seven Pounds in Weight, Threepence:

If

If exceeding Seven Pounds in Weight but not exceeding Fourteen Pounds in Weight, Fivepence:

If exceeding Fourteen Pounds in Weight but not exceeding Twenty-eight Pounds in Weight, Sevenpence:

If exceeding Twenty-eight Pounds in Weight but not exceeding Fifty-six Pounds in Weight, Ninepence:

If exceeding Fifty-six Pounds in Weight but not exceeding One hundred and twelve Pounds in Weight, One Shilling and Fourpence:

If exceeding One hundred and twelve Pounds in Weight but not exceeding Two hundred and fifty Pounds in Weight, One Shilling and Eightpence:

And for Parcels exceeding Two hundred and fifty Pounds in Weight but not exceeding Five hundred Pounds in Weight the Company may demand any Sum which they think fit:

Provided always, that 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 such Term shall apply only to single Parcels in separate Packages:

For the Carriage of any One Boiler, Cylinder, Bob, or single Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Carriage provided by the Company, shall exceed Four Tons but shall not exceed Eight Tons, the Company may demand such Sum as they think fit, not exceeding Sixpence *per* Ton *per* Mile:

For the Carriage of any single Piece of Timber, Stone, Machinery, or other single Article, the Weight of which, with the Carriage, shall exceed Eight Tons, the Company may demand such Sum as they think fit.

Company may take increased Charges by Agreement.

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

Power to Company and Coast Railway Company to enter into Agreements.

42. The Company on the one hand, and the Coast Company on the other hand, may from Time to Time, after the passing of this Act, enter into and carry into effect all such Agreements for any of the Purposes for which they respectively are by this Act authorized to enter into Agreements as they from Time to Time think fit.

Purposes for which the Agreements

43. The Purposes for which such Agreements may be entered into between the said Companies under the Authority of this Act include

include the following Purposes and all incidental Matters; (that is to say,) may be made.

First, the Maintenance, Management, working, and using by the Coast Company of the Railways and Works of the Company, and the Terms and Conditions thereof:

Secondly, the Interchange and forwarding of Traffic between the Companies before mentioned, and the Terms and Conditions thereof.

During Continuance of Agreement, Railway of contracting Companies to be considered Part of Railway.

44. During the Continuance of any such Agreement, in estimating the Amount of Tolls or Charges in respect of Traffic conveyed partly on the Railway of the Company and partly on the Railway of the Coast Company for a less Distance than Four Miles, Tolls and Charges may only be charged as for Four Miles; and in respect of Passengers, for each Mile or Fraction of a Mile beyond Four Miles, Tolls and Charges as for One Mile only; and in respect of Animals, Minerals, and Goods, for every Quarter of a Mile or Fraction of a Quarter of a Mile beyond Four Miles, Tolls and Charges as for a Quarter of a Mile only; and no other Short-distance Charge than for Four Miles shall be made for the Conveyance of Passengers, Animals, Minerals, and Goods, or other Matters, partly on the Railway of the Company and partly on the Railway of the Coast Company.

Interest not to be paid on Calls paid up.

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

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

46. The Company shall not, out of any Money by this Act authorized to be raised by Shares or by borrowing, pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament now or hereafter in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the Company to make any other Railway, or execute any other Work or Undertaking.

Railways not exempt from Provisions of present and future General Acts

47. Nothing in this Act shall exempt the Railways by this Act authorized from the 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 this or any future Session of Parliament, or from any future Revision and

and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges or the Rates for small Parcels by this Act authorized.

Saving Rights of the Crown.

48. Nothing contained in this Act or in any of the Acts herein referred to shall authorize the Company to take, use, or in any Manner interfere with any Land, Soil, Tenements, or Hereditaments, or any Rights of whatsoever Nature, belonging to or enjoyed or exerciseable by the Queen's most Excellent Majesty in right of Her Crown, without the previous Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, on behalf of Her Majesty, first had and obtained for that Purpose (which Consent such Commissioners are hereby respectively authorized to give); and nothing in the said Act or Acts contained shall divest, take away, prejudice, diminish, or alter any Estate, Right, Privilege, Power, or Authority now or from Time to Time vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors.

Saving Rights of the Coast Company.

49. Except as by this Act is expressly provided, nothing in this Act contained shall take away, lessen, prejudice, or alter any of the Estates, Rights, Interests, Powers, or Privileges of the Coast Company.

Expenses of Act.

50. 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:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1865.