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Cap. ccxxiv.

An Act for making a Railway from *Bideford* to *Appledore*, with a Branch to *Westward Ho'* in the County of *Devon;* and for other Purposes.

[16th *July* 1866.]

WHEREAS the making of a Railway from the Town of *Bideford* to *Appledore*, with a Branch to *Westward Ho'*, all in the County of *Devon,* would be of public and local Advantage: And whereas Plans and Sections of the said intended Railways showing the Lines and Levels thereof, together with a Book of reference thereto containing the Names of the Owners or reputed Owners, Lesses or reputed Lessees, and Occupiers of the Lands and Houses proposed to be taken for the Purposes of the Undertaking, have been deposited with the Clerk of the Peace for the County of *Devon,* and are herein-after referred to as the deposited Plan, Section, and Book of Reference: And whereas the Persons herein-after named, with others, are willing at their own Expense to carry the said Undertaking into execution, if authorized by Parliament so to do, and are desirous of being incorporated into a Company for that Purpose: And whereas the several Objects 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

The Bideford, Appledore, and Westward Ho' Railway Act, 1866.

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. This Act may be cited for all Purposes as "The *Bideford, Appledore, and Westward Ho'* Railway Act, 1866."

8 & 9 Vict. cc. 16., 18., & 20., 23 & 24 Vict. c. 106., and 26 & 27 Vict. cc. 92. & 118. incorporated.

2. "The Companies Clauses Consolidation Act, 1845," Part I. of "The Companies Clauses Act, 1863," "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," "The Railways Clauses Consolidation Act, 1845," and Part I. of "The Railways Clauses Act, 1863," are (except where expressly varied by this Act) incorporated with and form Part of this Act.

Same Meanings to Words in incorporated Acts as in this.

Interpretation of Terms.

3. In this Act the several Words and Expressions to which Meanings are assigned by the Acts wholly or partially incorporated herewith shall have the same respective Meanings unless there be something in the Subject or Context repugnant to such Construction; the Expression "the Company" shall mean the Company incorporated by this Act; the Expression "the Railway," or "the Railways," or "the Undertaking," shall mean the Railways or Undertaking by this Act authorized, or either of them, or any Part thereof respectively; and the Expression "Superior Courts" or "Court of competent Jurisdiction," or any other like Expression in this Act, or any Act wholly or partially 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.

Company incorporated.

4. *William Nelson Hutchinson, George Mill Frederick Molesworth, Edward Parry*, and *Robert Edward Diggles*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Railway and Works, and for other the Purposes of this Act, and for those Purposes shall be incorporated by the Name of "The *Bideford, Appledore, and Westward Ho'* Railway Company," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and with Power to purchase, take, hold, and dispose of Lands and other Property for the Purposes of this Act.

Power to make Railway and Works according to deposited Plans.

5. Subject to the Provisions of this Act, the Company may make and maintain in the Lines and according to the Levels shown on the deposited Plans and Sections the Railways herein-after described, with all proper Stations, Approaches, Sidings, Works, and Conveniences connected therewith, and may enter upon, take, and use such

such of the Lands delineated on the said Plans and described in the deposited Book of Reference as may be required for that Purpose. The Railways herein-before referred to and authorized by this Act are : Works according to deposited Plans.

1. A Railway, 2 Miles and 4·20 Chains in Length (herein called Railway No. 1.), commencing at a Point in a Field, called *Hogg's Marsh*, belonging to *Thomas Diamond* and *Howard Effingham Hogg*, or One of them, in the Parish of *Northam*, and numbered 1 on the Tithe Apportionment Map of the said Parish, being about Four Chains measured at Right Angles Eastward across the said Field from a Point on the Fence dividing the same from Field No. 2, Six Chains and Ninety Links or thereabouts distant from the North-western Corner, and terminating at or near *Appledore* at a Point on the Beach or Foreshore in the said Parish of *Northam* belonging to Mr. *William Yeo*, and in his Occupation, which said Point is at the South-west Angle of and abuts upon an Enclosure in the said Parish belonging to Mr. *William Yeo*, and occupied by Mr. *William Clibbett*, and numbered 1,039 on the said Map, which said Line of Railway, and the Stations, Approaches, and Works belonging thereto, will be situate and pass or be made in or through the several Parishes and Places of *Bideford*, *Northam*, and *East* and *West Appledore*, or some or One of them, in the County of *Devon :*

2. A Railway, 1 Mile 7 Furlongs and 2·80 Chains in Length (herein called Railway No. 2.), to *Westward Ho'*, near *Rock Nose*, commencing by a Junction with Railway No. 1. in a Field numbered 865 on the Tithe Apportionment Map of the Parish of *Northam* belonging to Mr. *William Yeo*, and occupied by Mr. *James Partridge*, and terminating in a Field belonging to and occupied by the *Northam Burrows* Hotel and Villas Company, Limited, numbered 606 on the said Map, at or near a Point distant Three Chains or thereabouts measured along its Western Boundary from the Fence dividing it from the Enclosure No. 607 on the said Map, such Enclosure forming the Lawn in front of *Youngaton* Farmhouse, the whole of which said Railway No. 2. will pass or be made in or through the said Parishes and Places of *Northam*, and *East* and *West Appledore*, or One of them, in the said County of *Devon :*

Provided always, that in constructing Railway No. 2. through the Properties on the deposited Plan of that Railway numbered respectively 1, 4, 5, 7, 8, and 9 in the Parish of *Northam* the Company shall construct the said Railway on the centre Black Line thereof as shown on the deposited Plan through those Properties respectively and shall not depart from that Line, or take any of those Properties Northward of the said Black Line not required for the Construction of the said Railway, without the Consent in Writing of the Owner of the said Properties for that Purpose first obtained.

6. The

Capital.

6. The Capital of the Company shall be Sixty thousand Pounds, in Six thousand Shares of Ten Pounds each.

Shares not to issue until One Fifth paid up.

7. The Company shall not issue any Share created under the Authority of this Act, nor shall any Share vest in the Person accepting the same, unless and until a Sum not being less than One Fifth of the Amount of such Share shall have been paid in respect thereof.

Calls.

8. One Fifth of the Amount of a Share shall be the greatest Amount of a Call, and Three Months at least shall be the Interval between successive Calls, and Three Fifths of the Amount of a Share shall be the utmost aggregate Amount of the Calls made in any Year upon any Share.

Power to borrow

9. The Company may from Time to Time borrow on Mortgage any Sum not exceeding in the whole Twenty thousand Pounds, but no Part thereof shall be borrowed until the whole Capital of Sixty thousand Pounds is subscribed for, issued, and accepted, and One Half thereof is paid up, and the Company have proved to the Justice who is to certify under the 40th Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the whole of the Capital has been issued and accepted, and that One Half thereof has been paid up, and that not less than One Fifth Part of the Amount of each separate Share has been paid on account thereof before or at the Time of the Issue or Acceptance thereof, and that such Capital was issued *bonâ fide*, and is held by the Subscribers or their Assigns, and that such Subscribers or their Assigns are legally liable for the same; and upon Production to such Justice of the Books of the Company, and of such other Evidence as he shall think sufficient, he shall grant a Certificate that the Proof aforesaid has been given, which Certificate shall be sufficient Evidence thereof.

Arrears may be enforced by Appointment of a Receiver.

10. The Mortgagees of the Company may enforce Payment of Arrears of Principal and Interest due on their Mortgages by the Appointment of a Receiver, and in order to authorize the Appointment of a Receiver the Amount owing to the Mortgagees by whom the Application for a Receiver shall be made shall not be less than Two thousand Pounds in the whole.

Monies borrowed on Mortgage to have Priority.

11. All Monies to be borrowed on Mortgage under this Act from the Time when the said Monies shall be advanced, and the Interest for the Time being due thereon, shall have Priority against the Company, and the Property from Time to Time of the Company, over all other Claims on account of any Debts incurred or to be incurred, or Engagements entered into or to be entered into, by them: Provided always, that such Priority shall not prejudice or affect any Claim, Right, or Remedy against the Company or their Property in respect of any Rentcharge to be granted by them in pursuance of the Provisions of "The Lands Clauses Consolidation Act, 1845," or "The Lands Clauses

Clauses Consolidation Acts Amendment Act, 1860," nor shall anything herein-before contained prejudice or affect the Lien of any Vendor for the unpaid Purchase Money of any Land taken by the Company for the Purpose of the Railway.

Application of Monies.

12. All Monies raised under this Act, whether by Shares or borrowing, shall be applied for the Purposes of this Act only.

First Ordinary Meeting.

13. The First Ordinary Meeting of the Company shall be held within Six Months after the passing of this Act.

Number of Directors.

14. The Number of Directors shall be Five, but it shall be lawful for the Company from Time to Time to reduce the Number of Directors, provided the reduced Number be not less than Three.

Qualification of Directors.

15. The Qualification of a Director shall be the Possession in his own Right of not less than Fifty Shares.

Quorum.

16. The Quorum of a Meeting of Directors shall be Three, and if the Number of Directors be reduced to Three, then the Quorum shall be Two.

First Directors.

Election of Directors.

17. *William Nelson Hutchinson*, *George Mill Frederick Molesworth*, *Edward Parry*, and *Robert Edward Diggles* shall be the First Directors of the Company, and shall continue in Office until the First Ordinary Meeting held after the passing of this Act; at that Meeting the Shareholders present in person or by proxy may either continue in Office the Directors appointed by this Act, or any of them, or may elect a new Body of Directors, or Directors to supply the Place of those not continued in Office, the Directors appointed by this Act being, if qualified, eligible for Re-election; and at the First Ordinary Meeting to be held in every Year after the First Ordinary Meeting the Shareholders present in person or by proxy shall (subject to the Power herein-before contained for reducing the Number of Directors) 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 manner provided by the same Act.

Lands for extraordinary Purposes.

18. The Quantity of Land to be taken by the Company for the extraordinary Purposes mentioned in "The Railways Clauses Consolidation Act, 1845," shall not exceed One Acre.

Powers for compulsory Purchases limited.

19. 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 Two Years from the passing of this Act.

Period for Completion of Railway.

20. The Railway shall be completed within Three Years from the passing of this Act, and on the Expiration of that Period the Powers by

by this Act granted to the Company for executing the Railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

Inclination of a certain Road.

21. In altering for the Purposes of this Act the Road next herein-after mentioned the Company may make the same of any Inclinations not steeper than the Inclination herein-after mentioned in connexion therewith respectively; (that is to say,)

No. on deposited Plan.	Parish.	Description of Road.	Intended Inclination.
	RAILWAY No. 1.		
14	Northam -	Public Carriage Road	1 in 13 on each Side.

Deposit Money not to be repaid until Line opened or Half the Capital paid up and expended, except on Execution of Bond, &c.

22. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of Her present Majesty, Chapter Twenty, a Sum of Five thousand four hundred and thirty-eight Pounds Twelve Shillings and Twopence New Three *per Cent.* Bank Annuities, being equal in Value to the Sum of Four thousand seven hundred and eighteen Pounds, being equal to Eight *per Centum* on the Sum of Fifty-eight thousand nine hundred and seventy-five Pounds, the Amount of the Estimate of the Expense of the Railways by this Act authorized, has been deposited by *William Nelson Hutchinson*, *George Mill Frederick Molesworth*, and *Edward Parry*, being Subscribers to the Undertaking, with the Court of Chancery in *England* in respect of the Application to Parliament for this Act: Therefore, notwithstanding anything contained in the said recited Act, the said Sum of Bank Annuities so deposited as aforesaid, or the Interest or Dividends thereof, shall not, except upon the Execution and Deposit of such 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 issued in pursuance of the said Act, or the Survivors or Survivor of them, unless the Company shall, previously to the Expiration of the Period limited by this Act for the Completion of the Railways, either open the Railways for the public Conveyance of Passengers, 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 Amount 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 Railways for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the Sum of Bank Annuities so deposited as aforesaid, and the Interest or Dividends thereof, shall immediately from and after the

Expiration

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 in twice the Amount of the Sum of Four thousand seven hundred and eighteen Pounds, the Value of the said Sum of Bank Annuities so deposited, shall have been executed by the Company, with One or more Surety or 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 the Payment to Her Majesty, Her Heirs or Successors, of the Sum of Four thousand seven hundred and eighteen Pounds if the Company shall not, within the Time limited for the Completion of the Railway, either open the said Railways 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 Capital by this Act authorized to be raised by means of Shares for the Purposes of this Act a Sum equal in Amount to such One Half of such Capital, and if such Bond shall have been deposited with the Solicitor to the said Lords Commissioners, then such Sum of Bank Annuities so deposited, 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 Bank Annuities so deposited, 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 Facts so certified.

Tolls.

23. The Company may demand and take in respect of the Use of the Railway any Tolls not exceeding the following; that is to say,

Tolls for Passengers and Animals.

In respect of Passengers and Animals conveyed on the Railway, as follows:

For any Person conveyed in any Carriage, *per* Mile not exceeding Twopence; and if conveyed in any Carriage belonging to or provided by the Company, an additional Sum *per* Mile not exceeding One Penny:

For every Horse, Mule, Ass, or other Beast of Draught or Burden conveyed in any Carriage, *per* Mile not exceeding Threepence;

and

and if conveyed in any Carriage belonging to or provided by the Company, an additional Sum *per* Mile not exceeding One Penny:

For every Ox, Cow, Bull, or Head of Neat Cattle conveyed in any Carriage, *per* Mile not exceeding Twopence; and if conveyed in any Carriage belonging to or provided by the Company, an additional Sum *per* Mile not exceeding One Penny;

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

Tolls for Goods.

In respect of Goods conveyed on the Railway:

Class 1. For all Coal, Coke, Culm, Charcoal, and Cinders, Dung, Compost, and unpacked Manure, Lime and Limestone, and all undressed Materials for the Repair of the public Roads or Highways, *per* Ton *per* Mile One Penny; and if conveyed in Carriages belonging to or provided by the Company, an additional Sum *per* Ton *per* Mile not exceeding One Farthing:

Class 2. For all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone, Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandise, *per* Ton *per* Mile One Penny Halfpenny; and if conveyed in Carriages belonging to or provided by the Company, an additional Sum *per* Ton *per* Mile not exceeding One Farthing:

Class 3. For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per* Ton *per* Mile Twopence Halfpenny; and if conveyed in Carriages belonging to or provided by the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

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

For every Carriage of whatever Description, and not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *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:

For every Engine or Carriage adapted for travelling on a Railway, and using the Railway as a Means of Transit, not exceeding One Shilling *per* Mile for each Engine, and not exceeding Threepence *per* Mile for each Carriage.

24. The

Tolls for propelling Power.

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

Regulations as to Tolls.

25. The following Provisions and Regulations shall apply to the fixing of all Tolls and Charges payable under this Act; (that is to say,)

For all Passengers, Animals, or Goods conveyed on the Railway 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 demand Tolls and Charges on Animals and Goods for such Fraction in proportion to the Number 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 in respect of Passengers, every Fraction of a Mile beyond an integral Number of Miles shall be deemed a Mile:

For a Fraction of a Ton the Company may demand Tolls 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 Avoirdupoise 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 smaller Quantity.

Tolls for small Parcels and single Articles of great Weight.

26. With respect to small Parcels not exceeding Five hundred Pounds in Weight and single Articles of great Weight, notwithstanding the Rate prescribed by this Act, the Company may demand and take any Tolls not exceeding the following; (that is to say,)

For the Carriage of small Parcels on the Railway, as follows:

For any Parcel not exceeding Seven Pounds in Weight, Threepence;

For any Parcel exceeding Seven Pounds but not exceeding Fourteen Pounds in Weight, Fivepence;

For any Parcel exceeding Fourteen Pounds but not exceeding Twenty-eight Pounds in Weight, Sevenpence;

For any Parcel exceeding Twenty-eight Pounds but not exceeding Fifty-six Pounds in Weight, Ninepence;

And for any Parcel exceeding Fifty-six 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 in separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but that Term shall apply only to single Parcels in separate Packages:

For the Carriage of single Articles of great Weight:

For the Carriage of any One Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which including the Carriage shall exceed Five 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.

Maximum Rates for Passengers.

27. The maximum Rate of Charge to be made by the Company for the Conveyance of Passengers upon the Railway, including the Tolls for the Use of the Railway, for Carriages and locomotive Power, and every other Expense incidental to such Conveyance, shall not exceed the following; that is to say,

For every Passenger conveyed in a First-class Carriage, the Sum of Threepence *per* Mile:

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

For every Passenger conveyed in a Third-class Carriage, the Sum of One Penny Halfpenny *per* Mile.

Maximum Rates for Animals and Goods.

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

For every Horse, Mule, Ass, or other Beast of Draught or Burden, Fourpence *per* Mile:

For every Ox, Cow, Bull, or Head of Neat Cattle, Twopence Halfpenny *per* Mile:

For every Calf, Pig, Sheep, Lamb, or other small Animal, One Penny Halfpenny *per* Mile:

For Coal or other Articles in Class 1, *per* Ton *per* Mile One Penny Halfpenny:

For Stones for building, or other Articles in Class 2, *per* Ton *per* Mile Twopence:

For Sugar or other Articles in Class 3, *per* Ton *per* Mile Threepence:

For Cotton or other Articles in Class 4, *per* Ton *per* Mile Fourpence:

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 or conveyed on a Truck or Platform, *per* Mile 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.

Passengers Luggage.

29. Every Passenger travelling upon the Railway 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.

Terminal Station.

30. No Station shall be considered a Terminal Station in regard to any Goods conveyed on the Railway, unless such Goods have been received thereat direct from the Consignor, or are directed to be delivered thereat to the Consignee.

Restrictions as to Charges not to apply to Special Trains.

31. The Restrictions as to the Charges to be made for Passengers shall not extend to any Special Train run upon the Railway, in respect of which the Company may make such Charges as they think fit, but shall apply only to the Ordinary and Express Trains appointed from Time to Time by the Company for the Conveyance of Passengers and Goods upon the Railway.

Company may take increased Charges by Agreement.

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

Interest not to be paid on Calls paid up.

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

34. The

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

34. The Company shall not, out of any Money by this Act authorized to be raised, pay or deposit any Sum 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 construct any other Railway, or to execute any other Work or Undertaking.

Railway not exempt from Provisions of present and future General Acts.

35. Nothing herein contained shall be deemed or construed to exempt the Railway by this Act authorized to be made from the Provisions of any General Act relating to Railways, or 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 Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges or of the Rates for small Parcels authorized by this Act.

Saving Rights of the Crown.

36. 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 or Hereditaments, or any Rights of whatsoever Description, belonging to the Queen's most Excellent Majesty in right of Her Crown, without the 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), neither shall anything in the said Act or Acts contained extend to take away, prejudice, diminish, or alter any of the Estates, Rights, Privileges, Powers, or Authorities vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors.

Expenses of Act.

37. All Costs, Charges, and Expenses of and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Company.

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