CHAPTER xii.

An Act for making a railway between Bray and Enniskerry in the county of Wicklow and for other purposes. A.D. 1886.

[10th May 1886.]

WHEREAS the making and maintaining of the railway hereinafter described would be of public and local advantage:

And whereas the persons in this Act named with others are willing at their own expense to construct the said railway and are desirous of being incorporated into a company for that purpose (which company is herein-after called "the Company"):

And whereas plans and sections showing the lines and levels of the railway authorised by this Act and also books of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes of this Act were duly deposited with the clerk of the peace for the county of Wicklow and are herein-after respectively referred to as the deposited plans sections and books of reference:

And whereas the 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 consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

1. This Act may be cited as the Bray and Enniskerry Light Railway Act 1886. Short title.

2. The Companies Clauses Consolidation Act 1845; and Part I (relating to cancellation and surrender of shares) and Part III (relating to debenture stock) of the Companies Clauses Act 1863 as amended by the Railway Companies Act 1867; Incorporation of general Acts.

A.D. 1886.

The Lands Clauses Consolidation Act 1845 as amended by the Railways Act (Ireland) 1851;
The Railways Clauses Consolidation Act 1845;
The Railways Act (Ireland) 1851;
The Lands Clauses Consolidation Acts Amendment Act 1860;
The Railways Act (Ireland) 1860;
The Railways Act (Ireland) 1864;
The Railways Traverse Act; and
Part I (relating to the construction of a railway) of the Railways Clauses Act 1863;

are (except where expressly varied by or inconsistent with this Act) incorporated with and form part of this Act.

Interpretation.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction the expression "the Company" means the Company incorporated by this Act the expressions "the railway" and "the undertaking" mean respectively the railway and the undertaking by this Act authorised.

As to deposit of plans with clerks of unions.

4. With reference to this Act all the provisions of sections seven eight and nine of the Railways Clauses Consolidation Act 1845 shall be read and construed as if the expression "clerks of the unions "within which such parishes are included in Ireland" or the words "clerks of the unions" (as the case may be) had been used and inserted in such sections in lieu of the expression "the postmasters "of the post towns in or nearest to such parishes in Ireland" or in lieu of the word "postmasters" (as the case may be).

Company incorporated.

5. John Shanks and Alfred Killingley and all other persons and corporations who have already subscribed to or shall hereafter become proprietors in the undertaking and their executors administrators successors and assigns respectively shall be and are hereby united into a company for the purpose of making and maintaining the undertaking and for other the purposes of this Act and for those purposes shall be and are hereby incorporated by the name of "the "Bray and Enniskerry Light 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.

6. 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 railway herein-after described with

all proper stations sidings approaches and conveniences connected therewith and may enter upon take and use such of the lands delineated on the said plans and described in the deposited books of reference as may be required for that purpose The railway herein-before referred to and authorised by this Act is :—

A railway three miles four furlongs and four chains in length or thereabouts commencing at a point on the north side of the Quinsborough Road sixty yards or thereabouts from the north-west end of the station buildings of the passenger station at Bray of the Dublin Wicklow and Wexford Railway Company in the townland township and parish of Bray in the county of Wicklow and terminating in a field adjoining the village of Enniskerry in the occupation of John Charles Buckley at a point forty-one yards or thereabouts measured in a southerly direction from the south-east parapet quoin of the bridge carrying the public road from Dublin to Enniskerry over the Glencullen river.

Gauge of railway.

7. The Company may construct and work and maintain the railway on a gauge of not less than three feet.

Capital.

8. The capital of the Company shall be thirty thousand pounds in three thousand shares of ten pounds each.

Shares not to be issued until one fifth paid.

9. The Company shall not issue any share created under the authority of this Act nor shall any such share vest in the person or corporation accepting the same unless and until a sum not being less than one fifth of the amount of such share is paid in respect thereof.

Calls.

10. 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 fourths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share.

Receipt in case of persons not sui juris.

11. If any money is payable to a shareholder being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Power to borrow.

12. The Company may from time to time borrow on mortgage any sum not exceeding in the whole fifteen thousand pounds Provided that no part of such sum shall be borrowed until the whole share capital of thirty thousand pounds is issued and accepted and one half thereof is paid up and the Company have proved to the justice who is to certify under the fortieth section of the Companies

A.D. 1886.

Clauses Consolidation Act 1845 before he so certifies that the whole of such share 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 in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof and that such shares were issued and accepted bonâ fide and are held by the persons or corporations to whom the same were issued or their executors administrators successors or assigns and that such persons or corporations their executors administrators successors or 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 shall be sufficient evidence thereof.

Appointment of a receiver.

13. The mortgagees of the undertaking may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver In order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than one thousand pounds in the whole.

Debenture stock.

14. The Company may create and issue debenture stock subject to the provisions of Part III of the Companies Clauses Act 1863 but notwithstanding anything therein contained the interest of all debenture stock and of all mortgages at any time created and issued or granted by the Company under this or any subsequent Act shall subject to the provisions of any subsequent Act rank pari passu without respect to the dates of the securities or of the Acts of Parliament or resolutions by which such securities were authorised respectively and shall have priority over all principal moneys secured by such mortgages.

Application of moneys.

15. All moneys raised under this Act whether by shares debenture stock or borrowing shall be applied for the purposes of this Act only to which capital is properly applicable.

First ordinary meeting.

16. The first ordinary meeting of the Company shall be held within six months after the passing of this Act.

Number of directors.

17. The number of directors shall be three but the Company may from time to time increase the number provided that the number be not more than five.

Qualification of directors.

18. The qualification of a director shall be the possession in his own right of not less than thirty shares.

Quorum.

19. The quorum of a meeting of directors shall be two when the number of directors is three and shall be three if the number of directors shall be more than three.

First directors.

20. John Shanks and Alfred Killingley and one other person to be nominated by them and consenting to such nomination 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 subject to the power herein-before contained for increasing the number of directors either continue in office the directors appointed by this Act or to be nominated as aforesaid 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 or to be nominated as aforesaid 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 as aforesaid elect persons to supply the places of the directors then retiring from office agreeably to the provisions of the Companies Clauses Consolidation Act 1845 and the several persons elected at any such meeting being neither removed nor disqualified nor having died nor resigned shall continue to be directors until others are elected in their stead in manner provided by the same Act.

Lands for extraordinary purposes.

21. The quantity of land to be taken by the Company by agreement for extraordinary purposes mentioned in the Railways Clauses Consolidation Act 1845 shall not exceed one acre.

Period for compulsory purchase of lands.

22. 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 three years from the passing of this Act.

Width of certain roadways.

23. The Company may make the roadways over the bridges by which the following roads will be carried over the railway of such width between the fences thereof as the Company may think fit not being less than the widths herein-after mentioned in connexion therewith respectively (that is to say) :—

No. on Plan.	Parish.	Description of Roadway.	Width of Roadway.
5	Bray	Public road	Twenty-five feet
5	Powerscourt	Public road	Twenty-five feet

Height and span of bridge.

24. The Company may make the arch of the bridge for carrying the railway over the road next herein-after mentioned of any height

A.D. 1886.

and span not less than the height and span herein-after mentioned in connexion therewith (that is to say) :—

No. on deposited Plan.	Parish, Townland and Township.	Description of Road.	Height.	Span.
9	Bray	Public road	Fifteen feet.	Twenty-five feet

Provision for the protection of the Corporation of Dublin.

25. For the protection of the rights property and interests of the Corporation of Dublin be it enacted as follows :—

(1.) In case it shall be necessary for the Company for the purpose of constructing any of the works by this Act authorised to raise sink or otherwise alter the position of any water mains pipes or other works belonging to the Corporation of Dublin the same shall be done with as little detriment and inconvenience to the public and to any houses or persons supplied with water by means of such mains pipes or other works as the circumstances will permit and all works relating to or involving interference with such mains pipes or other works as aforesaid or necessary for the protection of the same shall be executed at the cost of the Company and to the reasonable satisfaction in all things of the corporation or their engineer for the time being ;

(2.) It shall not be lawful for the Company in executing any of the works by this Act authorised to remove or displace any of the water mains pipes or other distributory works belonging to or vested in the corporation or to do anything to interrupt or impede the supply of water into or through such mains pipes or other distributory works until good and sufficient arrangements shall first have been made at the expense of the Company for carrying on the supply of water to the reasonable satisfaction of the engineer of the corporation ;

(3.) If it shall be necessary to construct any of the works by this Act authorised over any water main or pipe of the corporation the Company shall at their own expense and to the reasonable satisfaction of the engineer of the corporation construct and maintain a good and sufficient culvert over such main or pipe so as to cover the same and make it accessible for the purpose of repairs together with all such other works as may be necessary for the protection from injury of such main or pipe ;

(4.) If the Company or any of their contractors agents officers workmen or servants or any person in the employment of them or any of them shall in the execution of any of the works by this Act authorised interrupt the supply of water supplied by the corporation or cause or do any other damage or injury

whatsoever the Company shall make good and be responsible for any loss occasioned thereby to the corporation or to any person or persons suffering such damage or injury.

For protection of Alliance Gas Company.

26. For the protection of the Alliance and Dublin Consumers Gas Company (herein-after referred to as "the Alliance Company") the following provisions shall be observed and have effect (that is to say):—

In the construction or execution of the works by this Act authorised or any of them—

(1.) The Company if they shall deem it necessary to raise sink or otherwise alter the position of any mains pipes or other works belonging to the Alliance Company shall cause the same to be done with as little detriment and inconvenience to the Alliance Company and to any houses premises or persons supplied with gas or other illuminating power by means of such mains pipes or other works as the circumstances will permit.

(2.) The Company shall not remove or displace any mains pipes or other works belonging to the Alliance Company or do anything to interrupt or impede the supply of gas or other illuminating power into through or by means of such mains pipes or other works until good and sufficient arrangements have been made by the Company for enabling the supply of gas or other illuminating power to be carried on by the Alliance Company.

(3.) The Company shall repair and make good all damage done to mains pipes and other works the property of the Alliance Company by disturbance occasioned by the construction of any of the works authorised by this Act.

(4.) The Company if they construct any work over any main or pipe of the Alliance Company shall construct and maintain a good and sufficient culvert over such main or pipe (so as to cover the same and make it accessible for the purpose of repairs) together with all other works necessary for the protection from injury of such main or pipe and the Company in case they undermine any gas main or other work of the Alliance Company shall cause the same to be temporarily supported during the execution of the work and the foundation afterwards made good or in case it is found absolutely necessary to remove such gas main or work shall make good and effectual arrangements for enabling the supply of gas or other illuminating power to be carried on otherwise than through or by means of such main or work.

(5.) All works herein-before authorised or required to be executed by the Company involving interference with any mains pipes

A.D. 1886.

syphons plugs or other works of the Alliance Company or the supply thereby of gas or other illuminating power shall be executed at the cost of the Company and to the reasonable satisfaction in all things of the Alliance Company or their engineer if they or he think fit to attend after receiving not less than forty-eight hours' notice from the Company or their proper officer of any such works which notice the Company (save in cases of sudden emergency) shall be bound to give.

(6.) If the Company or any of their contractors agents officers workmen or servants or any person in the employment of them or any of them interrupt the supply of gas or other illuminating power by the Alliance Company the Company shall make good any loss occasioned thereby to the Alliance Company and the amount shall be determined by arbitration in manner next herein-after provided.

(7.) Any dispute or controversy between the Alliance Company and the Company touching or concerning the true meaning or construction of this Act or any of the provisions thereof or any payment to be made by the Company to the Alliance Company under such provisions shall be referred to arbitration in accordance with the provisions of the Railway Companies Arbitration Act 1859 as if the Alliance Company was a railway company.

(8.) Except as is by this Act expressly provided nothing in this Act shall take away lessen prejudice or alter any of the estates rights interests powers and privileges vested in or possessed by the Alliance Company under the special Acts relating to that company or otherwise howsoever.

For protection of the Dublin Wicklow and Wexford Railway Company.

27. Nothing in this Act contained shall authorise the Company for the purposes of the railway to take or enter upon any lands belonging to the Dublin Wicklow and Wexford Railway Company except by agreement with that company.

Power to take easements &c. by agreement.

28. Persons empowered by the Lands Clauses Consolidation Act 1845 to sell and convey or release lands may if they think fit subject to the provisions of that Act and of the Lands Clauses Consolidation Acts Amendment Act 1860 and of this Act grant to the Company any easement right or privilege (not being an easement of water) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Provision as to houses occupied by labouring class.

29. The Company shall not under the powers of this Act without the consent of the Local Government Board for Ireland purchase

A.D. 1886.

or acquire in any urban sanitary district as defined by the Public Health (Ireland) Act 1878 ten or more houses which after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers.

For the purposes of this section the expression "labouring class" shall be held to include mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.

Deposit fund not to be repaid except so far as railway is opened.

30. Whereas pursuant to the Standing Orders of both Houses of Parliament and to an Act of the ninth year of the reign of Her present Majesty chapter twenty a sum of one thousand one hundred and forty-six pounds new three per centum Consolidated Annuities being equal in value to five pounds per centum upon the amount of the estimate of the cost of the railway by this Act authorised has been transferred into the name of the Accountant General of the Supreme Court of Judicature in Ireland in respect to the application to Parliament for this Act which sum is referred to in this Act as the deposit fund Be it enacted that notwithstanding anything contained in the said Act the said deposit fund shall not 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 (which persons survivors or survivor are or is in this Act referred to as the depositors) unless the Company shall previously to the expiration of the period limited by this Act for the completion of the said railway open the same for the public conveyance of passengers Provided that if within such period as aforesaid the Company open any portion of the said railway for the public conveyance of passengers or traffic as aforesaid then on the production of a certificate of the Board of Trade specifying the length of the portion of the railway opened as aforesaid and the portion of the deposit fund which bears to the whole of the deposit fund the same proportion as the length of the railway so opened bears to the entire length of the railway the Chancery Division of the High Court of Justice in Ireland shall on the application of the depositors or the majority of them order the portion of the deposit fund specified in the certificate to be paid or transferred to them or as they shall direct and the certificate of the Board of Trade shall be sufficient evidence of the facts

A.D. 1886.

therein certified and it shall not be necessary to produce any certificate of this Act having passed anything in the above-mentioned Act to the contrary notwithstanding.

Application of deposit.

31. If the Company do not previously to the expiration of the period limited for the completion of the railway complete the same and open it for the public conveyance of passengers then and in every such case the deposit fund or so much thereof as shall not have been paid to the depositors shall be applicable and after due notice in the Dublin Gazette shall be applied towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the railway or any portion thereof or who have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act and for which injury or loss no compensation or inadequate compensation has been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as the Chancery Division of the High Court of Justice in Ireland may see fit and if no such compensation is payable or if a portion of the deposit fund has been found sufficient to satisfy all just claims in respect of such compensation then the deposit fund or such portion thereof as may not be required as aforesaid shall either be forfeited to Her Majesty and accordingly be paid or transferred to or for the account of Her Majesty's Exchequer in such manner as the Chancery Division thinks fit to order on the application of the Solicitor to Her Majesty's Treasury and shall be carried to and form part of the Consolidated Fund of the United Kingdom or in the discretion of the Chancery Division if the Company is insolvent and has been ordered to be wound up or a receiver has been appointed shall wholly or in part be paid or transferred to such receiver or to the liquidator or liquidators of the Company or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof Provided that until the deposit fund has been repaid to the depositors or has become otherwise applicable as hereinbefore mentioned any interest or dividends accruing thereon shall from time to time and as often as the same shall become payable be paid to or on the application of the depositors.

Period for completion of works.

32. If the railway is not completed within five years from the passing of this Act then on the expiration of such period the powers by this Act granted to the Company for making and completing the railway or otherwise in relation thereto shall cease to be exercised except as to so much thereof as is then completed.

A.D. 1886.

33. 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.

In respect of passengers and animals conveyed in carriages upon the railway or any part thereof as follows :— Passengers.

For every person conveyed in or upon any such carriage per mile twopence and if conveyed in or upon any carriage belonging to the Company an additional sum per mile of one penny halfpenny ;

Class I.—For every horse mule ass or other beast of draught or burden conveyed in or upon such carriage per mile threepence and if conveyed in or upon any carriage belonging to the Company an additional sum per mile of one penny ; Animals.

Class II.—For every ox cow bull or neat cattle conveyed in or upon any such carriage per head per mile threepence and if conveyed in or upon any carriage belonging to the Company an additional sum per mile of one penny ;

Class III.—For every calf pig sheep lamb or other small animal conveyed in or upon any such carriage per mile one penny and if conveyed in or upon any carriage belonging to the Company an additional sum per mile of one farthing :

In respect of goods conveyed on the railway : Tonnage on articles of merchandise.

Class IV.—For all coals iron ore and iron stone dung compost and all sorts of manure lime and limestone and all undressed materials for the repair of public roads or highways per ton per mile one penny and if conveyed in carriages belonging to the Company an additional sum per ton per mile of one penny ;

Class V.—For all coke culm charcoal cinders all stones for building pitching and paving all bricks tiles slates clay sand 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 the Company an additional sum per ton per mile of one penny ;

Class VI.—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 and if conveyed in carriages belonging to the Company an additional sum per ton per mile of three farthings ;

Class VII.—For all cotton and other wools drugs manufactured goods and all other wares merchandise fish articles matters or things per ton per mile threepence and if conveyed in carriages

A.D. 1886.

belonging to the Company an additional sum per ton per mile of one penny;

Class VIII.—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 or conveyed on a truck or platform belonging to the Company per ton 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.

Tolls for propelling power.

34. The toll which the Company may demand for the use of engines or other power for propelling carriages on the railway 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 or sums by this Act authorised to be taken.

Regulations as to tolls.

35. The following provisions and regulations shall apply to the fixing of the tolls and charges in respect of the railway payable under this Act (that is to say):—

For all passengers animals minerals or goods conveyed on the railway for a less distance than three miles the Company may demand and receive tolls and charges as for three miles;

For a fraction of a mile beyond three 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 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 smaller quantity.

Tolls for small parcels and great weights.

36. With respect to small parcels not exceeding five hundred pounds in weight and single articles of great weight notwithstanding

anything in 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—

For any parcel not exceeding seven pounds in weight threepence;

For any parcel exceeding seven pounds in weight but not exceeding fourteen pounds in weight fivepence;

For any parcel exceeding fourteen pounds in weight but not exceeding twenty-eight pounds in weight sevenpence;

For any parcel exceeding twenty-eight pounds in weight but not exceeding fifty-six pounds in weight ninepence; and

For any parcel exceeding fifty-six pounds in weight but not exceeding five hundred pounds in weight the Company may demand any sum 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 on the railway—

For the carriage of any single article the weight of which including the carriage shall exceed four tons but shall not exceed eight tons the Company may demand any sum not exceeding sixpence per ton per mile;

For the carriage of any single article the weight of which with the carriage shall exceed eight tons or which on account of the length thereof may require more than one carriage the Company may demand and take such sum as they think fit.

Maximum rates for passengers.

37. 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 and for carriages and locomotive or other 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 per mile.

Maximum rates for animals and goods.

38. The maximum rate of charge to be made by the Company for the conveyance of animals and goods (except such small parcels and single articles of great weight as aforesaid) on the railway

A.D. 1886.

including the tolls for the use of the railway and for wagons or trucks and locomotive or other power and for every other expense incidental to the conveyance except a reasonable charge for loading and unloading of 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 animal mentioned in Class I per mile fourpence ;
For every animal mentioned in Class II per mile twopence ;
For every animal mentioned in Class III per mile three farthings ;
For the articles and goods mentioned in Class IV per ton per mile one penny halfpenny ;
For the articles and goods mentioned in Class V per ton per mile twopence ;
For the articles and goods mentioned in Class VI per ton per mile twopence halfpenny ;
For the articles and goods mentioned in Class VII per ton per mile threepence ;
For any carriage mentioned under Class VIII not weighing more than one ton sixpence per mile if weighing more than one ton one penny halfpenny per mile for every quarter of a ton or fractional part of a quarter of a ton.

Passengers luggage.

39. 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.

40. 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.

Foregoing charges not to apply to special trains.

41. 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.

Classification table to be open to inspection and copies to be sold.

42. The book tables or other document in use for the time being containing the general classification of goods carried by goods or merchandise train on the railway of the Company shall during all

reasonable hours be open to the inspection of any person without the payment of any fee at every station at which goods or merchandise are received for transmission and such book tables or other document as annually revised shall be kept on sale at the principal office of the Company at a price not exceeding one shilling.

Terminal charges (if any) to be specified on application.

The Company shall within one week after application in writing made to the Secretary of the Company by any person interested in the carriage of any goods which have been or are intended to be carried over the railway render an account to the person so applying in which the charge made or claimed by the Company for the carriage of such goods shall be divided and the charge for conveyance over the railway shall be distinguished from the terminal charges (if any) and if any terminal charge is included in such account the nature and detail of the terminal expenses in respect of which it is made shall be specified.

Penalty.

If the Company fail to comply with the provisions of this section they shall for each offence and in the case of a continuing offence for every day during which the offence continues be liable to a penalty not exceeding five pounds which penalty shall be recovered and applied in the same manner as penalties imposed by section 14 of the Regulation of Railways Act 1873.

Company may take increased charges by agreement.

43. Nothing in this Act shall prevent the Company from taking any increased charges over and above the charges by this Act limited for the conveyance of animals or goods on the railway of any description by agreement with the owners or persons in charge thereof by reason of any special service performed by the Company in relation thereto.

Interest not to be paid on calls paid up.

44. No interest or dividend shall be paid out of any share or loan capital which the Company are by this or any other Act authorised to raise to any shareholder on the amount of the calls made in respect of the shares held by him but nothing in this Act shall prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the Companies Clauses Consolidation Act 1845.

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

45. The Company shall not out of any money by this Act authorised 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 authorising the Company to construct any other railway or to execute any other work or undertaking.

A.D. 1886.

Provision as to general Railway Acts.

46. Nothing in this Act contained shall exempt the Company or the railway 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 or alteration under the authority of Parliament of the maximum rates of charges or of the rates for small parcels authorised by this Act.

Saving rights of the Crown in the foreshore.

47. Nothing contained in this Act shall authorise the Company to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any right in respect thereof belonging to the Queen's most Excellent Majesty in right of Her Crown and under the management of the Board of Trade without the previous consent in writing of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may give) neither shall anything in this Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exercisable by the Queen's Majesty Her heirs or successors.

Costs of Act.

48. 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.

LONDON: Printed by Eyre and Spottiswoode
Printers to the Queen's most Excellent Majesty. 1886.