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VICTORIÆ REGINÆ.

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Cap. c.

An Act for making a Railway from the *South Wales* Railway near *Brimspill* in the Parish of *Awre* to *Howbeach Valley* in the *Forest of Dean*, with Branches; and for other Purposes.

[14th *July* 1856.]

WHEREAS it would be of great public and local Advantage if a Railway were made from the *South Wales* Railway at or near a Point in the Parish of *Awre* in the County of *Gloucester*, where the said *South Wales* Railway is crossed on a Level by the Parish Highway leading from *Blakeney* to *Awre* aforesaid, near to *Brimspill* on the River *Severn*, and terminating in *Howbeach Valley* in Her Majesty's *Forest of Dean*, in the said County of *Gloucester*, together with a Branch commencing from the Terminus of the said Railway in the said *Howbeach Valley*, and terminating at or near *Foxes Bridge* in the said *Forest of Dean*, and together with a Branch commencing at or near a Point on the River *Severn* at *Brimspill* aforesaid, and terminating by a Junction with the said Railway; and such Railway and Branches will form a cheap and expeditious Means of Transit for the Mineral and other Produce of the District traversed by the same: And whereas the

Persons herein-after named, with others, are willing at their own Expense to carry such Undertaking into execution; but the Purposes aforesaid 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 of the Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

8 & 9 Vict. cc. 16. 18. & 20. incorporated.

I. "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act.

Short Title.

II. In citing this Act for any Purpose whatsoever, it shall be sufficient to use the Expression "The *Forest of Dean Central* Railway Act, 1856."

Subscribers incorporated.

III. *William Racster Wagstaff*, *Timothy Bennett*, *James Teague*, *William Knocker*, *John Chapple*, *Thomas Nicholson*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns, shall be united into a Company for the Purpose of making and maintaining the Railway and Branches herein-after described, with all proper Works and Conveniences connected therewith, according to the Provisions of this Act and the Acts incorporated herewith; and for the Purposes aforesaid such Company shall be incorporated by the Name of "The *Forest of Dean Central* Railway Company," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have Power to purchase and hold Lands for the Purposes of the said Undertaking within the Restrictions herein and in the said Acts contained.

Capital.

IV. The Share Capital of the Company shall be Sixty-five thousand Pounds, and all and every Part of the Money to be raised thereby shall be applied only in carrying into execution the Objects and Purposes of this Act.

Shares.

V. The Number of Shares into which the said Capital shall be divided shall be Six thousand five hundred, and the Amount of each Share shall be Ten Pounds.

Calls.

VI. Two Pounds *per* Share shall be the greatest Amount of any Call which the Company may make on the Shareholders, and Three Months at least shall be the Interval between successive Calls.

VII. The

Interest not to be paid on Calls paid up.

VII. The Company shall not, out of any Money by this Act or any other Act relating to the Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, pay Interest or Dividends to any Shareholders on the Amount of Calls made in respect of the Shares held by them in the Capital of the Company: Provided always, that the Company may pay to any Shareholder such Interest on Money advanced by him beyond the Amount of Calls actually made as shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

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

VIII. The Company shall not, out of any Money by this Act or any other Act relating to the Company authorized to be raised for the Purpose of such Act or Acts, pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament for the Time being 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 execute any other Work or Undertaking.

Number and Qualification of Directors.

IX. The Number of Directors appointed by the Company shall be Seven, and the Qualification of a Director shall be the Possession in his own Right of Fifty Shares in the Undertaking.

Power to vary the Number of Directors.

X. It shall be lawful for the Company from Time to Time to reduce the Number of Directors appointed by them, provided that the Number of those Directors when reduced be not less than Three.

First Directors.

XI. *William Racster Wagstaff*, *Timothy Bennett*, *James Teague*, *William Knocker*, *John Chapple*, *John David Barry*, and *William Bower* shall be the First Directors of the Company.

Quorum of Directors.

XII. The Quorum of a Meeting of Directors shall be Four, except when the Number of Directors shall be Four or a less Number, in which Case the Quorum shall be Two.

Election of Directors at First General Meeting.

XIII. The Directors appointed by this Act, or such of them as shall not die or resign or become disqualified or be removed, shall continue in Office until the First Ordinary General Meeting to be held after the passing of this Act; and at such Meeting the Shareholders present, personally or by Proxy, may continue in Office the Directors appointed by this Act, or any Number of them, or may elect new Directors to supply the Places of those not continued in Office, the Directors appointed by this Act being eligible to be elected as Members of such new Body.

XIV. At

Subsequent Election of Directors.

XIV. At the First Ordinary General Meeting to be held in every subsequent Year after the First General Meeting, the Shareholders present, personally or by Proxy, shall 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 resigned, shall continue to be Directors until others are elected in their Stead in the Manner provided by "The Companies Clauses Consolidation Act, 1845."

Power to make Railway and Branches.

XV. It shall be lawful for the Company to make and maintain a Railway, with all proper Works and Conveniences connected therewith, commencing from the *South Wales* Railway at or near a Point in the Parish of *Awre* in the County of *Gloucester* where the said *South Wales* Railway is crossed on a Level by the Parish Highway leading from *Blakeney* to *Awre* aforesaid, near *Brimspill* on the River *Severn*, and terminating at or near a Place in *Howbeach Valley* in Her Majesty's *Forest of Dean* in the said County of *Gloucester*, situate about Thirteen Chains to the East or South-east of and below the *Moseley Green* Turnpike Gate in the said Valley, together with a Branch commencing from the Terminus of the said Railway in the said *Howbeach Valley*, and terminating at or near *Foxes Bridge* in the said *Forest of Dean*, and together with a Branch commencing at or near a Point on the River *Severn* at *Brimspill* aforesaid, and terminating by a Junction with the said Railway.

Railway to be made according to deposited Plans.

XVI. Whereas Plans and Sections of the Railway showing the Line and Levels thereof, and also a Book of Reference containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and of the Occupiers of the Lands which may be required to be taken for the Purposes thereof, have been deposited with the Clerk of the Peace for the County of *Gloucester:* Therefore, subject to the Provisions and Powers of Deviation in this Act and the incorporated Acts contained, the Railway shall be made in the Line or Course and upon the Lands delineated on the said Plans and described in the said Book of Reference, and according to the Levels defined on the said Sections, and subject to the aforesaid Provisions it shall be lawful for the Company to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose.

Guage of Rails.

XVII. The Railway shall be made and maintained upon the same Guage as the *South Wales* Railway.

Lands for extra-ordinary Purposes.

XVIII. The Quantity of Land to be purchased by the Company for the extraordinary Purposes mentioned in the Railways Clauses Consolidation Act shall not exceed Three Acres.

XIX. The

Powers for compulsory Purchases limited.

XIX. 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.

XX. The Railway shall be completed within Four Years from the passing of this Act, and on the Expiration of such Period the Powers of 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 of the Railway as then shall have been completed.

Company not to interfere with the Property of the South Wales Railway Company.

XXI. It shall not be lawful for the Company, further or otherwise than is by this Act expressly authorized, to enter upon, take, or use any of the Lands or Property of the *South Wales* Railway Company, or in any Manner to vary or alter the said *South Wales* Railway or any of the Works appertaining thereto, without the previous Consent in Writing of the last-mentioned Company.

Junction with South Wales Railway to be under Direction of Engineer of that Company.

XXII. The Junction with the *South Wales* Railway, and the crossing over the same by this Act authorized respectively, shall be made at such respective Points within the Limits of Deviation defined on the said Plans as shall be approved of by the Engineer for the Time being of the *South Wales* Railway; and all Works upon or affecting the Works or Property of the *South Wales* Railway Company which may be required for effecting such Junction, or for carrying the Railway over the *South Wales* Railway, or otherwise, shall be made according to Plans to be first approved of by such Engineer, and shall be executed under his Direction and Control, but at the Expense in all respects of the Company.

Saving Rights of South Wales Railway Company.

XXIII. Nothing in this Act contained shall prejudice, diminish, alter, or affect, further or otherwise than is herein expressly authorized, any of the Rights, Privileges, Powers, or Authorities vested in the *South Wales* Railway Company.

Admiralty may order local Survey at Expense of Company.

XXIV. If at any Time or Times it shall be deemed expedient by the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral, to order a local Survey and Examination of any Works of the Company in, over, or affecting any tidal or navigable Water or River, or of the intended Site thereof, the Company shall defray the Costs of every such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the Company, and if not paid upon Demand may be recovered as a Debt due to the Crown, with the Costs of Suit, or may be recovered with Costs as a Penalty is or may be recoverable from the Company.

Works affecting tidal Waters abandoned may be removed by Admiralty at Expense of Company.

XXV. If any Work to be constructed by the Company in, under, over, through, or across any tidal Water or navigable River, so far as the Tide flows and reflows, or if any Portion of any Work which affects or may affect any such Water or River or Access thereto, shall be abandoned or suffered to fall into Disuse or Decay, it shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly with Costs of Suit.

Power for Commissioners of Woods, &c. to advance Money to the Company.

XXVI. The Commissioners of Her Majesty's Woods, Forests, and Land Revenues may at any Time after the passing of this Act, out of the annual Income of the Possessions and Land Revenues of the Crown, advance to the Company for the Purpose of making their Railway any Sums of Money not exceeding in the whole the Sum of Twenty thousand Pounds.

Advances to be made by Instalments.

XXVII. The Advances so made shall be by Instalments of not less than Three thousand three hundred and thirty-three Pounds Six Shillings and Eightpence each; the First Instalment shall be paid whenever an Engineer to be approved by the Commissioners of Her Majesty's Treasury certifies under his Hand that an Amount of Work has been done on the Railway which, together with the Materials delivered on the Ground taken for the Railway and for the Purposes thereof, equals in Value Ten thousand Pounds; and each subsequent Instalment may be paid whenever such Engineer issues a like Certificate with respect to the like Amount or Value of any Work done and Materials delivered, and not included in any prior Certificate.

Rate of Interest and Advances to be secured by Bond.

XXVIII. Interest at the Rate of Five *per Cent. per Annum* shall be paid by the Company on the Advances made to them by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, and the Payment of any Principal Monies advanced by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, and of the Interest due thereon, shall be secured by a Bond to the Crown, under the Hands and Seals of Four of the Subscribers to the Company, to be approved by the Commissioners of Her Majesty's Treasury; such Bond shall be void if the Railway is completed and open for Traffic within the Period limited by this Act for the Completion thereof, but otherwise shall remain in force.

XXIX. Any

Further Security for Advances.

XXIX. Any Advance made by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues to the Company shall have Priority over all other Debts of the Company; upon the First Instalment being paid to the Company by the Commissioners, the Undertaking, and all Tolls and Sums of Money arising by virtue of this Act, and all the Estate, Right, Title, and Interest of the Company in the same, shall vest in the Crown as a Security for the Repayment of all such Advances as may be made by the Commissioners, not exceeding Twenty thousand Pounds, with Interest thereon at such Rate as is herein-before mentioned; every Instalment together with Interest shall be deemed to be repayable at the Expiration of Twelve Months from the Date of its being advanced; and if Default is made in Payment of any Instalment or Interest at the Expiration of such Period of Twelve Months as aforesaid, the Commissioners of Her Majesty's Woods, Forests, and Land Revenues may sell and convey to a Purchaser for an absolute Estate and Interest any Premises vested in the Crown in such Event as aforesaid, and may apply the Monies arising from such Sale in satisfying any Sums for the Time being due from the Company in respect of any such Advance or Advances or the Interest thereon, rendering the Surplus, if any, to the Company; the Receipt of any One of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues shall be an effectual Discharge to any Purchaser of such Premises as aforesaid, and Evidence of such Default having been made; and all Monies to be repaid or recovered in respect of any Advances to be made to the Company by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues shall be deemed to be Part of the annual Income of the Possessions and Land Revenues of the Crown.

Power to borrow on Mortgage.

XXX. The Company may borrow on Mortgage of their Undertaking any Sums of Money not exceeding in the whole the Sum of Twenty-one thousand six hundred and sixty Pounds; any Advances made by the Commissioners to the Company shall be deemed to be Part of the Monies so authorized to be borrowed, and may be received by the Company at the Times and upon the Conditions herein-before mentioned; but no Sum of Money shall be borrowed by the Company from Parties other than the said Commissioners of Her Majesty's Woods, Forests, and Land Revenues until the whole Capital of Sixty-five thousand Pounds has been subscribed, and One Half thereof paid up; all Money borrowed by the Company from any Persons whatsoever shall be applied in carrying the Purposes of this Act into execution.

Power to Commissioners of

XXXI. The Commissioners or Commissioner of Her Majesty's Woods, Forests, and Land Revenues for the Time being having the Management of the *Forest of Dean* on behalf of Her Majesty may, if

Woods, &c. to demise Land in the Forest of Dean for Purposes of Railway.

if they shall think fit, demise to the Company all such Land situate in the *Forest of Dean* as shall be required by the Company for the Purposes of their Railway, and is situate within the Limits of Deviation as defined by the Plans of the said Railway deposited as aforesaid; such Demise shall be for the Term of Nine hundred and ninety-nine Years, and there shall be reserved thereon for the First Two Years succeeding the passing of this Act the Rent of a Peppercorn, and in every succeeding Year the Rent of One hundred Pounds, payable half-yearly, free from all Rates, Taxes, and Deductions whatsoever, except Property Tax; all Timber and other Trees and Underwood standing on the Land so demised shall be severed by the Company at their own Expense, and when so severed shall be deemed to belong to the Crown; but the Company shall, if required by the Commissioner or Commissioners so making such Demise, purchase any Timber or Wood so severed at a Price to be agreed upon by a Valuer to be named by the Commissioners, and in any such Demise there shall be Covenants on the Part of the Company to pay the Rent and all Taxes, and such other Covenants as the Commissioner or Commissioners making the Demise shall require, with a Proviso for Re-entry on Nonpayment of Rent or Non-observance of Covenants.

Commissioners of Woods and Forests empowered to demise certain Land to the Company.

XXXII. The Commissioners or Commissioner of Her Majesty's Woods, Forests, and Land Revenues for the Time being having the Management of the Estate belonging to Her Majesty called the *Hagloe* Estate situate in the Parish of *Awre* in the County of *Gloucester* may, with the Consent of the Commissioners of Her Majesty's Treasury, demise or lease or enter into any Contract for demising or leasing to the Company and their Successors any Part or Parts of the said Estate which may be required for the Purposes of the Works of the Company, for any Term or Number of Years not exceeding Nine hundred and ninety-nine Years, upon such Terms generally, and subject to such Covenants, Conditions, Restrictions, and Regulations, as may be agreed upon; and the Exemption from Stamp Duty created by the Seventy-seventh Section of an Act passed in the Tenth Year of the Reign of His late Majesty King *George* the Fourth, Chapter Fifty, shall apply to any Lease or Contract to be granted or entered into under the Authority of this Act.

Saving Rights of Crown.

XXXIII. Nothing contained in this Act or in any of the Acts herein referred to shall extend to authorize the Company to take, use, or in any Manner interfere with any Land, Soil, Forestal or other Rights, Tenements, or Hereditaments, or any Rights in respect thereof, 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

that Purpose (which Consent such Commissioners or Commissioner are hereby respectively authorized to give), or 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.

As to Repayment of Deposits made pursuant to Standing Orders of Parliament.

XXXIV. 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 Four thousand eight hundred and seventy-five Pounds, being One Tenth Part of Three Fourths of the Amount of the Estimate of the Expense of the Railway, has been deposited with the Court of Chancery in respect of the Application to Parliament for this Act: Be it enacted, That notwithstanding anything contained in the said recited Act, the said Sum of Four thousand eight hundred and seventy-five Pounds so deposited as aforesaid in respect of the Application for this Act shall not, except upon the Execution and Deposit of such Bond as herein-after mentioned, be paid 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 Completion of the Railway, either open the Railway for the public Conveyance of Traffic, 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 Railway for the public Conveyance of Traffic, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the said Sum of Money deposited as aforesaid shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid by the Officer or Person in whose Name it shall then be deposited to the Account of Her Majesty's Exchequer, and when so paid 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 said Sum of Four thousand eight hundred and seventy-five Pounds shall have been executed by the Company, with One or more 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 Payment to Her Majesty, Her Heirs or Successors, of the said Sum of Four thousand eight hundred and seventy-five Pounds if the Company shall not within the Time

limited for the Completion of the Railway either open the Railway for the public Conveyance of Traffic, 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 said 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 such Bond shall have been deposited with the said Solicitor to the said Lords Commissioners, then such Sum of Money 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 Survivors or Survivor 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 Money 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.

XXXV. It shall be lawful for the Company to demand any Tolls for the Use of the Railway, not exceeding the following; that is to say,

Tonnage on Articles of Merchandise.

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

For all Dung, Compost, and all Sorts of Manure, Clay, Sand, and all undressed Materials for the Repair of public Roads or Highways, *per* Ton *per* Mile not exceeding One Penny; and if conveyed by Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

For all Coals, Coke, Culm, Charcoal, and Cinders, all Lime and Limestone, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Ironstone and Iron Ore, Copper and Copper Ore, Tin and Tin Ore, Manganese and all other Ores and Minerals, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings, and for Metals manufactured into Utensils or other Articles of Merchandise, *per* Ton *per* Mile not exceeding One Penny Halfpenny; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, and Deals, and for all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandise, Fish,

Articles,

Articles, Matters, or Things, *per* Ton *per* Mile not exceeding Twopence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Penny:

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, *per* Mile not exceeding Sixpence.

Tolls for Passengers or Cattle.

2. In respect of Passengers and Animals conveyed in Carriages upon the Railway, as follows:

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

For every Horse, Mule, Ass, or other Beast of Draught or Burden, *per* Mile not exceeding Threepence; and for every Ox, Cow, Bull, or Neat Cattle, *per* Mile not exceeding Twopence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Penny:

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

Tolls for propelling Power.

XXXVI. 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 or other Articles, in addition to the several other Tolls or Sums by this Act authorized to be taken.

Regulations as to the Tolls.

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

For Articles or Persons conveyed on the Railway for a less Distance than Three Miles, the Company may demand 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 on Merchandise 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

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.

Maximum Rates of Charges for Passengers.

XXXVIII. 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 of Carriages, and for locomotive Power, and every other Expense incidental to such Conveyance, shall not exceed the following Sums:

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.

Tolls for Cattle, Goods, &c.

XXXIX. And with respect to the Conveyance of Horses, Cattle, Carriages, and Goods, the maximum Rate of Charge to be made by the Company, including the Tolls for the Use of the Railway, and Waggons or Trucks and locomotive Power, and every Expense incidental to such Conveyance (except the loading and unloading of Goods where such Service is performed by the Company), shall not exceed the following Sums:

For every Horse or other Beast of Draught or Burden before classed with Horses, the Sum of Fourpence *per* Mile:

For every Ox, Cow, Bull, or Cattle, the Sum of Twopence *per* Head *per* Mile:

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

For Sheep and small Animals, Three Farthings each *per* Mile:

For every Carriage, the Sum of Sixpence *per* Mile:

For Dung and other Articles herein-before classed therewith, the Sum of Twopence *per* Ton *per* Mile:

For Coals and other Articles herein-before classed therewith, the Sum of Twopence Halfpenny *per* Ton *per* Mile:

For Sugar and other Goods and Articles herein-before classed therewith, the Sum of Fourpence *per* Ton *per* Mile.

Restriction as to Charges not to apply to Special Trains.

XL. The Restrictions as to Tolls and Charges to be made for Passengers and Articles herein-before mentioned shall not extend to any Special Train that may be required to be run on the Railway, but shall apply only to the Ordinary and Express Trains appointed

or

or to be appointed from Time to Time by the Company for the Conveyance of Passengers and Goods upon the Railway.

Tolls for small Parcels and Articles of great Weight.

XLI. 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 the following; (that is to say,)

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

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

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

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

And for any Parcel exceeding Twenty-eight Pounds in Weight, but not exceeding Fifty-six Pounds in Weight, One Shilling and Sixpence;

And for Parcels exceeding Fifty-six 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, 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 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 to take increased Charges by Agreement.

XLII. Nothing herein contained shall be held to prevent the Company from taking any increased Charge, over and above the Charges herein-before limited, for the Conveyance of Goods of any Description, by Agreement with the Owners of or Persons in charge of such Goods, either in respect of the Conveyance of such Goods, except small Parcels by Passenger Trains, or by reason of any other special Service performed by the Company in relation to such Goods.

Passengers Luggage.

XLIII. Every Passenger travelling upon the Railway may take with him his ordinary Luggage, not exceeding One hundred and

twenty Pounds in Weight for each First-class Passenger, Eighty Pounds in Weight for each Second-class Passenger, and Sixty Pounds in Weight for each Third-class Passenger, without any Charge being made for the Carriage thereof.

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

XLIV. Nothing in this Act contained shall be deemed or construed to exempt the Railway from the Provisions of any General Act relating to this Act, or 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 the present 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, and of the Rate for small Parcels, authorized by this Act.

Expenses of Act.

XLV. The Expenses, Costs, and Charges of obtaining and passing this Act, and incidental and preparatory thereto, shall be paid by the Company.

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