ANNO UNDECIMO & DUODECIMO

VICTORIÆ REGINÆ.

****

Cap. CXXXV.

An Act for making a Railway from the *Great Western* Railway near *Slough* to the Town of *New Windsor* in the County of *Berks*.

[14th *August* 1848.]

WHEREAS an Act was passed in the Fifth Year of the Reign of His Majesty King *William* the Fourth, intituled *An Act for making a Railway from* Bristol *to join the* 5 & 6 W. 4.
London and Birmingham *Railway near* London, *to be called the* "Great c. 107.
Western *Railway*," *with Branches therefrom to the Towns of* Bradford *and* Trowbridge *in the County of* Wilts, whereby several Persons were incorporated by the Name and Style of the *Great Western* Railway Company: And whereas the Provisions of the said Act were amended and enlarged by several subsequent Acts passed respectively in the Sixth Year of the Reign of His said Majesty, and in the First, the Second, Seventh, Ninth, and Eleventh Years of the Reign of Her present Majesty Queen *Victoria*: And whereas the making of a Railway from the *Great Western* Railway near *Slough* in the County of *Buckingham* to the Town of *New Windsor* in the County of *Berks* would be of great public Advantage: And whereas the *Great Western* Railway Company are willing to construct the said Railway, if authorized by Parliament so to do: 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,

Powers of former Acts extended to this Act.

That all the Provisions, Matters, and Things contained in the said several Acts relating to the *Great Western* Railway Company, so far as the same are now unrepealed and in force, and are not inconsistent with or altered by the Provisions of this Act, and save in so far as the same may be inconsistent with the Provisions of the "Lands Clauses Consolidation Act, 1845," and of the "Railways Clauses Consolidation Act, 1845," shall extend to this Act, and to the several Purposes thereof, as fully and effectually as if the same Provisions, Matters, and Things were repeated and re-enacted in this Act; and the several Railways and Works by this Act authorized to be made by the said *Great Western* Railway Company shall, when so made, form a Part of the Undertaking of the said *Great Western* Railway Company.

Provisions of 8 & 9 Vict. cc. 18. and 20. incorporated with this Act.

II. And be it enacted, That the Provisions of the "Lands Clauses Consolidation Act, 1845," and of the "Railways Clauses Consolidation Act, 1845," in so far as the same may be applicable to and are not inconsistent with the Provisions herein-after contained, shall be incorporated with and form Part of this Act.

Short Title.

III. And be it enacted, That in citing this Act in other Acts of Parliament, and in Pleadings, and in legal Instruments, it shall be sufficient to use the Expression "The *Great Western* Railway (*Slough and Windsor*) Act, 1848."

Power to raise additional Money by Creation of new Shares.

IV. And be it enacted, That for the Purpose of making and working the Railway or Railways by this Act authorized it shall be lawful for the said *Great Western* Railway Company from Time to Time to raise by creating new Shares, in addition to the Sums of Money which they are authorized to raise under and by virtue of the Acts relating to their Undertaking herein-before recited, or any of them, or which they may be authorized to raise under or by virtue of any other Act to be passed in the present Session of Parliament, any Sum of Money not exceeding in the whole the Sum of One hundred and thirty thousand Pounds.

Mode in which new Shares are to be allotted.

V. And be it enacted, That the new Shares so to be created shall be of such nominal Value as the Company may determine, and shall be allotted to and amongst the several Persons who have executed the Parliamentary Subscription Contract relating to the said Undertaking, or their Executors, Administrators, or Assigns, whether Holders of existing Shares or Stock in the said Company or not, and also to and amongst such other Persons as the Company may determine, such Shares to be allotted at such Times and in such Manner, and to be subject to such Conditions, as the Company may direct.

Calls.

VI. And be it enacted, That Five Pounds *per* Share shall be the greatest Amount of any One Call which the *Great Western* Railway Company

Company may make on the Shareholders in respect of the Money by this Act authorized to be raised, and Three Fifths of the Amount of a Share shall be the utmost aggregate Amount of Calls that may be made in any One Year upon any Share, and Two Months at the least shall be the Interval between successive Calls.

Power to borrow Money on Mortgage.

VII. And be it enacted, That after the whole of the Sums by this Act authorized to be raised by Shares shall have been subscribed for, and One Half thereof, and of the Amount by the said Act relating to the *Great Western* Railway passed in the Ninth Year of the Reign of Her present Majesty, defined as being the Capital of the *Great Western* Railway Company, and of the Amounts authorized to be raised by "The *Great Western* Railway Amendment and Extensions Act, 1847," and by "The *Great Western* (*West London* Windening and Branches) Railway Act, 1847," shall have been paid up, it shall be lawful for the Directors of the said *Great Western* Railway Company to borrow on Mortgage, and if subsequently paid off again to re-borrow, such Sums of Money as shall from Time to Time be authorized to be borrowed by an Order of any General or Special General Meeting of the said Company, not exceeding in the whole the Sum of Forty-three thousand three hundred and thirty-three Pounds, in addition to the Sums which they are authorized to borrow by the said last-mentioned Act, or which they may be authorized to borrow by any other Act to be passed in the present Session of Parliament, and for securing the Repayment of the Sum so borrowed, with Interest, to mortgage the Undertaking belonging to them, and also, if they think fit, the whole or any of the future Calls on the Shareholders of the Company; provided always, that all Monies borrowed under the Powers in this Act contained shall be applicable only to the Objects and Purposes of this Act.

Rights of Mortgagees.

VIII. And be it enacted, That the respective Mortgagees shall be entitled to the same Rights and Privileges, and the said Mortgages shall be subject to the same Restrictions and Conditions, as are provided in the recited Act relating to the *Great Western* Railway passed in the Seventh Year of the Reign of Her present Majesty, with respect to the Mortgages thereby authorized to be granted: Provided always, that all Mortgages of the said Undertaking heretofore granted under the Powers of the Acts herein-before recited, or any of them, shall, during the Continuance thereof, have Priority over any Mortgage thereof to be granted under the Powers of this Act.

Power to convert Loan into Capital.

IX. And be it enacted, That it shall be lawful for the said *Great Western* Railway Company, if they think fit, to raise the Sums authorized to be borrowed on Mortgage by this Act, or any Part thereof, by creating new Shares of the said Company, instead of borrowing the same; or, having borrowed the same, it shall be lawful for them to continue at Interest only a Part of the said Sums, if they so think fit, and to raise the Remainder thereof, or any Part of the Remainder thereof, by creating new Shares of the Company; and all Provisions with regard to the additional Capital by this Act authorized to be raised shall apply in like Manner to the new Shares which may be

so

so created as aforesaid, but no such Augmentation of Capital as last herein-before authorized shall take place without the previous Authority of a General Meeting of the Company called for the Purpose.

As to Votes of Proprietors of new Shares.

X. And be it enacted, That the Proprietors of any new Shares created under the Powers of this Act shall be entitled to such Number of Votes in respect thereof as the nominal Amount represented by such Shares would have entitled them to if they had been possessed of original Shares in the Undertaking of the *Great Western* Railway Company.

Interest not to be paid on Calls paid up.

XI. And be it enacted, That it shall not be lawful for the said Company, out of any Money by this Act, or any other Act relating to the said Railway Company, authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein-before contained shall be deemed to prevent the said Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with the Provisions in the first-recited Act in that Behalf contained.

Deposits for future Bills not to be paid out of the Company's Capital.

XII. And be it enacted, That it shall not be lawful for the said Company, out of any Money by this Act, or any other Act relating to the said Railway Company, authorized to be raised for the Purposes of such Act or Acts, to pay or deposit any Sum of Money which by any Standing Order of either House of Parliament, now in force or hereafter to be in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the said Company to construct any other Railway or execute any other Work or Undertaking.

Power to make the Railway.

XIII. And be it enacted, That it shall be lawful for the *Great Western* Railway Company to make and maintain a Railway or Railways, with all proper Works and Conveniences connected therewith, commencing at Two Points on the Line of the *Great Western* Railway near the Western Station of the said Railway at *Slough* in the County of *Buckingham*, and terminating in the Parish and Town of *New Windsor* in the County of *Berks*.

Railway to be made according to deposited Plans.

XIV. And whereas Plans and Sections showing the Lines or Situation and Levels of the said Railway or Railways by this Act authorized, together with Books of Reference to such Plans, containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of the Lands which may be required to be taken for the Purposes of the said Railway or Railways, have been deposited with the Clerks of the Peace of the Counties of *Berks* and *Buckingham*: Be it enacted, That, subject to the Powers of Deviation in the Railways Clauses Consolidation Act, 1845, contained, the said Railway or Railways shall be made in the Line or Lines and upon the Lands delineated on the said Plans and described in the said Books of Reference, and according to the Levels

Levels defined on the said Sections, and, subject to the Provisions in this Act, and in the said Lands Clauses Consolidation Act, 1845, and in the said Railways Clauses Consolidation Act, 1845, as extended to this Act, contained, it shall be lawful for the said Company to enter upon, take, and use such of the Lands delineated upon the said Plans and described in the said Books of Reference as shall be necessary for the Purposes of the said Railway or Railways, and of the Works connected with the same.

Gauge.

XV. And be it enacted, That the said Railway or Railways shall be constructed on the Broad Gauge of Seven Feet, so as to admit of the same being worked continuously with the *Great Western* Railway.

Lands for extraordinary Purposes.

XVI. And be it enacted, That it shall be lawful for the Company to purchase or take any Quantity of Land for extraordinary Purposes, not exceeding in the whole Twenty-five Acres.

Period for compulsory Purchase of Lands limited.

XVII. And be it enacted, That 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.

Period for Completion of Works.

XVIII. And be it enacted, That the Railway or Railways hereby authorized to be made shall be completed within Seven Years from the passing of this Act, and on the Expiration of such Period the Powers by this Act or by the said recited Acts as extended to this Act granted to the Company for executing the said Railway or Railways, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the said Railway or Railways as shall then be completed.

Company to maintain Towing Path to the Satisfaction of the Admiralty.

XIX. And be it enacted, That the Company shall, during the Construction of the Bridge by means of which the Railway is intended to be carried across the River *Thames*, and for ever after the Completion thereof, maintain and keep the Towing Path under such Bridge and within the Limits of the Land of the Company in a good and sufficient State, to the Satisfaction of the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, and such Towing Path shall be formed by the Company at their own Expense; and in case the Company shall neglect or refuse to maintain and keep such Towing Path as aforesaid, the said Lord High Admiral or the said Commissioners shall be at liberty to maintain and keep the same 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.

Works in or over the Thames not to be executed without the Consent of the Admiralty.

XX. And be it enacted, That it shall not be lawful for the Company to construct the said Bridge across the River *Thames*, or any Work affecting the said River, without the previous Consent of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High

High Admiral aforesaid for the Time being, to be signified in Writing under the Hand of the Secretary of the Admiralty, and then only according to such Plan and under such Restrictions and Regulations as the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, may approve of, such Approval being signified as last aforesaid; and where any such Bridge or Work shall have been constructed, it shall not be lawful for the Company at any Time to alter or extend the same without obtaining, previously to making any such Alteration or Extension, the like Consent or Approval; and if any such Bridge or Work shall be commenced or completed contrary to the Provisions of this Act, it shall be lawful for the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, to abate and remove the same, 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 to the Crown, and be recoverable accordingly with Costs of Suit.

Light to be exhibited on Bridge during its Construction.

XXI. And be it enacted, That during the Construction of the said Bridge, and of the Works connected therewith, the said Company shall cause to be hung out or exhibited every Night, from Sunset to Sunrise, a Light, to be kept burning by and at the Expense of the Company, for the Navigation and safe Guidance of Vessels; and for ever after the Completion of the said Bridge the said Company shall cause to be hung out or exhibited upon or near to the Centre of the said Bridge every Night, from Sunset to Sunrise, a good and sufficient Light, to be kept burning by and at the Expense of the Company, for the Navigation and safe Guidance of Vessels, and such Light shall be from Time to Time altered by the said Company in such Manner, and be of such Description, and be so used as the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, shall, by Writing under the Hand of the Secretary of the Admiralty, direct or appoint; and in case the said Company shall neglect to exhibit and keep either of such Lights burning as aforesaid they shall forfeit and pay for every such Neglect the Sum of Ten Pounds.

Survey to be made at the Expense of the Company.

XXII. And be it enacted, That if, after Working Drawings of the Works in, over, or affecting the River *Thames* hereby authorized shall have been submitted to the Lord High Admiral of the United Kingdom, or to the Commissioners for executing the Office of Lord High Admiral, it shall be deemed expedient by him or them to order a local Survey and Examination of such Works, or of the intended Site thereof, the Company shall defray the Costs of 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.

If Works abandoned, Commissioners may

XXIII. And be it enacted, That if any Bridge or Work to be constructed by the Company in or across the said River, or if any Portion of the Railway which affects any such Water or River, or Access

Access thereto, shall be abandoned or suffered to fall into Disuse or Decay by the Company, 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.

remove the same.

XXIV. And whereas the Line of the said proposed Railway passes near a Place called *Cuckoo Weir* in the Parish of *Eton*, which is now used by the Scholars of *Eton* as one of their Bathing Places, and it is desirable that the Privacy of the said Bathing Place should not be interfered with by means of the said proposed Railway: Be it therefore enacted, That if at any Time after the Construction of the said Railway the Provost for the Time being of *Eton* College, or the Head Master for the Time being of the said School, or either of them, shall be of opinion that the Privacy of the said Bathing Place is interfered with by the said Railway, then and in such Case the said Company shall, on receiving Notice in Writing to that Effect from the said Provost and Head Master, or either of them, make and erect a Screen or Fence on the said Railway, of such a Height and Character, or shall plant out in a good and efficient Manner the View of the said Bathing Place from Persons travelling on the said Railway, or shall adopt such other reasonable and efficient Means as may be deemed requisite or necessary by the said Provost and Head Master, or either of them, for the Purpose of screening the said Bathing Place from the View of the Public using the said Railway.

Company to provide for the Privacy of Bathing Place at Eton.

XXV. And be it enacted, That for the Purpose of avoiding Inconvenience to the Scholars of the said School when boating on the said River, the said Company shall make and construct the Bridge over the main Stream of the said River where the said Railway passes the same, of such Span, and with such clear Waterway between the Towing Path and the Pier, and in such Manner, as shall be required by the said Provost and Head Master for the Time being, and by the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral.

Company to construct Bridge over River Thames as required by Provost, &c.

XXVI. And be it enacted, That the Provost of *Eton* College, Head Master, or Under Master of *Eton* College School, or any Person appointed by them or either of them, shall at all seasonable Times have free Access to any Depôt or Station for the Reception of Passengers proceeding by the Trains upon the said Railway, and to every Part thereof, and to every Booking Office, Ticket Office, or other Office or Place for Passengers upon the said Railway, and shall then and there be entitled to demand and take and have, without any unreasonable Delay, from the proper Officer or Servant of the Company such Information as it may be in the Power of any Officer or Servant of the Company to give with reference to any Passenger or Person having passed or applying to pass on the said Railway,

Provost, &c. of Eton to have Access to Stations.

Railway, or otherwise coming to or being in or upon the said Depôt or Station, who shall be a Scholar of *Eton* College, either on the Foundation or otherwise; and in case the said Company, or their Officers or Servants, or any of them, shall not permit such free Access to the said Depôts or Stations as aforesaid, or shall not furnish such Information as herein-before mentioned, the said Company, or Officer or Servant of the said Company, shall for each Default forfeit and pay a Sum not exceeding Five Pounds.

Company to keep Police Officers to prevent Access to Line.

XXVII. And be it enacted, That the said Company shall keep or cause to be kept a sufficient Number of Police or other Officers on the said Line between *Slough* and *Windsor*, whose Duty shall be to prevent all Access to the said Line of Railway by the said Scholars of *Eton* School; and that in case the said Company shall not keep a sufficient Number of Police or other Officers for the Purpose aforesaid, it shall be lawful for the said Provost, Head Master, or Under Master of *Eton* College School for the Time being to appoint Two Officers or Servants for that Purpose, and charge their Wages to the said Company; and in case the said Company, or any of their Officers or Servants, shall refuse such Two Officers or Servants Access to the Railway for the Purposes aforesaid, they shall forfeit and pay for every such Refusal a Sum not exceeding Five Pounds.

The Company to construct such Bridges, &c. as the College shall require for Scholars and Floods.

XXVIII. And be it enacted, That in making and constructing the said Railway the said Company shall make and construct such Bridges, Viaducts, Archways, Entrances, Culverts, and other Openings, in such Situations, and of such reasonable Dimensions, as the Architect or Surveyor for the Time being of the said College shall deem necessary for the Passage of the Scholars to and from the several Bathing Places and other Places of Amusement, and also for the Passage of Water during Periods of Flood.

No intermediate Station, &c. to be erected without Consent of College.

XXIX. And be it enacted, That it shall not be lawful for the said Company to make or construct any Station, waiting or watering Place, or make any Buildings of any Kind whatsoever, or take up or set down any Passenger, Parcels, Goods, or Luggage, at any Place on the said Line between the *Windsor* Terminus and the *Slough* Junction of the said Line, without the Consent in Writing of the Provost and College of *Eton* under their Common Seal.

Penalties how to be enforced.

XXX. And be it enacted, That it shall be lawful for any Two of Her Majesty's Justices of the Peace acting in and for the Borough of *New Windsor*, or in and for the County of *Bucks*, upon Information and Complaint upon Oath made by and on behalf of the said Provost of *Eton*, Head Master and Under Master of *Eton* College School, against the said Company, or any of their Officers, for any Breach or Nonobservance of the Provisions herein-before contained, to summon the Party or Parties complained against before them, at any Period not earlier than Seven Days from the Service of such Summons, and to hear and determine such Cause of Complaint; and all such Penalties as shall be inflicted on any such Party or Parties, together with all Costs, shall be levied by Distress on his or their Goods

Goods and Chattels, and if there shall be no Distress found, the Party or Parties shall suffer such Term of Imprisonment not exceeding Two Calendar Months as to the said Justices shall seem meet.

Company to employ Special Constables during Progress of Works.

XXXI. And be it enacted, That it shall be incumbent upon the said Company and they are hereby required, from Time to Time, and at all Times during the Progress of all or any Part of the Works in, upon, or about the said Railway, and until the Completion of the said Works and the opening of the said Railway for the Conveyance of Passengers, constantly to employ a sufficient Number of fit and proper Persons as Special Constables, whose Duty it shall be to superintend, manage, and control the Workmen engaged in or about such Works; and the said Special Constables shall be subject to the Order and Direction of the Provost, Head Master, or Under Master of *Eton* College for the Time being; and if the Provost of the said College for the Time being shall have cause to think the Number of Special Constables to be employed by the Company as last aforesaid not sufficient for the Purpose aforesaid, it shall be lawful for him to appoint such additional Number as he shall judge expedient, such Special Constables to be paid by the Company in like Manner as the Special Constables who may be employed by them.

Confirming Agreement between the Crown and the Company.

XXXII. And whereas a certain Agreement in Writing, bearing Date on or about the Ninteenth Day of *May* One thousand eight hundred and forty-eight, has been entered into between the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, on behalf of Her Majesty, of the one Part, and the *Great Western* Railway Company of the other Part, specifying the Mode and Manner in which the Terminal Station of the said Line of Railway in the Town of *New Windsor*, and the Modes of Access and Approach thereto from the Town and Castle of *Windsor*, shall be placed, erected, and constructed so as to harmonize with the Improvements contemplated by the said Commissioners in the said Town of *Windsor*, and also as to the Acquisition by the said Company of certain Lands belonging to Her Majesty, and it is necessary and expedient that such Agreement should be ratified and confirmed by Parliament: Be it enacted, That the said Agreement so made between the said Commissioners and the said Company shall be and the same is hereby authorized, ratified, and confirmed, and the said Company, their Successors and Assigns, are hereby declared to be and shall be bound to abide by, fulfil, perform, and execute every Clause, Matter, and Thing in the said Agreement contained.

Power to enter into further Agreements with the Crown.

XXXIII. And whereas it may become necessary that further Agreements in Writing should be entered into between the said Commissioners for the Time being, on behalf of Her Majesty, and the said Company: Be it enacted, That it shall be lawful for the said Commissioners for the Time being, with the Consent and Approbation of the Lord High Treasurer, or the Commissioners for executing the Office of Lord High Treasurer, of the United Kingdom of *Great Britain* and *Ireland*, or any Three or more of them, and for the said Company, to enter into and execute any such Agreement,

and that any such Agreement, when duly executed by the said Commissioners on behalf of Her Majesty, and by the said Company under the Authority of this Act, shall be binding and obligatory on the Parties thereto for the Purpose or Purposes which may in such Agreement be expressed.

Tolls.

XXXIV. And be it enacted, That 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,)

On Articles of Merchandize.

For all Coals, Coke, Ironstone, Iron Ore, Pig Iron, Bar Iron, Rod Iron, Sheet Iron, Hoop Iron, Plates of Iron, Slabs, Billets, and rolled Iron, Limestone, Lime, Bricks, Salt, Sand, Fire Clay, Cinders, Slag, and Stone, *per* Ton *per* Mile One Penny; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

For all Dung, Compost, and all Sorts of Manure, and all undressed Materials for the Repair of public Roads or Highways, and for heavy Iron Castings, including Railway Chairs, *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 Three Farthings:

For all Culm, Charcoal, and all Stones for building, pitching, and paving, all Tiles, Slates, Clay (except Fire Clay), Sugar, Grain, Corn, Flour, Hides, Dye-woods, Earthenware, Timber and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, and for light Castings, *per* Ton *per* Mile Two-pence Halfpenny; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Penny:

For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandize, Articles, Matters, or Things, *per* Ton *per* Mile not exceeding Three-pence Halfpenny; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Penny Halfpenny:

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 not belonging to the Company, *per* Mile not exceeding Five-pence:

And a Sum of Two-pence *per* Mile for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh.

On Passengers and Cattle.

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 Two-pence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Halfpenny:

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

For every Calf or Pig, Sheep or Lamb, or other small Animal, conveyed in or upon any such Carriage, *per* Mile not exceeding One Penny; 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.

XXXV. And be it enacted, That 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.

XXXVI. And be it enacted, That the following Provisions and Regulations shall be applicable to the fixing of such Tolls; (that is to say,)

For Articles or Persons conveyed over any Part of the said Railway the Company may demand Tolls and Charges as for the whole Railway:

For a Fraction of a Mile the Company may demand Tolls and Charges as for One 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 Articles of great Weight.

XXXVII. And with respect to small Packages, and single Articles of great Weight, be it enacted, That, notwithstanding the Rate of Tolls prescribed by this Act, the Company may lawfully demand the Tolls following; (that is to say,)

For the Carriage of small Parcels (that is to say, Parcels not exceeding Five hundred Pounds Weight each) 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 may 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.

XXXVIII. And

Maximum Rates of Charges for Passengers.

XXXVIII. And be it enacted, That the maximum Rate of Charge to be made by the Company for the Conveyance of Passengers upon the said 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, except Government Duty, shall not exceed the following Sums:

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

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

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

Maximum Rates of Charges for Cattle, Goods, &c.

XXXIX. And with respect to the Conveyance of Horses, Cattle, Carriages, and Goods, be it enacted, That the maximum Rates 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 Expense of loading, covering, unloading, delivering, or collecting Goods, or of any other Services incidental to the Business or Duty of a Carrier, where such Services or any of them are or is performed by the Company,) shall not exceed the following Sums:

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

For Cattle, the Sum of Four-pence *per* Head *per* Mile:

For Calves and Pigs, One Penny Farthing each *per* Mile:

For Sheep and small Animals, One Penny each *per* Mile:

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

For Coals, Coke, Ironstone, and other Articles herein-before classed therewith, the Sum of Two-pence *per* Ton *per* Mile:

For Manure, and other Articles herein-before classed therewith, the Sum of Two-pence Halfpenny *per* Ton *per* Mile:

For Sugar, and other Articles herein-before classed therewith, the Sum of Four-pence *per* Ton *per* Mile:

For Cotton, and other Goods and Articles herein-before classed therewith, the Sum of Five-pence *per* Ton *per* Mile.

Tolls to be reduced if Tolls on Great Western Railway are reduced.

XL. Provided always, and be it enacted, That in the event of a Reduction of the Tolls and Charges upon the *Great Western* Railway, under the Provisions of "The *Great Western* Railway Amendment and Extensions Act, 1847," the maximum Rates of Charge to be made by the Company in respect of the Conveyance of such Passengers, Animals, and Goods as shall have passed or be intended to pass along the *Great Western* Railway upon the Railway or Railways by this Act authorized shall not exceed the maximum Rates of Charge specified in the last-mentioned Act.

Company may take increased Charges by Agreement.

XLI. Provided always, and be it enacted, That nothing herein contained shall be held to prevent the said 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 thereof by Passenger or other Trains, or by

by reason of any other special Service performed by the said Company in relation thereto.

Passengers Luggage.

XLII. And be it enacted, That every Passenger travelling upon the Railway in a First-class Carriage may take with him his ordinary Luggage, not exceeding One hundred Pounds in Weight, and every Passenger travelling in a Second-class Carriage may take with him his ordinary Luggage, not exceeding Sixty Pounds in Weight, and every Passenger travelling in a Third-class Carriage may take with him his ordinary Luggage, not exceeding Forty Pounds in Weight, without any Charge being made for the Carriage of the same.

Restriction as to Charges not to apply to special Trains.

XLIII. Provided always, and be it enacted, That the Restriction as to the Charges to be made for Passengers shall not extend to any special or extra Trains that may be required to be run upon the said Railway, but shall apply only to the ordinary Trains appointed or to be appointed from Time to Time by the said Company for the Conveyance of Passengers and Goods upon the said Railway.

Saving the Rights of the Crown.

XLIV. And be it enacted, That nothing contained in this Act, or in the Acts herein recited or referred to, shall extend to authorize the Company to purchase, take, or use any Land or Soil, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or any Two of them, first had and obtained for that Purpose, and which such Commissioners, or any Two of them, are hereby authorized to give, or to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by Her Majesty, Her Heirs or Successors.

Railway Company to be subject to the Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., and 9 & 10 Vict. cc. 57. 105.

XLV. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railway;* and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways;* and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops;* and another Act was passed in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways;* and Two other Acts were passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her present Majesty, one thereof intituled *An Act for regulating the Gauge of Railways*, and the other thereof intituled *An Act for constituting Commissioners of Railways:* Be it enacted, That nothing in this Act contained shall be held to exempt the said Railways or the said Company from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railway and Company, so far as the same shall be applicable thereto.

Railway not exempt from Provisions of future general Acts.

XLVI. Provided always, and be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railways by this or the said recited Acts authorized to be made from the Provisions of any general Act relating to such Acts, or of any general Act relating to Railways, now in force or which may hereafter pass during this or any future Session of Parliament, or from any Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act.

Public Act.

XLVII. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

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