CHAP. cciii.

An Act for the making and maintaining of a railway from Aylesbury in the county of Buckingham to Rickmansworth in the county of Hertford, and for other purposes. A.D. 1871.

[16th August 1871.]

WHEREAS the making and maintaining of a railway from Aylesbury in the county of Buckingham to Rickmansworth in the county of Hertford, as by this Act authorised, would be of public and local advantage:

And whereas the persons in that behalf in this Act named, with others, are willing, at their own expense, to carry the undertaking into execution, if authorised so to do, and are desirous of being incorporated into a company for the purpose:

And whereas it is expedient that the Company be authorised to use the station at Rickmansworth on the Watford and Rickmansworth Railway:

And whereas it is expedient that working and traffic arrangements between the Company and the London and North-western Railway Company (in this Act called the North-western Company) and the Aylesbury and Buckingham Railway Company be authorised:

And whereas plans and sections of the proposed railway, showing the lines and levels thereof, and the lands which may be taken for the purposes of this Act, and also books of reference to the plans, containing the names of the owners or reputed owners, lessees or reputed lessees, and occupiers of the lands, have been deposited with the respective clerks of the peace for the counties of Buckingham and Hertford, and those plans, sections, and books of reference are in this Act referred to as the deposited plans, sections, and books of reference:

And whereas the objects of this Act cannot be effected without the authority of Parliament:

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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:

Short title.

1. This Act may be cited for all purposes as "The London and Aylesbury Railway Act, 1871."

Provisions of general Acts herein named incorporated.

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," "The Companies Clauses Act, 1869," "The Lands Clauses Consolidation Acts, 1845, 1860, and 1869," "The Railways Clauses Consolidation Act, 1845," and Part I. (relating to construction of a railway) and Part III. (relating to working agreements) of "The Railways Clauses Act, 1863," are (except where expressly varied by this Act) incorporated with and form part of this Act.

Interpretation of terms.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings, unless there be something in the subject or context repugnant to or inconsistent with such construction; the expression "the Company" means the Company incorporated by this Act; the expression "the railway" or "the undertaking" means the railway by this Act authorised; the expression "superior courts" or "court of competent jurisdiction," or any other like expression in this Act or any Act wholly or partially incorporated herewith, shall be read and have effect as if the debt or demand with respect to which the expression is used were a common simple contract debt, and not a debt or demand created by statute.

Company incorporated.

4. The Most Noble Richard Plantagenet Campbell Temple Nugent Brydges Chandos Grenville Duke of Buckingham and Chandos, the Right Honourable William George Cavendish Baron Chesham, Philip Smith, James Edward McConnell, Robert Tubbs, and all other persons and corporations who have already subscribed or shall hereafter subscribe to the undertaking, and their executors, administrators, successors, or assigns respectively, shall be united into a company for the purpose of making and maintaining the railway to be called "The London and Aylesbury Railway," and for other the purposes of this Act, and for those purposes shall be incorporated by the name of "The London and Aylesbury 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 according to deposited plans.

5. Subject to the provisions of this Act, the Company may make and maintain in the line and according to the levels shown on the deposited plans and sections the railway herein-after described, with all proper stations, approaches, works, 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, twenty miles seven furlongs and four and a half chains in length, commencing in the parish of Aylesbury in the county of Buckingham, and terminating in the parish of Rickmansworth in the county of Hertford by a junction with the Watford and Rickmansworth Railway.

As to junction at Rickmansworth.

6. Notwithstanding anything in this Act contained, the junction of the railway hereby authorised with the Watford and Rickmansworth Railway shall be made at the south-west end of the station at Rickmansworth, within the limits of deviation shown on the deposited plans, in such manner as the principal engineer of the North-western Company shall approve, and that company shall afford all necessary facilities for enabling the Company to effect such junction, and the Company shall not, without the consent of the North-western Company in writing under their common seal, purchase, take, or interfere with any of the lands or property delineated on the deposited plans situate on the north-east side of the road also delineated and numbered 125 on such plans.

As to use of station of Rickmansworth.

7. The Company may use the station at Rickmansworth on the Watford and Rickmansworth Railway, with its conveniences, on such terms, pecuniary and otherwise, as the Company and the North-western Company from time to time agree on, or, failing agreement between them, as shall be determined by arbitration in accordance with "The Railway Companies Arbitration Act, 1859."

Capital and number and amount of shares.

8. The capital of the Company shall be one hundred and twenty-five thousand pounds in six thousand two hundred and fifty shares of twenty pounds each.

Shares not to issue until one fifth paid up.

9. The Company shall not issue any share created under the authority of this Act, nor shall any share vest in the person accepting the same, unless and until a sum not being less than one

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fifth of the amont of such share shall have been paid in respect thereof.

Calls.

10. One fifth of the amount of a share shall be the greatest amount of a call, and two months at the least shall intervene 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.

Power to divide shares.

11. Subject to the provisions of this Act, the Company, with the authority of three fourths of the votes of the shareholders present in person or by proxy at a general meeting of the Company specially convened for the purpose, may from time to time divide any share in their capital into half shares, of which one shall be called "preferred half share," and the other shall be called "deferred half share:" Provided always, that the Company shall not divide any share under the authority of this Act unless and until not less than sixty per centum upon such share has been paid up, and upon every such division fifty per centum upon the entire share shall be carried to the credit of the deferred half share (being the whole amount payable thereon), and the residue to the credit of the preferred half share.

Dividends on half shares.

12. The dividend which would from time to time be payable on any divided share if the same had continued an entire share shall be applied in payment of dividends on the two half shares in manner following; (that is to say,) first, in payment of dividend after such rate not exceeding six per centum per annum as shall be determined at a general meeting of the Company specially convened for the purpose on the amount for the time being paid up on the preferred half share, and the remainder (if any) in payment of dividend on the deferred half share, and the Company shall not pay any greater amount of dividend on the two half shares than would have from time to time been payable on the entire share if the same had not been divided.

Dividends on preferred shares to be paid out of the profits of the year only.

13. Each preferred half share shall be entitled, out of the profits of each year, to the dividend which may have been attached to it by the Company as aforesaid, in priority to the deferred half share bearing the same number; but if in any year ending the thirty-first day of December there shall not be profits available for the payment of the full amount of dividend on any preferred half share for that year, no part of the deficiency shall be made good out of the profits of any subsequent year or out of any other funds of the Company.

Half shares to be registered and certificates issued.

14. Forthwith after the creation of any half shares, the same shall be registered by the directors, and each half share shall bear the same number as the number of the entire share certificate in respect of which it was issued, and the directors shall issue certificates of the half shares accordingly, and shall cause an entry to be made in the register of the entire shares of the conversion thereof: Provided always, that the directors shall not be bound to issue a certificate of any half share until the certificate of the existing share be delivered to them to be cancelled, unless it be shown to their satisfaction that the certificate is destroyed or lost, and on any such certificate being so delivered up the directors shall cancel it.

Terms of issues to be stated in certificates.

15. The terms and conditions on which any preferred half share or deferred half share created under this Act is issued shall be stated on the certificate of each such half share.

Forfeiture of preferred shares.

16. The provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the forfeiture of shares for nonpayment of calls, shall apply to all preferred half shares to be created under the authority of this Act, and every such preferred half share shall for that purpose be considered a whole share, distinct from the corresponding deferred half share: Provided always, that until any forfeited preferred half share shall be sold by the directors of the Company all dividends which would be payable thereon if the same had not been forfeited shall be applied in or towards payment of any expense attending the declaration of forfeiture thereof, and of the arrears of calls for the time being due thereon, with interest.

Preferred shares not to be cancelled, &c.

17. No preferred half share created under the authority of this Act shall be cancelled or be surrendered to the Company.

Half shares to be half shares in capital.

18. The several half shares under this Act shall be half shares in the capital of the Company, and every two preferred or deferred half shares held by the same person shall confer such right of voting at meetings of the Company, and (subject to the provisions herein-before contained) shall confer and have all such other rights, qualifications, privileges, liabilities, and incidents as attach and are incident to an entire share.

Power to borrow.

19. The Company may from time to time borrow on mortgage any sum not exceeding in the whole forty-one thousand six hundred pounds, and of that sum they may borrow from time to time not exceeding twenty thousand eight hundred pounds in respect of each sixty-two thousand five hundred pounds of their capital, but no part of each such sum of twenty thousand eight hundred pounds shall be

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borrowed until the whole of the respective sixty-two thousand five hundred pounds of capital in respect of which it is to be borrowed is subscribed for, issued, and accepted, and one half thereof is paid up, and the Company have proved to the justice who is to certify under the fortieth section of "The Companies Clauses Consolidation Act, 1845," (before he so certifies,) that the whole of the respective sixty-two thousand five hundred pounds of capital has been subscribed for, 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 sixty-two thousand five hundred pounds has been paid on account thereof before or at the time of the issue or acceptance thereof, and that the respective sixty-two thousand five hundred pounds of capital was issued bonâ fide, and is held by the subscribers or their assigns, and that such subscribers or their assigns are legally liable for the same; and upon production to such justice of the books of the Company, and of such other evidence as he shall think sufficient, he shall grant his certificate that the proof aforesaid has been given him, which certificate shall be sufficient evidence thereof.

Arrears may be enforced by appointment of receiver.

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

Application of moneys.

21. All moneys raised under this Act, whether by shares or borrowing, shall be applied for the purposes of this Act only.

First and subsequent meetings.

22. The first ordinary meeting of the Company shall be held within twelve months next after the passing of this Act, and the subsequent ordinary meetings of the Company shall be held twice in every year, in the months of February or March, and August or September, as the directors may appoint.

Quorum of general meetings.

23. The quorum of general meetings of the Company shall be ten shareholders, present personally or by proxy, holding in the aggregate not less than seven thousand pounds in the capital of the Company.

Number of directors.

24. The number of the directors shall be seven, but it shall be lawful for the Company from time to time to reduce the number, provided that the number be not less than five.

Qualification of directors.

25. The qualification of a director shall be the possession in his own right of not less than twenty-five shares.

Quorum of directors.

26. The quorum of a meeting of directors shall be five until the number of directors is reduced to five, and then the quorum shall be three.

First directors.

27. The Most Noble Richard Plantagenet Campbell Temple Nugent Brydges Chandos Grenville Duke of Buckingham and Chandos, the Right Honourable William George Cavendish Baron Chesham, Philip Smith, James Edward McConnell, Robert Tubbs, and such two other duly qualified persons as the before-named persons, or the majority of them, may appoint, shall be the first directors of the Company, and shall continue in office until the first ordinary meeting held after the passing of this Act; at that meeting the shareholders present in person or by proxy may either continue in office the directors appointed by this Act, or any of them, or may elect a new body of directors, or directors to supply the places of those not continued in office, the directors appointed by this Act being, if qualified, eligible for re-election; and at the first ordinary meeting to be held in every year after the first ordinary meeting the shareholders present personally or by proxy shall (subject to the power herein-before contained for reducing the number of directors) elect persons to supply the places of the directors then retiring from office, agreeably to the provisions in "The Companies Clauses Consolidation Act, 1845," contained; and the several persons elected at any such meeting, being neither removed nor disqualified nor having resigned, shall continue to be directors until others are elected in their stead in manner provided by the same Act.

Lands for extraordinary purposes.

28. The quantity of land to be taken, by agreement, by the Company, for the extraordinary purposes mentioned in "The Railways Clauses Consolidation Act, 1845," shall not exceed five acres.

Period for compulsory purchase of lands.

29. 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.

Power to cross certain roads on the level.

30. Subject to the provisions of "The Railways Clauses Consolidation Act, 1845," and in Part I. (relating to the construction of a railway) of "The Railways Clauses Act, 1863," contained, in reference to the crossing of roads on the level, the Company may in the construction of the railway, carry the same with a single line of railway only whilst the railway shall consist of a single line, and afterwards with a double line of railway only, across and on the level of the roads next herein-after mentioned; (that is to say,)

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No. on deposited plan.	Parish.	Description of road.
66	Wendover - - -	Public.
11	Great Missenden - -	Public.
3	Little Missenden - -	Public.
13	Little Missenden - -	Public.
1	Chesham - - -	Public.
15	Chesham - - -	Public.
125	Rickmansworth - -	Public.

Company to construct station at point where railway crosses a certain road on the level.

31. The Company shall construct and for ever after maintain a station at the point where the railway crosses on the level the road numbered on the deposited plans 66 in the parish of Wendover, and it shall not be lawful for the Company to open the railway for public traffic until such station has been constructed.

Inclination of road.

32. In altering for the purposes of this Act the road next herein-after mentioned, the Company may make the same of any inclination, not steeper than the inclination herein-after mentioned in connexion therewith; (that is to say,)

No. on deposited plans.	Parish.	Description of road.	Intended inclination.
117	Wendover -	Public - -	1 in 12 on one side and level on the other.

Span of bridges.

33. The Company may make the arches of the bridges for carrying the railway over the roads next herein-after mentioned of any heights and spans, not less than the heights and spans herein-after mentioned in connexion with those roads respectively; (that is to say,)

No. on deposited plans.	Parish.	Description of road.	Height.	Span.
117	Wendover - -	Public - -	15 feet	15 feet.
170	Wendover -	Public - -	15 feet	20 feet.
41	Rickmansworth -	Public - -	15 feet	20 feet.

The Company not to take land of Grand Junction Canal Company without consent.

34. Notwithstanding anything in this Act or in the Acts wholly or partially incorporated with this Act, the Company shall not, without the previous consent of the Company of Proprietors of the Grand Junction Canal, signified in writing under their common seal, enter upon, take, or use, either permanently or temporarily, any of the lands, works, or property of the said company of proprietors situate within the parish of Rickmansworth in the county of Herts, or in any manner alter, vary, or interfere with their canal, or the

towing-path thereof, or bridges or other works belonging to the said company of proprietors, or with the existing channel of the River Chess, or the conduit or bridges through which that river flows on the north side of the said canal.

Height and span of bridges over River Colne.

35. And whereas, within the limits of deviation shown upon the deposited plans, the railway may be carried across the River Colne in the parish of Rickmansworth, and it is necessary, for the proper discharge of water from the Grand Junction Canal, that the flow of the said river should not be impeded: Therefore, notwithstanding anything in this Act or in any of the Acts wholly or partially incorporated with this Act contained, the Company shall not alter the height or diminish the width of any of the weirs across the said river, or diminish the width of the waterway of the said river, or carry the railway across the said river otherwise than by means of a bridge or bridges of brick, stone, or iron, or any two or more of those materials, extending over the said river, and no part of the soffit or underside of such bridge or bridges shall be less than five feet above the banks of the river at the point of crossing, and each such bridge shall be constructed with a single span of not less than forty-eight feet, measured at right angles to the face of the abutments of such bridge at the point of crossing, so as to leave a clear, uniform, and uninterrupted opening of at least forty-eight feet in width over the said river.

Provisions as to crossing stream at Aylesbury.

36. And whereas the railway is to be carried at a point in the parish of Aylesbury across the stream or watercourse by which the surplus water or overflow from the Grand Junction Canal is conveyed down towards the River Tame, and it is expedient that proper provisions should be made to prevent the flow of such stream or watercourse being obstructed: Therefore the Company shall not carry the railway across the said stream or watercourse otherwise than by means of a bridge of brick, stone, or iron, or any two or more of those materials, of not less than ten feet span, measured at right angles to the face of the abutments thereof, and no part of the soffit or underside of such bridge shall be less than five feet above the bed of the said stream or watercourse at the said point of crossing; and the Company shall make the channel of the said stream or watercourse under the bridge so to be constructed, and for a distance of not less than ten feet on each side of such bridge, of an uniform width of ten feet, and the bed of the channel of the said stream or watercourse under the said bridge, and for the distance aforesaid on each side thereof, shall be uniform, and shall not be higher than the level of the bed of the same part of the said stream or watercourse now is; and the Company shall wall the new channel so made with

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brick or stone on both sides, and shall at all times keep and maintain the channel so made of a depth of not less than five feet from the soffit of the said bridge to the surface of the bed of the said channel, and free from all obstructions, and so that the flow of water along the said channel shall not be impeded or interrupted; and it shall not be lawful for the Company to acquire the said stream or water-course, or interfere therewith otherwise than by constructing the said bridge over the same, and making and maintaining the said channel in manner aforesaid.

Provision as to diversion of stream at Aylesbury.

37. In the event of the Company diverting or otherwise altering the stream flowing to Aylesbury Mill in the parish of Aylesbury, they shall execute such diversion or alteration in the manner following; that is to say,

The Company shall make the channel of the stream to be substituted by the Company for that of the stream to be diverted or altered of a width at the water level of not less than eighteen feet, and at the bottom of not less than twelve feet, and shall make the said channel of an uniform depth throughout of not less than six feet measured from the top-water level to the surface of the bed of the channel, which bed shall be of not higher level at any point than the bed of the portion of the stream for which the said channel is substituted, and shall line the bed and sides of the said channel with proper puddle to make the same water-tight, and shall wall the said channel with brick or stone on the west side thereof, and shall at all times keep and maintain the channel so made for the said width of eighteen feet of a depth of not less than six feet measured from the top-water level thereof to the surface of the bed thereof, and free from all obstructions, so that the flow of water along such channel shall not be impeded or interrupted, and the channel so constructed shall be in all respects, and as regards the right and property therein and in the water flowing through the same, substituted for the portion of stream diverted or altered as aforesaid, and the Company shall not have any right or property in the said stream or the waters therein, or interfere with the same otherwise than by making and maintaining the said channel in manner aforesaid.

Regulating construction of works affecting streams at Rickmansworth and Aylesbury.

38. The works by the three preceding sections required to be executed by the Company shall be constructed in accordance with plans and specifications to be submitted to and subject to the reasonable approval of the engineer for the time being of the Company of Proprietors of the Grand Junction Canal, and shall be commenced, carried on, and completed to his reasonable satisfac-

tion; and if any of such works shall be imperfectly constructed, or if at any time or times any of the said works or any part thereof shall be out of repair, or if any alteration shall be made by the Company on any of the said weirs, or if any obstruction to the flow of the waters over the towing path, or down the said River Chess or the said River Colne, or through either of the channels herein-before required to be made by the Company, shall occur, and if notice thereof in writing shall be given by any officer or agent of the said company of proprietors to the Company or their secretary or other officer, and the Company shall not, for the space of fourteen days after such notice shall have been given, or forthwith if the nature of the case shall require it, well, sufficiently, and effectually restore such weirs, amend such construction, repair such works, or remove such obstruction, as the case may be, to such reasonable satisfaction as aforesaid, and complete the same with all reasonable expedition, it shall be lawful for the said company of proprietors from time to time to restore such weirs, make good such construction, repair such works, or remove such obstruction, as the case may require; and the Company shall from time to time pay to the said company of proprietors, within fourteen days after demand, all the costs and expenses which may be incurred by them from time to time in and about the construction of all such works, and the restoration of such weirs, and the making the repairs, and the removing the obstructions herein-before mentioned; and if in the execution of any of the works herein-before mentioned, or if at any time thereafter the waters of either of the said rivers, or of the said streams or watercourses or canal, shall be obstructed or diverted by reason of such works, or by reason of any defect, failure, or want of repair of the same, or by reason of the alteration of any of such weirs, or by reason of any act, neglect, or omission of the Company, or of their agents, contractors, servants, or workmen, in respect thereto, the Company shall pay to the said company of proprietors, as and by way of liquidated damages, ten pounds for every day during which, or during any part of which, such obstruction or diversion or alteration or want of repair shall happen or continue, and shall also pay to the said company of proprietors all damages, costs, and expenses which the said company of proprietors may themselves incur, or which they may be liable to pay to any other person, in consequence of any such obstruction or diversion or alteration or want of repair, or of any overflow or flooding of any lands, houses, or other property, caused by any obstruction of the waters of the said rivers or canal, or of either of the said streams or watercourses, or alteration of any of the said weirs; and the said company of

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proprietors may recover the liquidated damages, and other damages, costs, and expenses aforesaid, from the Company, in any court of competent jurisdiction.

Notice to be given of taking of houses of labouring classes.

39. The Company shall, not less than eight weeks before they take in any parish fifteen houses or more occupied either wholly or partially by persons belonging to the labouring classes as tenants or lodgers, make known their intention to take the same by placards, handbills, or other general notice placed in public view upon or within a reasonable distance from such houses; and the Company shall not take any such houses until they have obtained the certificate of a justice that it has been proved to his satisfaction that the Company have made known their intention to take the same in manner herein-before required.

Deposit money not to be repaid until line opened or half the capital paid up and expended.

40. Whereas, pursuant to the standing orders of both Houses of Parliament, and to an Act of the ninth and tenth years of Her present Majesty, chapter twenty, consols certificates to the amount of six thousand three hundred pounds, being equal to five thousand seven hundred and twelve pounds, five per centum upon one hundred and fourteen thousand two hundred and twenty-four pounds, the amount of the estimate in respect of the railway authorised by this Act, has been deposited with the Court of Chancery in England in respect of the application to Parliament for this Act: Be it enacted, that, notwithstanding anything contained in the said recited Act, the said consols certificates so deposited as aforesaid in respect of the application for this Act 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, unless the Company shall, previously to the expiration of the period limited by this Act for the completion of the railway, either open the railway for the public conveyance of passengers, or prove to the satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the Company have paid up one half of the amount of the capital by this Act authorised 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 passengers, or have given such proof as aforesaid to the satisfaction of the Lords of the said Committee, the said consols certificates deposited as aforesaid shall be applied in the manner herein-after specified; and the certificate of the Lords of the said Committee that such proof has been given to

their satisfaction as aforesaid shall be sufficient evidence of the fact so certified; 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.

Providing for application of deposit in compensation to parties injured.

41. The said consols certificates deposited as aforesaid shall be applicable, and after due notice in the "London Gazette" shall be applied, towards compensating any landowners or other persons whose property may have been interfered with or otherwise rendered less valuable by the commencement, construction, or abandonment of the railway, or any portion thereof, or who may 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 shall have been paid, and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Court of Chancery in England may seem fit; and if no such compensation shall be payable, or if a portion of the said consols certificates shall have been found sufficient to satisfy all just claims in respect of such compensation, then the said consols certificates, or such portion thereof as may not be required as aforesaid, shall be paid to or on the application of the person or persons or the majority of the persons named in such warrant or order as aforesaid, or the survivor or survivors of them: Provided that until the said consols certificates shall have been repaid to the depositors, or shall have become otherwise applicable, as herein-before mentioned, any interests 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 person or persons or the majority of the persons named in such warrant or order as aforesaid, or the survivors or survivor of them.

Period for completion of works.

42. The railway shall be completed within five years from the passing of this Act, and on the expiration of that period the powers by this Act granted to the Company for executing the railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

Tolls for passengers and animals.

43. The Company may demand and take, in respect of the use of the railway, any tolls not exceeding the following; (that is to say,)

In respect of passengers and animals conveyed on the railway:

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

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For every horse, mule, or other beast of draught or burden, threepence per mile; and if conveyed in or upon any carriage belonging to the Company, an additional sum of one penny per mile:

For every ox, cow, bull, or head of neat cattle, the sum of twopence per head per mile; and if conveyed in carriages belonging to the Company, an additional sum of one penny per mile:

For every calf, pig, sheep, lamb, and other small animal, one penny each per mile; and if conveyed in carriages belonging to the Company, an additional sum of one halfpenny per mile:

Tolls for goods.

In respect of goods conveyed on the railway:

For all coals, slack, coke, culm, charcoal, cannel, limestone, chalk, lime, salt, sand, fireclay, cinders, ashes, dung, compost, and all sorts of manure, and all undressed materials for the repair of public roads or highways, per ton per mile not exceeding one penny; and if conveyed in carriages belonging to the Company, an additional sum per ton per mile not exceeding one penny:

For all ironstone, iron ore, pig iron, bar iron, rod iron, sheet iron, hoop iron, plates of iron, slabs, billets, and rolled iron, bricks, slag, and stone, stones for building, pitching, and paving, tiles, slates, and clay (except fireclay), and for wrought iron, not otherwise specifically classed herein, and for heavy iron castings, including railway chairs, per ton per mile not exceeding twopence; and if conveyed in a carriage 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, staves, deals, and metals (except iron), nails, anvils, vices, and chains, iron hurdles, and for light iron castings, 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:

For cotton and other wools, drugs, rags, and manufactured goods, and all other wares, merchandise, fish, articles, matters, or things, per ton per mile not exceeding threepence; and if conveyed in carriages belonging to the Company, an additional sum per ton per mile not exceeding one penny:

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, not exceeding sixpence per mile, and

one penny halfpenny per mile for every additional quarter of a ton which any such carriage may weigh.

Tolls for propelling power.

44. The toll which the Company may demand for the use of engines for propelling carriages on the railway shall not exceed one penny per mile for each passenger or animal, or for each ton of goods, in addition to the several other tolls or sums by this Act authorised to be taken.

Regulations as to tolls.

45. The following provisions and regulations shall apply to the fixing of all tolls and charges under this Act; (that is to say,)

For all passengers, animals, or goods conveyed on the railway for a less distance than four miles the Company may demand tolls and charges as for four miles:

For a fraction of a mile beyond four miles, or beyond any greater number of miles, the Company may demand tolls and charges for passengers as for one mile, and for 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:

For a fraction of a ton the Company may demand tolls according to the numbers of the 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 single articles of great weight.

46. With respect to small parcels not exceeding five hundred pounds in weight, and single articles of great weight, notwithstanding the rates prescribed by this Act, the Company may demand and take any tolls not exceeding the following; (that is to say,)

For the carriage of small parcels on the railway, as follows:

For any parcel not exceeding seven pounds in weight, threepence:

For any parcel exceeding seven pounds and not exceeding fourteen pounds in weight, fivepence:

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

For any parcel exceeding twenty-eight pounds but not exceeding fifty-six pounds in weight, ninepence:

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For any parcel exceeding fifty-six pounds 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 in separate parcels, such as bags of sugar, coffee, meal, and the like, shall not be deemed small parcels, but that term shall apply only to single parcels in separate packages:

For the carriage of single articles of great weight:

For the carriage of any iron 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 any such sum as they think fit, not exceeding sixpence per ton per mile:

For the carriage of any single piece of timber, stone, machinery, or other single article, the weight of which, with the carriage, shall exceed eight tons, the Company may demand such sum as they think fit.

Maximum rates for passengers.

47. The maximum rates 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 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.

48. The maximum rate of charge to be made by the Company for the conveyance of animals and goods on the railway, including the tolls for the use of the railway, and for waggons or trucks or locomotive power, and every other expense incidental to the conveyance, (except a reasonable charge for loading and unloading goods at any terminal station in respect of such goods, and for delivery and collection, and any other service incidental to the business or duty of a carrier, where any such service is performed by the Company,) shall not exceed the following sums; (that is to say,)

For every horse, mule, or other beast of draught or burden, fourpence per mile:

For cattle, threepence per head per mile:

For calves, pigs, sheep, and small animals, one penny per mile:

For all coal, coke, and other articles herein-before classed therewith, one penny halfpenny per ton per mile:

For all iron and other articles herein-before classed therewith, threepence per ton per mile:

For all sugar, grain, and other articles herein-before classed therewith, threepence halfpenny per ton per mile:

For all cotton and other articles herein-before classed therewith, fourpence per ton per mile:

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 sixpence, and one penny halfpenny for every additional quarter of a ton weight which such carriage may weigh.

Passengers luggage.

49. 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.

50. No station shall be considered a terminal station in regard to any goods conveyed on the railway, except such goods have been received thereat direct from the consignor, or are direct to be delivered thereat to the consignee.

Restrictions as to charges not to apply to special trains.

51. The restrictions as to the charges to be made for passengers shall not extend to any special train run upon the railway, in respect of which the Company may make such charges as they think fit, but shall apply only to the ordinary and express trains appointed from time to time by the Company for the conveyance of passengers and goods upon the railway.

Company may take increased charges by agreement.

52. 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 of any description by agreement with the owners or persons in charge thereof, either by reason of any special service performed by the Company in relation thereto, or in respect to the conveyance of animals or goods (other than parcels) by passenger train.

Arrangements with London and North-western and Aylesbury

53. The Company on the one hand, and the North-western Company and the Aylesbury and Buckingham Railway Company, or either of those companies, on the other hand, may from time to time enter into and carry into effect contracts, agreements, or

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and Buckingham Railway Companies.

arrangements with respect to the following purposes or any of them; (that is to say,)

The management, use, working, and maintenance by any or either of the contracting companies of the railway or of any part or parts thereof:

The supply by any or either of the contracting companies of any rolling or working stock, and of officers and servants for the conduct of the traffic on the railway:

The payments to be made and the conditions to be performed with respect to the matters aforesaid:

The interchange, accommodation, conveyance, and delivery of the traffic coming from or destined for the respective undertakings of the contracting companies:

The fixing and division between the contracting companies of the receipts arising from such traffic.

Tolls for traffic conveyed partly on railway and partly on other railways.

54. Where, under the provisions of this Act, traffic is conveyed partly on the railway and partly on the railway of any other company, the railway and the railway of such other company shall, for the purposes of tolls and charges, be considered as one railway; and in estimating the amount of tolls and charges in respect of traffic conveyed partly on the railway and partly on the railway of any other company for a less distance than four miles, tolls and charges may only be charged as for four miles, and in respect of passengers, for every mile or fraction of a mile beyond four miles tolls and charges as for one mile only, and in respect of animals and goods, for every quarter of a mile beyond four miles, tolls and charges as for a quarter of a mile only; and no other short-distance charge shall be made for the conveyance of passengers, animals, or goods partly on the railway and partly on the railway of any other company.

Interest not to be paid out of capital.

55. The Company shall not, out of any money by this Act authorised to be raised by calls or by borrowing, pay interest or dividend to any shareholder on the amount of calls made in respect of the shares held by him; provided that the Company may pay to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with "The Companies Clauses Consolidation Act, 1845."

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

56. The Company shall not, out of any money by this Act authorised to be raised, pay or deposit any sum of money which, by any standing order of either House of Parliament now or hereafter in force, may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act authorising the

Company to construct any other railway, or execute any other work or undertaking.

Railway not exempt from provisions of present and future general railway Acts.

57. Nothing herein contained shall be deemed or construed to exempt the railway from the provisions of any general Act relating to railways, or the better or 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 tolls for small parcels and the maximum rates of fares and charges by this Act authorised.

Expenses of Act.

58. All the costs, charges, and expenses of and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Company.

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