ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

****

Cap. clxii.

An Act for making a Railway from *Mold* in the County of *Flint* to join the *Chester and Holyhead* Railway in the Parish of *Hawarden* in the same County, with Branches, to be called "The *Mold* Railway." [9th *July* 1847.]

WHEREAS the making of a Railway from the Town of *Mold* in the County of *Flint*, to join the *Chester and Holyhead* Railway near *Chester*, with Branches to the *Upper King's Ferry*, and to certain Limeworks in the Parish of *Hope*, would be attended with public and local Advantage: And whereas the Persons hereafter named are willing, at their own Expence, to carry such Undertaking into execution, but the same cannot be effected without the Authority of Parliament: And whereas Three Acts were passed in the Eighth Year of the Reign of Her present Majesty, called respectively "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845:" 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,

8 & 9 Vict. cc. 16., 18., & 20. incorporated with this Act.

and Commons, in this present Parliament assembled, and by the Authority of the same, That the said several Acts, (that is to say,) "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, save as to such of the Provisions thereof (if any) as may be inconsistent with this Act.

Short Title.

II. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use the Expression "The *Mold* Railway Act, 1847."

Subscribers incorporated.

III. And be it enacted, That *William Rickford Collett* Esquire, Member of Parliament, Sir *Stephen Richard Glynne* Baronet, Member of Parliament, and *Edward Oakeley* Esquire, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining a Railway from *Mold* in the County of *Flint* to the *Chester and Holyhead* Railway in the Township of *Saltney* in the Parish of *Hawarden* in the same County, with Branches to the *Upper King's Ferry* and to a Field in the Township of *Uwchymynydd-issa* and Parish of *Hope*, near to certain Limeworks called the *Ffrith* Limeworks, in the said Parish of *Hope*, with proper Works and Conveniences belonging thereto respectively, according to the Provisions of the said recited Acts and of this Act, and for other the Purposes in this Act contained; and for the Purposes aforesaid such Company shall be incorporated by the Name of "The *Mold* Railway Company," and by that Name shall be a Body Corporate, with perpetual Succession, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, within the Restrictions herein and in the recited Acts contained.

Capital.

IV. And be it enacted, That the Capital of the Company shall be One hundred and eighty thousand Pounds.

Number and Amount of Shares.

V. And be it enacted, That the said Capital shall be divided into Twelve thousand Shares of Fifteen Pounds each.

Calls.

VI. And be it enacted, That Five Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and that Two Months at least shall be the Interval between successive Calls.

Interest not to be paid on Calls paid up.

VII. 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

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 Companies Clauses Consolidation Act, 1845, in that Behalf contained.

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

VIII. 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.

Chester and Holyhead Railway Company authorized to subscribe Thirty thousand Pounds.

IX. And whereas the *Chester and Holyhead* Railway Company have agreed to subscribe the Sum of Thirty thousand Pounds towards the said Undertaking, if authorized by Parliament so to do; be it therefore enacted, That it shall be lawful for the said last-mentioned Company to subscribe towards and become Shareholders in the said Undertaking, either in their own Names or in the Names of any Persons to be appointed by them, to the Extent so agreed to be subscribed by them as aforesaid, or to any less Extent.

Power to raise Money for the Purpose.

X. And be it enacted, That for such Purpose it shall be lawful for the last-mentioned Company to raise all or any Part of the Money so agreed to be subscribed by them as aforesaid, by the Creation of new Shares or Stock in the Undertaking of the *Chester and Holyhead* Railway, of such Amount, and under such Conditions, and particularly as to the Dividends thereon, and as to the Rights of voting and other Privileges to be conferred on the Holders of such Shares or Stock as the said *Chester and Holyhead* Railway Company, at any Special General Meeting of the Proprietors therein to be convened for the Purpose, shall determine; or it shall be lawful for the said *Chester and Holyhead* Railway Company, if they think fit, to raise the said Sum of Thirty thousand Pounds, or any Portion thereof, by Mortgage of the Undertaking of the said *Chester and Holyhead* Railway, in like Manner and under and subject to the same Provisions as they are by the Acts relating to the said Undertaking or either of them authorized to raise Money by Mortgage on the Credit thereof: Provided always, that the said *Chester and Holyhead* Railway Company shall not by any Means increase the Amount which may be owing at any one Time on Mortgage of their Undertaking beyond the Proportion of One Third of their then existing Capital in Shares and Stock.

Power to borrow Money on Mortgage.

XI. And be it enacted, That it shall be lawful for the Company to borrow on Mortgage or Bond any Sum not exceeding in the whole the Sum of Sixty thousand Pounds, but no Part of such Sum shall be borrowed until the whole of the said Capital or Sum of One hundred and eighty thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up.

XII. And

Number and Qualification of Directors.

XII. And be it enacted, That the Number of Directors shall be Nine, of whom, subject to the Provisions herein-after contained, Four shall be appointed by the Directors of the *Chester and Holyhead* Railway Company, and the Remainder by the Shareholders; and the Qualification of a Director to be appointed by the Shareholders shall be the Possession in his own Right of Twenty Shares in the Undertaking.

Power to vary the Number of Directors.

XIII. And be it enacted, That it shall be lawful for the Company, by the Vote of any General or Special General Meeting, to increase or reduce the Number of Directors, provided that the increased Number do not exceed Twelve, and that the reduced Number be not less than Six.

First Directors.

XIV. And be it enacted, That *William Rickford Collett*, Member of Parliament, *William Henri Thomas*, *Constantine Richard Moorsom*, *John Lambert*, *Edward Oakeley*, *Philip Davies Cooke*, Sir *Stephen Richard Glynne* Baronet, *John Whitehall Dodd*, and *Llewellyn Falkner Lloyd* shall be the first Directors of the Company.

Power for the Chester and Holyhead Railway Company to appoint Directors.

XV. And be it enacted, That so long as the said *Chester and Holyhead* Railway Company shall continue to hold Two thousand Shares in the Undertaking hereby authorized it shall be lawful for the Directors of the said last-mentioned Company to nominate annually out of their Body, at some Meeting thereof to be held in the Month of *February* in every Year, Four of the Directors of the Company hereby incorporated, and from Time to Time to appoint others in the Stead of any of such Directors who may die or resign their Office or become disqualified; and it shall not be necessary for any of the Directors to be nominated by the said *Chester and Holyhead* Railway Company to hold any Shares in the Undertaking hereby authorized, and such Directors shall not go out of Office in the Manner provided for by the "Companies Clauses Consolidation Act, 1845," with respect to Directors appointed by the Shareholders in the Company, but shall retire from Office at any Time in the Month of *February* in every Year after the opening of the Railway hereby authorized to be made, which may from Time to Time be appointed for the Purpose by the Board of Directors of the said *Chester and Holyhead* Railway Company; and the Directors so retiring shall be, or any of them shall be, re-eligible forthwith or in any subsequent Year, while they remain Directors of the said last-mentioned Company, and in all other respects such Directors shall have the same Powers and be subject to the same Provisions and Regulations as the other Directors of the Company hereby incorporated: Provided always, that in case no such Nomination shall be made by the Directors of the said *Chester and Holyhead* Railway Company in the Month of *February* in any Year, the Directors theretofore appointed by them respectively who shall be then in Office shall so remain until such Time as may be appointed for their Retirement in the Month of *February* in the next ensuing Year; and any Appointment of such Directors, authenticated by the Common Seal or by the Signature of the Chairman of the Directors of the *Chester and Holyhead* Railway Company, shall, after the

Deposit of such Appointment, authenticated as aforesaid, with the Secretary of the Company hereby incorporated, entitle the Director therein referred to to act as such, without other Proof of the Validity of such his Appointment.

Chester and Holyhead Railway Company to forfeit One Director in respect of every 7,500*l.* Stock sold by them.

XVI. Provided always, and be it enacted, That if at any Time the said *Chester and Holyhead* Railway Company shall not hold, or shall have sold or disposed of any of the Shares for which they are authorized to subscribe as aforesaid, the said *Chester and Holyhead* Railway Company shall, in respect of every Seven thousand five hundred Pounds of the Capital Stock of the Company hereby incorporated, which shall be represented by the Shares so sold or disposed of by them, forfeit the Right of appointing One Director of the Company hereby incorporated, and thereupon One of the Directors who may have been appointed by the said *Chester and Holyhead* Railway Company, to be selected by Ballot among the Directors of the said last-mentioned Company; shall retire from Office before the next General Meeting for the Choice of Directors in the Company hereby incorporated, or some other Director duly qualified in his Stead.

How long First Directors to remain in office.

XVII. And be it enacted, That the Directors appointed by this Act shall continue in Office until the first Ordinary Meeting to be held after the passing of this Act; and at such Meeting the Shareholders present, personally or by Proxy, may either continue in Office the Directors appointed by this Act, or any Number of them (save such of them as may have been appointed by the Directors of the *Chester and Holyhead* Railway Company), or may elect a new Body of Directors to supply the Places of those not continued in Office (save as aforesaid), the Directors appointed by this Act being eligible as Members of such new Body.

Subsequent Election of Directors.

XVIII. And be it enacted, That at the first Ordinary Meeting to be held in the Year next after the Year in which such last-mentioned Directors shall have been appointed or elected, the Shareholders present, personally or by Proxy, shall elect Persons to supply the Places of the Directors then retiring from Office (except such of them as may have been appointed by the Directors of the said *Chester and Holyhead* Railway Company as aforesaid), agreeably to the Provisions in the said "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 appointed in their Stead, in manner provided by the said "Companies Clauses Consolidation Act, 1845."

Quorum of Directors.

XIX. And be it enacted, That a Quorum of a Meeting of Directors shall be Three.

Committees of Directors.

XX. And be it enacted, That the Number of Directors of which Committees appointed by the Directors shall consist shall not be less than Three nor more than Seven; and the Quorum of such Committee shall be Three.

First Ordinary Meeting.

XXI. And be it enacted, That the first Ordinary Meeting of the Company shall be held within Six Months after the passing of this Act.

Railway to be made according to deposited Plans.

XXII. And whereas Plans and Sections of the Railway and Branch 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 through which the same respectively are intended to pass, have been deposited with the Clerks of the Peace for the Counties of *Chester* and *Flint*; be it enacted, That, subject to the Provisions in the Railways Clauses Consolidation Act, 1845, and the said recited Acts contained, it shall be lawful for the said Company to make and maintain the said Railway, Branch Railways, and Works 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 defined upon the said Sections, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose.

Line of Railway.

XXIII. And be it enacted, That the said first-mentioned Railway shall commence at or near to the Town of *Mold*, in the Township and Parish of *Mold* in the County of *Flint*, in a certain Field in the Parish of *Mold* in the County of *Flint*, numbered 289 on the Plans deposited as herein-before mentioned, shall pass thence through the several Parishes or Places following, or some of them, (that is to say,) *Mold*, *Llwynegrin*, *Gwsaney*, *Broncoed*, *Leeswood*, *Bistree*, *Hartsheath*, *Mold*, *Bannel*, *Hope Owen*, *Hope*, *Hawarden*, *Higher Kinnerton*, *Lower Kinnerton*, *Bretton*, *Broughton*, and *Saltney* in the County of *Flint*, and *Lower Kinnerton* and *Doddleston* in the County of *Chester*, and shall terminate in the Township of *Saltney* aforesaid, by a Junction with the *Chester and Holyhead* Railway, near the Point where such Railway crosses the Road leading from the *Higher King's Ferry* to *Chester*; and it shall not be lawful for the said Company to construct any Part of the Railway delineated on the said Plans to the Westward of the said Field numbered 289 as aforesaid, any thing herein contained to the contrary thereof in anywise notwithstanding; and the first of the Branch Railways herein-before mentioned shall commence from and out of the said first-mentioned Railway in the Township of *Saltney* in the Parish of *Hawarden* in the County of *Flint*, and shall pass wholly through and terminate in the same Township at or near the Landing Place at the *Upper King's Ferry*; and the Second of the Branch Railways herein-before mentioned shall commence from and out of the said first-mentioned Railway in the Township of *Bistree* in the Parish of *Mold* in the County of *Flint*, shall pass thence through the several Parishes or Places following, or some of them, (that is to say,) *Hartsheath*, *Leeswood*, *Bistree*, *Rhanberfedd*, *Tryddyn*, *Uwchymynydd-issa*, *Mold*, and *Hope*, in the County of *Flint*, and shall terminate at or near the Turnpike Road from *Tryddyn* to *Wrexham* in the Township of *Uwchymynydd-issa* aforesaid.

Power to cross certain Roads on the Level.

XXIV. And be it enacted, That it shall be lawful for the said Company to carry the said Railway and Branch Railways on the

Level across the Roads numbered respectively on the Plans deposited as herein-before mentioned as follows; namely, on the Main Line, Number 43 in the Parish of *Hawarden* in the County of *Flint*; Numbers 64 and 73 in the Parish of *Hope* and said County of *Flint*; and Numbers 68, 109, and 135 in the Parish of *Mold* and said County of *Flint*; on the Branch to the River *Dee*, Number 4 in the said Parish of *Hawarden*; and on the Branch to *Ffrith* Limeworks, Numbers 45, 215, 243, 250, and 281 in the said Parish of *Mold*, and Numbers 89, 97, and 124 in the said Parish of *Hope*.

Company to erect a Station or Lodge at Points of crossing, and to abide by the Regulations of the Commissioners of Railways.

XXV. And be it enacted, That for the greater Convenience and Security of the Public the Company shall erect and permanently maintain either a Station or Lodge at the Points where the said Railways cross the before-mentioned Roads on the Level, and the said Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Roads on the Level, or with regard to the Speed at which Trains shall pass such Roads, as may from Time to Time be made by the Commissioners of Railways; and if the said Company shall fail to erect, or at all Times maintain, any such Station or Lodge, or appoint a proper Person to watch or superintend the crossing at any such Point or Station, or to observe or abide by any such Rule or Regulation as aforesaid, they shall for every such Offence be liable to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred.

Regulating the Inclinations and Approaches to certain Bridges.

XXVI. And be it enacted, save as herein-after mentioned, That in carrying any public Carriage Road over or under the Railways by this Act authorized it shall not be lawful for the Company to make the Inclination of such Roads steeper than One Foot in Thirty Feet: Provided always, that in carrying the several Roads numbered as herein-after mentioned on the Plans deposited as aforesaid over, under, or across the Railway, it shall be lawful for the Company to make the Inclinations of the said Roads such as or not steeper than those herein-after mentioned; that is to say,

Number on Plan.	Parish.	Description in Reference.	Proposed Inclinations.
108	Doddleston -	Public Road - -	1 in 20.
	On the Branch to Ffrith Limeworks.		
250	Mold - -	Public Road - -	1 in 20.
124	Hope - -	Public Road - -	1 in 20.

As to Communication with and Bridges over the Chester and Holyhead Railway.

XXVII. And be it enacted, That the Railway hereby authorized to communicate with and pass over the *Chester and Holyhead* Railway shall communicate therewith and pass over the same at the Points where according to the Plans deposited as in this Act mentioned such Railway appears to communicate therewith, and pass over

over the same, and at no other Points, without the Consent in Writing of the *Chester and Holyhead* Railway Company under their Common Seal; and that all Communications between the said Railway hereby authorized and the said *Chester and Holyhead* Railway shall be effected in a substantial and workmanlike Manner by means of Connexion Rails and Points, of the Construction and laid in the Manner most approved of from Time to Time and to the entire Satisfaction of the Engineer for the Time being of the said *Chester and Holyhead* Railway Company; and all Bridges over the said *Chester and Holyhead* Railway shall be constructed in such Manner as shall be approved of by the said Engineer for the Time being of the said *Chester and Holyhead* Railway Company.

Communications with the Chester and Holyhead Railway to be made at the Expence of the Mold Railway Company.

XXVIII. And be it enacted, That the Expence of the Communications hereby authorized with the *Chester and Holyhead* Railway, and of all necessary Openings in the Rails thereof, and of all other Works which may from Time to Time be requisite for effecting, altering, amending, repairing, and maintaining such Rails and Points, and of regulating and adjusting the same, shall be borne and paid by the *Mold* Railway Company, and that all such Communications, Openings, and Works shall not only be in the first instance made and done, but shall also from Time to Time be altered, amended, repaired, and maintained, to the reasonable Satisfaction of the Engineer for the Time being of the said *Chester and Holyhead* Railway Company on each Occasion, and in such Manner and Form, and by such Ways and Means, as shall not in anywise prejudice or injure the said *Chester and Holyhead* Railway, or impede, obstruct, or interfere with the free, uninterrupted, and safe Passage along the same.

Company not to take Property of Chester and Holyhead Railway Company, or interfere with their Railway or Works.

XXIX. And be it enacted, That notwithstanding any thing in this Act contained it shall not be lawful for the *Mold* Railway Company, or for any other Company, or for any Person under or in execution of this Act, or for any other Purpose, either permanently or temporarily, to enter upon, take, or use any of the Land or Property of the said *Chester and Holyhead* Railway Company, or which they have Power to take under their Acts of Parliament, or in any Manner to alter, vary, or interfere with the said *Chester and Holyhead* Railway or any of the Works appertaining thereto, save only for the Purpose of effecting the Junction and constructing the Bridge or Bridges hereby authorized in manner aforesaid.

Saving Rights of the Chester and Holyhead Railway Company.

XXX. And be it enacted, That nothing in this Act contained shall prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, Franchises, or Authorities of or vested in or belonging to the said *Chester and Holyhead* Railway Company, but all their Rights, Privileges, Powers, Franchises, and Authorities under their several Acts of Parliament and otherwise are hereby expressly saved and reserved as against and with respect to the said *Mold* Railway Company.

No Station, &c. to be erected be-

XXXI. Provided always, and be it enacted, That it shall not be lawful for the said Company to form, erect, or establish any fixed or permanent Machinery, Warehouse, Depôt, or Station between the Roads

Roads numbered respectively 135 and 145 on the Plans deposited as herein-before mentioned in the Parish of *Mold* in the County of *Flint*, without the Consent in Writing of the Justices of the County of *Flint* in General Quarter Sessions assembled, to be signified under the Hand of the Chairman for the Time being of the said Justices.

tween certain Points.

XXXII. And be it enacted, That any Cutting or other Works which in making the said first-mentioned Branch Railway may be necessary in, through, over, or under the Embankments on the South Side of the River *Dee*, which are now repaired by or under the Management of the Trustees acting in the Execution of the Purposes of an Act passed in the Forty-fourth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for more effectually maintaining and keeping in repair the Embankments and other Works on the South Side of the Channel of the River* Dee, *within the Parish of* Hawarden *in the County of* Flint, *and for erecting and keeping in repair other Embankments and Works (to prevent Injury being done as well to the Allotments of Land made by virtue of an Act passed in the Eighteenth Year of His present Majesty) from a certain Common called* Saltney Marsh, *as also to certain Lands the Property of Sir* Stephen Glynne *Baronet*, shall be made with the Approbation and in all respects to the Satisfaction of the said Trustees and their Surveyor, and not otherwise, and in such a Manner as not to injure the same Embankments, or weaken or impair the Efficiency thereof for the Purposes for which the same were and are constructed and maintained, and in such Manner as not to injure or impair the Sluices and Floodgates therein, nor any of the Works under the Management or Control of the same Trustees, and that nothing in this Act contained shall interfere with the Purposes of the said Act of the Forty-fourth Year of the Reign of His said late Majesty, or of any Act therein recited or noticed; and further, that the said Company shall make good all Damage to the said Embankments, Sluices, Floodgates, and other Works occasioned by the Construction of the said first-mentioned Branch Railway or any other of the Works of the said Company, or by the Acts or Defaults of the same Company, their Contractors, Agents, Servants, or Workmen, and shall and will bear, pay, and defray all Costs, Charges, and Expences in relation to the said Embankment, Sluices, Floodgates, and other Works under the Management or Control of the said Trustees which shall or may be caused or arise by, from, or in consequence of the Construction of the said first-mentioned Branch Railway or any of the Works hereby authorized, and shall and will effectually indemnify the said Trustees from all Damages, Losses, Costs, Charges and Expences in respect or on account thereof.

For Protection of the Embankments on the South Side of the River Dee.
44 G. 3. c. 31.

XXXIII. And whereas certain Property belonging to *Thomas Peers Williams* in the Parish of *Mold* in the County of *Flint*, and numbered 134 and 136 on the Plans deposited as herein-before mentioned, is within the Limits of Deviation defined on the said Plans, but it is not intended that any Portion of the said Property should be used for the Purposes of the said Railway; be it therefore enacted, That nothing in this Act or in the said recited Acts contained shall authorize or empower the said Company to take or use for the Purposes

Certain Property belonging to T. P. Williams, Esq. not to be taken.

of the said Railway the Property of the said *Thomas Peers Williams*, or any Portion thereof.

Lands for extraordinary Purposes.

XXXIV. And be it enacted, That it shall be lawful for the Company to purchase and take any Quantity of Land for extraordinary Purposes not exceeding Thirty Acres.

Period within which Lands are to be purchased.

XXXV. 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.

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

Tolls.

XXXVII. And be it enacted, That it shall be lawful for the Company to demand any Tolls for the Use of the Railway and Branch Railways, not exceeding the following; (that is to say,)

Tonnage on Articles of Merchandize.

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

For all Coals, Stones for building, pitching, and paving, Sand, Dung, Compost, and all Sorts of Manure, Lime and Limestone, and all undressed Materials for the Repair of public Roads or Highways, *per* Ton *per* Mile 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 Coke, Culm, Charcoal, and Cinders, all Bricks, Tiles, Slates, Ironstone and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings, all Lead Ore, Calamina, Black Jack, or Blend Ore, Pig and Bar Lead, Sheet Lead, Litharge, Brass, and Spelter in Ingots, Copper Ore, burnt or roasted Copper Ore, Regule of Copper, Precipitate of Copper, Cake Copper, Tile Copper, Sheet Copper, or other Articles of Metal not manufactured into Utensils or other Articles of Merchandize, *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, Staves, and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per* Ton *per* Mile Two-pence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding Three Farthings:

For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandize, Fish, Articles, Matters, or Things, *per* Ton *per* Mile not exceeding Three-pence; 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:

And a further 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; and if conveyed on a Truck or Platform belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding Two-pence.

Tolls for Passengers or Cattle.

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

For every Horse, Mule, Ass, or other Beast of Draught or Burden conveyed in or upon any such Carriage, *per* Mile not exceeding Three-pence; and for every Ox, Cow, Bull, or Neat Cattle 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 Penny:

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

XXXVIII. And be it enacted, That the Tolls which the Company may demand for the Use of Engines for propelling Carriages on the Railway and Branch Railways 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, unless the said Passengers, Animals, or Goods are sent by a Special Train, in which Case the Company shall be entitled to charge any reasonable Sum in their Discretion beyond the Tolls and Charges herein limited.

Regulations as to the Tolls.

XXXIX. 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 on the Railway, or on any of the said Branch Railways, for a less Distance than Six Miles, the Company may demand Tolls and Charges as for Six Miles:

For a Fraction of a Mile beyond Six Miles, or beyond any greater Number of Miles, 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

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.

XL. 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 Parcels 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, Bob, 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.

Maximum Rates of Charges for Passengers.

XLI. 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 and Branch Railways, including the Tolls for the Use of the Railway and Branch Railways, and of Carriages, and for locomotive Power, and every other Expence incidental to such Conveyance, shall not exceed the following Sums:

For every Passenger conveyed in a First-class Carriage, the Sum of Three-pence *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.

For Cattle, Goods, &c.

XLII. And with respect to the Conveyance of Horses, Cattle, Carriages, and Goods, be it enacted, That the maximum Rate of Charge to be made by the Company, including the Tolls for the Use of the Railway or Branch Railways, and Waggons or Trucks, and locomotive Power, and every Expence 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, except Neat Cattle, before classed with Horses, the Sum of Five-pence *per* Mile:

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

For every Calf, or other Animal before classed with Calves, One Penny Three Farthings *per* Mile:

For

For every Carriage, the Sum of Seven-pence *per* Mile:
For Coal, and other Articles herein-before classed therewith, the Sum of One Penny Halfpenny *per* Ton *per* Mile:
For Coke, and other Articles herein-before classed therewith, the Sum of Two-pence *per* Ton *per* Mile:
For Sugar, and other Articles herein-before classed therewith, the Sum of Three-pence *per* Ton *per* Mile:
For Cotton, and other Goods and Articles herein-before classed therewith, the Sum of Four-pence *per* Ton *per* Mile.

Restrictions 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 Train, but shall apply only to the ordinary Trains appointed or to be appointed from Time to Time by the said Company.

Company may take increased Charges by Agreement.

XLIV. 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 Trains, or by reason of any other special Service performed by the said Company in relation thereto.

Passengers Luggage.

XLV. And be it enacted, That every Passenger travelling upon the Railway or Branch Railways may take with him at his own Risk his ordinary Luggage, not exceeding One hundred Pounds in Weight for First-class Passengers, Sixty Pounds in Weight for Second-class Passengers, and Forty Pounds in Weight for Third-class Passengers, without any Charge being made for the Carriage thereof.

Power to lease Railway.

XLVI. And be it enacted, That it shall be lawful for the Company hereby incorporated, with the Approbation of Three Fifths of the Shareholders present, personally or by Proxy, at any General or Special General Meeting of the said Company, to grant a Lease of the Railway, Branch Railways, and Works hereby authorized, or of any Part thereof, to the *Chester and Holyhead* Railway Company for such Term of Years and on such Conditions as may be mutually agreed on; and it shall be lawful for the said *Chester and Holyhead* Railway Company, with the Approbation of Three Fifths of the Shareholders in such last-mentioned Company present, personally or by Proxy, at any General or Special General Meeting, to accept and take such Lease.

Enabling the Chester and Holyhead Railway Company to purchase the Line, or any Interest therein.

XLVII. And be it enacted, That it shall be lawful also for the Company hereby incorporated, by and with the Authority of Three Fifths of the Votes of the Proprietors who may be present, either personally or by Proxy, at some General or Special General Meeting of the said Company, to sell and transfer to the said *Chester and Holyhead* Railway Company, and for such last-mentioned Company, by and with the like Authority on the Part of its Proprietors, to purchase the

Undertaking by this Act authorized, or any Share or Interest therein, and whether before or after the Completion thereof (but subject to all existing Mortgages, Contracts, Agreements, or Liabilities affecting the same); and on the Completion of such Purchase, of which Completion a Transfer or Conveyance, duly stamped for denoting the Payment of the full and proper Stamp Duty by Law payable in respect of such Purchase Money, and under the Corporate Seal of the Company hereby incorporated, shall be sufficient Evidence, the said *Chester and Holyhead* Railway Company may have and hold the said Undertaking, or the Share therein purchased by them, and use, exercise, and enjoy, or participate in the Use, Exercise, or Enjoyment of all the Rights, Powers, and Privileges conferred by this Act on the said Company hereby incorporated.

Power for Chester and Holyhead Company to raise Capital.

XLVIII. And be it enacted, That for such last-mentioned Purpose it shall be lawful for the said *Chester and Holyhead* Railway Company, by and with such Authority as aforesaid, to create such an additional Number of Shares and to borrow upon Mortgage such Sum of Money as may be necessary for completing such Purchase, or for constructing and working the said Railway and Branch Railways, provided that the Amount to be raised by such additional Shares shall not exceed the Amount of Capital by this Act authorized to be raised for the Purposes of the said Undertaking, and that the Money so to be borrowed shall not exceed One Third of the Amount of such Capital, and shall not be borrowed until One Half of the said Capital shall have been paid up; and from and after such Purchase as aforesaid, if any such shall take place, the Railway and Branch Railways by this Act authorized to be made, or such Part thereof as may be so purchased by the said *Chester and Holyhead* Railway Company, shall from thenceforth be and become amalgamated with and form Part of the Undertaking belonging to such Company.

Power to enter into Contracts with Chester and Holyhead Company.

XLIX. And be it enacted, That it shall be lawful for the Company hereby incorporated, and for the said *Chester and Holyhead* Railway Company, or the Directors of the said Companies respectively, to make and enter into such Contracts or Agreements for effecting the Purpose aforesaid, or otherwise for working and using the said Railway or any Part thereof, or for the Maintenance and Repair thereof, or of any Part thereof, as they the said Companies or they the said Directors may respectively deem advisable, and subject to such Terms and Conditions as may be mutually agreed on.

Interest not to be paid on Calls paid up.

L. And be it enacted, That it shall not be lawful for the said *Chester and Holyhead* Railway 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 Acts relating

lating to the said last-mentioned Company or any of them, in that Behalf contained.

Powers of Sale, &c. not to be exercised without Certificate of Commissioners of Railways.

LI. Provided always, and be it enacted, That it shall not be lawful for the said *Mold* Railway Company, by virtue of the Power hereinbefore contained, to sell, demise, or lease, nor for the said *Chester and Holyhead* Railway Company to purchase or enter into or accept such Lease of the said Railway hereby authorized to be made, unless it shall have been proved to the Satisfaction of the Commissioners of Railways, and certified by them under their Seal previously to the Completion of such Sale or the Execution of such Lease, that One Half of the whole Amount of the Capital, exclusive of Loans, by the Act or Acts relating to each of the said Companies, authorized to be raised, has been actually paid up and expended for the Purposes authorized by such Act or Acts respectively.

Saving the Rights of the Crown.

LII. 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 and empowered 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.

Railways to be subject to 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.

LIII. 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 last Session of Parliament, intituled respectively *An Act for regulating the Gauge of Railways*, and *An Act for constituting Commissioners of Railways;* be it enacted, That nothing in this Act contained shall be held to exempt the said Railway and Branch Railways, or the said Company, or the Company by this Act authorized to purchase the said Railway and Branch Railways, from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railway and Branch Railways and Company, so far as the same shall be applicable thereto.

LIV. And

Railways to be subject to Provisions of any general Act.

LIV. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railway and Branch Railways by this Act authorized to be made from the Provisions of any general Act relating to this Act, or of any general Act relating to Railways, 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 authorized by this Act.

Public Act.

LV. 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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