CHAPTER cxcii.

An Act for making a Railway in Gloucestershire, to be called the Severn Bridge and Forest of Dean Central Railway; and for other purposes. [21st July 1873.]

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WHEREAS the making of the railway herein-after described would be attended with public and local advantage:

And whereas the persons in this Act named, with others, are willing at their own expense to construct the railway, and it is expedient that powers should be conferred on them for that purpose:

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

And whereas it is expedient to authorise the working agreements herein-after mentioned:

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

May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the "Severn Bridge and Forest of Dean Central Railway Act, 1873."

Provisions of Acts herein named incorporated.

2. "The Companies Clauses Consolidation Act, 1845," Part I. (relating to cancellation and surrender of shares) and Part III. (relating to debenture stock) of "The Companies Clauses Act, 1863," "The Lands Clauses Consolidation Acts, 1845, 1860, and

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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 such construction; the expression "the Company" means the Company incorporated by this Act; the expressions "the railway" and "the undertaking" mean respectively the railway and the undertaking by this Act authorised; the expression "the working companies" means the Great Western Railway Company and the Severn Bridge Railway Company; and 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 simple contract debt, and not a debt or demand created by statute.

Company incorporated.

4. Osman Barrett, Trevor Powell, Herbert Fitzherbert Jones, and all other persons and corporations who have already subscribed to or shall hereafter become proprietors in the undertaking, and their executors, administrators, successors, and assigns respectively, shall be and are hereby united into a company for the purpose of making and maintaining the railway, and for other the purposes of this Act, and for those purposes shall be and are hereby incorporated by the name of the "Severn Bridge and Forest of Dean Central 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, sidings, 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 in the county of Gloucester one mile six furlongs three chains and eighty links in length, commencing in the parish of

Lydney by a junction with the railway No. 1 authorised by and described in the "Severn Bridge Railway Act, 1872," near the proposed bridge shown on the plans and sections of that line deposited with the clerk of the peace for the county of Gloucester in the month of November 1871, for carrying that railway over the South Wales line of the Great Western Railway Company, and which bridge is marked on those sections as being two miles forty-five chains from the commencement thereof, and terminating in the parish of Awre by a junction with the Forest of Dean Central Railway at or near the mile post on the last-named railway indicating the distance of three quarters of a mile from its commencement at Awre railway station.

Provided always, that the junction with the said railway No. 1 shall be made within the limits of deviation defined on the plans deposited as herein and in the Severn Bridge Railway Act, 1872, respectively mentioned, at such a point upon the said railway No. 1, when constructed, as shall be agreed upon by the engineers for the time being of the Severn Bridge Railway Company and the Company, or as, in case of difference, shall be settled by an arbitrator to be appointed by the Board of Trade on the application of either party, and the decision of such arbitrator shall be binding and conclusive on both parties, but in any case the point of junction shall be not less than 20 yards distant north-west from the north-western fence of the South Wales Railway. And for the purposes of effecting such junction, and of working and managing the signals and conveniences thereof, all the provisions of Part I. of the Railways Clauses Act, 1863, as to junctions shall (subject as aforesaid) be construed and applied as if the said railway No. 1 were an existing railway at the time of the passing of this Act; and provided further, that nothing in this Act contained shall be taken or construed to abridge or restrain the power of the Severn Bridge Railway Company in the construction of the said railway No. 1 to deviate from the centre line of such railway shown on the plans and sections thereof deposited as aforesaid.

Not to enter on lands of Great Western Railway Company or of Forest of Dean Central Railway Company until plans of proposed

6. The Company shall not enter upon or interfere with the South Wales Railway of the Great Western Railway Company or of the Forest of Dean Central Railway Company, or any of the lands or works of the Great Western Railway Company or of the Forest of Dean Central Railway Company, or execute any works whatever under, over, or affecting the same, until the Company shall have delivered to the Great Western Railway Company or to the Forest of Dean Central Railway Company, as the case may be, plans, drawings, and specifications of such intended works, and those plans, drawings, and specifications shall have been approved in

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works affecting the Company approved.

writing by the principal engineer for the time being of the Great Western Railway Company or the Forest of Dean Central Railway Company, as the case may be, or in the event of his failure for one calendar month after the delivery of the plans, drawings, and specifications, until the same shall have been approved by an engineer to be appointed on the application of the Company by the Board of Trade; and all the intended works shall be executed by the Company at their sole expense in all things according to such approved plans, drawings, and specifications, and to the reasonable satisfaction of the engineer for the time being of the Great Western Railway Company or of the Forest of Dean Central Railway Company, as the case may be.

As to execution of portion of railway on land of Great Western Company.

7. In constructing the railway by this Act authorised through or over the land and property of the Great Western Railway Company, the Company shall not deviate from the centre line beyond the limits shown on the deposited plans without the previous consent in writing of the Great Western Railway Company under their common seal, and the said railway, where the same is intended to cross the South Wales Railway, shall be carried over the railway and the sidings and lands of the Great Western Railway Company by means of a bridge of not less than sixteen feet in height above the rails of such railway and sidings, and of such span as shall be determined by the engineer for the time being of the Great Western Railway Company, but not to be required to exceed thirty-five feet in the clear measured on the square.

Expenses of watchmen during construction of works to be paid by Company to Great Western Company.

8. The Company shall bear, and on demand pay to the Great Western Railway Company, the expense of the employment by them during the making of the railway over or adjacent to the South Wales Railway of a sufficient number of inspectors or watchmen to be appointed by them for watching the South Wales Railway and works, with reference to and during the execution of the intended works, and for preventing, as far as may be, all interference, obstruction, danger, and accident from any of the operations or from the acts or defaults of any person or persons in the employ of the Company in reference thereto, or otherwise.

Damage sustained by Great Western Company to be repaid.

9. Notwithstanding anything in this Act contained, the Company shall from time to time be responsible for and make good to the Great Western Railway Company all losses, costs, damages, and expenses which may be occasioned to them or to any of their works or property, or to the traffic on their railways, or to any company or person using the same, or otherwise, during the execution or by reason of the failure of any of the intended works, or of any act or omission of the Company or of any persons in their employ, or of

their contractors, or otherwise, and the Company shall effectually indemnify and hold harmless the Great Western Railway Company from all claims and demands upon or against them by reason of such execution or failure, and of any such act or omission.

Company to maintain bridge and works over South Wales Railway.

10. The Company shall at their own expense at all times maintain the bridge and other works by which the railway by this Act authorised shall be carried over the South Wales Railway in substantial repair and good working order and condition, to the reasonable satisfaction in all respects of the engineer for the time being of the Great Western Railway Company; and if and whenever the Company fail so to do after one month's notice from the Great Western Railway Company for that purpose, in case of urgency, the Great Western Railway Company may make and do, in and upon as well the lands of the Company as their own lands, all such works and things as the Great Western Railway Company shall think requisite in that behalf, and the sum from time to time certified by their engineer to be the amount of the expenditure in that behalf shall be repaid to them by the Company, and in default of full payment the amount due may be recovered, with full costs, by the Great Western Railway Company from the Company in any court of competent jurisdiction.

Company not to interfere with traffic on South Wales Railway or Forest of Dean Central Railway.

11. In constructing the railways by the Act authorised, the Company shall not in any way obstruct or interfere with the traffic passing along the said South Wales Railway, or with the traffic passing along the Forest of Dean Central Railway, so as to impede or prevent the convenient passage of engines and carriages along the said railways respectively, and in the event of any such obstruction or interference the Company shall pay to the Great Western Railway Company the sum of forty pounds per hour for every hour which any such obstruction or interference shall continue on the South Wales Railway and to the Forest of Dean Central Railway Company, or to the Company working that railway, as the case may be, the sum of ten pounds for every hour during which any such obstruction or interference shall continue on the Forest of Dean Central Railway.

Land of Great Western Railway Company or Forest of Dean Central Railway not to be taken except

12. Nothing in the Act contained shall extend or be deemed or construed to extend to authorise or enable the Company to take or enter upon or use, either temporarily or permanently, any of the lands of the Great Western Railway Company or of the Forest of Dean Central Railway Company, or to alter, vary, or interfere with the South Wales Railway or with the Forest of Dean Central Railway, or any of the works of these railways respectively, further or

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for certain works.

otherwise than is necessary for the construction of the junction by this Act authorised with the said Forest of Dean Central Railway and for the crossing of the South Wales Railway, without the consent in writing in every instance for that purpose first had and obtained of the Great Western Railway Company or of the Forest of Dean Central Railway Company, as the case may be, under their respective common seals; and with respect to any lands of the Great Western Railway Company or of the Forest of Dean Central Railway Company which the Company are by this Act authorised to use, enter upon, or interfere with, the Company shall not purchase and take the same, but the Company may purchase and take, and the Great Western Railway Company and the Forest of Dean Central Railway Company, as the case may be, shall sell or grant accordingly, an easement or right of using the same in perpetuity for the purpose of this Act.

Capital.

13. The capital of the Company shall be forty-two thousand pounds, in four thousand two hundred shares of ten pounds each.

Shares not to issue till one fifth paid up.

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

Calls.

15. One fifth of the amount of a share shall be the greatest amount of a call, and three months at least shall be the interval between successive calls, and four fifths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share.

Receipt clause in case of persons not sui juris.

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

Power to borrow.

17. The Company may from time to time borrow on mortgage any sum not exceeding in the whole fourteen thousand pounds, but no part thereof shall be borrowed until the whole capital of forty-two thousand pounds is issued and accepted, and one half thereof is paid up, and the Company have proved to the justice who is to certify under the fortieth section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the whole of such capital has been issued and accepted, and that one half thereof has been paid up, and that not less than one fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such capital was issued bonâ fide and is held by the persons or corporations to whom the same was issued, or their

executors, administrators, successors, or assigns, and that such persons or corporations, their executors, administrators, successors, or assigns, are legally liable for the same; and upon production to such justice of the books of the Company, and of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof. A.D. 1873.

Arrears may be enforced by appointment of a receiver.

18. 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. In order to authorise the appointment of a receiver in respect of arrears of principal, the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than two thousand pounds in the whole.

Debenture stock.

19. The Company may create and issue debenture stock, subject to the provisions of Part III. of "The Companies Clauses Act, 1863;" but, notwithstanding anything therein contained, the interest of all debenture stock at any time created and issued by the Company shall rank pari passu with the interest of all mortgages at any time granted by the Company, and shall have priority over all principal moneys secured by such mortgages.

Application of moneys.

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

First ordinary meeting and quorum.

21. The first ordinary meeting of the Company shall be held within nine months after the passing of this Act, and the quorum for general meetings, whether ordinary or extraordinary, shall be seven shareholders holding together not less than five thousand pounds in the capital of the Company.

Number of directors.

22. The number of directors shall be three.

Qualification of directors.

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

Quorum.

24. The quorum of a meeting of directors shall be two.

First directors.

25. Osman Barrett, Trevor Powell, and Herbert Fitzherbert Jones 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 place of those not continued in office, the directors

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Election of 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 in person or by proxy shall elect persons to supply the places of the directors then retiring from office, agreeably to the provisions of "The Companies Clauses Consolidation Act, 1845;" and the several persons elected at any such meeting, being neither removed nor disqualified nor having resigned, shall continue to be directors until others are elected in their stead, in manner provided by the same Act.

Lands for extraordinary purposes.

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

Powers for compulsory purchases limited.

27. 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.

Inclination of road.

28. 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 Plan.	Parish.	Description of Road.	Intended Inclination.
54	Awre - -	Public - -	1 in 15 on one side and level on the other side.

Height and span of bridge.

29. The Company may make the arch of the bridge for carrying the railway over the road next herein-after mentioned of any height and span not less than the height and span herein-after mentioned in connexion therewith; (that is to say,)

No on deposited Plan.	Parish.	Description of Road.	Height.	Span.
54	Awre - -	Public - -	14 feet	15 feet.

Power to take easements, &c. by agreement.

30. Persons empowered by "The Lands Clauses Consolidation Act, 1845," to sell and convey or release lands may, if they think fit, subject to the provisions of that Act and of "The Lands Clauses Consolidation Acts Amendment Act, 1860," and of this Act, grant to the Company any easement, right, or privilege, not being an easement of water, required for the purposes of this Act, in, over, or

affecting any such lands; and the provisions of the said Act with respect to lands and rentcharges, so far as the same are applicable in this behalf, shall extend and apply to such grants and to such easements, rights, and privileges as aforesaid respectively.

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

31. Whereas, pursuant to the standing orders of both Houses of Parliament and to an Act of the ninth year of the reign of Her present Majesty, chapter twenty, a sum of two thousand and five pounds eight shillings and fivepence consolidated three per centum annuities, being five per centum upon the amount of the estimate in respect of the railway, has been transferred to the account of the Paymaster General on behalf of 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 Act, the said stock shall not be transferred to or on the application of the person or persons, or the majority of persons, named in the warrant or order issued in pursuance of the said Act, or the survivors or survivor of them, unless the Company shall, previously to the expiration of the period limited by this Act for completion of the railway, either open the railway for the public conveyance of passengers, or prove to the satisfaction of the Board of Trade 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 Board of Trade, the said stock shall be applied in the manner herein-after specified; and the certificate of the Board of Trade 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 above-mentioned Act to the contrary notwithstanding.

Application of deposit.

32. The said stock transferred 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 com-

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pensation 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 stock shall have been found sufficient to satisfy all just claims in respect of such compensation, then the said stock, or such portion thereof as may not be required as aforesaid, shall either be forfeited to Her Majesty, and accordingly be transferred to or for the account of Her Majesty's Exchequer in such manner as the Court of Chancery in England thinks fit to order, on the application of the Solicitor of Her Majesty's Treasury, and shall be carried to and form part of the Consolidated Fund of the United Kingdom, or, in the discretion of the Court, if the Company is insolvent and has been ordered to be wound up, or a receiver has been appointed, shall wholly or in part be transferred to such receiver, or to the liquidator or liquidators of the Company, or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof; provided that until the said stock has been re-transferred to the transferors, or has become otherwise applicable as hereinbefore mentioned, any interest or dividends accruing thereon shall from time to time, and as often as the same shall become payable, be paid to or on the application of the 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.

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

Tolls for passengers and animals.

34. 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 or any part thereof:

For every person sixpence; and if conveyed in or upon a carriage belonging to the Company, an additional sum of twopence.

Class 1. For every horse, mule, or other beast of draught or burden, ninepence; and if conveyed in or upon a carriage belonging to the Company, an additional sum not exceeding twopence:

Class 2. For every ox, cow, bull, or head of neat cattle, sixpence; and if conveyed in or upon a carriage belonging to the Company, an additional sum not exceeding twopence:

Class 3. For every calf, pig, sheep, lamb, or other small animal, twopence; and if conveyed in or upon a carriage belonging to the Company, an additional sum not exceeding one penny.

Tolls for goods.

In respect of goods and minerals conveyed upon the railway or any part thereof:

Class 4. For all coals, culm, cinders, cannel, ironstone, iron ore, limestone, chalk, sand, slag, and clay (except fireclay), dung, compost, and all sorts of manure, and all undressed materials for the repair of public roads or highways, per ton threepence; and if conveyed in a carriage belonging to the Company, an additional sum per ton of twopence:

Class 5. For all coke, charcoal, lime, bricks, tiles, slates, salt, fireclay and stone, copper ore, lead ore, tin ore, antimony, and manganese, and all other ores, minerals, and semi-metals, per ton fourpence; and if conveyed in a carriage belonging to the Company, an additional sum per ton of twopence:

Class 6. For all copper, tin, lead, pig iron, bar iron, rod iron, sheet iron, hoop iron, and all other metals, railway chairs, slabs, billets, and rolled iron, wrought iron and iron castings not manufactured into utensils or other articles of merchandise, per ton sixpence; and if conveyed in a carriage belonging to the Company, an additional sum per ton of twopence:

Class 7. For all sugar, grain, corn, flour, hides, dyewoods, earthenware, timber, staves, deals, and metals (except iron), nails, anvils, vices, and chains, and for light iron castings, per ton ninepence; and if conveyed in a carriage belonging to the Company, an additional sum per ton of twopence:

Class 8. For cotton and other wools, drugs, and manufactured goods, and all other wares, merchandise, fish, articles, matters, or things, per ton one shilling; and if conveyed in a carriage belonging to the Company, an additional sum per ton of twopence:

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, conveyed on a truck or platform belonging to the Company, one shilling; and a sum of fourpence halfpenny for every additional quarter of a ton, or fractional part of a quarter of a ton, which any such carriage may weigh.

Tolls for propelling power.

35. The toll which the Company may demand for the use of engines for propelling carriages on the railway shall not exceed twopence 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.

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Regulations as to tolls.

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

Fractional parts of a ton.

For a fraction of a ton the Company may demand tolls 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:

General weight.

With respect to all articles, except stone and timber, the weight shall be determined according to the usual avoirdupois weight:

Weight of stone and timber.

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.

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

For the carriage of small parcels on the railway or any part thereof:

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

For any parcel not exceeding fourteen pounds in weight, fivepence;

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

For any parcel not exceeding fifty-six pounds in weight, ninepence;

And for any parcel exceeding fifty-six pounds but not exceeding five hundred pounds in weight, the Company may demand any sum which they may think fit:

Provided always, that articles sent in large aggregate quantities, although made up in separate parcels, such as bags of sugar, coffee, meal, and the like, shall not be deemed small parcels, but that term shall apply only to single parcels in separate packages.

For the carriage of single articles of great weight on the railway, or any part thereof:

For the carriage of any one boiler, cylinder, or single piece of machinery, or single piece of timber or stone, or other single article, the weight of which, including the carriage, shall exceed four tons but shall not exceed eight tons, the Company may demand such sum as they think fit, not exceeding one shilling and sixpence per ton:

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

Maximum rates for passengers.

38. The maximum rate of charge to be made by the Company for the conveyance of passengers upon the railway or any part thereof, 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 sevenpence:

For every passenger conveyed in a second-class carriage, the sum of fourpence halfpenny:

For every passenger conveyed in a third-class carriage, the sum of threepence halfpenny.

Maximum rates for animals and goods.

39. The maximum rate of charge to be made by the Company for the conveyance of animals and goods (except such small parcels and single articles of great weight as aforesaid) on the railway, including the tolls for the use of the railway and for waggons or trucks and locomotive power, and for 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 animal in Class 1, ninepence;
For every animal in Class 2, sevenpence;
For every animal in Class 3, twopence;
For everything in Class 4, threepence per ton;
For everything in Class 5, fourpence halfpenny per ton;
For everything in Class 6, sevenpence per ton;
For everything in Class 7, ninepence per ton;
For everything in Class 8, one shilling per ton;
And for every carriage, of whatever description, not being a carriage adapted and used for travelling on a railway, and weighing more than one ton, carried or conveyed on a truck or platform, one shilling; and if weighing more than one ton, fourpence for every additional quarter of a ton or fractional part of a ton which such carriage may weigh.

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Passengers luggage.

40. 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.

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

Restrictions as to charges not to apply to special trains.

42. 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.

43. Nothing in this Act shall prevent the Company from taking any increased charges over and above the charges by this Act limited for the conveyance of animals or goods 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 small parcels) by passenger trains.

Power to enter into agreements with Great Western and Severn Bridge Railway Companies.

44. The Company and the working companies respectively may, subject to the provisions of Part III. of "The Railways Clauses Act, 1863," from time to time enter into agreements with respect to the following purposes or any of them; (that is to say,)

The maintenance, working, and use of the railway and works of the Company, and some part or parts of the railways and works of the working companies;

The regulation, management, interchange, and transmission of traffic thereon;

The supply and maintenance of engines, rolling stock, and plant, and the employment of officers and servants; and

The fixing, collecting, payment, division, and appropriation of the tolls and other income and profits arising from such traffic.

Tolls on traffic conveyed partly on the railway and partly on the railways of

45. During the continuance of any agreement to be entered into under the provisions of this Act for the working or use of the railway by either of the working companies, the railways of the Company and of the working company shall be considered as one

railway; but tolls and charges not exceeding those for the time being charged by the working company as for two miles on their own line may be charged in respect of traffic conveyed on the railway or any part thereof. A.D. 1873. the working companies.

Saving rights of the Crown.

46. Nothing contained in this Act shall authorise the Company to take, use, or in any manner interfere with any land, soil, tenements, or hereditaments, or any rights of whatsoever nature, belonging to or enjoyed or exerciseable by the Queen's most Excellent Majesty in right of her Crown, and under the management of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or either of them, without the previous consent in writing of the same Commissioners, or one of them, on behalf of Her Majesty, first had and obtained for that purpose (which consent such Commissioners are hereby respectively authorised to give); and as incidental to any such consent as aforesaid, the Company may enter into any agreement with the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or either of them, who respectively may, with the approval of the Commissioners of Her Majesty's Treasury, join in every such agreement; and the said Commissioners of Her Majesty's Woods, Forests, and Land Revenues, with the like approval, and the Company may respectively execute all necessary conveyances, leases, licenses, or other deeds of or relating to any land, hereditaments, or rights belonging to Her Majesty in right of her Crown, and under the management of the same Commissioners, and every agreement so entered into as aforesaid shall be performed by the same Commissioners and the Company respectively; and nothing in this Act contained shall divest, take away, prejudice, diminish, or alter any estate, right, privilege, power, or authority now or from time to time vested in or enjoyed or exerciseable by the Queen's Majesty, her heirs or successors.

Interest not to be paid on calls paid up.

47. The Company shall not, out of any money by this Act authorised to be raised, pay interest or dividend to any shareholder on the amount of the calls made in respect of the shares held by him; but nothing in this Act shall prevent the Company from paying to any shareholder such interest or money advanced by him beyond the amount of the calls actually made as is in conformity with "The Companies Clauses Consolidation Act, 1845."

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

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

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to Parliament for the purpose of obtaining an Act authorising the Company to construct any other railway, or to execute any other work or undertaking.

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

49. Nothing in this Act contained shall exempt the railway from the provisions of any general Act relating to railways, or the better and more impartial audit of the accounts of railway companies, now in force or which may hereafter pass during this or any future session of Parliament, or from any future revision or alteration, under the authority of Parliament, of the maximum rates of fares and charges, or of the rates for small parcels, authorised by this Act.

Expenses of Act.

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

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