ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

****

Cap. cxcvii.

An Act for making a Railway from the *South Wales* Railway at *Britonferry* to *Glyncorrwg* in *Glamorganshire,* to be called " The *South Wales* Mineral Railway." [15th *August* 1853.]

WHEREAS the Construction of a Railway from the *South Wales* Railway at *Britonferry* to *Glyncorrwg* in *Glamorganshire*, with a Branch Railway therefrom, would afford Railway Accommodation to an important Mineral District having at present no such Convenience: And whereas Plans and Sections of the Railways, showing the Lines and Levels thereof, with Books of Reference to the Plans, containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and of the Occupiers of the Lands through which the said Railways will pass, have been deposited with the Clerk of the Peace for *Glamorganshire:* And whereas the Persons herein-after named, with others, are willing at their own Expense to construct the said Railways; but they cannot do so 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:

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

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

"The Company."

II. Where in this Act the Words "the Company" occur, the same shall mean the Company incorporated by this Act.

Short Title.

III. In citing this Act for any Purpose it shall be sufficient to use the Expression "The *South Wales* Mineral Railway Act, 1853."

Subscribers incorporated.

IV. *Howel Gwyn*, Viscount *Villiers*, *George Knox*, 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 the Railways hereby authorized, and such Company shall be incorporated by the Name of "The *South Wales* Mineral 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 said Acts contained.

Capital.

V. And whereas the estimated Cost of the Railways is Seventy-seven thousand and five hundred Pounds, the Capital of the Company shall be Eighty-five thousand Pounds.

Shares.

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

Calls.

VII. Three Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and Three Months at the least shall be the Interval between successive Calls, and Two Third Parts of the Amount of a Share shall be the utmost aggregate Amount of Calls to be made in any One Year upon any Share.

Power to borrow on Mortgage.

VIII. The Company may borrow, on Mortgage or Bond, any Sums not exceeding in the whole the Sum of Twenty-eight thousand Pounds, but no Part of such Sum shall be borrowed until the whole of the said Capital or Sum of Eighty-five thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up.

IX. The

Application of Capital.

IX. The Monies by this Act authorized to be raised, whether by Shares, Mortgage, or Bond, shall be applied only in carrying into execution the Objects and Purposes of this Act.

Arrears may be enforced by Appointment of a Receiver.

X. The Mortgagees of the Company may enforce the Payment of the Arrears of Principal and Interest due on any such Mortgages by the Appointment of a Receiver; and in order to authorize the Appointment of such Receiver in the event of the Principal Monies due on such Mortgages not being duly paid, the Amount owing to the Mortgagees by whom Application for such Receiver shall be made, shall not be less than Ten thousand Pounds in the whole.

First and other Meetings.

XI. The First Ordinary Meeting of the Company shall be held within Three Months next after the passing of the Act, and the subsequent Ordinary Meetings of the Company shall be held in the Months of *February* or *March* and *August* or *September* in every Year, and such Meetings may be held in *London* or *Neath*.

Number and Qualification of Directors.

XII. Subject to the Provisions herein contained for reducing the Number of the Directors, the Number of Directors shall be Nine; and the Qualification of a Director shall be the Possession in his own Right of Fifty Shares in the Undertaking.

Power to reduce Number of Directors.

XIII. It shall be lawful for the Company from Time to Time to reduce the Number of Directors, provided that the reduced Number be not less than Six.

Such Directors to continue in Office until First Meeting after passing of Act.

XIV. 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, 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 eligible as Members of such new Body, and at the First Ordinary Meeting to be held in every Year thereafter, the Shareholders present, personally or by Proxy, shall elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions in "The Companies Clauses Consolidation Act, 1845," and in this Act 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 Companies Clauses Consolidation Act, 1845," and by this Act or either of them.

First Directors of Company.

XV. Viscount *Villiers*, *Howel Gwyn*, *James Arbouin*, *John Nathaniel Foster*, *Thomas Jeffreys Badger*, *James Lewis Roberts*, *George*

George Knox, *Dugdale Houghton*, and *Philip Dunn*, shall be the First Directors of the Company.

Quorum.

XVI. A Quorum of a Meeting of Directors shall be Three.

Power to make Railways according to deposited Plans.

XVII. It shall be lawful for the Company, subject to the Provisions in this and the recited Acts contained, to make and maintain the Railways herein-after described, with all proper Works, Approaches, and Stations in the Lines and upon the Lands delineated on the said Plans, and described in the said Books of Reference, and according to the Levels described on the said Sections, and the Company may enter upon, take, and use such of the said Lands as shall be necessary for such Purposes.

Lines of Railway described.

XVIII. The main Line of Railway shall commence by a Junction with the *South Wales* Railway near to the *Britonferry* Station in the Parish of *Britonferry*, pass through the Parish of *Britonferry*, the Hamlet of *Lower Lantwit*, the Parish of *Lantwit-juxta-Neath*, the Hamlet of *Baglan Higher*, the Parish of *Baglan*, the Parish of *Michaelstone-super-Avon*, the Hamlet of *Michaelstone Higher*, and the Hamlet and Parish of *Glyncorrwg*, all in *Glamorganshire*, and terminate in the last-mentioned Parish in or near a Field called the "*Cae Crwn*" Field, and forming Part of the *Corrwyfechan* Farm.

A Branch Railway to commence from the said main Line in the said Parish of *Baglan*, near a Farm House called "*Tonmawr Isha*," pass through the Hamlet of *Baglan Higher*, the Parish of *Baglan*, the Hamlet of *Michaelstone Higher*, and the Parish of *Michaelstone-super-Avon*, and to terminate in the said last-mentioned Parish at the *Forchdwm* Colliery.

Certain Roads may be crossed on a Level.

XIX. The following public Roads, being numbered on the deposited Plans as follows, may be crossed by the Railways on the Level; (that is to say,)

No. 26 in the Hamlet of *Baglan Higher* in the Parish of *Baglan*:
Nos. 58 and 72 in the Hamlet of *Lantwit Lower* in the Parish of *Lantwit-juxta-Neath*:
Nos. 8 and 76 in the Hamlet and Parish of *Glyncorrwg*.

Company to erect Station or Lodge where Roads crossed on the Level.

XX. 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 before-mentioned Roads shall be crossed on a Level, and the 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 Board of Trade; and if the Company shall fail to erect or at all

Times

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 any 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.

Board of Trade may require Bridges instead of level Crossings.

XXI. The Board of Trade (if it shall appear to them necessary for the Public Safety at any Time either before or after the Railways hereby authorized to be made shall have been completed and opened for public Traffic) may require the Company within such Time as the Board of Trade shall direct, and at the Expense of the Company, to carry any or either of the herein-before mentioned Roads either under or over the Railways, by means of a Bridge or Arch, instead of crossing the same on a Level, or to execute such other Works as under the Circumstances of the Case shall appear to the said Board of Trade the best adapted for removing or diminishing the Danger arising from any such level Crossing.

Gauge of Railways.

XXII. The Railways by this Act authorized shall be constructed on the Gauge of Seven Feet.

Land for extraordinary Purposes.

XXIII. The Quantity of Land to be taken by the Company for extraordinary Purposes shall not exceed Thirty Acres.

Power for compulsory Purchase of Lands limited.

XXIV. The Powers by this Act conferred for the compulsory Purchase of Lands shall not be exercised after the Expiration of Two Years from the passing of this Act.

Period for Completion of Works.

XXV. The Railway shall be completed within Five 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 Railways, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Railways as shall then be completed.

As to Forfeiture of Exchequer Bills deposited pursuant to Standing Orders.

XXVI. Whereas, pursuant to the Standing Orders of both Houses of Parliament and to an Act of the Ninth Year of Her present Majesty, Chapter Twenty, Exchequer Bills to the Amount of Nine thousand four hundred Pounds have been deposited pursuant to the said Act, in respect of the Application to Parliament for this Act being Ten *per Cent.* upon Three Fourths of One hundred and thirty thousand Pounds, the Estimate of the Railways as originally contemplated under this Act: And whereas One of the Branch Railways has been abandoned, and the estimated Expense of the

Works by this Act authorized is reduced to Seventy-seven thousand and five hundred Pounds: And whereas Ten *per Cent.* upon Three Fourth Parts of the said last-mentioned Sum is Five thousand eight hundred and twelve Pounds: Be it enacted, That notwithstanding anything contained in the said recited Act, so much of the said Exchequer Bills so deposited as aforesaid, in respect of the Application for this Act, as shall amount to Six thousand Pounds, or the Interest or Dividends of such Exchequer Bills, shall not, except upon the Execution and Deposit of such Bond as herein-after mentioned, 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 said Company shall; previously to the Expiration of the Period limited by this Act for Completion of the Railways hereby authorized to be made, either open the said Railways 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 said Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if the said Period shall expire before the said Company shall either have opened the said Railways for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the Exchequer Bills which shall so remain deposited as aforesaid, and the Interest and Dividends thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*: Provided that at any Time after the passing of this Act, if a Bond in twice the Amount of the said Sum of Six thousand Pounds shall have been executed by the said Company, with One or more Sureties, (such Bond to be prepared to the Satisfaction of, and such Surety or Sureties to be approved by, the Solicitor to the Lords Commissioners of Her Majesty's Treasury,) conditioned for Payment to Her Majesty, Her Heirs or Successors, of the said Sum of Six thousand Pounds, if the said Company shall not, within the Time limited for the Completion of the said Railways, either open the said Railways for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee that the said Company have paid up One Half of the Amount of the said Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if

such Bond shall have been deposited with the said Solicitor to the said Lords Commissioners, then such Exchequer Bills, and the Interest or Dividends thereof, shall be paid to or on the Application of the Person or Persons or the Majority of the Persons named in such Warrant or Order as aforesaid, or the Survivors or Survivor of them, and it shall not be necessary to produce any Certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding; and the Monies to be recovered upon such Bond shall be dealt with in like Manner as the said Exchequer Bills, and the Interest or Dividends thereof, would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitor to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Lords of the said Committee that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified; provided that nothing herein contained shall delay or prevent the Payment or Transfer under the said recited Act of the Remainder of the said Exchequer Bills after retaining the said Amount of Six thousand Pounds; and in case it shall be necessary for the Division of the said Deposit, the said Exchequer Bills shall be sold, and the Sum of Six thousand Pounds shall be retained out of the Produce of such Sale, and the Residue paid over as aforesaid.

Communication with South Wales Railway to be made under the Direction of their Engineer.

XXVII. The Communications between the Railways hereby authorized to be made, and the *South Wales* Railway, the *Vale of Neath* Railway, and the *Britonferry* Dock and Railway, and all such Openings in the Ledges or Flanches of such Railways as may be necessary or convenient for effecting such Communications, shall be made under the Direction and Superintendence of the Engineer for the Time being of the *South Wales* Railway Company, the *Vale of Neath* Railway Company, and the *Britonferry* Dock and Railway Company respectively; and in case of any Difference arising as to the Mode of effecting such Communications respectively, then the same shall be determined by a Referee to be appointed at the Cost of the Company by the Board of Trade on the Application of either Company.

Not to interfere with the South Wales Railway Company without Consent.

XXVIII. Nothing in this Act contained shall extend or be deemed or construed to extend to authorize or enable the Company hereby incorporated to take or enter upon any of the Lands belonging to the *South Wales* Railway Company or to the *Vale of Neath* Railway Company or to the *Britonferry* Dock and Railway Company, or to alter, vary, or interfere with the respective Railways of those Companies, or any of the Works thereof, further or otherwise than is necessary for the convenient Junction and Intercommunication between those respective Railways and the Railways hereby authorized, without

out the Consent in Writing of the said respective Companies in every Instance for that Purpose first had and obtained.

Saving Rights of certain Railway Companies.

XXIX. Nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, or Powers of the said respective Companies otherwise than is herein expressly provided.

Power to Company to enter into working Arrangements with certain Railway Companies.

XXX. It shall be lawful for the Company from Time to Time to contract and agree with the *South Wales* Railway Company, the *Vale of Neath* Railway Company, and the *Britonferry* Dock and Railway Company respectively, for or in respect of the joint Use of the Railways hereby authorized, and for or in respect of the Interchange of Traffic, and all Contracts and Agreements hereafter to be made between the Company and any of the said respective Companies for any of the Purposes aforesaid, sealed with their respective Common Seals, shall, if they are in accordance with the Powers given by this Act, or the Acts incorporated herewith, be valid at Law, and binding upon the Parties to such Contracts or Agreements, to all Intents and Purposes whatsoever.

Tolls.

XXXI. It shall be lawful for the Company to demand and receive any Tolls for the Use of the Railways, not exceeding the following; (that is to say,)

Tonnage on Articles of Merchandise.

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

For all 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, One Penny Farthing; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile of One Halfpenny:

For all Coals, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, Pig Iron, Bar Iron, Rod Iron, and other Articles of Merchandise, *per* Ton *per* Mile, One Penny Halfpenny; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile of One Halfpenny:

For all Sheet Iron, Hoop Iron, and all similar Descriptions of Wrought Iron, Twopence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile of 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, Twopence Halfpenny; and if conveyed in Carriages belonging to the Company, an additional Sum of Three Farthings *per* Ton *per* Mile:

For all Cotton, Wools, Drugs, manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, or Things, *per* Ton *per* Mile, Threepence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile of One Penny:

And for every Carriage of whatever Description, and 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, Fivepence:

And a Sum of Twopence Halfpenny *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* Mile of Twopence.

Tolls for Passengers or Cattle.

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

For every Person conveyed in or upon any such Carriage, *per* Mile, Twopence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum of One Penny:

For every Horse, Mule, Ass, or other Beast of Draught or Burden, *per* Mile, Threepence Halfpenny; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum of One Penny:

For every Ox, Cow, Bull, or Neat Cattle conveyed in or upon any such Carriage, *per* Mile, Twopence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum of One Penny:

For every Calf or Pig, Sheep, Lamb, or other small Animal conveyed in or upon any such Carriage, *per* Mile, One Penny; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum of One Farthing.

Tolls for propelling Power.

XXXIII. The Toll which the Company may demand for the Use of Engines for propelling Carriages on the Railways shall not exceed One Penny Farthing *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.

Maximum Rates of Charge for Passengers.

XXXIV. The maximum Rates of Charges to be made by the Company for the Conveyance of Passengers upon the Railways, including the Tolls for the Use of the Railways and of Carriages, and for locomotive Power, and for every other Expense incidental to such Conveyance, shall not exceed the following Sums; 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 Halfpenny *per* Mile.

For Cattle Goods, &c.

XXXV. And with respect to the Conveyance of Horses, Cattle, Carriages, and Goods, the maximum Rates of Charges to be made by the Company, including the Tolls for the Use of the Railways and Waggons or Trucks and locomotive Power, and every Expense incidental to such Conveyance, shall not exceed the following Sums:

For every Horse, Mule, Ass, or other Beast of Draught or Burden, the Sum of Fourpence *per* Mile:

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

For every Calf, Pig, Sheep, or other small Animal, One Penny *per* Mile:

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

For Coal, Culm, Coke, Ironstone, Iron Ore, Pig Iron, and Bar Iron, Twopence *per* Ton *per* Mile:

For all Dung, Compost, Salt for agricultural Purposes, and all Sorts of Manure, Lime and Limestone, and all undressed Materials for the Repair of public Roads or Highways, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, and Sand, the Sum of One Penny Halfpenny *per* Ton *per* Mile:

For all Sugar, Salt for domestic Purposes, Grain, Corn, Flour, Hides, Dyewoods, Manchester Packs, Earthenware, Timber, Staves, and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, the Sum of Threepence *per* Ton *per* Mile:

For all Cotton and other Wools, Drugs, and other manufactured Goods, the Sum of Fourpence *per* Ton *per* Mile:

For Sheet Iron, Hoop Iron, and all similar Descriptions of Wrought Iron, Twopence Halfpenny *per* Ton *per* Mile:

For Fish, Feathers, Canes, Cochineal, Household Furniture, Hats, Shoes, Toys, and all other Articles, Matters, and Things, the Sum of Fivepence *per* Ton *per* Mile:

Provided always, that the Company shall in no case be required to convey on the Railways any Minerals or other Articles requiring a separate Truck or Waggon, at a less Charge than Six Shillings.

Regulations as to maximum Rates and Charges.

XXXVI. The following Regulations shall apply to such maximum Rates and Charges:

The Company shall be at liberty to fix a minimum Charge of Six Shillings to be taken for each Carriage, and of Three Shillings and Sixpence for every Horse conveyed upon the Railways, notwithstanding the Charge for the Distance for which such Carriage

riage or Horse respectively shall be conveyed, according to the Rates aforesaid, may not amount to those Sums:

The Company shall not be bound to find Waggons or Trucks for Goods or Minerals, and when Waggons are not provided by the Company for the Conveyance of Coal, and the other Articles classed therewith, but by the Parties sending the same, a Reduction of One Fourth of a Penny *per* Ton *per* Mile shall be made from the before-mentioned Rates:

Provided always, that it shall be lawful for the Company to demand and take, in addition to the Tolls, Rates, and Charges which are herein-before authorized, a reasonable Sum for the loading, unloading, and covering, and for the Delivery and Collection of Goods and other Services incidental to the Business of a Carrier, where such Services respectively shall be performed by the Company; and a further reasonable Sum for Warehousing and Wharfage, and for any other extraordinary Services which may be reasonably and properly performed by the Company in relation to such Goods.

Regulations as to Tolls.

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

For Articles or Persons conveyed on the Railways 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 as for One Quarter of a Mile:

For any Passenger conveyed along any Part of the Railways, any fractional Part of a Penny may be charged as a Penny:

For a Fraction of a Ton the Company may demand Toll according to the Number of Quarters of a Ton in such Fraction; and if there be a Fraction of a Quarter of a Ton such Fraction shall be deemed a Quarter of a Ton:

With respect to all Articles, except Stone and Timber, the Weight shall be determined according to the usual Avoirdupois Weight:

With respect to Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Teak, Beech, or Ash, or 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.

XXXVIII. And with respect to small Packages and single Articles of great Weight, the Company may lawfully demand the Tolls following; (that is to say,)

For the Carriage (over the whole or any Part of the Line) of small Parcels, not exceeding Seven Pounds in Weight, Threepence:

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

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

For any Parcel exceeding Twenty-eight Pounds but not exceeding Fifty-six Pounds in Weight, Two Shillings:

For Parcels exceeding Fifty-six Pounds and not exceeding Five hundred Pounds in Weight, the Company may demand any Sum which they think fit: Provided always, that Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages:

For the Carriage of any One Boiler, Cylinder, Bob, or single Piece of Machinery, or single Piece of Timber or Stone, or any 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 from Time to Time may think fit, not exceeding Sevenpence *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, or which, on account of the Length thereof, may require more than One Carriage, the Company may demand such Sum as they think fit.

Passengers Luggage.

XXXIX. Every Passenger travelling upon the Railways in a First-class Carriage may take with him his ordinary Luggage, not exceeding One hundred and twelve Pounds in Weight; and every Passenger travelling in a Second-class Carriage may take with him his ordinary Luggage, not exceeding Sixty Pounds in Weight; and every Passenger travelling in a Third-class Carriage may take with him his ordinary Luggage, not exceeding Forty Pounds in Weight, without any Charge being made for the Carriage.

Restriction as to Charges not to apply to Special Trains.

XL. The Restriction as to the Charges to be made for Passengers shall not extend to any Special or Extra Trains that may be required to run upon the Railways, but shall apply only to the Express and Ordinary Trains appointed or to be appointed from Time to Time by the Company for the Conveyance of Passengers and Goods upon the Railways.

Company may take increased Charges by Agreement.

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

other special Service performed by the Company in relation to such Goods.

Interest not to be paid on Calls paid up.

XLII. It shall not be lawful for the Company, out of any Money by this Act authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest or Dividend to any Shareholder on the Amount of 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 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 Companies Clauses Consolidation Act, 1845," in that Behalf contained.

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

XLIII. It shall not be lawful for the Company, out of any Money by this Act authorized to be raised for the Purposes of such Act, 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 Company to construct any other Railway, or execute any other Work or Undertaking.

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., 9 & 10 Vict. c. 57., and 14 & 15 Vict. c. 64.

XLIV. 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 an Act was passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her said Majesty, intituled *An Act for regulating the Gauge of Railways;* and another Act was passed in the Fifteenth Year of the same Reign, intituled *An Act to repeal the Act for constituting Commissioners of Railways:* Be it enacted, That nothing in this Act contained shall be held to exempt the said Railways or the Company from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railways and Company, so far as the same shall be applicable thereto.

Railways not exempt from Provisions of future General Acts.

XLV. Nothing herein contained shall be deemed or construed to exempt the Railways from the Provisions of any General Act relating to this Act, or of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during this 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, or of the Rates for small Parcels.

Expenses of Act.

XLVI. All the Costs, Charges, and Expenses of applying for, obtaining, and passing this Act, or preparatory or incident thereto, shall be paid by the Company.

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