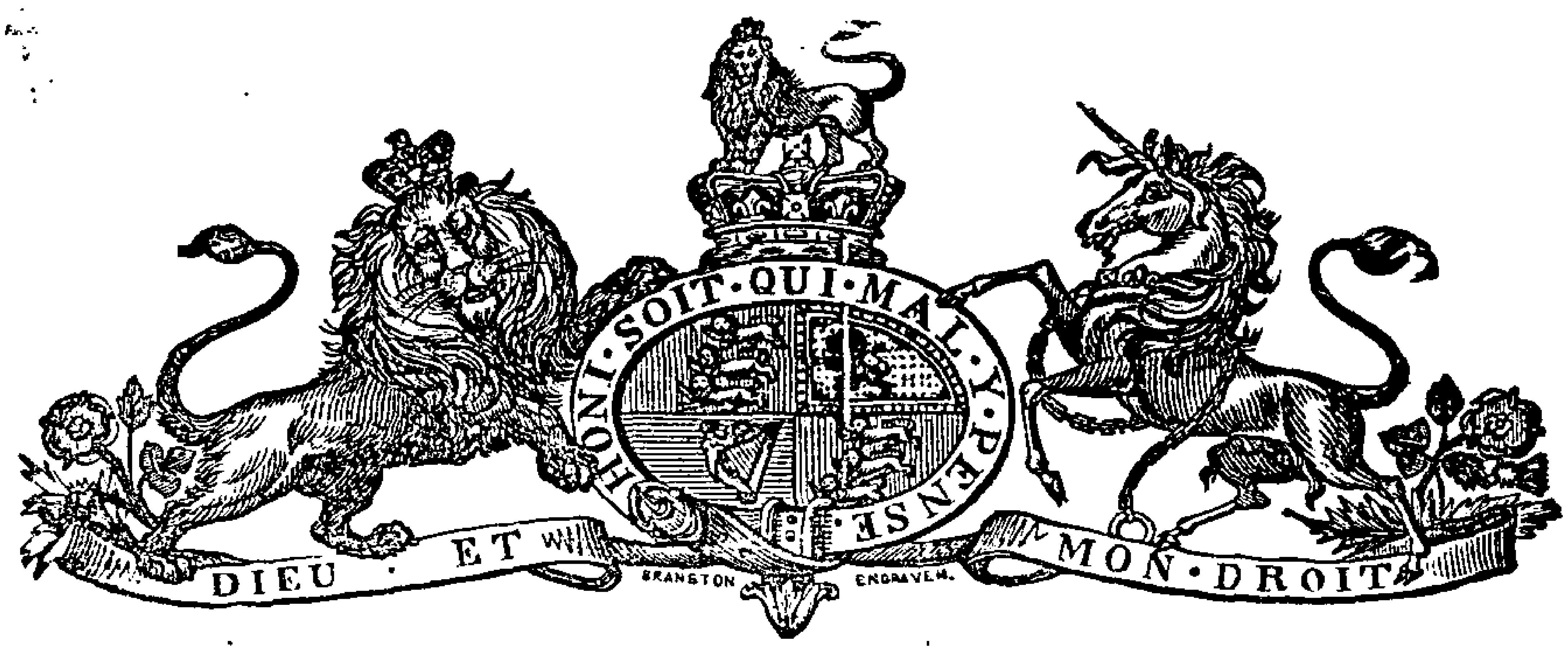


ANNO DECIMO NONO & VICESIMO

VICTORIÆ REGINÆ.

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Cap. xlv.

An Act for making a Railway from the *Chester and Holyhead* Railway at or near to *Rhyl* in the County of *Flint* to the Town of *Denbigh* in the County of *Denbigh,* to be called "The *Vale of Clwyd* Railway." [23d *June* 1856.]

WHEREAS the Construction of a Railway from the *Chester and Holyhead* Railway at or near to the Town of *Rhyl* in the County of *Flint* to the Town of *Denbigh* in the County of *Denbigh,* to be called "The *Vale of Clwyd* Railway," would be of great public and local Advantage: And whereas the Persons herein-after named, together with other Persons, are willing, at their own Expense, to carry such Undertaking into execution if authorized so to do, and are desirous of being incorporated into a Company for that Purpose; but the several Purposes aforesaid 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; (that is to say,)

8 & 9 Vict. cc. 16., 18., & 20. incorporated.

I. "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," shall (save as to such Parts thereof respectively as are expressly varied or excepted by this Act), be incorporated with this Act.

Short Title of Act.

II. In citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "The *Vale of Clwyd* Railway Act, 1856."

Incorporation of Company.

III. *Townshend Mainwaring*, *Whitehall Dod*, *Peter Browne*, *Robert James Sisson*, *James Napier*, *Richard Williams*, *John Williams Lloyd*, *Thomas Gee*, and *William Parry*, 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 Railway and Works herein-after described, with all proper Works and Conveniences belonging thereto, according to the Provisions of this Act and the Acts incorporated therewith, and for other the Purposes herein and in the said incorporated Acts respectively contained; and for the Purposes aforesaid such Company shall be incorporated by the Name of "The *Vale of Clwyd* Railway Company," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have the Power to purchase and hold Lands for the Purposes of the Undertaking within the Restrictions herein and in the said incorporated Acts contained.

Capital.

IV. The Share Capital of the Company shall be Sixty thousand Pounds Sterling, and the Number of Shares into which the said Capital shall be divided shall be Six thousand Shares, and the Amount of each Share shall be Ten Pounds.

Calls.

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

Interest or Dividend not to be paid on Calls paid up.

VI. 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 Dividends to any

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 contained shall be deemed to prevent the Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of Calls actually made as shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

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

VII. It shall not be lawful for the Company, out of any Money by this Act authorized to be raised, 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.

Power to borrow on Mortgage.

VIII. It shall be lawful for the Company to borrow on Mortgage or Bond any Sum not exceeding in the whole Twenty thousand Pounds, but no Part of such Sum shall be borrowed until the whole of the said Capital or Sum of Sixty thousand Pounds shall have been subscribed for and One Half thereof shall have been actually paid up; and all Monies raised under the Powers of this Act, either by Shares or by borrowing, shall be applied in carrying out the Purposes of this Act only, and for no other Purpose.

Arrears may be enforced by Appointment of a Receiver.

IX. It shall be lawful for the Mortgagees of the Company to enforce the Payment of 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 Money 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 Five hundred Pounds in the whole.

First Ordinary Meeting.

X. The First Ordinary Meeting of the Company shall be held within Six Months next after the passing of this Act.

Number and Qualification of Directors.

XI. The Number of Directors of the Company shall be Nine, and the Qualification of a Director shall be the Possession in his own Right of Ten Shares in the Undertaking.

Power to vary the Number of Directors.

XII. It shall be lawful for the Company from Time to Time to reduce the Number of Directors appointed by them, provided that the Number of Directors when reduced be not less than Six.

Quorum of Directors.

XIII. The Quorum of a Meeting of Directors shall be Three.

XIV. *Towns-*

First Directors.

XIV. *Townshend Mainwaring*, *Whitehall Dod*, *Peter Browne*, *Robert James Sisson*, *James Napier*, *Richard Williams*, *John Williams Lloyd*, *Thomas Gee*, and *William Parry* shall be the First Directors of the Company.

Election of Directors at First General Meeting.

XV. The Directors appointed by this Act, or such of them as shall not die or resign or become disqualified or be removed, shall continue in Office until the First Ordinary General Meeting to be held after the passing of this Act; and at such Meeting the Shareholders present, personally or by Proxy, may continue in Office the Directors appointed by this Act, or any Number of them, or may elect new Directors to supply the Places of those not continued in Office, the Directors appointed by this Act being eligible to be elected as Members of such new Body.

Subsequent Election of Directors.

XVI. At the First Ordinary General Meeting to be held in every subsequent Year after the First General Meeting, 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 of "The Companies Clauses Consolidation Act, 1845," contained; and the several Persons elected at any such Meeting, being neither removed, nor disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead, in the Manner provided by "The Companies Clauses Consolidation Act, 1845."

Power to make Railway, &c. according to deposited Plans.

XVII. Whereas Plans and Sections of the proposed Railway and Works, showing the Line and Levels thereof, and also a Book of Reference thereto, containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers, of the Lands through which the same are intended to pass, or which may be required for the Purposes of the Undertaking, have been deposited with the Clerks of the Peace for the Counties of *Flint* and *Denbigh*: Therefore, subject to the Provisions and Powers of Deviation in this Act and the incorporated Acts contained, the Railway may be made in the Line or Course and upon the Lands delineated on the said Plans and described in the said Books of Reference, and according to the Levels defined on the said Sections; and, subject to the aforesaid Provisions, it shall be lawful for the Company to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose.

Line of Railway.

XVIII. The Railway shall commence by a Junction with the *Chester and Holyhead* Railway on the West Side of and near to the Railway Bridge which crosses the River *Clwyd* at *Foryd* in the Parish of *Abergele* in the County of *Denbigh*, and shall terminate at or near a Dwelling House called *Pyracantha House* in the Parish of *Denbigh* in the Borough and County of *Denbigh*.

XIX. Subject

Road to be crossed on a Level.

XIX. Subject to the Provisions in this Act and in "The Railways Clauses Consolidation Act, 1845," contained, it shall be lawful for the Company, in the Construction of the Railway, to carry the same across and on the Level of the public Road numbered on the Plans deposited as aforesaid as follows; (that is to say,)

No. on Plan.	Parish.	Description of Road.
84	St. Asaph.	Turnpike Road.

Provided always, that not more than Two Lines of Rails shall be laid down at such level Crossing.

Station or Lodge to be erected at Points of crossing.

XX. For the greater Convenience and Security of the Public the Company shall erect and permanently maintain either a Station or Lodge at the Point where the Railway crosses the before-mentioned Road on the Level, and the Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Road on the Level, or with regard to the Speed at which Trains shall pass such Road, 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 maintain any such Station or Lodge, or appoint a proper Person to watch or superintend the crossing at 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.

Board of Trade may require Bridge in lieu of level Crossing.

XXI. It shall be lawful for the Board of Trade, if it shall appear to them to be necessary for the Public Safety, at any Time hereafter to require the Company, within such Time as the said Board shall direct, and at the Expense of the Company, to carry the said Road either over or under the Railway by means of a Bridge or Arch in lieu 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 to be best adapted for removing or diminishing the Danger arising from such level Crossing.

Regulating Ascents of Bridges over Railway.

XXII. The Company may, in the Construction of the Bridges required for carrying the Roads next herein-after mentioned over the Railway, construct the Ascents of those Bridges and their Approaches of any Inclinations not greater than the Inclinations herein-

herein-after prescribed with reference to those Roads respectively; (that is to say,)

No. on Plan.	Parish.	Inclination of Ascent.
169	St. Asaph	1 in 15
167	Henllan	1 in 13

Railway not to communicate with the Chester and Holyhead Railway, except as appears on the deposited Plans, without Consent.

XXIII. The Railway hereby authorized shall communicate with the *Chester and Holyhead* Railway at the Point where, according to the Plans deposited as in this Act mentioned, the same appears to communicate therewith, and at no other Point, except with the Consent in Writing of the said *Chester and Holyhead* Railway Company under their Common Seal; and such Communication shall be effected in the most approved Manner, with all necessary Works, and to the Satisfaction of the Engineer for the Time being of the *Chester and Holyhead* Railway Company; and the Expense of such Communication, and of all necessary Openings in the Rails of the *Chester and Holyhead* Railway, Points, and other Works from Time to Time requisite for effecting, altering, and maintaining such Rails and Points, and regulating the same, shall be paid by the Company hereby incorporated, and at their Expense shall at all Times be altered, repaired, and maintained to the Satisfaction of the Engineer for the Time being of the said *Chester and Holyhead* Railway Company, and shall at all Times be made and maintained in such Manner as not to impede, obstruct, or interfere with the free, uninterrupted, and safe Passage along the said *Chester and Holyhead* Railway.

Not to interfere with Land of the Chester and Holyhead Railway Company without Consent.

XXIV. Nothing in this Act contained shall authorize the Company hereby incorporated, or any other Person or Persons, 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 in any Manner to alter, vary, or interfere with the said *Chester and Holyhead* Railway, or any of the Works appertaining thereto, without the Consent in Writing of the said *Chester and Holyhead* Railway Company under their Common Seal, save only for the Purpose of effecting the Junction hereby authorized in manner aforesaid; and (except as hereby expressly authorized) nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities of or vested in or belonging to the said *Chester and Holyhead* Railway Company, but all their Rights, Privileges, Powers, and Authorities (under their several Acts of Parliament or otherwise) are hereby expressly saved and reserved.

XXV. Nothing

Saving Rights of the Crown.

XXV. Nothing contained in this Act or in any of the Acts herein referred to shall extend to authorize the said Company to take, use, or in any Manner interfere with any Foreshore, Mudland, or other Land, Soil, Tenements, or Hereditaments, or any Rights in respect thereof, belonging to the Queen's most Excellent Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, on behalf of Her Majesty first had and obtained for that Purpose (which Consent such Commissioners are hereby respectively authorized to give), or to take away, prejudice, diminish, or alter any of the Estates, Rights, Privileges, Powers, or Authorities vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors.

No Deviation of Railway on West Bank of River Clwyd without Consent of Admiralty.

XXVI. Where the Railway takes a Course along the West Bank of the River *Clwyd*, no Deviation Riverward of the continuous Centre Line of Way shown on the Plan deposited at the Admiralty shall take place without the previous Consent of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or of the Commissioners for executing the Office of Lord High Admiral, to be signified in Writing under the Hand of the Secretary of the Admiralty, and then only in accordance with the Terms of such Consent.

Works over the River Elwy not to be commenced until approved by the Admiralty.

XXVII. Previously to commencing the Crossing or Viaduct over the River *Elwy*, or the Works connected therewith, the Company shall deposit at the Admiralty Office Plans, Sections, and Working Drawings of the said Crossing or Viaduct, and Works connected therewith, for the Approval of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral aforesaid, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty, and such Crossing or Viaduct and Works shall be constructed only in accordance with such Approval.

Admiralty may order localSurveys to be made at Expense of the Company.

XXVIII. If at any Time or Times it shall be deemed expedient by the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral, to order a local Survey and Examination of any Works of the Company in, over, or affecting any tidal or navigable Water or River, or of the intended Site thereof, the Company shall defray the Costs of every such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the Company, and if not paid upon Demand may be recovered as a Debt due to the Crown, with the Costs of Suit, or may be recovered with Costs as a Penalty is or may be recoverable from the Company.

XXIX. If

Works affecting any tidal Waters abandoned may be removed by the Admiralty at the Expense of the Company.

XXIX. If any Work to be constructed by the Company in, under, over, through, or across any tidal Water or navigable River, or if any Portion of any Work which affects or may affect any such Water or River, or Access thereto, shall be abandoned or suffered to fall into Disuse or Decay, it shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly with Costs of Suit.

Saving Rights of the Rhuddlan Marsh Embankment Trustees.

XXX. Nothing contained in this Act or in any of the Acts therein referred to shall extend to authorize the said Company to take, use, or in any Manner interfere with any Land, Soil, Tenements, or Hereditaments, or any Rights in respect thereof, vested in the *Rhuddlan Marsh* Embankment Trustees for the Purposes expressed in an Act of Parliament (Local and Personal) passed in the Thirty-fourth Year of the Reign of His late Majesty King *George* the Third, Cap. 110, and of another Act (Local and Personal) passed in the Fifty-third Year of the Reign of His said Majesty, Cap. 121, without the Consent in Writing of the said Trustees for the Time being, or of a Majority of not less than Three Fourths of those present at a Meeting specially convened for that Purpose first had and obtained for that Purpose, (and which Consent such Trustees are hereby authorized to give upon such Terms and Conditions as may be mutually agreed upon,) or to take away, prejudice, diminish, or alter any of the Estates, Rights, Privileges, Powers, or Authorities vested in or enjoyed or exerciseable by the said Trustees.

Lands for extraordinary Purposes.

XXXI. The Company may purchase by Agreement, and not compulsorily, for extraordinary Purposes, as defined in "The Railways Clauses Consolidation Act, 1845," any Quantity of Land not exceeding Seven Acres.

Powers for compulsory Purchases limited.

XXXII. 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 Two Years from the passing of this Act.

Period for Completion of Railway.

XXXIII. The Railway shall be completed within Four Years from the passing of this Act, and on the Expiration of that Period all the Powers hereby granted to the Company for making the Railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Railway as shall then be completed.

XXXIV. And

Security for completion of Railway within Time limited.

XXXIV. And whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of Her present Majesty, Chap. 20, the Sum of Four thousand five hundred Pounds, being One Tenth Part of Three Fourths of the Amount of the Estimate of the Expense of the Railway authorized by this Act, has been deposited with the Court of Chancery in *England* in respect of the Application to Parliament for this Act: Be it enacted, That notwithstanding anything contained in the said recited Act the said Sum of Four thousand five hundred Pounds so deposited as aforesaid in respect of the Application for this Act, or the Interest or Dividends of such Sum of Money, 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 by this Act limited for the Completion of the Railway, either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the 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 Railway for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the said Sum of Money 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 or 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 Four thousand five hundred 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 Four thousand five hundred Pounds if the said Company shall not, within the Period by this Act limited for the Completion of the Railway, either open the said Railway 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 Sum of Money, 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, or the Executors or Administrators of such Survivor; 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 Sum of Money, 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.

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

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

For all Dung, Compost, and all Sorts of Manure, Lime, and Limestone, and all undressed Material 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 Coals, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slate, Clay, Sand, Ironstone, and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandise, *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 not exceeding Twopence;

Twopence; 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, Merchandise, Fish, Articles, Matters, or Things, *per* Ton *per* Mile not exceeding Threepence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Penny:

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 and conveyed on a Truck or Platform, *per* Mile not exceeding Sixpence:

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

Tolls for Passengers and Cattle.

XXXVI. In respect of Passengers and Animals conveyed in Carriages upon the Railway, the Company may demand any Tolls for the Use of the Railway not exceeding the following; (that is to say,)

For every Person conveyed in or upon any Carriage, *per* Mile not exceeding Twopence; 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 Carriage, *per* Mile not exceeding Threepence; and for every Ox, Cow, Bull, or Neat Cattle so conveyed not exceeding Twopence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Penny:

For every Calf or Pig, Sheep, Lamb, or other small Animal conveyed in or upon any Carriage, *per* Mile not exceeding One Penny; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Farthing.

Tolls for propelling Power.

XXXVII. The Toll which the Company may demand for the Use of Engines for propelling Carriages on the Railway shall not exceed One Penny *per* Mile for each Passenger or Animal, or for each Ton of Goods or other Articles, in addition to the several other Tolls by this Act authorized to be taken.

Maximum Charges for Conveyance of Passengers.

XXXVIII. The maximum Rates of Charges to be made by the Company for the Conveyance of Passengers upon the Railway, including

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

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

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

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

Restrictions as to Charges not to apply to Special Trains.

XXXIX. The Restrictions as to the Charges to be made for Passengers and Articles herein-before and herein-after mentioned shall not extend to any Special Trains that may be required to be run on the Railway, but shall apply only to the Ordinary and Express Trains appointed or to be appointed from Time to Time by the Company for the Conveyance of Passengers and Goods on the Railway.

Maximum Charges for Conveyance of Goods and Cattle.

XL. It shall not be lawful for the Company to charge in respect of the several Articles, Matters, and Things, and of the several Descriptions of Animals herein-after mentioned, conveyed on the Railway, any greater Sum, including the Charges for the Use of Carriages, Waggons, or Trucks, and for locomotive Power, and all other Charges incidental to such Conveyance, (except a reasonable Charge for the Expense of loading and unloading, where such Service is performed by the Company,) than the several Sums herein-after mentioned; (that is to say,)

For all Dung, Compost, and all Sorts of Manure, Lime, and all undressed Materials for the Repair of public Roads and Highways, *per* Ton *per* Mile One Penny 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, Hoop Iron, and all other Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils and other Articles of Merchandise, *per* Ton *per* Mile Twopence:

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 Threepence:

For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, and Things, *per* Ton *per* Mile Fivepence:

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 and conveyed on a Truck or Platform, *per* Mile Sixpence, and Twopence additional for every

every Quarter of a Ton such Carriage may weigh over and above One Ton:

For every Horse, Mule, or Ass conveyed in or upon any Carriage, *per* Mile Fourpence:

For every Ox, Cow, Bull, or Neat Cattle conveyed in or upon any Carriage, *per* Mile Twopence:

And for every Calf or Pig, Sheep or Lamb, or other small Animal conveyed in or upon any Carriage, *per* Mile One Penny.

Regulations as to Tolls.

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

Short Distances.

For Articles or Persons conveyed on the Railway for a less Distance than Four Miles, the Company may demand Tolls and Charges as for Four Miles:

Fractional Parts of a Mile.

For a Fraction of a Mile beyond Four Miles, or beyond any greater Number of Miles, the Company may, with respect to Goods and Animals, demand Tolls for such Fraction in proportion to the Number of Quarters of a Mile contained therein; and if there be a Fraction of a Quarter of a Mile, such Fraction shall be deemed a Quarter of a Mile; and with respect to Passengers, every Fraction of a Mile beyond an integral Number of Miles shall be deemed a Mile:

Fractional Parts of a Ton.

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:

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 greater or smaller Quantity.

Tolls for small Parcels and Articles of great Weights.

XLII. And with respect to small Packages and single Articles of great Weight, 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 on the Railway or on any Part thereof, (as follows,)

For any Parcel not exceeding Seven Pounds in Weight, Fourpence:

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

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

And for any Parcel exceeding Twenty-eight Pounds in Weight, but not exceeding Fifty-six Pounds in Weight, One Shilling and Sixpence:

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

Company may take increased Charges by Agreement.

XLIII. 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 Trains, or by reason of any other special Service performed by the Company in relation to such Goods.

Passengers Luggage.

XLIV. Every Passenger travelling upon the Railway may take with him his ordinary Luggage, not exceeding One hundred and twelve Pounds in Weight for each First-class Passenger, One hundred Pounds in Weight for each Second-class Passenger, and Sixty Pounds in Weight for each Third-class Passenger, without any Charge being made for the Carriage thereof.

Railway not exempt from Provisions of present and future General Acts.

XLV. Nothing in this Act contained shall be deemed or construed to exempt the Railway from the Provisions 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 the present or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rate of Fares and Charges, or of the Rates for small Parcels, authorized by this Act.

XLVI. The

XLVI. The Costs and Expenses of obtaining and passing this Act, and preparatory or incidental thereto, shall be paid by the Company. Expenses of Act.

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