ANNO VICESIMO QUINTO & VICESIMO SEXTO

VICTORIÆ REGINÆ.

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Cap. clxxxv.

An Act for making a Railway in the County of *Salop*, to be called "The *West Shropshire Mineral* Railway;" and for other Purposes.

[29th *July* 1862.]

WHEREAS the making of a Railway from the *Oswestry and Newtown* Railway near *Llanymynech* to the *Shrewsbury and Welchpool* Railway in the Parish of *Westbury* would be of great public Advantage: And whereas it is expedient that a Bridge intended to be constructed over the River *Severn* under the Authority of this Act should be used for Road as well as Railway Purposes: And whereas the Persons named in this Act, with others, are willing, at their own Expense, to carry the Undertaking into effect: And whereas it is expedient to provide as herein-after mentioned with respect to the Use by the *Oswestry and Newtown* Railway Company of the Railway by this Act authorized: And whereas the Objects of this Act cannot be attained 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 of the Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

The West Shropshire Mineral Railway Act, 1862.

Short Title.

1. This Act may for all Purposes be cited as "The *West Shropshire Mineral* Railway Act, 1862."

8 & 9 Vict. cc. 16. 18. & 20. and 23 & 24 Vict. c. 106. incorporated.

2. "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," and "The Railways Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act.

Company incorporated.

3. *William Walter Cargill*, the Honourable *Richard Augustus Bethell*, *Arthur Pittar Lattey*, *Elias Mocatta*, *Charles Pool Froom*, 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, are by this Act 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 are by this Act incorporated by the Name of "The *West Shropshire Mineral* Railway Company," and by that Name shall be One Body, with perpetual Succession and a Common Seal, and with Power to purchase, take, hold, and dispose of Lands and other Property for the Purposes but subject to the Restrictions of this Act.

Capital.

4. The Capital of the Company shall be Ninety thousand Pounds, in Nine thousand Shares of Ten Pounds each.

Calls.

5. Two Pounds a Share shall be the greatest Amount of a Call, and Two Months at least shall be the Interval between successive Calls, and Eight Pounds a Share shall be the greatest aggregate Amount of Calls made thereon in any One Year.

Power to borrow.

6. The Company may from Time to Time borrow on Mortgage any Sums not exceeding in the whole Thirty thousand Pounds, but no Part thereof shall be borrowed until the whole of the Capital of Ninety thousand Pounds is subscribed for, and One Half thereof is paid up, and the Company has proved to the Justice who is to certify under the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," that the whole of the Capital has been subscribed for *bonâ fide*, and is held by the Subscribers or their Assigns, and for which such Subscribers or their Assigns are legally liable.

Arrears may be enforced by Appointment of a Receiver.

7. The Mortgagees under this Act may enforce the Payment of the Arrears of Interest or of Principal and Interest due on their respective Mortgages by the Appointment of a Receiver, and the Amount to authorize a Requisition for a Receiver shall be Five thousand Pounds.

Interest not to be paid on Calls paid up.

8. The Company shall not, out of any Money by this Act authorized to be raised by Calls or by borrowing, pay Interest or Dividend to any Shareholder on the Amount of the Calls made in respect of the Shares held

held by him: Provided always, that this Act shall not prevent the Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as in conformity with "The Companies Clauses Consolidation Act, 1845."

Deposit for future Bills not to be paid out of Capital or Loan.

9. The Company shall not, out of any Money by this Act authorized to be raised, pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament now or hereafter in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the Company to construct any other Railway, or execute any other Work or Undertaking.

Application of Monies.

10. All and every Part of the Money raised by the Company under this Act, whether by Shares or by borrowing, shall be applied only for Purposes authorized by this Act.

First Meeting.

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

Number of Directors.

12. The Number of Directors shall be Five: Provided always, that the Company from Time to Time may reduce and increase the Number of Directors within the Limits of Six as the Maximum and Four as the Minimum.

Quorum.

13. The Quorum of a Meeting of the Directors shall be Three.

First Directors.

14. *William Walter Cargill*, the Honourable *Richard Augustus Bethell*, *Arthur Pittar Lattey*, *Elias Mocatta*, and *Charles Pool Froom*, shall be the First Directors of the Company.

Qualification of Directors.

15. The Qualification of a Director shall be the Possession in his own Right of Shares to the aggregate nominal Amount of Three hundred Pounds.

Election of Directors.

16. The Directors appointed by this Act shall continue in Office until the First Ordinary Meeting held after the passing of this Act, and at that Meeting the Shareholders present, either personally or by Proxy, may either continue in Office the Directors appointed by this Act, or any of them, or the Meeting may elect a new Body of Directors, or so many Directors as are required to supply the Place of those not continued in Office, the Directors appointed by this Act, if qualified, being eligible for Re-election.

Subsequent Election of Directors.

17. At the First Ordinary General Meeting to be held in every 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

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."

Newspaper for Advertisement.

18. The Newspaper for Advertisement shall be any Newspaper published in the County of *Salop*.

Power to make Railways.

19. It shall be lawful for the Company to make and maintain the Railway herein-after mentioned, with all proper Works and Conveniences connected therewith; (that is to say,)

A Railway commencing by a Junction with the *Oswestry and Newtown* Railway in the Parish of *Llanymynech* in the County of *Salop*, and terminating by a Junction with the *Shrewsbury and Welchpool* Railway in the Parish of *Westbury* in the same County.

Railway to be made according to deposited Plans.

20. Whereas Plans and Sections of the Railway by this Act authorized to be made showing the Lines and Levels thereof, and also a Book of Reference containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and of the Occupiers of Lands which may be required to be taken for the Purposes thereof, have been deposited with the Clerk of the Peace for the County of *Salop*: Therefore, subject to the Provisions and Powers of Deviation in this Act and the incorporated Acts contained, the Railway shall 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 the Railway and the Works connected therewith, or for any Purpose by this Act authorized.

Power to alter Engineering Work.

21. Notwithstanding anything in "The Railways Clauses Consolidation Act, 1845," contained, the Company in the Construction of the Railway may deviate from the Line of any Arches or Viaducts described in the deposited Plans or Sections, so as the Deviations be made within the Limits of Deviation shown on those Plans, and subject to the Limitations contained in the Eleventh, Twelfth, and Fifteenth Sections of that Act, and so as the Nature of the Work as described be not altered, and they may also substitute any other Engineering Work not shown on the Plans or Sections, instead of a Viaduct, Arch or Arches, as shown thereon, provided that every such Substitution be authorized by a Certificate of the Board of Trade; and the said Board is hereby empowered to grant such Certificate, provided it shall appear to them on due Inquiry that the Company has acted in the Matter with good Faith, and that the Owners, Lessees, and Occupiers of the Land in which the Substitution is intended to be made consent thereto, and also that the Safety and Convenience of the Public will not be diminished thereby: Provided, that nothing herein contained

contained shall take away or affect any of the Powers given to the Company or to the Board of Trade by the Eleventh, Twelfth, Fourteenth, or Fifteenth Section of "The Railways Clauses Consolidation Act, 1845."

Level Crossings.

22. Subject to the Provisions in this Act and in "The Railways Clauses Consolidation Act" contained, it shall be lawful for the Company in the Construction of the Railway to carry the same with not exceeding a Single Line of Railway so long as the Railway shall be a Single Line, and with not exceeding a Double Line of Railway if the Railway shall be made a Double Line, across and on a Level of the Roads numbered on the Plans deposited as aforesaid as herein-after mentioned; (that is to say,)

Number on Plan.	Description of Road.	Parish.
4	Public Road - -	Kinnerley.
23	„ - - -	Shrawardine.

Provided always, that it shall not be lawful for the Company in shunting Trains to pass any Trains over such level Crossing, or to allow any Engine, Carriage, Truck, or Train to stand across the same.

Lodge to be erected at Point of Crossing.

23. For the greater Convenience and Security of the Public the Company shall erect and permanently maintain a Lodge, fitted for the Residence of a Gatekeeper, at the Point where the Railway crosses the before-mentioned Roads on the Level, and the Company shall be subject to and 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 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 maintain any such Lodge, or appoint a proper Person to watch or superintend the Crossing at any such Point, 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 Crossings.

24. 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, either before or after the Railway shall have been completed and opened for Traffic, to require the Company, within such Time as the said Board shall direct, and at the Expense of the Company, to carry the said Roads or any or either of them across the Railway in such Manner as the Board shall direct, 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 any such level Crossing; but if any such level Crossing shall not be made, or shall be discontinued, it shall not be necessary for the Company to erect or maintain any Station at the Point where the Road may be crossed, or to appoint any Person to watch or superintend the Crossing thereat, nor shall they be liable to any of the aforesaid Penalties for Failure so to do.

Powers for compulsory Purchases limited.

25. 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 after the passing of this Act.

Period for the Completion of Works.

26. The Railway shall be completed within Five Years from the passing of this Act, and on the Expiration of that Period the Powers by this Act granted to the Company for executing the Railway shall cease.

Lands for extraordinary Purposes.

27. The Company may purchase by Agreement, in addition to the Lands by this Act authorized to be purchased compulsorily, any Quantity of Land for the extraordinary Purposes specified in "The Railways Clauses Consolidation Act, 1845," not exceeding Two Acres.

Junctions to be made in manner most approved.

28. The Junctions of the Railway with the other Railways hereinbefore mentioned shall be effected by means of Junction Rails and Points of the Construction most approved, and laid in a Manner approved by and to the Satisfaction of the Engineer of the Company with whose Line the Junction is made, or, in case of Difference, to the Satisfaction of an Engineer to be appointed by the Board of Trade.

Works at Junction to be done to the Satisfaction of Engineers of Company with whose Line Junction is made.

29. The Expense of the Junctions of the Railway with the said other Railways, and of all requisite Works for effecting such Junctions, and of all Repairs thereof, shall be paid by the Company, and those Works shall on every Occasion be done in such Manner as not to injure the Railway with which the Junction is effected, and to the Satisfaction of the Engineer of the Company with whose Line the Junction is made, or, in case of Difference, to the Satisfaction of an Engineer to be appointed by the Board of Trade.

As to Expense of Signals, Watchmen, &c. at Points of Junctions.

30. The Company owning the Railway with which any Junction is effected under the Authority of this Act may from Time to Time erect, either on their own Land or on the Land of the Company, such Signals and Conveniences incident to the Junctions hereby authorized, and appoint and remove such Watchmen, Switchmen, or other Persons, as may be necessary for the Prevention of Danger to or Interference with the Traffic at and near the said Junctions; and the Working and Management of such Signals and Conveniences, whether on the Land of the Company owning such Railway as aforesaid or on the Land of the Company, shall be under the exclusive Management and Regulation of the Company owning the Railway with which the Junction is effected; and

and all the Expenses of erecting and maintaining such Signals and Conveniences, and of the Wages of such Watchmen, Switchmen, and other Persons, and all incident and current Expenses, shall at the End of every Half Year be repaid by the Company, and in default of such Repayment the Amount of such Expenses and Wages may be recovered from the Company in any Court of competent Jurisdiction.

For securing Completion of Railway.

31. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Session of the Ninth and Tenth Years of Her present Majesty, Chapter Twenty, a Sum of Fourteen thousand two hundred and forty Pounds has been deposited with the Court of Chancery with respect to the Application to Parliament for this Act: Therefore, notwithstanding anything contained in that Act, the Sum of Seven thousand two hundred Pounds (being Eight Pounds *per Centum* upon Ninety thousand Pounds, the Estimate of the Expense of the Railway by this Act authorized), or the Interest or Dividends of the said Sum of Seven thousand two hundred Pounds, shall not (except upon the Execution and Deposit of such a 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 that Act, or the Survivors or Survivor of them, unless the Company, before the Expiration of the Period limited by this Act for the Completion of the Railway, either open the Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Board of Trade that the Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by Shares, and have expended for the Purpose of this Act a Sum equal in Amount to that One Half; and if that Period expire before the Company either have opened the Railway for the public Conveyance of Passengers, or have given the Proof to the Satisfaction of the Board of Trade, the said Sum of Seven thousand two hundred Pounds, and the Interest and Dividends thereof, shall immediately from and after the Expiration of that Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they are then 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: Provided that at any Time after the passing of this Act if a Bond in twice the Amount of the said Sum of Seven thousand two hundred Pounds be executed by the Company, with One or more Sureties, (the Bond to be prepared to the Satisfaction of, and the Surety or Sureties to be approved by, the Solicitor to the Treasury,) conditioned for Payment to Her Majesty, Her Heirs or Successors, of the said Sum of Seven thousand two hundred Pounds if the Company do not, within the Period limited for the 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

Act authorized to be raised by Shares, and have expended for the Purposes of this Act a Sum equal in Amount to that One Half, and if the Bond be deposited with the Solicitor to the Treasury, then the said Sum of Seven thousand two hundred Pounds, and the Interest and Dividends thereof, shall be paid to or on the Application of the Person or Persons or the Majority of the Persons named in the Warrant or Order, or the Survivors or Survivor of them, and it shall not be necessary to produce any Certificate of this Act having passed, and the Monies to be recovered upon the Bond shall be dealt with in like Manner as the said Sum of Seven thousand two hundred Pounds, and the Interest or Dividends thereof, would be dealt with under this Act if the Bond were not executed and deposited; and the Certificate of that Solicitor that the Bond has been so executed and deposited, and the Certificate of the Board of Trade that the Proof has been given to their Satisfaction, shall respectively be sufficient Evidence of the Fact so certified.

Power to take Tolls.

32. It shall be lawful for the Company to demand 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 Coals, Stones for building, pitching, and paving, Dung, Compost, and all Sorts of Manure, Lime and Limestone, Clay, Sand, and all undressed Materials for the Repair of public Roads or Highways, *per* Ton *per* Mile not exceeding One Penny; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

For all Coke, Culm, Charcoal, and Cinders, all Bricks, Tiles, Slates, Ironstone and Iron Ore, Copper Ore, Tin Ore, Manganese, and all other Ores and Minerals, 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 and Deals, Copper, Tin, Lead, and other Metals (except Iron), Nails, Anvils, Vices, and Chains, *per* Ton *per* Mile not exceeding Twopence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding 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, not being a Carriage adapted and used for travelling on a Railway, and not weighing more

more than One Ton, carried or conveyed on a Truck or Platform, *per* Mile not exceeding Sixpence:

And a further Sum of Three Halfpence *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 or Cattle.

2. In respect of Passengers conveyed in Carriages upon the Railways, as follows:

For every Person conveyed in or upon any such 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, *per* Mile not exceeding Threepence; and for every Ox, Cow, Bull, or Neat Cattle, *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 Calf or Pig, *per* Mile not exceeding One Penny; and for every Sheep, Lamb, or other small Animal, *per* Mile not exceeding Three Farthings; 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.

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

Regulations as to the Tolls.

34. 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 Three Miles the Company may demand Tolls and Charges as for Three Miles:

For a Fraction of a Mile beyond Three Miles, or beyond any greater Number of Miles, the Company may demand Tolls on Animals or Merchandise 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 in respect of Passengers every Fraction of a Mile beyond an integral Number of Miles shall be deemed a Mile:

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

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

With 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 on in proportion for any smaller Quantity.

Maximum Rate of Charges for Passengers.

35. The maximum Rate of Charge 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 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.

Tolls for Cattle, Goods, &c.

36. And with respect to the Conveyance of Horses, Cattle, Carriages, and Goods, the maximum Rate of Charge 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, except a reasonable Sum for loading, covering, and unloading of Goods at any Terminal Station of such Goods, and for Delivery and Collection, and any other Services incidental to the Business of a Carrier, where such Services or any of them are or is performed by the Company, shall not exceed the following Sums:

For every Horse, or other Beast of Draught or Burden before classed with Horses, the Sum of Fourpence *per* Mile:

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

For every Calf or Pig, One Penny *per* Mile:

For Sheep and small Animals, Three Farthings each *per* Mile:

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

For Coals, and other Articles herein-before classed therewith, the Sum of One Penny Halfpenny *per* Ton *per* Mile:

For Coke, Ores, Minerals, and other Articles herein-before classed therewith, the Sum of One Penny Halfpenny *per* Ton *per* Mile:

For Sugar, and other Articles herein-before classed therewith, the Sum of Threepence *per* Ton *per* Mile:

For Cotton, and other Goods and Articles herein-before classed therewith, the Sum of Fourpence *per* Ton *per* Mile.

Restriction as to Charges not to apply to Special Trains.

37. The Restrictions as to Tolls and Charges to be made for Passengers and Articles herein-before mentioned shall not extend to any Special Train that may be required to run on the Railways, 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 upon the Railways.

38. With

Tolls for small Parcels and single Articles of great Weight.

38. 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 following; (that is to say,)

For the Carriage of small Parcels on the Railways or on any Part thereof, as follows:

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

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

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

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

For any Parcel exceeding Fifty-six Pounds in Weight, but not exceeding One hundred and twelve Pounds in Weight, Two Shillings:

And for Parcels exceeding One hundred and twelve 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 Term shall apply only to single Articles in separate Packages:

For the Carriage of any One Boiler, Cylinder, Bob, or single Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Carriage, shall exceed Four Tons but shall not exceed Eight Tons, the Company may demand such Sum as they think fit, not exceeding Sixpence *per* Ton *per* Mile:

For the Carriage of any single Piece of Timber, Stone, Machinery, or other single Article, the Weight of which, with the Carriage, shall exceed Eight Tons, the Company may demand such Sum as they think fit.

Definition of Terminal Station.

39. No Station is to be considered a Terminal Station in regard to any Goods conveyed on the Railway which have not been received thereat direct from the Consignor of such Traffic, or are not directed to be delivered thereat to the Consignee.

Company to take increased Charges by Agreement.

40. Nothing herein contained shall be held to prevent the Company from taking any increased Charge, over and above the Charges hereinbefore 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.

41. Every

Passengers Luggage.

41. Every Passenger travelling upon the Railway may take with him his ordinary Luggage, not exceeding One hundred and twenty 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.

Power for Oswestry and Newtown Railway Company to use Railway.

42. The *Oswestry and Newtown* Railway Company may use with their Engines, Carriages, and Waggons, for the Purposes of Traffic of all Kinds, the Railway by this Act authorized, or any Part thereof, and the Stations, Watering Places, Works, and Conveniences connected therewith, upon such Terms and Conditions as may be agreed upon between that Company and the Company, or, failing Agreement, as may be settled by Arbitration in manner provided by "The Railway Companies Arbitration Act, 1859," except only that there shall be a single Arbitrator, and that such Arbitrator shall be appointed on the Application of either Company by the Board of Trade.

Power to erect Toll Gates and Toll Houses.

43. It shall be lawful for the Company, if they shall think proper so to do, so to construct the said Bridge over the River *Severn* as to make the same available for the Purposes of ordinary Road Traffic as well as for the Purposes of the Railway, and to erect and set up Toll Gates or Bars upon that Part of the said Bridge over the River *Severn* which is intended to be used for the Purpose of a public Road or any Approach thereto, and from Time to Time to remove such Toll Gate or Bar, and to erect or set up other Toll Gates or Bars in lieu thereof, and from Time to Time to erect, provide, and maintain such Toll Houses and other Conveniences near or adjoining to such Toll Gates or Bars as they shall think proper.

Tolls may be taken for the Use of the Bridge.

44. It shall be lawful for the Company, if they shall think fit so to do, to take and demand at the Toll Gates or Bars to be erected at or near the said Bridge as aforesaid for or in respect of all Persons, Horses, Mules, Asses, Beasts, or other Cattle or Animals, or Carriages of any Kind whatsoever, before they shall be permitted to pass over the said Bridge or through the said Toll Gates or Bars, any Tolls or Sums which the Company may from Time to Time think fit, not exceeding the Tolls or Sums mentioned in the Schedule to this Act annexed: Provided always, that such Tolls shall be payable only once in every Day of Twenty-four Hours, commencing at Twelve o'clock at Night, in respect of the same Person or Animal passing or repassing any Number of Times over the said Bridge: Provided also, that *John Edmund Severne* Esquire, or other the Owner for the Time being of the Farm and Lands at *Benthall* and *Shrawardine* in the County of *Salop*, now belonging to the said *John Edmund Severne*, and his and their Lessees, Tenants, Agents, Servants, and Workmen, shall be entitled to pass and repass over the said Bridge, either on Foot, or with Horses, Mules, Asses,

Beasts, or other Cattle or Animals, or Carriages of any Kind whatsoever, at all Times, without Payment of any Toll or Sum of Money.

Bridge to be public upon Payment of Tolls.

45. After the said Bridge shall have been open to the Public as a Bridge for ordinary Road Traffic the same shall be a public Bridge, and all Persons shall have free Liberty, upon Payment of the Tolls by this Act granted, to pass over the same without any Interruption whatsoever.

Tolls may be altered.

46. The Company shall have full Power from Time to Time to lower or reduce all or any of the said Bridge Tolls, and in like Manner again to raise the said Tolls to such Sum as they shall think proper, not exceeding the Sums before mentioned, and again in like Manner to lower and raise the same as often as the Company shall deem it necessary so to do.

Tolls to be charged equally.

47. The Bridge Tolls to be taken by virtue of this Act shall at all Times be charged equally to all Persons and after the same Rate in respect of all Horses, Mules, Asses, Beasts, or other Cattle or Animals, or Carriages of a like Description, passing over the same under the like Circumstances, and no Reduction or Advance in the said Tolls shall, either directly or indirectly, be made partially or in favour of or against any particular Person or Company, but every such Reduction or Advance of Tolls shall extend to all Persons whomsoever using the said Bridge as a Carriage Road, anything to the contrary in anywise notwithstanding.

Tolls to be paid as Company shall appoint.

48. The said Bridge Tolls shall be paid to such Persons, and at such Places upon or near to the said Bridge, and in such Manner, and under such Regulations, as the Company shall, by Notice to be annexed to the Account or List of Tolls, appoint.

Carriages, &c. of Persons refusing to pay Toll may be seized.

49. If any Person subject, either in respect of himself, or of any Cattle, Animal, or Carriage belonging to him or under his Care or Control, to the Payment of any of the Tolls hereby authorized to be taken in respect of the said Bridge, shall, after Demand made thereof by any Collector or other Person to be appointed to receive the same, neglect or refuse to pay such Tolls, it shall be lawful for such Collector or other Person, by himself, or taking such Assistance as he shall think necessary, to seize and distrain all or any of the Cattle, Animals, and Carriages belonging to or under the Care or Control of the Person so refusing to pay such Toll, and in respect of which such Person shall refuse Payment of Toll, together with the Bridles, Saddles, Gears, Harness, or Accoutrements of the Cattle or Animals so seized, or any Carriage in respect of which such Toll is imposed, or any of the Goods or Chattels of the Persons so refusing to pay; and if the Toll or any Part thereof so neglected or refused to be paid, and the reasonable Charges of such Seizure and Distress, shall not be paid within Four

Days next after such Seizure and Distress made, the Person so seizing and distraining may sell the Horse, Beast, Cattle, or Carriages or Things so seized and distrained, or a sufficient Part thereof, returning the Overplus of the Money to arise by such Sale (if any) and what shall remain unsold, upon Demand, to the Owner thereof, after such Tolls and the reasonable Charges occasioned by such Seizure and Distress shall be deducted.

For settling Disputes concerning Tolls.

50. In case any Dispute shall happen respecting the demanding or taking or the Payment of any of the said Bridge Tolls, or the Amount of such Tolls, then and in every such Case such Dispute shall be heard and determined by any Justice, who, upon Application made to him for that Purpose, shall examine the Matter upon the Oaths of the Parties or Witnesses (which Oath every such Justice is hereby authorized and empowered to administer), and shall determine the Amount of the Toll due, and other Matters in dispute between the Parties, and may also award such Costs to be paid by either Party to the other as to the Justice shall seem reasonable; all which Costs, in case the same shall not be forthwith paid, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the Person or Persons directed to pay the same, by Warrant under the Hand and Seal of such Justice (which Warrant every such Justice is hereby empowered to issue), and the Overplus (if any), after Payment of such Costs of such Distress and Sale, shall be returned, upon Demand, to the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

For preventing Toll Collectors from allowing Persons to pass without paying Tolls.

51. If any Collector or other Person authorized or appointed to collect the Tolls on the said Bridge shall permit or suffer any Person to pass over the said Bridge through any Toll Gate at which such Collector or other Person shall be stationed without paying the Toll payable in respect of himself, or of any Cattle, Animal, or Carriage belonging to him or under his Care or Control, or shall be guilty of any other Misconduct in his Office, such Collector or other Person so offending, and being thereof convicted before any Justice, shall forfeit any Sum not exceeding Forty Shillings for every such Offence.

Penalty on Persons refusing.

52. If any Person shall knowingly and wilfully refuse or neglect to pay his Toll, either in respect of himself, or of any Cattle, Animal, or Carriage belonging to him, or under his Care or Control, for using the said Bridge, when the same Tolls respectively shall be payable by virtue of this Act, every such Person shall for every such Offence forfeit a Sum not exceeding Forty Shillings.

List of Tolls to be exhibited on a Board.

53. A List of all the Tolls by this Act authorized to be taken for the Use of the said Bridge as a Carriage Road, and which shall be exacted by the Company, shall be published by the same being painted upon One Toll Board or more in distinct Black Letters on a White Ground, or White Letters

Letters on a Black Ground, and by such Board being exhibited in some conspicuous Place on the Toll Gates or Toll Houses, or placed where such Tolls respectively shall be payable.

Tolls to be taken only whilst Board exhibited.

54. No Tolls shall be demanded or taken by the Company for the Use of the said Bridge during any Time at which the Boards herein-before directed to be exhibited shall not be so exhibited; and if any Person wilfully pull down, deface, or destroy any such Board he shall forfeit a Sum not exceeding Five Pounds for every such Offence.

Regulations as to Toll Collectors.

55. Every Collector of such Bridge Tolls shall place on the Front or some conspicuous Part of the Toll House or other Building where he shall be on Duty his Christian and Surname in legible Characters, and each of the Letters of such Names shall be at least Two Inches in Height, and of a Breadth in proportion, and painted either in White Letters on a Black Ground, or in Black Letters on a White Ground, and he shall continue the same so placed during the whole Time he shall be upon Duty.

Penalties on Toll Collectors.

56. Every such Collector of Tolls who shall commit any of the following Offences shall forfeit any Sum not exceeding Five Pounds for each such Offence; (that is to say,)

If he do not place such Board and keep the same in its Place during the whole Time he is on Duty:

If he either refuse to permit any Person to read or in any way hinder any Person from reading the Inscription on such Board:

If he refuse to tell his Christian Name and Surname to any Person demanding the same who shall have paid or tendered the Tolls demanded of him, or if he give a false Name to any such Person:

If he demand or take a greater or less Toll from any Person than he shall be authorized to do by virtue of this Act, and of the Orders of the Company made in pursuance thereof:

If upon the legal Toll being paid or tendered he do unnecessarily detain or wilfully hinder any Cattle, Animal, Carriage, or Goods, or any Person, from passing by or over the Bridge.

Penalty on assaulting Collectors, &c.

57. In case any Person shall resist or assault any Collector of Tolls in the Execution of his Office, or shall forcibly pass over the said Bridge or Approaches, or over or through the Toll Gates or Bars to be erected by virtue of this Act, or shall forcibly drive any Cattle, Animal, or Carriage over the said Bridge, or through such Toll Gate or Bar, without having paid the Tolls payable in respect of such Cattle, Animal, Carriage, or Person, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Railway not exempt from Provisions of

58. This Act or anything therein shall not exempt the Railways to which this Act relates from the Provisions of any General Act relating to

present and future General Acts.

to Railways, or to the better or more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during this or any future Session of Parliament, or the Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges by this Act authorized, or of the Rates for small Parcels thereby authorized.

Expenses of Act.

59. All the Costs, Charges, and Expenses of and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Company.

SCHEDULE referred to by the foregoing Act.

Tolls to be taken for the Use of Carriage Bridge over the Severn.

	s.	*d.*
For every Horse drawing any Coach, Chariot, Landau, Britzska, Brougham, Sociable, Berlin, Chaise, Curricle, Whisky, Car, Gig, Spring Cart, Calash, Caravan, Hearse, or Litter, or other such Carriage, on Springs, a Sum not exceeding - - - - - - - - -	0	6
For every Horse drawing any Cart or Waggon, or other such Carriage, not on Springs, a Sum not exceeding - -	0	4
For every Horse, Mule, or Ass, laden or unladen, and not drawing, a Sum not exceeding - - - - -	0	1½
For all Oxen or Neat Cattle, a Sum for each not exceeding -	0	0½
But a Fraction of a Penny payable in respect of One or any Number of such Cattle shall be deemed - -	0	1
For every Pig, Sheep, or Lamb, a Sum not exceeding -	0	0¼
But a Fraction of a Halfpenny payable in respect of One or any Number of such Animals shall be deemed	0	0½
For every Person on Foot, a Sum not exceeding - -	0	1

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