CHAPTER xxx.

An Act for incorporating the Woodstock Railway Company and for other purposes. [25th September 1886.] A.D. 1886.

WHEREAS the making and maintaining of the railway by this Act authorised would be of public and local advantage:

And whereas the persons in that behalf in this Act named with others are willing at their own expense to construct the railway if authorised by Parliament so to do and are desirous of being incorporated into a Company with adequate powers for the purpose and it is expedient that they be incorporated and empowered accordingly as by this Act provided:

And whereas it is expedient that the Company on the one hand and the Great Western Railway Company on the other hand be authorised to enter into working and other agreements as by this Act provided:

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

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

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

Short title.

1. This Act may be cited as the Woodstock Railway Act 1886.

Incorporation of Acts.

2. The Companies Clauses Consolidation Act 1845 Part I. (relating to cancellation and surrender of shares) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 as

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amended by the Companies Clauses Act 1869 the Lands Clauses Consolidation Acts 1845 1860 and 1869 as amended by the Lands Clauses (Umpire) Act 1883 the Railways Clauses Consolidation Act 1845 and Part I. (relating to construction of a railway) and Part III. (relating to working agreements) of the Railways Clauses Act 1863 are (except where expressly varied by this Act) incorporated with and form part of this Act.

Interpretation.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction The expression "the Company" means the Company incorporated by this Act the expressions "the railway" and "the undertaking" mean respectively the railway and the undertaking by this Act authorised and for the purposes of this Act the expression "superior courts" or "court of competent jurisdiction" or any other like expression in this Act or any Act wholly or partially incorporated herewith shall be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt and not a debt or demand created by statute.

Company incorporated.

4. The Most Noble George Charles Duke of Marlborough Sir Francis John Bolton and Henry Pratt and all other persons and corporations who have already subscribed to or shall hereafter become proprietors in the undertaking and their executors administrators successors and assigns respectively shall be and are hereby united into a company for the purpose of making and maintaining the railway and for other the purposes of this Act and for those purposes shall be and are hereby incorporated by the name of "the Woodstock Railway Company" and by that name shall be a body corporate with perpetual succession and a common seal and with power to purchase take hold and dispose of lands and other property for the purposes of this Act.

Power to make railway &c.

5. Subject to the provisions of this Act the Company may make and maintain in the line and according to the levels shown on the deposited plans and sections the railway herein-after described with all proper stations sidings approaches junctions works and conveniences connected therewith or incidental thereto and may enter upon take and use such of the lands delineated on the said plans and described in the deposited books of reference as may be required for those purposes The railway herein-before referred to and authorised by this Act is wholly situate in the county of Oxford and is—

A railway two miles four furlongs and seven chains in length commencing in the parish of Shipton-on-Cherwell by a junction with the Great Western Railway (Oxford and Birmingham

line) at or near a point on that railway one hundred and forty-five yards or thereabouts measured in a southerly direction along the said railway from the mile post denoting seventy and a quarter miles from London and terminating at Woodstock in the parish of Hensington on or near the eastern side of the road leading from Woodstock to Oxford at a point two chains or thereabouts measured in a north-easterly direction from the entrance door of the County Police Station at Woodstock and in the premises forming or reputed to form part of the Blenheim estates in the occupation of the representatives of the late William Heynes Joseph Smith and George Warmington.

Not to take lands or interfere with railway of Great Western Railway Company except for the purpose of junctions.

6. Notwithstanding anything herein or in the incorporated Acts contained it shall not be lawful for the Company nor any person acting under or in execution of this Act to enter upon occupy or use either permanently or temporarily any of the lands works or property of the Great Western Railway Company or in any manner to alter vary or interfere with the railway of that company or the works of or connected therewith without the consent of the Great Western Railway Company under their common seal save only for the purpose of effecting the junction by this Act authorised and the Great Western Railway Company may at any time or times hereafter should it be necessary for them to do so at their own expense alter or remove such junction and substitute a new junction therefor but so as such alteration or removal or substituted junction shall not stop the traffic of the railway by this Act authorised or unnecessarily interfere therewith or cause increased expense to the Company in the working or maintenance of the junction or the substituted junction as the case may be or the signals works and conveniences connected therewith.

Capital and number and amount of shares.

7. The capital of the Company shall be thirty thousand pounds in three thousand shares of ten pounds each.

Shares not to be issued until one fifth paid.

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

Calls.

9. One fifth of the amount of a share shall be the greatest amount of a call and two months at the 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 made in any year upon any share.

Receipt in case of persons not sui juris.

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

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Power to borrow.

11. The Company may from time to time borrow on mortgage of the undertaking any sum not exceeding in the whole ten thousand pounds but no part thereof shall be borrowed until the whole capital of thirty thousand pounds is issued and accepted and one half thereof is paid up and the Company have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 before he so certifies that the whole of such capital has been issued and accepted and that one half thereof has been paid up and that not less than one fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof and that such capital was issued bonâ fide and is held by the persons or corporations to whom the same was issued or their executors administrators successors or assigns and that such persons or corporations their executors administrators successors or assigns are legally liable for the same and upon production to such justice of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which shall be sufficient evidence thereof.

For appointment of receiver.

12. The mortgagees of the undertaking may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver In order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than one thousand pounds in the whole.

Power to create debenture stock.

13. The Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 but notwithstanding anything therein contained the interest of all debenture stock and of all mortgages at any time created and issued or granted by the Company under this or any subsequent Act shall subject to the provisions of any subsequent Act rank pari passu (without respect to the dates of the securities or of the Acts of Parliament or resolutions by which the stock and mortgages were authorised) and shall have priority over all principal moneys secured by such mortgages.

Application of moneys.

14. All moneys raised under this Act whether by shares debenture stock or borrowing shall be applied only for the purposes of this Act to which capital is properly applicable.

First and subsequent meetings.

15. The first ordinary meeting of the Company shall be held within twelve months after the passing of this Act and the subsequent ordinary meetings of the Company shall be held twice in every year

in the months of February or March and August or September as the directors may appoint.

Number of directors.

16. The number of the directors shall be five but the Company may from time to time reduce and again increase the number provided that the number be never more than five nor less than three.

Qualification of directors.

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

Quorum of directors.

18. The quorum of a meeting of directors shall be three unless the number of directors is three and then the quorum shall be two.

First directors.

19. The Most Noble George Charles Duke of Marlborough Sir Francis John Bolton and Henry Pratt and two other persons to be nominated by them or the majority of them and consenting to such nomination shall be the first directors of the Company and shall continue in office until the first ordinary meeting held after the passing of this Act At that meeting the shareholders present in person or by proxy may either continue in office the directors appointed by this Act or nominated as aforesaid or any of them or may elect a new body of directors or directors to supply the place of those not continued in office the directors appointed by this Act or nominated as aforesaid being (if qualified) eligible for re-election and at the first ordinary meeting to be held in every year after the first ordinary meeting the shareholders present in person or by proxy shall (subject to the power herein-before contained for varying the number of directors) elect persons to supply the places of the directors then retiring from office agreeably to the provisions of the Companies Clauses Consolidation Act 1845 and the several persons elected at any such meeting being neither removed nor disqualified nor having died or resigned shall continue to be directors until others are elected in their stead in manner provided by the same Act.

Election of directors.

Lands for extraordinary purposes.

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

Period for compulsory purchase of lands.

21. 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.

Power to take easements &c. by agreement.

22. Persons empowered by the Lands Clauses Consolidation Act 1845 to sell and convey or release lands may if they think fit subject to the provisions of that Act and of the Lands Clauses Consolidation Acts Amendment Act 1860 and of this Act grant to the Company any easement right or privilege (not being an easement of water)

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

Dimensions of bridge over Oxford and Banbury main road.

23. Notwithstanding anything shown on the deposited sections or contained in the Railways Clauses Consolidation Act 1845 the railway shall be carried over the roads numbered respectively 42 and 43 on the deposited plans in the parish of Shipton-on-Cherwell or over one of those roads as the case may be by a girder bridge of not less than 45 feet clear span and not less than 16 feet headway throughout the whole span and the level of the said roads shall not be altered nor shall the roadways thereof be obstructed or interfered with except so long as may be reasonably necessary for the erection of the abutments and the hoisting and placing in position of the girders of the said bridge.

Provision as to labouring class houses.

24. (1) The Company shall not under the powers of this Act purchase or acquire in any city borough or other urban sanitary district or in any parish or part of a parish not being within an urban sanitary district ten or more houses which after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until—

(A) They shall have obtained the approval of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last or for such number of persons as the Local Government Board shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case; and

(B) They shall have given security to the satisfaction of the Local Government Board for the carrying out of the scheme.

(2) The approval of the Local Government Board to any scheme under this section may be given either absolutely or conditionally and after the Local Government Board have approved of any such scheme they may from time approve either absolutely or conditionally of any modifications in the scheme.

(3) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall

require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced:

Provided that the Local Government Board may dispense with the last-mentioned requirement subject to such conditions if any as they may see fit.

(4) Any conditions subject to which the Local Government Board may have approved of any scheme under this section or of any modifications of any scheme or subject to which they may have dispensed with the above-mentioned requirement shall be enforceable by a writ of Mandamus to be obtained by the Local Government Board out of the Queen's Bench Division of the High Court of Justice.

(5) If the Company acquire or appropriate any house or houses for the purposes of this Act in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any such house or houses in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Local Government Board by action in the High Court of Justice and shall be carried to and form part of the Consolidated Fund of the United Kingdom:

Provided that the court may if it think fit reduce such penalty.

(6) For the purpose of carrying out any scheme under this section the Company may appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase such further lands as they may require and for the purpose of any such purchase sections 176 and 297 of the Public Health Act 1875 shall be incorporated with this Act and shall apply to the purchase of lands by the Company for the purposes of any scheme under this section in the same manner in all respects as if the Company were a local authority within the meaning of the Public Health Act 1875 and the scheme were one of the purposes of that Act.

(7) The Company may on any lands belonging to them or purchased or acquired under this section or any provisional order issued in pursuance of this section erect such dwellings for persons of the labouring class as may be necessary for the purpose of any scheme under this section and may sell demise or let or otherwise dispose of such dwellings and any lands purchased or acquired as aforesaid and may apply for the purposes of this section to which capital is properly applicable or any of such purposes any moneys which they may be authorised to raise or apply for the general purposes of their undertaking:

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Provided that all lands on which any buildings have been erected or provided by the Company in pursuance of any scheme under this section shall for a period of twenty-five years from the passing of this Act be appropriated for the purpose of dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this enactment:

Provided also that the Local Government Board may at any time dispense with all or any of the requirements of this subsection subject to such conditions (if any) as they may see fit.

(8) So much of section 157 of the Public Health Act 1875 as provides that the provisions of that section and of sections 155 and 156 of the same Act shall not apply to buildings belonging to any railway company and used for the purposes of such railway under any Act of Parliament shall not apply to buildings erected or provided by the Company for the purpose of any scheme under this section.

(9) The Local Government Board may direct any inquiries to be held by their inspectors which they may deem necessary in relation to any scheme under this section and for giving effect to any of the provisions of this section and the inspectors of the Local Government Board shall for the purposes of any such inquiry have all such powers as they have for the purposes of inquiries directed by that Board under the Public Health Act 1875.

(10) The Company shall pay to the Local Government Board a sum to be fixed by that Board in respect of the preparation and issue of any provisional order in pursuance of this section and any expenses incurred by that Board in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

(11) The expression "labouring class" in this section includes mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.

Deposit money not to be repaid except so far as railway opened.

25. Whereas pursuant to the standing orders of both Houses of Parliament and to an Act of the ninth year of the reign of Her present Majesty chapter twenty a sum of one thousand two hundred and seventy pounds ten shillings and sevenpence Consolidated Three Pounds per Centum Annuities being five per centum upon the amount of the estimate in respect of the railway has been deposited with the Paymaster General for and on behalf of the Supreme

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Court of Judicature in England in respect of the application to Parliament for this Act which sum is referred to in this Act as the deposit fund Be it enacted that notwithstanding anything contained in the said Act the said deposit fund shall not be paid or transferred to or on the application of the person named in the warrant or order issued in pursuance of the said Act which person is in this Act referred to as the depositor unless the Company shall previously to the expiration of the period limited by this Act for the completion of the railway open the same for the public conveyance of passengers Provided that if within such period as aforesaid the Company open any portion of the railway for the public conveyance of passengers then on the production of a certificate of the Board of Trade specifying the length of the portion of the railway opened as aforesaid and the portion of the deposit fund which bears to the whole of the deposit fund the same proportion as the length of the railway so opened bears to the entire length of the railway the Chancery Division of the High Court of Justice in England shall on the application of the depositor order the portion of the deposit fund specified in the certificate to be paid or transferred to him or as he shall direct and the certificate of the Board of Trade shall be sufficient evidence of the facts therein certified and it shall not be necessary to produce any certificate of this Act having passed anything in the above-mentioned Act to the contrary notwithstanding.

Application of deposit.

26. If the Company do not previously to the expiration of the period limited for the completion of the railway complete the same and open it for the public conveyance of passengers then and in every such case the deposit fund or so much thereof as shall not have been paid to the depositor shall be applicable and after due notice in the London Gazette shall be applied towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the railway or any portion thereof or who have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act and for which injury or loss no compensation or inadequate compensation has been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Chancery Division of the High Court of Justice in England may seem fit and if no such compensation is payable or if a portion of the deposit fund has been found sufficient to satisfy all just claims in respect of such compensation then the deposit fund or such portion thereof as may not be required as aforesaid shall either be forfeited to Her Majesty and accordingly be paid or transferred to or for the account of Her Majesty's Exchequer in such manner as the Chancery

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Division thinks fit to order on the application of the Solicitor to Her Majesty's Treasury and shall be carried to and form part of the Consolidated Fund of the United Kingdom or in the discretion of the Chancery Division if the Company is insolvent and has been ordered to be wound up or a receiver has been appointed shall wholly or in part be paid or transferred to such receiver or to the liquidator or liquidators of the Company or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof Provided that until the deposit fund has been repaid to the depositor or has become otherwise applicable as herein-before mentioned any interest or dividends accruing thereon shall from time to time and as often as the same shall become payable be paid to or on the application of the depositor.

Period for completion of works.

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

Tolls for passengers and animals.

28. The Company may demand and take in respect of the use of the railway any tolls not exceeding the following (that is to say):—

In respect of passengers and animals conveyed in carriages upon the railway or any part thereof 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 per mile of one penny:

Class 1.—For every horse mule ass or other beast of draught or burden conveyed in or upon any such carriage per mile threepence and if conveyed in or upon any carriage belonging to the Company an additional sum per mile of one penny;

Class 2.—For every ox bull cow or head of neat cattle conveyed in or upon any such carriage per mile twopence three farthings and if conveyed in or upon any carriage belonging to the Company an additional sum per mile of one penny;

Class 3.—For every calf pig sheep lamb or other small animal conveyed in or upon any such carriage per mile one penny halfpenny and if conveyed in or upon any carriage belonging to the Company an additional sum per mile of one penny:

Goods.

In respect of goods conveyed on the railway:

Class 4.—For all dung compost and all sorts of manure lime and limestone and all undressed materials for the repair of public

roads or highways and for all stones for building pitching and paving and clay (except fireclay) per ton per mile one penny and if conveyed in carriages belonging to the Company an additional sum per ton per mile of three farthings ;

Class 5.—For all ironstone iron ore coal coke cinders bricks sand fireclay slag dressed stone salt tiles slates culm and charcoal per ton per mile one penny farthing and if conveyed in carriages belonging to the Company an additional sum per ton per mile of three farthings ;

Class 6.—For all pig iron sheet iron bar iron rod iron hoop iron plates of iron and rolled iron and for heavy iron castings including railway chairs and all other similar descriptions of wrought iron and iron castings not manufactured into utensils per ton per mile one penny three farthings and if conveyed in carriages belonging to the Company an additional sum per ton per mile of three farthings ;

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

Class 8.—For cotton and other wools drugs manufactured goods and all other wares merchandise fish articles matters or things per ton per mile twopence three farthings and if conveyed in carriages belonging to the Company an additional sum per ton per mile of one penny ;

Class 9.—And for every carriage of whatever description not being a carriage adapted and used for travelling on a railway and not weighing more than one ton carried or conveyed on a truck or platform not belonging to the Company per mile threepence and if carried or conveyed on a truck or platform belonging to the Company per mile fourpence and a sum of one penny 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 propelling power.

29. 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 or sums by this Act authorised to be taken.

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Regulations as to tolls. Short distances.

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

For all passengers animals or goods conveyed on the railway for a less distance than three miles the Company may demand tolls and charges as for three miles.

Fractional parts of a ton.

For a fraction of a ton the Company may demand tolls according to the number of quarters of a ton in such fraction and if there be a fraction of a quarter of a ton such fraction shall be deemed a quarter of a ton.

General weight.

With respect to all articles except stone and timber the weight shall be determined according to the imperial avoirdupois weight.

Weight of stone and timber.

With respect to stone and timber fourteen cubic feet of stone forty cubic feet of oak mahogany teak beech or ash and fifty cubic feet of any other timber shall be deemed one ton weight and so in proportion for any smaller quantity.

Tolls for small parcels and articles of great weight.

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

For the carriage on the railway of any parcel not exceeding seven pounds in weight threepence:

For any parcel exceeding seven pounds but not exceeding fourteen pounds in weight fivepence:

For any parcel exceeding fourteen pounds but not exceeding twenty-eight pounds in weight sevenpence:

For any parcel exceeding twenty-eight pounds but not exceeding fifty-six pounds in weight ninepence:

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

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

For the carriage of single articles of great weight:

For the carriage of any single article the weight of which including the carriage exceeds four tons but does not exceed eight tons the Company may demand and take such sum as they from time to time may think fit not exceeding one shilling and fourpence per ton per mile.

For the carriage of any single article the weight of which with the carriage exceeds eight tons or which on account of the length thereof may require more than one carriage the Company may demand and take any sum they think fit.

Maximum rate for passengers.

32. The maximum rate of charge to be made by the Company for the conveyance of passengers upon the railway including the tolls for the use of the railway and of carriages and locomotive power and for every other expense incidental to such conveyance excepting Government duty shall not exceed the following (that is to say) :—

For every passenger conveyed in a first-class carriage per mile the sum of threepence ;

For every passenger conveyed in a second-class carriage per mile the sum of twopence ;

For every passenger conveyed in a third-class carriage per mile the sum of one penny.

Maximum rate for animals and goods.

33. The maximum rate of charge to be made by the Company for the conveyance of animals and goods (except such small parcels and single articles of great weight as aforesaid) on the railway including the tolls for the use of the railway and for waggons or trucks and locomotive power and for every other expense incidental to the conveyance except a reasonable sum for loading and unloading goods at any terminal station in respect of such goods and for delivery and collection and any other services incidental to the business or duty of a carrier (where such services or any of them are or is performed by the Company) shall not exceed the following sums (that is to say) :—

For every animal mentioned in Class 1 per mile fourpence ;

For every animal mentioned in Class 2 per mile threepence halfpenny ;

For every animal mentioned in Class 3 except lambs or other small animals per mile twopence ; and for every lamb or other small animal per mile three farthings ;

For the articles and goods mentioned in Class 4 per ton per mile twopence ;

For the articles and goods mentioned in Class 5 per ton per mile twopence except coal ; and for coal per ton per mile one penny halfpenny ;

For the articles and goods mentioned in Class 6 per ton per mile twopence halfpenny ;

For the articles and goods mentioned in Class 7 per ton per mile threepence ;

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For the articles and goods mentioned in Class 8 per ton per mile fourpence;

For every carriage mentioned in Class 9 having more than two wheels and not weighing more than one ton per mile fourpence and if only having two wheels per mile threepence and if such carriages respectively weigh more than one ton then an additional penny per mile for every quarter of a ton or fractional part of a quarter of a ton:

Provided always that the Company shall in no case be required to convey on the railway any minerals or other articles requiring a separate truck or waggon belonging to the Company at a less charge than one shilling per mile:

Provided also that when a separate waggon or truck shall be retained by one person for the conveyance only of cattle or sheep belonging to him or under his charge the aggregate of the tolls to be paid for such waggon or truck capable of containing six oxen or twenty-five sheep and not containing more than that number shall not exceed ninepence per mile.

Passengers luggage.

34. Every passenger travelling upon the railway may take with him his ordinary luggage not exceeding one hundred and twenty pounds in weight for first-class passengers one hundred pounds in weight for second-class passengers and sixty pounds in weight for third-class passengers without any charge being made for the carriage thereof.

Foregoing charges not to apply to special trains.

35. The restrictions as to the charges to be made for passengers shall not extend to any special train run upon the railway in respect of which the Company may make such charges as they think fit but shall apply only to the ordinary and express trains appointed from time to time by the Company for the conveyance of passengers and goods upon the railway.

Company may take increased charges by agreement.

36. Nothing in this Act shall prevent the Company from taking any increased charges over and above the charges by this Act limited for the conveyance of animals or goods of any description by agreement with the owners or persons in charge thereof either by reason of any special service performed by the Company in relation thereto or in respect to the conveyance of animals or goods (other than small parcels) by passenger trains.

Power to enter into arrangements with Great

37. The Company on the one hand and the Great Western Railway Company on the other hand may subject to the provisions of Part III. of the Railways Clauses Act 1863 as amended or varied by the Regulation of Railways Act 1873 from time to time enter into

and carry into effect and vary modify or rescind agreements with respect to the following purposes or any of them (that is to say) :—

Western Railway Company.

The management use working and maintenance by the Great Western Railway Company of the railway and works of the Company or any part or parts thereof respectively ;

The supply during the continuance and for the purposes of any agreement for the working and use of the railway by the Great Western Railway Company of engines stock and plant and the employment of officers and servants for the conduct of the traffic on the railway ;

The payments to be made and the conditions to be performed with respect to the matters aforesaid ;

The regulation interchange collection transmission and delivery of traffic upon or coming from or destined for the railway of the Company ;

The fixing collection payment appropriation apportionment and distribution of the tolls rates income and profits arising from the respective railways and works of the contracting companies or any part thereof ;

The payments allowances drawbacks or rebates to be made by either of the contracting companies to the other of them ; and

The appointment of joint committees for the purpose of any such agreements.

Tolls on traffic conveyed partly on the railway and partly on the railway of the Great Western Railway Company.

38. During the continuance of any agreement to be entered into under the provisions of this Act for the use of the railway by the Great Western Railway Company the railway of the Company and the railway of the Great Western Railway Company shall for the purposes of short distance tolls and charges be considered as one railway and in estimating the amount of tolls and charges in respect of traffic conveyed partly on the railway and partly on the railway of the Great Western Railway Company for a less distance than three miles tolls and charges may only be charged as for three miles and in respect of passengers for every mile or fraction of a mile beyond three miles tolls and charges as for one mile only and in respect of animals and goods for every quarter of a mile or fraction of a quarter of a mile beyond three miles tolls and charges as for a quarter of a mile only and no other short distance charge shall be made for the conveyance of passengers animals or goods partly on the railway and partly on the railway of the Great Western Railway Company.

Classification table to be open to in-

39. The book tables or other document in use for the time being containing the general classification of goods carried by goods or

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Inspection and copies to be sold.

merchandise train on the railway of the Company shall during all reasonable hours be open to the inspection of any person without the payment of any fee at every station at which goods or merchandise are received for transmission and such book tables or other document as annually revised shall be kept on sale at the principal office of the Company at a price not exceeding one shilling.

Terminal charges (if any) to be specified on application.

The Company shall within one week after application in writing made to the secretary of the Company by any person interested in the carriage of any goods which have been or are intended to be carried over the railway render an account to the person so applying in which the charge made or claimed by the Company for the carriage of such goods shall be divided and the charge for conveyance over the railway shall be distinguished from the terminal charges if any and if any terminal charge is included in such account the nature and detail of the terminal expenses in respect of which it is made shall be specified.

Penalty.

If the Company fail to comply with the provisions of this section they shall for each offence and in the case of a continuing offence for every day during which the offence continues be liable to a penalty not exceeding five pounds which penalty shall be recovered and applied in the same manner as penalties imposed by section 14 of the Regulation of Railways Act 1873.

Interest not to be paid on calls paid up.

40. No interest or dividend shall be paid out of any share or loan capital which the Company are by this or any other Act authorised to raise to any shareholder on the amount of the calls made in respect of the shares held by him but nothing in this Act shall prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the Companies Clauses Consolidation Act 1845.

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

41. The Company shall not out of any money by this Act authorised to be raised pay or deposit any sum which by any standing order of either House of Parliament now or hereafter in force may be required to be deposited in respect to any application to Parliament for the purpose of obtaining an Act authorising the Company to construct any other railway or to execute any other work or undertaking.

Provision as to general Railway Acts.

42. Nothing in this Act contained shall exempt the Company or the Great Western Railway Company or the railway of either company from the provisions of any general Act relating to railways or the better and more impartial audit of the accounts of railway companies now in force or which may hereafter pass during

this or any future session of Parliament or from any future revision or alteration under the authority of Parliament of the maximum rates of fares and charges or of the rates for small parcels authorised to be taken by the respective companies. A.D. 1886.

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

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