



ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

Cap. cx.

An Act to authorize the Construction of a Railway from *Cannock* in the County of *Stafford* to *Uttoxeter* in the same County, to join the *North Staffordshire* Railway, *Potteries* Line, by a Company to be called “*The Derbyshire, Staffordshire, and Worcestershire Junction Railway Company.*”

[2d July 1847.]

WHEREAS great public Advantage would accrue from the Construction of a Railway from *Cannock* in the County of *Stafford* to the *North Staffordshire* Railway (*Potteries* Line) near the *Stony Ford Brook* in the said Parish of *Uttoxeter* in the said County of *Stafford*, by opening an additional, certain, and expeditious Means of Communication between the said Places and other Places intermediate between the same, and also by greatly facilitating Communication between more distant Towns and Places: And whereas the Persons hereafter named are willing, at their own Expence, to carry such Undertaking into execution, but the same 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

[*Local.*]

16 D

Consent

8 & 9 Vict.
cc. 16. 18.
and 20. in-
corporated
with this
Act.

Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the several Acts of Parliament following, (that is to say,) the Companies Clauses Consolidation Act, 1845, the Lands Clauses Consolidation Act, 1845, and the Railway Clauses Consolidation Act, 1845, shall be incorporated with and form Part of this Act.

Short Title.

II. And be it enacted, That in citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to describe it as the "*Derbyshire, Staffordshire, and Worcestershire Junction Railway Act, 1847.*"

The Word
"Under-
taking."

III. And be it enacted, That where the Word "Undertaking" is used in this Act with reference to the said Railway and Works the said Word shall be construed to mean the Railway, Stations, Conveniences, and Works by this Act authorized to be made.

Subscribers
incorporated.

IV. And be it enacted, That Sir *John Foster Fitzgerald, Daniel Turton Johnson, William King, John Mee Mathew, and Edmund John Spiers*, and all other Persons and Corporations who have already subscribed to the Undertaking called "*The Derbyshire, Staffordshire, and Worcestershire Junction Railway,*" and all Persons and Corporations who shall hereafter subscribe to the Undertaking hereby authorized, and the Executors, Administrators, Successors, and Assigns of all such Persons and Corporations respectively, shall be united into a Company for the Purposes of the said Undertaking hereby authorized according to the Provisions of the said recited Acts and of this Act, and for other the Purposes herein and in the said recited Acts contained; and for the Purposes aforesaid such Company shall be incorporated by the Name of "*The Derbyshire, Staffordshire, and Worcestershire Junction Railway,*" and by that Name shall be a Body Corporate, with perpetual Succession, and shall have Power to purchase and hold Lands for the Purposes of the said Undertaking within the Restrictions herein and in the recited Acts contained.

Capital.

V. And whereas the estimated Expence of making the Railway is Four hundred thousand Pounds; be it enacted, That the Capital of the Company shall be Four hundred thousand Pounds.

Number and
Amount of
Shares.

VI. And be it enacted, That the Number of Shares into which the Capital shall be divided shall be Twenty thousand, and the Amount of each Share shall be Twenty Pounds.

Calls.

VII. And be it enacted, That Five Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and Three Months at the least shall be the Interval between each Call.

Interest not
to be paid
on Calls
paid up.

VIII. And be it enacted, That it shall not be lawful for the said Company, out of any Money by this Act or any other Act relating to the said Railway Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay
any

any Interest to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein-before contained shall be deemed to prevent the said Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with the Provisions in the Companies Clauses Consolidation Act, 1845, in that Behalf contained.

IX. And be it enacted, That it shall be lawful for the Company to borrow on Mortgage or Bond any Sums not exceeding in the whole the Sum of One hundred and thirty-three thousand three hundred Pounds, but no Part of such Sum shall be borrowed until the whole of the said Capital or Sum of Four hundred thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up. Power to borrow Money on Mortgage or Bond.

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

XI. And be it enacted, That the first Ordinary Meeting of the Company shall be held within Six Months next after the passing of this Act. First Meeting.

XII. And be it enacted, That the Number of Directors shall not exceed Twelve, and the Qualification of a Director shall be the Possession in his own Right of Twenty-five Shares in the Undertaking. Number and Qualification of Directors.

XIII. And be it enacted, That it shall be lawful for the Company to increase or reduce the Number of Directors, provided that the increased Number do not exceed Fifteen, and that the reduced Number be not less than Five. Power to vary the Number of Directors.

XIV. And be it enacted, That Sir *John Foster Fitzgerald*, *Daniel Turton Johnson*, *William King*, *John Mee Mathew*, and *Edmund John Spiers* shall be the first Directors of the Company. First Directors.

XV. And be it enacted, That the Directors appointed by this Act shall continue in Office until the first Ordinary Meeting to be held after the passing of this Act, and at such Meeting the Shareholders present, personally or by Proxy, may either continue in Office the Directors appointed by this Act, or any Number of them, or may elect a new Body of Directors, or Directors to supply the Place of those not continued in Office, the Directors appointed by this Act being eligible as Members of such new Body. Such Directors to continue in Office until first Meeting after passing of Act.

XVI. And

Rotation of
Directors.

XVI. And be it enacted, That at the first Ordinary Meeting to be held in every Year thereafter One Fourth of the Directors shall go out of Office, and the Shareholders present, personally or by Proxy, shall elect Persons to supply the Place of the Directors then retiring from Office, agreeably to the Provisions in the said Companies Clauses Consolidation Act, 1845, contained; and the several Persons elected at any such Meeting, being neither removed or disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead in manner provided by the said Companies Clauses Consolidation Act, 1845.

Quorum of
Directors.

XVII. And be it enacted, That a Quorum of a Meeting of Directors shall be Three.

Number and
Quorum of
Committees.

XVIII. And be it enacted, That the Number of Directors of which Committees appointed by the Directors shall consist shall not be less than Three, and the Quorum of such Committees shall be such as the Directors shall at the Time of appointing the said Committees prescribe.

Newspapers
for Insertion
of Advertisements.

XIX. And be it enacted, That all Advertisements relating to the Affairs of the Company shall be inserted in at least One Paper published in the County of *Stafford*.

Power to
make Rail-
way accord-
ing to depo-
sited Plans.

XX. And whereas Plans and Sections of the Railway by this Act authorized showing the Line and Levels thereof, and also Books of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners and Lessees and Occupiers, of the Lands through which the same is intended to pass, have been deposited with the Clerk of the Peace for the County of *Stafford*; be it enacted, That, subject to the Provisions in this and the said recited Acts contained, it shall be lawful for the Company to make and maintain the Railway and Works herein-after specified in the Line and upon the Lands delineated on the said Plans, and described in the said Books of Reference, subject as herein-after mentioned, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose: Provided always, that it shall not be lawful for the Company to construct any Portion of the Railway delineated on the said Plans between a certain Enclosure numbered 77 on the said Plans in the Parish of *Uttoxeter*, and a certain other Enclosure numbered 164 on the said Plans in the Parish of *Uttoxeter*, or to enter upon or purchase any of the Lands situate within the Limits of Deviation defined upon the Plans between the Points aforesaid.

Main Line
of Railway.

XXI. And be it enacted, That the said Railway shall commence at or near to *Cannock Mill* in the Parish of *Cannock* in the County of *Stafford* at a Road numbered 154 on the Plan, and shall pass from, in, through, or into, or be situate within, the several Parishes, Townships, and extra-parochial and other Places following, or some of them; (that is to say,) *Cannock*, *Rugeley*, *Colton*, *Blithfield*, *Abbots Bromley*, *Kingston* otherwise *Kinson*, and *Uttoxeter*, in the County
of

of *Stafford*, and shall terminate by a Junction with the *North Staffordshire Railway (Potteries Line)* near the *Stoney Ford Brook* in the said Parish of *Uttoxeter*.

XXII. And be it enacted, That it shall be lawful for the Company to purchase any Quantity of Land for extraordinary Purposes not exceeding in the whole Fifty Acres.

Lands for extraordinary Purposes.

XXIII. And be it enacted, That, subject to the Provisions in the said Railway Clauses Consolidation Act, 1845, contained, in reference to the crossing of Roads on a Level, it shall be lawful for the Company in the Construction of the Railway by this Act authorized to be made to carry the same on the Level across the several Roads numbered on the Plans deposited as herein-before mentioned as follows; (that is to say,) 76 in the Parish of *Rugeley*, 29 and 134 in the Parish of *Colton*, 36 in the Parish of *Abbot's Bromley*, and 15 in the Parish of *Blithfield*; and the Inclination of all the said Roads, where altered, shall be made not more than One Foot in Thirty Feet.

Power to carry Railway across certain Roads on a Level.

XXIV. And be it enacted, That for the greater Convenience and Security of the Public the Company shall erect and permanently maintain either a Station or Lodge at the Points where the said Railway crosses the before-mentioned Roads on the Level; and the said Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Roads on the Level, or with regard to the Speed at which Trains shall pass such Roads, as may from Time to Time be made by the Commissioners of Railways; and if the said 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 any 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.

Company to erect a Station or Lodge at the Points of crossing, and to abide by the Regulation of the Commissioners of Railways.

XXV. And be it enacted, That the Powers of the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing of this Act.

Power for purchasing Lands limited.

XXVI. And be it enacted, That the Undertaking shall be completed within Seven Years from the passing of this Act, and on the Expiration of such Period the Powers by this or the recited Acts granted to the Company for executing the Railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Undertaking as shall then be completed.

Period for Completion of Works.

XXVII. And be it enacted, That any Communications between the Railway hereby authorized and the *South Staffordshire Railway* in
[Local.]

Communications with South Staf-

fordshire
Railway to
be effected to
Satisfaction
of their
Engineer.

in the Parish of *Cannock* shall be effected in a substantial and workmanlike Manner by means of Connexion Rails and Points (of the Construction most approved) laid in the Manner most approved, and to the reasonable Satisfaction of the Engineer for the Time being of the said *South Staffordshire* Railway Company.

Communica-
tions with
South Staf-
fordshire
Railway to
be made at
Expence of
Company
hereby in-
corporated.

XXVIII. And be it enacted, That the Expence of any such Communications with the *South Staffordshire* Railway, and of all necessary Openings in the Rails thereof, and of all other Works which may from Time to Time be requisite for effecting, altering, amending, repairing, and maintaining such Rails and Points, and of regulating and adjusting the same, shall be borne and paid by the Company hereby incorporated; and that all such Communications, Openings, and Works shall not only be in the first instance made and done, but shall also from Time to Time be altered, amended, repaired, and maintained, to the reasonable Satisfaction of the Engineer for the Time being of the *South Staffordshire* Railway on each Occasion, and in such Manner and Form, and by such Ways and Means only, as shall not in anywise prejudice or injure the said *South Staffordshire* Railway, or impede, obstruct, or interfere with the free, uninterrupted, and safe Passage along the same.

Land of the
South Staf-
fordshire
Railway
Company not
to be taken.

XXIX. And be it enacted, That, notwithstanding any thing in this Act contained to the contrary, it shall not be lawful for the Company hereby incorporated, or for any other Person or Persons, either for or in execution of this Act, or for any other Purpose, or in any Manner, either permanently or temporarily, to enter upon, take, or use any of the Land or Property of the said *South Staffordshire* Railway Company, or which they may be authorized to purchase under any Act of the present or of last Session of Parliament, or in any Manner to alter, vary, or interfere with the said *South Staffordshire* Railway, or any of the Works appertaining thereto, save only for the Purpose of effecting the Junction hereby authorized in manner aforesaid, and not otherwise.

Saving
Rights of
South Staf-
fordshire
Railway
Company.

XXX. And be it enacted, That (except as hereby expressly authorized) nothing in this Act contained shall extend or be deemed or construed to extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, Franchises, or Authorities of or vested in or belonging to the said *South Staffordshire* Railway Company, but all their Rights, Privileges, Powers, Franchises, and Authorities (under the Authority of Parliament or otherwise) are hereby expressly saved and reserved, not only as against and with respect to the Company hereby incorporated, but also as against and with respect to all other Companies and Persons whomsoever.

Communica-
tions with
North Staf-
fordshire
Railway to
be effected to

XXXI. And be it enacted, That all Communications between the Railway hereby authorized and the *North Staffordshire* Railway shall be effected in a workmanlike Manner by means of Connexion Rails and Points (of the Construction most approved) laid in the Manner most approved, and to the reasonable Satisfaction of the Engineer

Engineer for the Time being of the said *North Staffordshire* Railway Company. Satisfaction of their Engineer.

XXXII. And be it enacted, That the Expence of the Communications hereby authorized with the *North Staffordshire* Railway, and of all necessary Openings in the Rails thereof, and of all other Works which may from Time to Time be requisite for effecting, altering, amending, repairing, and maintaining such Rails and Points, and of regulating and adjusting the same, shall be borne and paid by the Company hereby incorporated; and that all such Communications, Openings, and Works shall not only be in the first instance made and done, but shall also from Time to Time be altered, amended, repaired, and maintained, to the reasonable Satisfaction of the Engineer for the Time being of the *North Staffordshire* Railway on each Occasion, and in such Manner and Form, and by such Ways and Means only, as shall not in anywise prejudice or injure the said *North Staffordshire* Railway, or impede, obstruct, or interfere with the free, uninterrupted, and safe Passage along the same. Communications with *North Staffordshire* Railway to be made at Expence of Company hereby incorporated.

XXXIII. And be it enacted, That, notwithstanding any thing in this Act contained to the contrary, it shall not be lawful for the Company hereby incorporated, or for any other Person or Persons, either for or in execution of this Act, or for any other Purpose, or in any other Manner, either permanently or temporarily, to enter upon, take, or use any of the Lands or Property of the said *North Staffordshire* Railway Company, or in any Manner to alter, vary, or interfere with the said *North Staffordshire* Railway, or any of the Works appertaining thereto, save only for the Purpose of effecting the Junction hereby authorized in manner aforesaid, and not otherwise. Land of the *North Staffordshire* Company not to be taken.

XXXIV. And be it enacted, That (except as hereby expressly authorized) nothing in this Act contained shall extend or be deemed or construed to extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, Franchises, or Authorities of or vested in or belonging to the said *North Staffordshire* Railway Company, but all their Privileges, Rights, Powers, Franchises, and Authorities (under their several Acts of Parliament or otherwise) are hereby expressly saved and reserved, not only as against and with respect to the Company hereby incorporated, but also as against and with respect to all other Companies and Persons whomsoever. Saving Rights of *North Staffordshire* Company.

XXXV. And be it enacted, That it shall be lawful for the Company hereby authorized to form a Junction or Junctions with the *Trent Valley* Line of the *London and North-western* Railway, as shown on the Parliamentary Plans and Sections of the Railway hereby authorized, deposited with the Clerk of the Peace for the County of *Stafford*, in the Private Bill Office of the House of Commons, and with the Clerk of the Parliaments in the House of Lords, and at no other Points, without the Consent of the *London and North-western* Railway Company under their Common Seal: Provided always, Communications with *Trent Valley* Railway to be effected to Satisfaction of their Engineer.

always, that the Communications between the Railway hereby authorized and the *Trent Valley* Line of the *London and North-western* Railway shall be effected in a substantial and workmanlike Manner by means of Connexion Rails and Points (of the Construction most approved) laid in the Manner most approved, and to the reasonable Satisfaction of the Engineer for the Time being of the said *London and North-western* Railway Company.

Communica-
tions with
Trent Valley
Railway to
be made at
Expence of
Company
hereby in-
corporated.

XXXVI. And be it enacted, That the Expence of the Communi-
cations hereby authorized with the *Trent Valley* Line of the *London
and North-western* Railway, and of all necessary Openings in the
Rails thereof, and of all other Works which may from Time to Time
be requisite for effecting, altering, amending, repairing, and main-
taining such Rails and Points, and of regulating and adjusting the
same, shall be borne and paid by the Company hereby incorporated ;
and that all such Communications, Openings, and Works shall not
only be in the first instance made and done, but shall also from Time
to Time be amended, repaired, and maintained, to the reasonable
Satisfaction of the Engineer for the Time being of the *London and
North-western* Railway on each Occasion, and in such Manner and
Form, and by such Ways and Means only, as shall not in anywise
prejudice or injure the said *Trent Valley* Line of the *London and
North-western* Railway, or impede, obstruct, or interfere with the free,
uninterrupted, and safe Passage along the same.

Land of the
London and
North-west-
ern Railway
Company not
to be taken.

XXXVII. And be it enacted, That, notwithstanding any thing in
the Act contained to the contrary, it shall not be lawful for the
Company hereby incorporated, or for any other Person or Persons,
either for or in execution of this Act, or for any other Purpose, or in
any Manner, either permanently or temporarily, to enter upon, take,
or use any of the Lands or Property of the said *London and North-
western* Railway Company, or in any Manner to alter, vary, or
interfere with the said *Trent Valley* Line of the *London and North-
western* Railway, or any of the Works appertaining thereto, save only
for the Purpose of effecting the Junction therewith and Junction
thereof hereby authorized in manner and at the Points aforesaid, and
not otherwise or at any other Points.

Saving
Rights of
London and
North-west-
ern Railway
Company.

XXXVIII. Provided also, and be it enacted, That nothing in this
Act contained shall extend or be construed to extend, prejudice,
diminish, or alter or take away any of the Rights, Privileges, Powers,
or Authorities vested in the *London and North-western* Railway
Company in or by all or any of the several Acts of Parliament now
in force relating to the said Company or their Railway or Railways,
or the *Trent Valley* Railway, or any other Railway or Railways in
or with which they may be interested or concerned, except as is
expressly enacted by this Act.

Power to
lease the
Railway.

XXXIX. And be it enacted, That it shall be lawful for the Com-
pany to let on Lease the Railway and Works hereby authorized to
be made, or any Part or Parts thereof respectively, to the *London
and*

and *North-western* Railway Company, for such Term of Years and on such Conditions as may be mutually agreed on.

XL. And be it enacted, That it shall also be lawful for the Company hereby incorporated, by and with the Authority of Three Fifths of the Votes of the Proprietors who may be present, either personally or by Proxy, at some General Meeting specially convened for the Purpose, to sell and transfer to the said *London and North-western* Railway Company the Railway by this Act authorized to be made, or any Part thereof, or any Share or Interest therein, the Completion of which Purchase a Transfer or Conveyance duly stamped for denoting the Payment of the full and proper Stamp Duty by Law payable in respect of the Purchase Money, and under the Corporate Seal of the Company hereby incorporated, shall be sufficient Evidence; and from and after such Purchase as aforesaid, if any such Purchase shall take place, the Railway by this Act authorized to be made, or such Part or Parts thereof respectively as may be so purchased by the said *London and North-western* Railway Company, shall thenceforth be and become amalgamated with and shall form Part of the Undertaking of such Company, and from thenceforth all the Provisions, Directions, Penalties, Forfeitures, Payments, Exemptions, Remedies, Regulations, Rules, Clauses, Matters, and Things contained in this Act, or the said recited Acts relating to the Railway and Works hereby authorized to be made which so become amalgamated with the *London and North-western* Railway Company, shall, with reference to all such Railway, Works, Matters, and Things as might have been made or done by the Company hereby incorporated, be applied and applicable to the said *London and North-western* Railway Company, their Officers, Agents, and Servants, in every respect as if the said *London and North-western* Railway Company had been in every Case in this Act written or referred to in lieu and stead of the *Derbyshire, Staffordshire, and Worcestershire Junction* Railway Company.

Power to sell the Railway.

XLI. Provided always, and be it enacted, That it shall not be lawful for the said Company by virtue of the Power herein-before contained to sell or lease the said Railway hereby authorized to be made unless it shall have been proved to the Satisfaction of the Commissioners of Railways, and certified by them under their Seal previously to the Completion of such Sale or Lease, that One Half of the whole Amount of the Capital, exclusive of Loans, by this Act authorized to be raised has been actually paid up and expended for the Purposes authorized by this Act.

Railway not to be sold or leased without Consent of Commissioners of Railways.

XLII. And be it enacted, That in the Formation of the said Railway through *Cannock Chase*, and other Lands of the said Marquis of *Anglesey*, situate in the Parish of *Rugeley* aforesaid, it shall not be lawful for the said Railway Company to deviate from the central Line of the said Railway as laid down in the Map or Plan already deposited in the Office of the Clerk of the Peace for the County of *Stafford*, without the Licence and Consent of the said Marquis of *Anglesey*, his Heirs or Assigns, first had and obtained.

Not to deviate from the Line laid down in deposited Plan through the Marquis of Anglesey's Land in Rugeley.

[Local.]

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XLIII. And

Tonnage of
Articles of
Merchandize
and Goods.

XLIII. And be it enacted, That 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,)

1. 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, Gypsum, Lime, and Limestone, and all undressed Materials for the Repair of public Roads or Highways, *per Ton per Mile* not exceeding One Penny Halfpenny :

For all Coals and Culm, *per Ton per Mile* not exceeding One Penny :

For all Coke, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone, Anvils, Vices, Chains, and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other Description of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandize, *per Ton per Mile* not exceeding Two-pence :

For all Sugar, Grain, Corn, Flour, Hides, Dyewood, Earthenware, Timber, Staves, Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per Ton per Mile* Two-pence Halfpenny :

For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandize, Cheese, Fish, Articles, Matters, or Things, *per Ton per Mile* not exceeding Four-pence :

For every Carriage, of whatever Description, and not being a Carriage used or adapted for travelling on a Railway, and not weighing more than One Ton carried or conveyed on a Truck or Platform, *per Ton per Mile* not exceeding Sixpence ;

And a Sum of Sixpence *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.

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

For any Person conveyed in or upon a First-class Carriage, not exceeding Three-pence *per Mile* ; and for every Person conveyed in a Second-class Carriage, not exceeding the Sum of Two-pence *per Mile* ; and for every Passenger conveyed in a Third-class Carriage, not exceeding One Penny *per Mile* :

For every Horse, Mule, Ass, or other Beast of Draught or Burden conveyed in or upon any such Carriage, *per Mile* not exceeding Three-pence :

For every Ox, Cow, Bull, or Neat Cattle conveyed in or upon any such Carriage, *per Mile* not exceeding Three-pence :

For every Calf, Pig, Sheep, Lamb, or other small Animal conveyed in or upon such Carriage, *per Mile* not exceeding One Penny.

Tolls for
propelling
Power.

XLIV. And be it enacted, That the Toll which the Company may demand and receive for the Use of Engines for propelling Carriages on the Railway shall not exceed Two-pence *per Mile* for each Passenger or Animal, or for each Ton of Goods or other Articles, in addition

addition to the several other Tolls or Sums by this Act authorized to be taken.

XLV. And be it enacted, That the following Provisions and Regulations shall be applicable to the fixing of such Tolls; (that is to say,) Regulations as to Tolls.

For Articles or Persons conveyed upon the Railway a less Distance than Six Miles, the Company may demand, in addition to the prescribed Tolls for Conveyance, a reasonable Charge for the Expence of stopping, loading, and unloading :

For a Fraction of a Mile beyond Six Miles, or beyond any greater Number of Miles, the Company may demand Tolls on Merchandize 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 will 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 the 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 in proportion for any smaller Quantity.

XLVI. And with respect to small Packages, and single Articles of great Weight, be it enacted, That, notwithstanding the Rate of Tolls prescribed by this Act, the Company may lawfully demand the Rate of Tolls following; (that is to say,) Tolls for small Parcels and Articles of great Weight.

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

For the Carriage of any Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Carriage, shall exceed Four Tons, but shall not exceed Eight Tons, the Company may demand such Sum as they think fit not exceeding Eight-pence *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 Sums as they think fit.

XLVII. And

Passengers
Luggage.

XLVII. And be it enacted, That every Passenger travelling upon the Railway may take with him his ordinary Luggage, not exceeding One hundred Pounds in Weight for First-class Passengers, and Eighty Pounds in Weight for Second-class Passengers, and Forty Pounds in Weight for the Third-class Passengers, without any Charge being made for the Carriage thereof.

Maximum
Rate of
Charge for
Passengers.

XLVIII. Provided always, and be it enacted, That the maximum Rate of Charge to be made by the Company for the Conveyance of Passengers upon the said Railway, including the Tolls for the Use of the Railway, and of Carriages and locomotive Power, and every other Expence incidental to such Conveyance, shall not exceed the following Sums :

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

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

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

For Goods
and Animals.

XLIX. And with respect to the Conveyance of Goods, Horses, Cattle, and Carriages, the maximum Rates of Charge, including the Tolls for the Use of the Railway, and of Waggons or Trucks and locomotive Power, and every Expence incidental to such Conveyance (except loading and unloading), shall not exceed the Sums following :

For all Dung, Compost, and all Sorts of Manure, Gypsum, Lime and Limestone, and all undressed Materials for the Repair of public Roads or Highways, One Penny Halfpenny *per* Ton *per* Mile :

For all Coals and Culm conveyed a less Distance than Fifteen Miles, One Penny and One Eighth of a Penny *per* Ton *per* Mile :

And for all Coals and Culm conveyed a greater Distance than Fifteen Miles, One Penny *per* Ton *per* Mile :

For all Coke, Charcoal, and Cinders, all Stones for pitching and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone, Anvils, Vices, Chains, and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other Description of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandize, Two-pence *per* Ton *per* Mile :

For all Sugar, Grain, Corn, Flour, Hides, Dyewood, Earthenware, Timber, Cratewood, Cordwood, Staves, Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, Two-pence Halfpenny *per* Ton *per* Mile :

For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandize, Cheese, Fish, Articles, Matters, or Things, Four-pence *per* Ton *per* Mile :

For every Carriage, of whatever Description, and not being a Carriage used or adapted for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, Sixpence *per* Ton *per* Mile, and a Sum of Sixpence *per* Mile for every additional Quarter of a Ton, or fractional

Part of a Quarter of a Ton, which any such Carriage may weigh :

For every Horse, Mule, Ass, or other Beast of Draught or Burden conveyed in or upon any such Carriage, Three-pence *per* Mile :

For every Ox, Cow, Bull, or Neat Cattle conveyed in or upon any such Carriage, Three-pence *per* Mile :

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

L. Provided always, and be it enacted, That the Restriction as to the Charges to be made for Passengers shall not extend to any Special Train which may be required to run upon the Railway, but shall apply only to the ordinary Trains appointed or to be appointed from Time to Time by the Company for the Conveyance of Passengers and Goods upon the Railway.

Restriction as to Charges not to apply to Special Trains.

LI. Provided always, and be it enacted, That nothing herein contained shall be held to prevent the Company from taking any increased Charges 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 thereof by Passenger Trains, or by reason of any other special Service performed by the Company in relation thereto.

Company may take increased Charges by Agreement.

LII. And whereas an Act was passed in the Second Year of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railway*; and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways*; and another Act was passed in the Sixth Year of the Reign of Her Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops*; and another Act was passed in the Eighth Year of the Reign of Her present Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways*; and another Act was passed in the Tenth Year of the Reign of Her said Majesty, intituled *An Act for regulating the Gauge of Railways*; be it enacted, That nothing in this Act contained shall be held to exempt the said Railway or the said Company from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railway and Company so far as the same shall be applicable thereto.

Railway to be subject to Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., and 9 & 10 Vict. c. 57.

LIII. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railway by this or the said recited Acts authorized to be made from the Provisions of any general Act relating to such Acts, or of any general Act relating to Railways, now in force, or which may hereafter pass during this or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act.

Railway to be subject to Provisions of any future general Act.

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10° & 11° VICTORIÆ, *Cap.cx.*

Expences
of Act.

LIV. And be it enacted, That all the Costs, Charges, and Expences of and attending the promoting and passing of this Act or incidental thereto shall be paid by the said Company out of the first Monies which shall come to their Hands, and in preference to any other Payment whatsoever.

Public Act.

LV. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

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