



ANNO VICESIMO & VICESIMO PRIMO

VICTORIÆ REGINÆ.

Cap. cxvi.

An Act for the making and maintaining of the
Stratford-upon-Avon Railway; and for other
Purposes. [10th August 1857.]

WHEREAS the making of a Railway from *Stratford-upon-Avon* to the *Birmingham and Oxford Junction* Railway (belonging to the *Great Western* Railway Company) at or near to the *Hatton* Station, with a Branch to that Railway, would be of public Advantage: And whereas the Persons in that Behalf named in this Act, and others, are willing to make and maintain the Railway by this Act authorized, and it is expedient that they be incorporated accordingly: 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 Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (to wit,)

I. This Act may be cited for all Purposes as "The *Stratford-upon-Avon* Railway Act, 1857." Short Title.

[*Local.*]

19 L.

II. "The

The Stratford-upon-Avon Railway Act, 1857.

8 & 9 Vict.
cc. 16., 18., &
20. incor-
porated.

II. "The Companies Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," are respectively incorporated with this Act.

Same Mean-
ings to
Words in
incorporated
Acts and
this Act.

III. The several Words and Expressions to which by the Acts incorporated with this Act Meanings are assigned have in this Act the same respective Meanings, unless there be in the Subject or Context something repugnant to or inconsistent with such Construction.

Incorporation of Com-
pany.

IV. *David Rice, John Branston Freer, John Caleb Adkins, William Baldwin, Richard Greaves, William Bevington Lowe, and John Warden,* and all other Persons who have already subscribed or who hereafter subscribe to the Undertaking, and their respective Executors, Administrators, Successors, and Assigns, shall be a Company for the Purpose of making and maintaining the Railway by this Act authorized, and to be called "The *Stratford-upon-Avon* Railway, and for other the Purposes of this Act, and for such Purposes are by this Act incorporated by the Name of "The *Stratford-upon-Avon* Railway Company," and by that Name shall be One 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 but subject to the Restrictions of this Act, and to put this Act in all respects into execution; and on the passing of this Act, "The *Stratford-upon-Avon* Railway Company, Limited," which was formed for the Purpose of obtaining this Act, is, if existing, merged in the Company.

Capital.

V. The Capital of the Company shall be Sixty-five thousand Pounds, in Three thousand two hundred and fifty Shares of Twenty Pounds each.

Calls.

VI. Five Pounds a Share shall be the greatest Amount of a Call, and Two Months at least shall be the Interval between successive Calls, and the aggregate Amount of all Calls made on any One Share in any One Year shall not exceed Three Fourths of the nominal Amount of the Share.

Power to
borrow on
Mortgage.

VII. The Company may borrow on Mortgage any Sums not exceeding in the whole Twenty-one thousand Pounds, but no Part thereof shall be borrowed until the whole of the Capital be subscribed for and One Half thereof be actually paid up.

Arrears may
be enforced
by Appoint-
ment of a
Receiver.

VIII. The Mortgagees of the Company may enforce the Payment of the Principal and Interest due to them respectively upon their respective Mortgages by the Appointment of a Receiver, and the Amount

The Stratford-upon-Avon Railway Act, 1857.

Amount to authorize a Requisition for a Receiver shall be Three thousand Pounds.

IX. The Company shall not, out of any Money by this Act authorized to be raised by Shares or by borrowing, pay Interest or Dividend to any Shareholder on the Amount of the Calls made in respect of the Shares 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 is in conformity with the Provisions of "The Companies Clauses Consolidation Act, 1845."

Interest not to be paid on Calls paid up.

X. 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 from Time to Time 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 make any other Railway or to execute any other Work or Undertaking.

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

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

Application of Money.

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

First Meeting.

XIII. The Number of Directors shall be Seven.

Number of Directors.

XIV. The Qualification for a Director shall be the Possession in his own Right of Twenty Shares.

Qualification of Director.

XV. The Company from Time to Time may reduce the Number of Directors, so as the Number of Directors be not less than Three.

Alteration of Number of Directors.

XVI. *David Rice, John Warden, John Branston Freer, John Caleb Adkins, William Baldwin, Richard Greaves, and William Bevington Lowe* shall be the First Directors.

First Directors.

XVII. 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, personally or by Proxy, may either continue in Office the Directors appointed by this Act, or elect a new Body of Directors to supply their Place, the retiring Directors being, if qualified, eligible for Re-election.

Retirement of First Directors.

XVIII. The

The Stratford-upon-Avon Railway Act, 1857.

Quorum.

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

Newspaper
for Adver-
tisements.XIX. The Newspaper for Advertisements shall be any Newspaper published in the County of *Warwick*.Power to
make Rail-
way accord-
ing to depo-
sited Plans.

XX. Whereas Plans and Sections of the Railway, Branch Railway, and the Works connected therewith respectively, showing the Lines and Levels thereof respectively, and a Book of Reference thereto containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands in which the same respectively are intended to be made, have been deposited with the Clerk of the Peace for the County of *Warwick*: Therefore, subject to the Provisions of this Act, the Company may make and maintain the Railway, Branch Railway, and the Works connected therewith respectively in the Lines and upon the Levels delineated on those Plans and described in those Books of Reference, and according to the Levels shown by those Sections, and may enter upon, take, and use such of those Lands as they think necessary for the Purpose: Provided always, that the Company shall not purchase or take the Estate or Interest of *Charles Gulliver Fryer* in the Land numbered on those Plans Fifteen in the Parish of *Claverdon* without his Consent.

Period for
compulsory
Purchases
limited.

XXI. 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 after the passing of this Act.

Lands for ex-
traordinary
Purposes.

XXII. The Company may purchase by Agreement, in addition to the Lands by this Act authorized to be taken compulsorily, any Quantity of Land, not exceeding in the whole Fifteen Acres, for the extraordinary Purposes mentioned in "The Railways Clauses Consolidation Act, 1845."

Railway
and Works
authorized.XXIII. The Works by this Act authorized comprise the following;
(to wit,)

First, a Railway commencing in or near to a Field or Close of Pasture Land in the Parish of *Old Stratford* in the County of *Warwick*, in the Occupation of *Mary Waitt*, adjoining the Turnpike Road leading from *Stratford-upon-Avon* to *Birmingham*, and adjoining the Works or Buildings of the *Stratford-upon-Avon Gaslight and Coke Company*, and terminating in the Parish of *Hatton* in the County of *Warwick*, by a Junction with the *Birmingham and Oxford Junction Railway* (belonging to the *Great Western Railway Company*) at a Point thereon at or near to the
North

The Stratford-upon-Avon Railway Act, 1857.

North End of the Down Platform at the *Hatton* Station on that Railway :

Secondly, a Branch Railway diverging from and out of the intended Railway at or near a Field called *Burnt Close* in the Parish of *Hatton* in the County of *Warwick*, in the Occupation of *Charles Worsey*, and terminating by a Junction with the *Birmingham* and *Oxford* Junction Railway at or near to a Point thereon Thirty-six Chains or thereabouts North of the Point where the intended Railway is proposed to terminate.

XXIV. Notwithstanding anything contained in the Act for regulating the Gauge of Railways, the Railway and Branch Railway by this Act authorized shall be constructed and completed with Rails on the mixed Gauge, so that the same may at all Times be worked continuously in connexion with the *Birmingham and Oxford Junction* Railway. Gauge of Railways.

XXV. The several Junctions with the *Birmingham and Oxford Junction* Railway shall be made at such Points within the Limits of Deviation defined on the deposited Plans as the Engineer of the *Great Western* Railway Company approves, and all Works required for effecting such Junctions upon or affecting the Lands or Works of the *Great Western* Railway Company shall be made according to Plans first approved by such Engineer, and shall be executed under his Superintendence and at the Expense of the Company. As to Junctions with Birmingham and Oxford Junction Railway.

XXVI. The Railway and Branch Railway shall be completed within Four Years after the passing of this Act, and on the Expiration of that Period the Powers by this Act granted to the Company for executing the same, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as is then completed. Period for Completion of Works.

XXVII. If at any Time hereafter the Branch Railway to *Stratford-upon-Avon* as now authorized to be made by the *Oxford, Worcester, and Wolverhampton* Railway Company shall be carried into execution, the Company shall and they are hereby required to afford all necessary Facilities for the Connexion of that Branch Railway with the Railway hereby authorized, and within the Powers by this Act conferred on them to execute such Works as may be necessary for completing such Junction in such Manner and on such Terms and Conditions as, in the event of Difference between the Companies, shall be settled by the Board of Trade, and the Company shall also hereafter, if required, within Twelve Months after the Completion of the said Branch Railway, admit the Trains of the *Oxford, Worcester, and Wolverhampton* Railway, As to Junction of Branch Railway to Stratford-upon-Avon with Railway hereby authorized.

The Stratford-upon-Avon Railway Act, 1857.

hampton Railway Company into their Station at *Stratford-upon-Avon* on such Terms and Conditions as, in the event of Difference, shall be settled by an Arbitrator to be appointed by the Board of Trade.

Bond for
Completion
of Railway.

XXVIII. 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 Four thousand eight hundred and seventy-five Pounds, being One Tenth Part of Three Fourth Parts of the estimated Expense of making the Railway and Branch, 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, that Sum of Four thousand eight hundred and seventy-five Pounds so deposited with respect to the Application for this Act, or the Interest or Dividends of that Sum, shall not, except upon the Execution and Deposit of such Bond as herein-after mentioned, be paid or transferred to or on the Application of the Person or Persons or the Majority of the Persons named in the Warrant or Order issued in pursuance of 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 and Branch, either open the Railway and Branch 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 Purposes of this Act a Sum equal in amount to such One Half of that Capital; and if that Period expire before the Company either have opened the Railway and Branch for the public Conveyance of Passengers, or have given such Proof to the Satisfaction of the Board of Trade, the Sum so deposited, 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 that Sum of Four thousand eight hundred and seventy-five Pounds be executed by the Company with One or more Sureties (such Bond to be prepared to the Satisfaction of and such Surety or Sureties to be approved by the Solicitor to the Treasury) conditional for Payment to Her Majesty, Her Heirs or Successors, of the Sum of Four thousand eight hundred and seventy-five Pounds if the Company do not, within the Time limited for the Completion of the Railway and Branch, either open the Railway and Branch for the public Conveyance of Passengers, or prove to the Satisfaction of the Board of Trade that the Company

have

The Stratford-upon-Avon Railway Act, 1857.

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 Purposes of this Act a Sum equal in amount to such One Half of that Capital; and if such Bond be deposited with the Solicitor to the Treasury, then such Sum of Money, and the Interest or Dividends thereof, shall be paid to or on the Application of the Person or Persons or the Majority of the Persons named in such Warrant or Order, or the Survivors or Survivor of them, and it shall not be necessary to produce any Certificate of this Act having passed, anything in that Act to the contrary notwithstanding; and the Moneys to be recovered upon such Bond shall be dealt with in like Manner as the deposited Sum of Money, and the Interest or Dividends thereof, would be dealt with under this Act if such Bond were not so executed and deposited; and the Certificate of that Solicitor that such Bond has been so executed and deposited, and the Certificate of the Board of Trade that such Proof has been given to their Satisfaction, shall respectively be sufficient Evidence of the Facts so certified.

XXIX. Subject to the Provisions of this Act, the Company and the *Great Western Railway Company* may from Time to Time make such Arrangements and Agreements as they think fit with respect to the User and working of the Railway and Branch or any Part thereof respectively by the *Great Western Railway Company*, and with respect to the finding and providing by that Company of the Engines, Carriages, and other Plant and Stock necessary for the working of the Railway and Branch, or any Part thereof respectively, and with respect to the Conduct and Regulation of the Traffic on the Railway and Branch, or any Part thereof respectively, and with respect to the Collection, Division, Apportionment, and Application of the Tolls, Rates, and Charges to be demanded and taken for such Traffic or any Part thereof, and with respect to the Compensation to be made by either of these Companies to the other of them for such Purposes, or any of them, and with respect to any other Matters in connexion with such working as those Two Companies mutually agree on, and may from Time to Time alter, rescind, or renew such Arrangements and Agreements, and all such Arrangements and Agreements may and shall be carried into effect according to the true Intent thereof and of this Act respectively.

Companies
empowered
to enter into
working Ar-
rangements.

XXX. No such Agreement shall be for more than Ten Years, and no such Agreement shall have any Operation until it be approved by the Board of Trade: Provided always, that the Board of Trade shall not approve any such Agreement without being satisfied that it was duly assented to by the Shareholders of each of the Companies Parties

Duration of
Agreement.

The Stratford-upon-Avon Railway Act, 1857.

Parties thereto in manner herein-after provided in Special Meeting assembled for that Purpose.

Agreements
not to affect
Persons not
Parties
thereto.

XXXI. No such Agreement shall in any Manner alter, affect, increase, or diminish any of the Tolls, Rates, or Charges which those Companies respectively are from Time to Time authorized to demand and take from any Person or any other Company, but all other Persons and Companies shall, notwithstanding any such Agreement, be entitled to the User and Benefit of the Railways to which the Agreement relates, on the same Terms and Conditions and on Payment of the same Tolls, Rates, and Charges as if such Agreement were not entered into.

Renewal of
Agreements.

XXXII. At the Expiration of the Agreement, or of any future Agreement, those Companies, with the Consent in Special Meeting of their respective Shareholders, and subject to the Approval of the Board of Trade, from Time to Time may enter into a further Agreement for not more than Ten Years from the Expiration of the preceding Agreement.

Public Notice
of Intention
to enter into
Agreements.

XXXIII. Provided, That before those Companies enter into any such further Agreement they shall give Notice of their Intention to enter into it by Advertisement, in a Form approved by the Board of Trade, inserted once in each of Three successive Weeks in some Newspaper published or circulating in *London*, and also in some Newspaper published or circulating in the County of *Warwick*: Every such Notice shall set forth within what Time and in what Manner any Company or Person aggrieved by the proposed Agreement, and desiring to object thereto, may bring the Objections before the Board of Trade, and no such Agreement shall have any Operation until it be approved by the Board of Trade.

Agreement
inoperative
until ap-
proved by
Board of
Trade.

Sanction of
Shareholders
to Agree-
ments.

XXXIV. None of the Powers of this Act with respect to the User, working, or managing by the *Great Western Railway Company* of the Railway and Branch, or with respect to the Interchange of Traffic between those Companies, shall have any Operation unless and until the Agreements intended to be made for those Purposes be submitted to and approved by not less than Three Fifths of the Shareholders present, personally or by Proxy, at a Meeting of each of those Companies respectively specially convened for the Purpose.

Meetings
of Share-
holders.

XXXV. The Meetings respectively shall be called by Advertisements inserted in Two successive Weeks in a *London* daily Morning Newspaper, and in some Newspaper of the County in which the principal Office of the respective Company is situate, the last of
which

The Stratford-upon-Avon Railway Act, 1857.

which Advertisements shall be published not less than Seven Days before the Day for the Meeting; and also by a Circular addressed to every Shareholder entitled to vote at Meetings of the respective Company, to be served as by "The Companies Clauses Consolidation Act, 1845," prescribed with respect to Notices to be served by the Company upon the Shareholders.

XXXVI. Those Companies may by any such Agreement appoint a joint Committee, composed of such Number of Directors of each of those Companies as those Companies think proper, and from Time to Time may alter, vary, and renew any such Committee as Occasion requires, and may regulate the Proceedings of such Committee, and delegate to such Committee all such Powers of those Companies respectively as are expedient for carrying into effect the Purposes of the Agreement, and every such joint Committee so appointed shall have and may exercise the Powers so from Time to Time delegated to them in like Manner as the same might be had and exercised by those Companies respectively, or their respective Directors.

Joint Committee for carrying Agreements into effect.

XXXVII. The Company may demand and take any Tolls for the Use of the Railway and Branch not exceeding the following; (that is to say,)

Power to take Tolls.

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

Tolls for Goods, &c.

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 by 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

[Local.]

19 N

exceeding

The Stratford-upon-Avon Railway Act, 1857.

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

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

Tolls for
Passengers
or Cattle.

Secondly. In respect of Passengers and Animals conveyed in Carriages upon the Railway and Branch, or any Part thereof, as follows :

For any 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.

XXXVIII. The Toll which the Company may demand for the Use of Engines for propelling Carriages on the Railway and Branch 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.

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

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

For

The Stratford-upon-Avon Railway Act, 1857.

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

XL. The maximum Rate of Charge to be made by the Company for the Conveyance of Passengers upon the Railway and Branch, including the Tolls for the Use of the Railway and Branch, and of Carriages, and for locomotive Power, and every other Expense incidental to such Conveyance, shall not exceed the following Sums: Maximum Rates of Charges for Passengers;

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.

XLI. 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 Railway and Branch, and Waggon or Trucks and locomotive Power, and every Expense incidental to such Conveyance, shall not exceed the following Sums: for Cattle, Goods, &c.

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* Mile:

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

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

For

The Stratford-upon-Avon Railway Act, 1857.

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 Twopence *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.

XLII. The Restrictions as to Tolls and Charges to be made for Passengers and Articles herein-before mentioned shall not extend to any Special or Extra Train that may be required to be run on the Railway and Branch, 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 Railway and Branch.

Tolls for small Parcels and Articles of great Weight.

XLIII. 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 Railway and Branch, or on any Part thereof, as follows :

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

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

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

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

And for Parcels exceeding Fifty-six Pounds in Weight, but not exceeding Five hundred Pounds in Weight, the Company may demand any Sum which they think fit :

Provided always, that Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages :

For the Carriage of any 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

The Stratford-upon-Avon Railway Act, 1857.

pany 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 not exceed Eight Tons, the Company may demand such Sum as they think fit.

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

Company may take increased Charges by Agreement.

XLV. Every Passenger travelling upon the Railway and Branch 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.

Passengers Luggage.

XLVI. The Subscription Contract which, pursuant to the Standing Orders of Parliament, was entered into with respect to the Undertaking authorized by this Act previously to the Commencement of the last Session of Parliament, shall be as valid and shall be construed as if this Act had been passed in the said last Session.

Subscription Contract to be valid.

XLVII. Except as is by this Act expressly provided, this Act or anything therein contained shall not take away, lessen, alter, or prejudice any of the Estates, Rights, Powers, or Privileges of the *Great Western Railway Company*.

Saving Rights of Great Western Railway Company.

XLVIII. This Act or anything therein contained shall not exempt the Railway and Branch from the Provisions of any General Act relating to this Act, or of any General Act relating 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 for 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 by this Act authorized.

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

The Stratford-upon-Avon Railway Act, 1857.

Expenses of
Act.

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

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1857.