



ANNO VICESIMO & VICESIMO PRIMO

# VICTORIÆ REGINÆ.

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## *Cap. cxlv.*

An Act to authorize the Construction of a Railway from *Taunton* to the Harbour of *Watchet*; and for other Purposes relating to the said Railway and Harbour. [17th August 1857.]

**W**HEREAS the making of a Railway from the *Bristol and Exeter* Railway at *Taunton* to *Watchet* in *Somersetshire* would be of public Advantage: And whereas Plans and Sections of the Railway showing the Line and Levels thereof, with Books of Reference to the Plans containing the Names of the Owners, or reputed Owners, Lessees or reputed Lessees, and of the Occupiers of the Lands through which the said Railway will pass, have been deposited with the Clerk of the Peace for the said County: And whereas the Persons herein-after named, with others, are willing, at their own Expense, to construct the said Railway: And whereas it is expedient that the said Company should have Power to enter into Arrangements with the Trustees or other Persons for the Time being having the Management or Control of *Watchet* Harbour, and also with the *Bristol and Exeter* Railway Company; but these Objects cannot be accomplished 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

[*Local.*]

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Lords

*The West Somerset Railway Act, 1857.*

Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

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

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

Interpreta-  
tion of  
Terms.

II. Where in this Act the Words "the Company" occur, the same shall mean the Company incorporated by this Act; and where in this Act the Words "the Railway" occur, the same shall mean the Railway by this Act authorized to be made.

Short Title.

III. In citing this Act for any Purpose it shall be sufficient to use the Expression "The *West Somerset Railway Act, 1857.*"

Subscribers  
incorpor-  
rated.

IV. Sir *Peregrine Palmer Fuller Palmer Acland* Baronet, Sir *Alexander Acland Hood* Baronet, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Railway hereby authorized; and such Company shall be incorporated by the Name of "The *West Somerset Railway Company,*" 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 Undertaking, within the Restrictions herein and in the said Acts contained.

Capital.

V. And whereas the estimated Cost of the Railway is One hundred and twenty thousand Pounds: The Capital of the Company shall be One hundred and twenty thousand Pounds.

Shares.

VI. The Number of Shares into which the Capital shall be divided shall be Twelve thousand, and the Amount of each Share shall be Ten Pounds.

Calls.

VII. Three 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 successive Calls, and Two Third Parts of the Amount of a Share shall be the utmost aggregate Amount of Calls to be made in any One Year upon any Share.

Power to  
borrow on  
Mortgage.

VIII. The Company may borrow on Mortgage or Bond any Sums not exceeding in the whole the Sum of Forty thousand Pounds, but no Part of such Sum shall be borrowed until the whole of the said  
Capital

*The West Somerset Railway Act, 1857.*

Capital or Sum of One hundred and twenty thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up.

IX. The Moneys by this Act authorized to be raised, whether by Shares, Mortgage, or Bond, shall be applied only in carrying into execution the Objects and Purposes of this Act.

Application of Capital.

X. The Mortgagees of the Company may 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 Moneys due on such Mortgages not being duly paid, the Amount owing to the Mortgagees by whom Application for such Receiver shall be made shall not be less than Five thousand Pounds in the whole.

Arrears may be enforced by Appointment of a Receiver.

XI. The First Ordinary Meeting of the Company shall be held within Six Months next after the passing of the Act, and the subsequent Ordinary Meetings of the Company shall be held in the Months of *February* or *March* and *August* or *September* in every Year.

First and other Meetings.

XII. Subject to the Provisions herein contained for reducing the Number of the Directors, the Number of Directors shall be Eight, and the Qualification of a Director shall be the Possession in his own Right of Thirty Shares in the Undertaking.

Number and Qualification of Directors.

XIII. It shall be lawful for the Company from Time to Time to reduce the Number of Directors, provided that the reduced Number be not less than Three.

Power to reduce the Number of Directors.

XIV. 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 Places of those not continued in Office, the Directors appointed by this Act being eligible as Members of such new Body; and at the First Ordinary Meeting to be held in every Year thereafter the Shareholders present, personally or by Proxy, shall elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions in "The Companies Clauses Consolidation Act, 1845," and in this Act contained; and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead in manner provided

Such Directors to continue in Office until First Meeting after passing of Act.

*The West Somerset Railway Act, 1857.*

provided by "The Companies Clauses Consolidation Act, 1845," and by this Act, or either of them.

First Directors.

XV. Sir *Peregrine Palmer Fuller Palmer Acland* Baronet, Sir *Alexander Acland Hood* Baronet, *Lawrence Walker*, *Arthur Mills*, *John Halliday*, *William Wyndham*, *Samuel Pitman*, and *Joseph Williams* shall be the First Directors of the Company.

Quorum.

XVI. A Quorum of a Meeting of Directors shall be Three, and when the Number of Directors is reduced to Three the Quorum shall be Two.

Power to make Railways according to deposited Plans.

XVII. It shall be lawful for the Company, subject to the Provisions in this and the incorporated Acts contained, to make and maintain the Railway herein-after described, with all proper Works, Approaches, and Stations, in the Line and upon the Lands delineated on the said Plans, and described in the said Books of Reference, and according to the Levels described on the said Sections, and the Company may enter upon, take, and use such of the said Lands as shall be necessary for such Purposes.

Describing Railway.

XVIII. The Railway shall commence by a Junction with the *Bristol and Exeter* Railway near the Town of *Taunton* in the Parishes of *Bishopshull* and *Norton Fitzwarren*, or One of such Parishes, pass through or into the several Parishes and Places following, or some of them, (that is to say,) *Bishopshull*, *Norton Fitzwarren*, *Ash Priors*, *Bishops Lydeard*, *Combe Florey*, *Lydeard*, *Saint Lawrence*, *Crowcombe*, *Stogumber*, *Bicknoller*, *Sampford Brett*, and *Saint Decumans*, all in the County of *Somerset*, and terminate in the said Parish of *Saint Decumans* at or near the South-eastern End of the Esplanade at *Watchet*.

Roads to be crossed on a Level.

XIX. The public Roads numbered on the deposited Plans as follows may be crossed on the Level; (that is to say,) Nos. 26 and 55 in the Parish of *Crowcombe*; but no more than a double Line of Railway shall be laid down at any such level Crossing.

Company to erect Station or Lodge where Roads crossed on the Level.

XX. 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 before-mentioned Roads shall be crossed on a Level, and the 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 Board of Trade; and if the Company shall fail to erect or at

all

*The West Somerset Railway Act, 1857.*

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 any 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.

XXI. The Board of Trade (if it shall appear to them necessary for the public Safety or Convenience, at any Time, either before or after the Railway hereby authorized to be made shall have been completed and opened for public Traffic,) may require the Company, within such Time as the Board of Trade shall direct, and at the Expense of the Company, to carry any or either of the hereinbefore mentioned Roads either under or over the Railway by means of a Bridge or Arch instead of crossing the same on a Level, or to execute such other Works as under the Circumstances of the Case shall appear to the said Board of Trade the best adapted for removing or diminishing the Danger arising from any such level Crossing.

Board of Trade may require Bridges instead of level Crossings.

XXII. Where the Limits of Duration extend into the Tideway, the Railway and other Works shall not deviate Seaward or outward of the Black continuous Centre Line of Way marked on the Plan deposited at the Admiralty without the previous Consent of the Lord High Admiral of the United Kingdom of *Great Britain and Ireland*, or the Commissioners for executing the Office of Lord High Admiral, to be signified in Writing under the Hand of the Secretary of the Admiralty, and then only in such Manner as may be mentioned in any such Consent.

Certain Works not to be constructed without Consent of Admiralty.

XXIII. The Company shall not claim or become entitled to any exclusive Right of Water Frontage where the Railway skirts the Shore, but only such Frontage as the Company may require for the Uses of the Railway; and any other Persons may, with the previous Consent of and as approved of by the said Lord High Admiral or the said Commissioners, to be signified in Writing under the Hand of the Secretary of the Admiralty, and with the Consent of the Owners of the Soil, construct Quays and Wharves to Seaward of the Railway.

Company not to be entitled to exclusive Water Frontage.

XXIV. Where the Railway cuts off or will cut off Access between Land and Water, the Company shall make and maintain and allow to be used by all Persons and at all Times, free of Toll or other Charge, all such Crossings for Footways and Carriageways over, under, or across the Railway as the said Lord High Admiral or

Footways and Carriageways to be allowed across Railway where it interferes

[*Local.*]

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the

*The West Somerset Railway Act, 1857.*

with Access  
between  
Land and  
Water.

the said Commissioners shall at any Time or from Time to Time require, such Requirement to be signified in Writing under the Hand of the Secretary of the Admiralty.

Admiralty  
may order  
local Sur-  
vey at Ex-  
pense of  
Company.

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

Works af-  
fecting tidal  
Waters  
abandoned  
may be re-  
moved by  
Admiralty.

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

Land for  
extraordi-  
nary Pur-  
poses.

XXVII. The Quantity of Land to be purchased by the Company by Agreement for the extraordinary Purposes mentioned in "The Railways Clauses Consolidation Act, 1845," shall not exceed Seven Acres.

Powers for  
compulsory  
Purchases  
limited.

XXVIII. The Powers by this Act conferred for the compulsory Purchase of Lands shall not be exercised after the Expiration of Three Years from the passing of this Act.

Period for  
Completion  
of Works.

XXIX. The Railway shall be completed within Three Years from the passing of this Act, and on the Expiration of such Period the Powers by this or the said 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 Railway as shall then be completed.

XXX. The

*The West Somerset Railway Act, 1857.*

XXX. The Railway shall be constructed on the Gauge of Seven Feet. Gauge of Railway.

XXXI. All Communications between the Railway by this Act authorized and the *Bristol and Exeter* Railway shall be effected in a substantial Manner by means of Connexion Rails and Points of the Construction and laid in the Manner most approved from Time to Time and to the Satisfaction of the Engineer for the Time being of the *Bristol and Exeter* Railway Company, and shall at all Times thereafter be kept in good and substantial Repair and Condition by and at the Expense of the Company; and in case of any Difference arising as to the Mode of effecting such Communications, or as to the Repair and Condition thereof, then such Difference shall be determined by a Referee to be appointed at the Cost of the Company by the Board of Trade on the Application of either Company. As to Junction with Bristol and Exeter Railway.

XXXII. Nothing in this Act contained shall extend or be deemed or construed to extend to authorize or enable the Company hereby incorporated to take or enter upon any of the Lands belonging to the *Bristol and Exeter* Railway Company, or to alter, vary, or interfere with their Railway or any of the Works thereof, further or otherwise than is necessary for the convenient Junction and Intercommunication between the said Railway and the Railway hereby authorized, without the Consent in Writing of the said Company in every Instance for that Purpose first had and obtained. Not to interfere with the Works of the Bristol and Exeter Railway Company without Consent.

XXXIII. Nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, or Powers of the said *Bristol and Exeter* Railway Company otherwise than is herein expressly provided. Saving the Rights of that Company.

XXXIV. The *Bristol and Exeter* Railway Company and the Company may from Time to Time enter into Agreements with respect to the following Purposes, or any of them; that is to say, Powers to enter into Traffic Arrangements with Bristol and Exeter Railway Company.

The Use and Working by the *Bristol and Exeter* Railway Company of the Railway, and the Use of the Works and Conveniences belonging thereto:

The Conveyance by the *Bristol and Exeter* Railway Company of the whole or any Part of the Traffic upon the Railway, or any Part thereof:

The Division and Apportionment of such Traffic between the said Companies respectively:

The Supply of any Working or Rolling Stock required for such Purposes:

The Use or Purchase by the *Bristol and Exeter* Railway Company of the Rolling or Working Stock belonging to the Company, or any Part thereof:

The

*The West Somerset Railway Act, 1857.*

The Management, Maintenance, and Repair of the Railway :  
The Cost and Expenses of such Working, Management, Maintenance, and Repair :

The Forwarding, Interchange, and Transmission upon or over the respective Railways of the said Companies of any Passenger or other Traffic which may be conveyed upon and from the Railway of the *Bristol and Exeter* Railway Company to or along the Railway, or any Part thereof, or which may be conveyed upon or along the *Bristol and Exeter* Railway, or any Part thereof :

The Collection, Delivery, and general Conduct of such Traffic :

The fixing of the Tolls, Rates, and Charges to be levied or taken by the said Companies in respect of the Traffic conveyed over their respective Railways, or any Part thereof respectively, not exceeding the maximum Tolls, Rates, and Charges authorized by the Acts of Parliament relating to such Railways :

The Collection, taking, and levying of the said Tolls, Rates, and Charges :

The Division between the said Companies of the Receipts arising from the Traffic upon their respective Railways, or any Part thereof respectively, subject to any Deductions to be made therefrom, or any Rent or other Consideration to be paid by either of the said Companies to the other of them by virtue of the said Agreements.

Agreement to be approved by Board of Trade.

Agreements not to affect Persons not Parties thereto.

Agreement may be renewed with the Approval

XXXV. Any such Agreement shall not be for more than Ten Years, and no such Agreement shall have any Operation until the same shall have been approved of by the Board of Trade ; and no such Agreement as aforesaid shall in any Manner alter, affect, increase, or diminish any of the Tolls, Rates, or Charges which the said Companies shall for the Time being be respectively authorized and entitled to demand and receive from any Person or other Company, but all other Persons and Companies shall, notwithstanding any such Agreement, be entitled to the Use and Benefit of the Railways to which the said Agreement may relate upon the same Terms and Conditions, and on Payment of the same Tolls, Rates, and Charges, as they would have been in case no such Agreement had been entered into: Provided always, that the said Board shall not approve such Agreement without being satisfied that the same has been duly assented to by the Shareholders of the said Companies, Parties thereto, in Special Meeting assembled for that Purpose as herein-after required.

XXXVI. At the Expiration of the said Agreement or of any future Agreement the said Companies, with the Consent in Special Meeting of the Shareholders of such Companies respectively as herein-after required,



*The West Somerset Railway Act, 1857.*

required, and subject to the Approval of the Board of Trade, may from Time to Time enter into an Agreement for a further Period not exceeding Ten Years from the Expiration of the preceding Agreement for all or any of the Purposes aforesaid: Provided, that before such Companies shall enter into any such further Agreement as aforesaid they shall give Notice of their Intention to enter into such Agreement by Advertisement, in a Form to be approved of by the Board of Trade, inserted once in each of Three successive Weeks in some Newspaper published or circulating in each County in which any Part of the Railway to which such proposed Agreement relates is situated; and every such Notice shall set forth within what Time and in what Manner any Company or Person aggrieved by such proposed Agreement, and desiring to object thereto, may bring such Objections before the Board of Trade; and no such Agreement shall be valid at Law or in Equity until the same shall have been approved of by the Board of Trade.

of the Board of Trade.

Public Notice to be given of the Intention to enter into Agreements.

Agreement inoperative until approved by Board of Trade.

XXXVII. None of the Powers and Provisions of this Act with respect to the Use, Working, or Managing of the Railway hereby authorized by the *Bristol and Exeter* Railway Company, or with respect to the Interchange of Traffic between the Company and the *Bristol and Exeter* Railway Company, shall have any Operation or Effect unless and until the Arrangements intended to be made for such Purposes respectively shall have been submitted to and approved by a Majority of not less than Three Fifths of the Votes of the Shareholders of such respective Companies present, personally or by Proxy, at a Meeting specially convened for that Purpose.

Working Arrangements, &amp;c. not to take effect unless approved by Three Fifths of the Shareholders at a Special Meeting.

XXXVIII. Such Meeting shall be called by Advertisement inserted once at least in Two successive Weeks in a Morning Newspaper published in *London*, and in some Newspaper of the County in which the principal Office of the Company, Party to such Contract or Arrangement, is situate, the last of which Advertisements shall be published not less than Seven Days before such Meeting, and also by a Circular addressed to each Shareholder entitled to vote at Meetings of the Company, to be served in the Manner prescribed by "The Companies Clauses Consolidation Act, 1845," with respect to Notices requiring to be served by the Company upon the Shareholders.

Meeting, how to be convened.

XXXIX. In estimating the Tolls or Charges to be paid during the Continuance in force of any such Agreement as aforesaid in respect of Articles or Persons conveyed for short Distances partly upon the Railway of the *Bristol and Exeter* Railway Company and partly upon the Railway by this Act authorized, the last-mentioned

Traffic on both Lines not to be subject to the Short Distance Clauses on both Lines.

[Local.]

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Railway

*The West Somerset Railway Act, 1857.*

Railway shall be deemed to be Part of the *Bristol and Exeter* Railway.

Power to enter into Agreements with Trustees of Watchet Harbour.

XL. It shall be lawful for the Company, subject to the like Conditions as to the Duration of the Agreement and the Consent of the Board of Trade as is herein-before prescribed with respect to the Working Agreements, from Time to Time to enter into Agreements and Arrangements with the Trustees or other Persons for the Time being having the Management and Control of the Harbour at *Watchet* with respect to the Use of the Harbour, and any of the Quays, Works, Approaches, or Conveniences connected therewith, and for facilitating the Interchange of Traffic between the Harbour and Railway.

Tolls.

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

Tolls for Passengers or Cattle.

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

For every Person conveyed in or upon any Carriage, the Sum of Twopence *per* Mile; and if conveyed in or upon Carriages belonging to the Company, an additional Sum of One Penny *per* Mile :

For every Horse, Mule, and other Beast of Draught or Burden, Threepence *per* Mile; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum of One Penny *per* Mile :

For every Ox, Cow, Bull, or Neat Cattle, the Sum of Twopence *per* Head *per* Mile; and if conveyed in Carriages belonging to the Company, an additional Sum of One Penny *per* Mile :

For Calves, Pigs, Sheep, and small Animals, One Penny each *per* Mile; and if conveyed in Carriages belonging to the Company, an additional Sum of One Halfpenny *per* Mile :

Tonnage on Articles of Merchandise.

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

For all Coals, Coke, Culm, Cannel, Ironstone, Iron Ore, Pig Iron, Bar Iron, Rod Iron, Sheet Iron, Hoop Iron, Plates of Iron, Slabs, Bullets, and Rolled Iron, Limestone, Lime, Bricks, Salt, Sand, Fire Clay, Cinders, Slag, and Stone, all Dung, Compost, and all Sorts of Manure, and all undressed Materials for the Repair of public Roads or Highways, Charcoal, Stones for building, pitching, and paving, Tiles, Slates, and Clay (except Fire Clay), and for Wrought Iron not otherwise specifically classified herein, and for heavy Iron Castings, including Rail-  
way

*The West Somerset Railway Act, 1857.*

way Chairs, *per Ton per Mile* One Penny Halfpenny; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* of One Halfpenny :

For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, Deals, and Metals (except Iron), Nails, Anvils, Vices, and Chains, and for light Iron 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 :

For Cotton and other Wools, Drugs, and manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, or Things, *per Ton per Mile* Threepence; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* of One Penny :

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, Sixpence *per Mile* :

And a like Sum of One Penny Halfpenny *per Mile* for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh.

XLII. 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 authorized to be taken for the Use of the said Railway.

Tolls for propelling Power.

XLIII. The maximum Rate of Charge to be made by the Company for the Conveyance of Passengers along the said Railway, including the Tolls for the Use of the said Railway, and of Carriages, and for locomotive Power, and every other Expense incidental to such Conveyance as aforesaid, shall not exceed the following Sums; (that is to say,)

Maximum Rates of Charges.

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* :

And with respect to the Conveyance of Goods, the maximum Rates of Charge to be made by the Company for the Conveyance thereof along the said Railway, including the Tolls for the Use of the said Railway, and Waggon or Trucks and locomotive Power, and every Expense

For Cattle, Goods, &c.

*The West Somerset Railway Act, 1857.*

Expense incidental to such Conveyance, except a reasonable Sum for loading, covering, and unloading of 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 Horse, Mule, and other Beast of Draught or Burden, Fourpence *per* Mile :

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

For Calves, Pigs, Sheep, and small Animals, One Penny Halfpenny each *per* Mile :

For all Coal, Coke, Ironstone, Dung, Compost, and other Articles herein-before classed therewith, the Sum of Twopence *per* Ton *per* Mile :

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

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

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 Sixpence; and for every additional Quarter of a Ton over One Ton which any such Carriage may weigh, *per* Mile One Penny Halfpenny.

Regulations  
as to Tolls.

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

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

For a Fraction of a Mile beyond Three Miles, or beyond any greater Number of Miles, the Company may demand for Passengers Tolls as for One Mile, and for Animals and Goods as for One Quarter of 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, and so on in proportion for any smaller Quantity.

XLV. And

*The West Somerset Railway Act, 1857.*

XLV. 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 Tolls following; (that is to say,) Tolls for small Parcels and single Articles of great Weight.

For the Carriage on the Railway, or any Part thereof, of any Parcel not exceeding Seven Pounds in Weight, Fourpence :

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

For the Carriage of any Parcel exceeding Fourteen Pounds but not exceeding Twenty-eight Pounds in Weight, the Sum of Eightpence :

For the Carriage of any Parcel exceeding Twenty-eight Pounds but not exceeding Fifty-six Pounds in Weight, One Shilling :

And for the Carriage of any Parcel exceeding Fifty-six 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 One 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 Sixpence *per Ton per Mile* :

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

XLVI. 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 Weight for Third-class Passengers, without any Charge being made for the Carriage thereof. Passengers Luggage.

XLVII. Provided always, That 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 thereof (except small Parcels) 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.

[Local.]

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XLVIII. Pro-

*The West Somerset Railway Act, 1857.*

Restriction  
as to Charges  
not to apply  
to Special  
Trains.

XLVIII. Provided also, That the Restriction as to the Charges to be made for Passengers shall not extend to any Special Train that may be required upon the said Railway, but shall apply only to the Ordinary and Express Trains appointed or to be appointed from Time to Time by the Company for the Conveyance of Passengers and Goods upon the said Railway.

Money de-  
posited to be  
forfeited to  
the Crown  
in a certain  
Event.

XLIX. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of Her present Majesty, Chapter Twenty, the Sum of Nine thousand Pounds has been deposited pursuant to the said Act in respect of the Application to Parliament for this Act, being Ten *per Centum* upon Three Fourths of One hundred and twenty thousand Pounds, the estimated Cost of the Railway: Be it enacted, That notwithstanding anything contained in the said recited Act, the said Sum of Nine thousand Pounds so deposited as aforesaid in respect of the Application for this Act, or the Interest or Dividends of such Sum of Money, shall not, except upon the Execution and Deposit of such Bond as hereinafter mentioned, be paid or transferred to or on the Application of the Person or Persons or the Majority of the Persons named in the Warrant or Order issued in pursuance of the said Act, or the Survivors or Survivor of them, unless the said Company shall, previously to the Expiration of the Period limited by this Act for Completion of the Railway hereby authorized to be made, either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the said Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if the said Period shall expire before the said Company shall either have opened the said Railway for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the said Sum of Money deposited as aforesaid, and the Interest and Dividends thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*: Provided, that at any Time after the passing of this Act if a Bond in twice the Amount of the said Sum of Nine thousand Pounds shall have been executed by the said Company with One or more Sureties (such Bond to be prepared to the Satisfaction of, and such Surety or Sureties to be approved by, the Solicitor to the  
Lords

*The West Somerset Railway Act, 1857.*

Lords Commissioners of Her Majesty's Treasury,) conditioned for Payment to Her Majesty, Her Heirs or Successors, of the said Sum of Nine thousand Pounds if the said Company shall not, within the Time limited for the Completion of the said Railway, either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee that the said Company have paid up One Half of the Amount of the said Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital, and if such Bond shall have been deposited with the said Solicitor to the said Lords Commissioners, then such Sum of Money, and the Interest or Dividends thereof, shall be paid to or on the Application of the Person or Persons or the Majority of the Persons named in such Warrant or Order as aforesaid, or the Survivors or Survivor of them, and it shall not be necessary to produce any Certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding; and the Moneys to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Money, and the Interest or Dividends thereof, would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitor to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Lords of the said Committee that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

L. 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.

LI. It shall not be lawful for the Company, out of any Money by this Act authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest or Dividend to any Shareholder on the Amount of Calls made in respect of the Shares held by them in the Capital by this Act authorized to be raised: Provided always, that nothing herein-before contained shall be deemed to prevent the 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.

Interest not  
to be paid on  
Calls paid up.

LII. It

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*The West Somerset Railway Act, 1857.*

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

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

Railway not  
exempt from  
Provisions of  
present and  
future Gene-  
ral Acts.

LIII. Nothing herein contained shall be deemed or construed to exempt the Railway by this Act authorized to be made, or the Company, from the Provisions 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 or of the Rates for small Parcels authorized by this Act.

Expenses of  
Act.

LIV. All Costs, Charges, and Expenses of and incidental to the obtaining of this Act, and preparatory thereto, shall be paid by the Company.

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