



ANNO VICESIMO SEPTIMO & VICESIMO OCTAVO

VICTORIÆ REGINÆ.

Cap. cclxxxiv.

An Act for making Railways in the Counties of *Salop* and *Stafford*, to be called “the *Drayton Junction Railway* ;” and for other Purposes.

[29th *July* 1864.]

WHEREAS the making of Railways from the *Prees* Station, upon the *Shrewsbury and Crewe* Line of the *London and North-western* Railway near *Wem* in the County of *Salop* to *Market Drayton*, and thence to the *Shropshire Union* Railway, near the Town of *Stafford*, with Branches, would be of great local and public Advantage : And whereas the Persons herein-after named, with others, are willing at their own Expense to carry such Undertaking into execution : And whereas it is expedient that the *London and North-western*, the *Great Western*, the *Nantwich and Market Drayton*, the *Wellington and Drayton*, the *Oswestry, Ellesmere, and Whitchurch*, and the *Wrexham, Mold, and Connah’s Quay* Railway Companies, (in this Act called “the Six Companies,”) and the Company incorporated by this Act and in this Act called “the Company,” should be enabled to enter into Working and Traffic Arrangements as herein-after mentioned : And whereas the Flood Gates connected with a certain Mill called *Stafford* Mill occasion much Inconvenience by obstructing the

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Escape

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Escape of Flood Waters, and it is expedient, both for the Purpose of preventing possible Injury to their Undertaking and also upon public Grounds, that the Company should be enabled to remove the said Flood Gates: And whereas the Objects aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Short Title.

1. In citing this Act for any Purpose whatever it shall be sufficient to use the Expression "The *Drayton Junction Railway Act, 1864.*"

8 & 9 Vict.
cc. 16., 18.,
& 20.,
23 & 24 Vict.
c. 106., and
26 & 27 Vict.
cc. 92. & 118.
incorporated.

2. "The Companies Clauses Consolidation Act, 1845," Part I. of "The Companies Clauses Act, 1863," "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," "The Railways Clauses Consolidation Act, 1845," and Parts I. and III. of "The Railways Clauses Act, 1863," shall be incorporated with and form Part of this Act.

Interpreta-
tion of
Terms.

3. The Expressions "Superior Court" or "Court of competent Jurisdiction," or any other like Expression in this Act or in the said incorporated Acts, shall be read and have Effect as if the Debt or Demand in respect to which the Expression is used were a Simple Contract Debt, and not a Debt or Demand created by Statute.

Subscribers
incor-
porated.

4. The Right Honourable the Earl of *Lichfield*, the Right Honourable the Viscount *Hill*, the Honourable *Rowland Clegg Hill*, *Thomas Salt junior*, *George Gill*, *Richard Kyrke Penson*, *John Powell Wilding*, *Valentine Vickers*, *William Waring Saxton*, *W. Walker Ridgway*, *Samuel Salter*, *George Rodgers*, 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 Railways herein-after described, with all proper Works and Conveniences connected therewith, according to the Provisions of this Act and the Acts incorporated therewith; and for the Purposes aforesaid such Company shall be incorporated by the Name of "The *Drayton Junction Railway Company*," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have Power to purchase and hold Lands for the Purposes of the said Undertaking within the Restrictions herein and in the said Acts contained.

5. Subject

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5. Subject to the Powers of converting Loans into Capital in Capital.
 "The Companies Clauses Consolidation Act, 1845," contained, the
 Capital of the Company in Shares shall be Three hundred thousand
 Pounds.
6. The Number of Shares into which the said Capital shall be Shares.
 divided shall be Thirty thousand, and the Amount of each Share
 shall be Ten Pounds.
7. It shall not be lawful for the Company to issue any Share, nor Shares not
 shall any Share vest in the Person accepting the same, unless and to issue until
 until a Sum not being less than One Fifth Part of the Amount of such One Fifth
 Share shall have been paid up in respect thereof. paid up.
8. Two Pounds *per* Share shall be the greatest Amount of any Calls.
 One Call which the Company may make on the Shareholders, and
 Three Months at the least shall be the Interval between successive
 Calls, and Three Fifths of the Amount of a Share shall be the utmost
 aggregate Amount of Calls that may be made in any One Year.
9. It shall be lawful for the Company to borrow on Mortgage of Power to
 their Undertaking any Sums of Money not exceeding in the whole borrow on
 the Sum of One hundred thousand Pounds, but no Part of that Sum Mortgage.
 shall be borrowed until the whole of the said Capital of Three hun-
 dred thousand Pounds shall have been subscribed for *bonâ fide* and
 issued, and One Half thereof paid up, and the Company shall have
 proved to the Justice who is to certify under the Fortieth Section of
 "The Companies Clauses Consolidation Act, 1845," before he so
 certifies, that the whole of the said Capital has been subscribed for
bonâ fide and issued, and that not less than One Fifth of the Amount
 of each Share was paid on Issue of the same, and that all Shares are
 held by the Subscribers or their Assigns, and for which such Sub-
 scribers or their Assigns are legally liable.
10. It shall be lawful for the Mortgagees of the Company to Arrears may
 enforce Payment of the Arrears of Principal and Interest due on any be enforced
 such Mortgages by the Appointment of a Receiver, and the Amount by Appoint-
 necessary to authorize the Appointment of a Receiver shall not be less ment of
 than Five thousand Pounds in the whole. Receiver.
11. All and every Part of the Money raised under the Authority Application
 of this Act, whether by Shares or by borrowing, shall be applied only of Monies.
 to Purposes authorized by this Act.

12. The

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Interest not
to be paid on
Calls paid
up.

12. The Company shall not, out of any Money by this Act or any other Act relating to the Company authorized to be raised by Calls in respect of Shares or by the Exercise of any Power of borrowing, pay Interest or Dividends to any Shareholder on the Amount of Calls made in respect of the Shares held by him in the Capital of the Company: Provided always, that the Company may pay to any Shareholder such Interest on Money advanced by him beyond the Amount of Calls actually made as shall be in conformity with the Provisions in "The Company's Clauses Consolidation Act, 1845," in that Behalf contained.

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

13. The Company shall not, out of any Money by this or any other Act relating to the Company authorized to be raised for the Purpose of such Act or Acts, pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament for the Time being 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.

Quorum of
Meeting.

14. The Quorum of every General Meeting of the Company, whether ordinary or extraordinary, shall be Ten Shareholders present, personally or by proxy, and holding in the aggregate not less than Twenty thousand Pounds in the Capital of the Company.

Number and
Qualifica-
tion of
Directors.

15. The Number of Directors shall be Six, and the Qualification of a Director shall be the Possession in his own Right of Fifty Shares in the Undertaking.

First
Directors.

16. The Right Honourable the Earl of *Lichfield*, the Right Honourable *Rowland Clegg Hill*, *Thomas Salt junior*, *Richard Kyrke Penson*, and *John Powell Wilding* shall be Five of the First Directors of the Company.

Election of
Directors
at First
General
Meeting.

17. The Directors appointed by this Act, or such of them as shall not die or resign or become disqualified or be removed, shall continue in Office until the First Ordinary General Meeting to be held after the passing of this Act; and at such Meeting the Shareholders present, personally or by proxy, may continue in Office the Directors appointed by this Act or any Number of them, or may elect new Directors to supply the Places of those not continued in Office, the Directors appointed by this Act being eligible to be elected as Members of such new Body.

18. At

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18. At the Ordinary General Meeting to be held in every Year after the First General Meeting, the Shareholders present, personally or by proxy, shall elect Persons to supply the Places of the Directors then retiring from Office agreeably to the Provisions in "The Companies Clauses Consolidation Act, 1845," contained, and the several Persons elected at every 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 by "The Companies Clauses Consolidation Act, 1845."

Subsequent
Election of
Directors.

19. The Company may reduce the Number of Directors, provided that the Number after such Reduction shall never be less than Five.

Power to
reduce
Number of
Directors.

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

Quorum of
Directors.

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

Power to
make Rail-
ways.

A Railway (herein called "Railway Number 1.") commencing by a Junction with the *Shrewsbury and Crewe* Line of the *London and North-western* Railway at the *Prees* Station in the Parish of *Wem* in the County of *Salop*, and terminating by a Junction with the *Nantwich and Market Drayton* Railway at or near the Termination of that Railway at *Market Drayton* in the County of *Salop*:

A Railway (herein called "Railway Number 2.") commencing by a Junction with the *Nantwich and Market Drayton* Railway at a Point thereon about One hundred and eighty Yards to the North of the Northern End of the South Platform of the Station of that Railway at *Market Drayton*, and terminating by a Junction with the Line of the *Shropshire Union* Railway near the Town of *Stafford*:

A Railway (herein called "Railway Number 3.") commencing by a Junction with the *Shrewsbury and Crewe* Line of the *London and North-western* Railway near the *Whitchurch* Station of that Railway, and terminating by a Junction with Railway Number 1. in the Parish of *Whitchurch*.

22. Whereas Plans and Sections of the Railways showing the Lines and Levels thereof, and Plans showing the said Mill called "*Stafford Mill*," with the Appurtenances thereto, and also a Book of Reference containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and of the Occupiers of the Lands which may be required to be taken for the Purposes of the said Railways, and also the Owners, Lessees, and Occupiers of the said Mill and Appur-

Railways to
be made
accord-
ing to depo-
sited Plans.

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tenances, have been deposited with the Clerks of the Peace for the Counties of *Salop* and *Stafford*: Therefore, subject to the Provisions and Powers of Deviation in this Act and the incorporated Acts contained, the Railways shall be made in the Lines or Course and upon the Lands delineated on the said Plans and described in the said Books of Reference, and according to the Levels defined on the said Sections; and subject to the aforesaid Provisions it shall be lawful for the Company to enter upon, take, and use such of the said Lands as shall be necessary for the Railways and the Works connected therewith, and for any Purpose by this Act authorized, and it shall also be lawful for the Company to enter upon the Lands connected with the said Mill for the Purpose of removing and to remove the said Flood Gates connected with the said Mill.

Property of the London and North-western Company not to be taken without Consent except for Formation of Railway and Junctions.

23. It shall not be lawful for the Company to take or use any of the Land or Property of the *London and North-western* Railway Company, except such as is absolutely necessary for the Formation of the Railway and the Junctions hereby authorized at the Points shown on the deposited Plans, and the Company shall construct their Railway so as not to approach nearer to the Fences of the *London and North-western* Railway than Forty Feet, between the Point marked Fifteen Miles Two Furlongs on the deposited Plans and the Termination of the Railway Number 2. hereby authorized.

For Protection of the Wellington and Drayton Railway Company.

24. Inasmuch as Part of the Lands near *Market Drayton* by this Act authorized to be taken by the Company are Lands which the *Wellington and Drayton* Railway Company are authorized to take for the Purposes of their Undertaking, therefore the Company shall so construct their Railway as not to interfere with or prevent the Construction or Use of the *Wellington and Drayton* Railway, and the Company shall not take any of those Lands until they have furnished to the *Wellington and Drayton* Railway Company Working Plans and Sections of the Railway of the Company as intended to be made in and through those Lands; and if the *Wellington and Drayton* Railway Company do not approve of such Plans and Sections, then the Company shall not take any of those Lands until it shall have been decided by an Arbitrator to be appointed by the Board of Trade on the Application of the said Companies, or either of them, what Part of the said Lands ought to be taken and are actually required to be taken by the Company for the Purpose of making the Railway; and after the said Question shall have been referred to the Decision of an Arbitrator the Company shall not take any of the said Lands except such Parts thereof as shall be decided by the Arbitrator to be necessary and proper to be taken by them for the Purpose of making the Railway.

25. Provided

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25. Provided always, That it shall not be obligatory upon the said Company to remove the said Flood Gates unless and until some One or more of the Landowners or other Parties whose Property is affected by the Existence of the same, or are otherwise interested in their Removal, shall have contributed and paid to the Company, towards the Expense attending such Removal, the Sum of Two thousand Pounds, and upon such Payment being made to the Company then they shall within Two Years thereafter remove the said Flood Gates.

Contribution
of Owners
and others
towards
Expenses of
Removal of
Flood Gates.

26. If and when the Company remove the said Flood Gates they shall make to the Owner, Lessee, and Occupier of the said Mill Compensation in Money or Works for any Loss or Injury which may be occasioned by such Removal; and in case any Question shall arise as to such Compensation, the same shall be settled by Arbitration, in the Manner provided by "The Lands Clauses Consolidation Act, 1845," for Settlement of Questions of Compensation under the Provisions of that Act.

Compensa-
tion to be
made to
Owner,
Lessee, and
Occupier of
Mill if
Flood Gates
removed.

27. And whereas a Bill is now pending in Parliament under the Short Title of "The *North Staffordshire* Railway (Branches) Bill," by which the *North Staffordshire* Railway Company will, if the said Bill be passed, be authorized to take and use various Lands also required for the Railway by this Act authorized: Therefore, if the said Bill pass into a Law in the present Session, and the Company and the *North Staffordshire* Railway Company do not otherwise agree, the Board of Trade, or an Arbitrator appointed by them, on the Application of either Company, shall have full Power to direct such Alterations to be made in the Lines and Levels of both or either of the Railways authorized by this Act and the said Bill, in and near to the Point of Intersection of the respective Railways, and such Lands to be taken or used by the respective Companies, either absolutely by one Company, or subject to any Rights or Conditions to or for the Benefit of the other Company, and, if necessary, such Arrangements to be observed in the Construction or Working or Use of the respective Railways, or either of them, as the Board or Arbitrator think expedient; and if such Alterations in the Lines and Levels cannot be effected within the Limits or under the Powers of Deviation conferred by this Act and the said Bill, if passed into a Law, or either of them, the Board of Trade or the said Arbitrator may direct Application to be made to Parliament for further Powers by both or either of the said Companies, and may prescribe by which of the said Companies the Application shall be made and the Expenses thereof defrayed, or may apportion such Expenses between such Companies, and the Expenses of such Arbitration shall be paid by the Companies in equal Shares.

Provision in
reference to
proposed
Railway of
North Staf-
fordshire
Railway
Company.

28. Subject

*The Drayton Junction Railway Act, 1864.*Level
Crossings.

28. Subject to the Provisions of this Act, the Company may in each Case carry the Railways hereby authorized, with not exceeding One Line of Rails so long as the Railway consists of a single Line of Railway, and not exceeding Two Lines of Railway if the Railway shall consist of more than a single Line of Railway, across and on the Level of the Roads numbered as herein-after mentioned on the deposited Plans ; (that is to say,)

Number on Plan of Road to be crossed.	Parish.	Description of Road.	Number of Railway which is to cross the Road.
31	Cheswardine -	Public Road -	2
62	Whitchurch -	Public Road -	3

Inclination
of Roads.

29. In carrying the Road numbered on the deposited Plans 260 in the Parish of *Eccleshall* across the Railway, the Company may make the Inclination of that Road as steep but not steeper than One Foot in Fifteen Feet.

Lands for ex-
traordinary
Purposes.

30. The Company may by Agreement purchase Land adjoining or near to the Railways for the extraordinary Purposes mentioned in "The Railways Clauses Consolidation Act, 1845," but the Quantity of Land so to be purchased shall not exceed Five Acres.

Powers for
compulsory
Purchases
limited.

31. The Powers of the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years after the passing of this Act.

Period for
Completion
of Railways.

32. The Railways shall be completed within Five Years from the passing of this Act, and on the Expiration of such Period the Powers by this Act granted to the Company shall cease, except as to so much of the Railways as shall then be completed.

Junctions to
be effected.

33. Subject to the Provisions of Part I. of "The Railways Clauses Act, 1863," incorporated herewith, it shall be lawful for the Company to make such Openings in and Alterations of the Railways with which Junctions are by this Act authorized to be made as are necessary for effecting such Junctions respectively.

For Protec-
tion of Pro-
perty of
Shropshire
Union Rail-
ways and
Canal Com-
pany.

34. And whereas the Railway No. 2. is to be carried under the Canal of the *Shropshire Union Railways and Canal Company* within the Parish of *Drayton-in-Hales*: Therefore, for the Protection of that Company (herein-after called "the *Shropshire Company*") and their Canal, the Company shall be subject to, and shall observe, fulfil, and conform to the following Conditions, Restrictions, and Obligations ; to wit,

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The Railway No. 2. shall be carried under the Canal and the Towing-path thereof in the Line or Course shown upon the Plans herein-before mentioned, by means of a good and substantial Tunnel of Brick, Stone, or Iron, or a Combination of each, and unless with the Consent of the *Shropshire* Company, under their Common Seal, first had and obtained for that Purpose, the Line or Course of the said Railway No. 2. under the Canal, as shown upon those Plans, shall not be diverted; the Company shall not, in constructing the said Tunnel under the Canal, or in any other Case, or for any other Purpose, permanently diminish the Width or alter the Line or Level of the said Canal or Towing-path, or diminish the Depth of the said Canal, or obstruct the Navigation of the said Canal, or any Part thereof, or divert any of the Waters thereof, or which now supply the said Canal, or injure any of the Works, Slopes, or Embankments of the said Canal. During the Construction of the said Tunnel, and during any necessary Repairs thereof, there shall at all Times be left a free, open, uninterrupted, navigable Waterway in the said Canal, of not less than Ten Feet in Width, and a Towing-path of not less than Five Feet in Width:

The Company shall not, without the previous Consent in Writing for the Purpose of the *Shropshire* Company, under their Common Seal, enter upon, take, use, or interfere with, either temporarily or permanently, any of the Land, Works, or Property of the *Shropshire* Company, save only for the Purpose of constructing the Railway No. 2. by this Act authorized.

35. The Company shall and they are hereby required from Time to Time, and at all Times hereafter, to keep or cause to be kept the said Tunnel under the said Canal and the Walls thereof, and the Works appertaining thereto, in good and substantial Repair in every respect to the reasonable Satisfaction of the Engineer of the *Shropshire* Company, and in case of any Want of Repair of the said Tunnel or Works connected therewith, and Notice thereof given to the Company by the Engineer of the *Shropshire* Company, if the Company shall not in the Space of Seven Days after the Service of such Notice commence such Repairs, and proceed thereon with all reasonable Expedition until the same shall be completed, it shall be lawful for the *Shropshire* Company to proceed and make good the same, causing as little Obstruction to the Railway in the Progress of such Repair as may be, and all the Costs, Charges, and Expenses incurred by the *Shropshire* Company shall be paid on Demand by the Company, or on Failure of Payment for Twenty-one Days after such Demand, the same may be recovered by the *Shropshire* Company with full Costs of Suit by Action in any Court of competent Jurisdiction; provided that such Demand be made in Writing, and shall fully and

Tunnel to be kept in good Repair by the Company.

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accurately

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accurately state the Particulars of all such Costs, Charges, and Expenses.

Company to
repair
Damage
done to
Canal.

36. If and whenever the Company in execution of any of the Works by this Act authorized, or in the Exercise of any of the Powers of this Act, injure or damage the Canal of the *Shropshire* Company, or any Part of the Banks or Towing-path thereof, or any other of the Works belonging thereto or connected therewith, they shall immediately repair and make good the Injury or Damage, and shall also pay to the *Shropshire* Company the full Amount of all Loss or Damage (if any) which they thereby sustain.

For prevent-
ing Ob-
structions to
Canal.

37. If in the Execution of any of the Works by this Act authorized, or by reason or in consequence of any of those Works when made, or of any Act or Omission of the Company, the said Canal or the Towing-path thereof shall at any Time be so obstructed or impeded as that Boats, Barges, or other Vessels, Men or Horses using the same cannot conveniently pass along the same, then and in every such Case the Company shall pay to the *Shropshire* Company, as or by way of ascertained Damages, the Sum of Fifty Pounds for every Day and Part of a Day during which any such Obstruction or Impediment shall continue, and the *Shropshire* Company may, at the Cost and Charges of the Company, remove such Obstruction or Impediment, and make good all Damage or Injury to the said Canal or Towing-path occasioned thereby, and in default of Payment of any such Costs or Charges or of any such Sum or Sums as aforesaid within Ten Days after Demand thereof in Writing given to the Secretary of the Company, or left at the Office or Place of Business of such Secretary, the *Shropshire* Company may recover the same in any Court of competent Jurisdiction.

Saving
Rights of
Shropshire
Union
Company.

38. Except as in this Act expressly provided, this Act or anything therein contained shall not take away, lessen, prejudice, or alter any Right, Interest, Power, Privilege, or Authority of the *Shropshire* Company.

Deposit
Money not
to be repaid
until Line
opened or
Half the
Capital paid
up and ex-
pended,
except on
Execution
of Bond, &c.

39. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of the Reign of Her present Majesty, Chapter Twenty, a Sum of Twenty-two thousand Pounds, being Eight Pounds *per Centum* upon the Amount of Two hundred and seventy-five thousand Pounds, the Estimate of the Undertaking by this Act authorized, has been deposited with the Court of Chancery in respect of the Application to Parliament for this Act: Therefore, notwithstanding anything contained in the said recited Act, the said deposited Sum, or the Interest or Dividends of such deposited Sum, shall not, except upon the Execution and Deposit of

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of such a Bond as herein-after mentioned, be paid or transferred to or on the Application of the Person or Persons or the Majority of the Persons named in the Warrant or Order issued in pursuance of the said Act, or the Survivors or Survivor of them, unless the Company shall previously to the Expiration of the Period limited by this Act for the Completion of the Railways either open the Railways 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 Company have paid up One Half 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 Company shall either have opened the Railways 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 deposited Sum, 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 deposited Sum shall have been 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 Solicitors to the Lords Commissioners of Her Majesty's Treasury,) conditioned for Payment to Her Majesty, Her Heirs or Successors, of the said deposited Sum if the Company shall not, within the Time limited for the Completion of the Railways, either open the Railways for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee that the 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 Solicitor to the said Lords Commissioners, then the said deposited Sum, 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 Monies 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;

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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 Fact so certified.

Tolls.

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

Tonnage on Articles of Merchandise.

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

Class I. For all Coals, Coke, Culm, Charcoal, Cinders, Ironstone, Iron and other Ores, Pig Iron, 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 Three Farthings; and if conveyed in Carriages belonging to the Company an additional Sum *per Ton per Mile* not exceeding One Eighth of a Penny:

Class II. For all Bricks, Tiles, Slates, and Materials, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings, and 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:

Class III. For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, and Deals, Copper, Tin, Lead, and other Metals (except Iron), Nails, Anvils, Vices, and Chains, *per Ton per Mile* not exceeding Twopence Halfpenny; and if conveyed in Carriages belonging to the Company an additional Sum *per Ton per Mile* not exceeding Three Farthings:

Class IV. For all Cotton and other Wools, Drugs, or manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, or Things, *per Ton per Mile* not exceeding Threepence Halfpenny; and if conveyed in Carriages belonging to the Company an additional Sum *per Ton per Mile* not exceeding One Penny:

Class V. 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 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.

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In respect of Passengers and Animals conveyed in Carriages upon the Railways, as follows: Tolls for Passengers and Cattle.

For every Person conveyed in or upon any such Carriage, *per* Mile not exceeding Twopence; and if conveyed in or upon any Carriage belonging to the Company an additional Sum *per* Mile not exceeding One Penny:

For every Horse, Mule, Ass, or other Beast of Draught or Burden, *per* Mile not exceeding Threepence; and for every Ox, Cow, Bull, or Neat Cattle, *per* Mile not exceeding Twopence; and if conveyed in or upon any Carriage belonging to the Company an additional Sum *per* Mile not exceeding One Penny:

For every Calf or Pig, *per* Mile not exceeding One Penny; and for every Sheep, Lamb, or other small Animal, *per* Mile not exceeding Three Farthings; and if conveyed in or upon any Carriage belonging to the Company an additional Sum *per* Mile not exceeding One Farthing.

41. 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. Tolls for propelling Powers.

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

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

For a Fraction of a Mile beyond Four Miles, or beyond any greater Number of Miles, the Company may demand Tolls on Animals and Goods 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.

[*Local.*]

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43. The

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Maximum
Rate of
Charge for
Passengers.

43. The maximum Rate of Charge to be made by the Company for the Conveyance of Passengers upon the Railways, including the Tolls for the Use of the Railways and of Carriages, and for locomotive Power, and every other Expense incidental to such Conveyance, shall not exceed the following Sums :

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

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

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

For Cattle,
Goods, &c.

44. And with respect to the Conveyance of Horses, Cattle, Carriages, and Goods, the maximum Rate of Charge to be made by the Company, including the Tolls for the Use of the Railways and Waggon, or Trucks, and locomotive Power, and every Expense incidental to such Conveyance, except a reasonable Sum for loading, covering, and unloading of Goods at any Terminal Station of such Goods, and for Delivery and Collection, and any other Services incidental to the Duty or Business of a Carrier, where such Services, or any of them, are or is performed by the Company, shall not exceed the following Sums :

For any Horse, Mule, or Ass, the Sum of Fourpence *per* Mile :

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

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

For Sheep and small Animals, One Penny Farthing each *per* Mile :

For all Articles in Class I., the Sum of One Penny Farthing *per* Ton *per* Mile :

For all Articles in Class II., the Sum of One Penny Three Farthings *per* Ton *per* Mile :

For all Articles in Class III., the Sum of Threepence *per* Ton *per* Mile :

For all Articles in Class IV., the Sum of Fourpence *per* Ton *per* Mile :

For every Carriage in Class V., the Sum of Sixpence *per* Mile.

Restriction
as to Charges
not to apply
to Special
Trains.

45. The Restrictions as to Tolls and Charges to be made for Passengers and Articles herein-before mentioned shall not extend to any Special Train that may be required to run on the Railways, but shall apply only to the Ordinary and Express Trains appointed or to be appointed from Time to Time by the Company for the Conveyance of Passengers or Goods upon the Railways.

Tolls for
small Parcels
and single

46. With respect to small Packages and single Articles of great Weight, notwithstanding the Rate of Tolls prescribed by this Act, the

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the Company may lawfully demand Tolls not exceeding the following ; Articles of great Weight.
(that is to say,)

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

For any Parcel not exceeding Seven Pounds in Weight, Three-pence :

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

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

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

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

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

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

48. Every Passenger travelling upon the Railways may take with him his ordinary Luggage, not exceeding One hundred and twenty Pounds in Weight for each First-class Passenger, One hundred Pounds in Weight for each Second-class Passenger, and Sixty Pounds in Weight for each Third-class Passenger, without any Charge being made for the Carriage thereof. Passengers Luggage.

49. It shall be lawful for the Company to run over and use, with Engines and Carriages of every Description, the Portions of Railway herein-after mentioned, together with all Stations, Sidings, Watering Places, Booking Offices, Works, and Conveniences connected therewith respectively, Power to use Portions of Railway and certain Stations of other Companies.

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respectively, and also the Stations herein-after particularly mentioned, with all Sidings, Watering Places, Booking Offices, Works, and Conveniences connected therewith respectively; (that is to say,)

So much of the *Nantwich and Market Drayton* Railway as is or will be situate between the Termination of Railway Number 1. and the Commencement of Railway Number 2. herein-before respectively described;

So much of the *Shrewsbury and Crewe* Line of the *London and North-western* Railway Company as is or will be situate between the Commencement of Railway Number 1. herein-before described and *Wem*;

So much of the *London and North-western* Railway as is or will be situate between the Commencement of Railway Number 3. herein-before described and the Station of the *London and North-western* Railway Company at *Whitchurch*;

So much of the *Shropshire Union* Railway, and also so much of the *London and North-western* Railway, as is or will be situate between the Termination of Railway Number 2. herein-before described and the Station of the *London and North-western* Railway Company at *Stafford*;

The Station of the *Nantwich and Market Drayton* Railway Company at *Market Drayton*; and

The Stations of the *London and North-western* Railway Company at *Wem*, *Prees*, *Whitchurch*, and *Stafford* respectively: Provided always, that the Use of the *Stafford* Station shall be restricted to the Use of the *Shropshire Union* Bay, on the Western Side of such Station, unless with the Consent of the *London and North-western* Railway Company.

Terms of
User.

50. The Terms, Conditions, and Regulations to which the Company and the said other Companies shall respectively be subject, in respect of the Use by the Company of the said Portions of Railway and Stations, and the Tolls, Rents, Payments, or other Considerations to be paid by the Company for the same, shall be such as shall from Time to Time be agreed upon between the Company and the respective Company owning or for the Time being possessed of the Portion of Railway or Station to be used by the Company, and every such Agreement shall be valid and binding on the Parties thereto; but if the Company shall not agree with the said other Companies, or either of them, with respect to the Matters aforesaid or any of them, or if at any Time and from Time to Time any Dispute or Difference shall arise between the Company and the said other Companies, or either of them, with respect to the Matters aforesaid or any of them, or with respect to the Construction or Mode of carrying out any Agreement which may have been made between the Company and the said other Companies, or either of them, with reference to the Matters aforesaid or

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or any of them, then the Matters not agreed upon or in dispute shall be from Time to Time determined by an Arbitrator to be appointed by the Board of Trade upon the Application of either Party, and the Costs and Expenses of such Arbitration shall be borne and paid by such of the Parties to the Arbitration as the Arbitrator shall direct, and if any of the Parties to the Arbitration shall refuse or neglect to perform, observe, and conform to any Decision given or Regulation made by any such Arbitrator in the Premises, the Party so offending shall forfeit and pay to such Person or Company as the Arbitrator shall determine any Sum not exceeding Fifty Pounds for every such Offence, and Twenty Pounds for every Day during which such Offence shall continue.

51. It shall be lawful for the Company on the one hand, and the Companies herein-after mentioned, or any of them, on the other hand, from Time to Time to enter into Agreements for the following Purposes or any of them; (that is to say,) Purposes for which the Agreements may be made.

First, the working by the *Wrexham, Mold, and Connah's Quay* Railway Company, with their Engines and Carriages aforesaid, the Traffic on the Railways or any Part thereof:

Secondly, the Interchange of Traffic between the Railways of the Company and the Railways of the Six Companies, or any of them, respectively:

Thirdly, the forwarding of Traffic on the Railways of the Company and the Railways of the Six Companies respectively:

Fourthly, the Division and Apportionment between the Company and any of the Six Companies respectively of the Tolls, Fares, Rates, Charges, and Profits arising from such Traffic:

Fifthly, the renewing or modifying of any Agreements so entered into.

52. If the Railways of the Company shall be worked continuously with any other Railway under the Powers to that Effect herein-before contained, Articles or Persons conveyed continuously for a less Distance than Four Miles upon the Railway of the Company and any other Railway shall only be charged once as for Four entire Miles, in the same Manner as if such other Railway had formed Part of the Railways hereby authorized, anything in the Acts relating to those Railways to the contrary notwithstanding. If Railway worked continuously with other Railways only One Short-distance Charge to be made.

53. This Act or anything therein shall not exempt the Railways to which this Act relates from the Provisions 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 the Revision Railways not exempt from Provisions of present and future General Acts.

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and 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.

Saving
Rights, &c.
under Fore-
bridge
Drainage
Enclosure
Act.

54. Nothing in this Act contained shall prejudice or affect any Act, Matter, or Thing done or to be done pursuant to the Provisions of an Act passed in the Session of Parliament holden in the Thirty-ninth and Fortieth Years of His late Majesty King *George* the Third, Chapter Fifty-eight, commonly known as "The *Forebridge* Drainage and Enclosure Act," nor any Right, Power, or Authority conferred thereby.

Expenses of
Act.

55. All Costs, Charges, and Expenses incurred at any Time before the passing of this Act, and preparatory to or connected therewith, or incidental or relating thereto, shall be paid by the Company.

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