



ANNO VICESIMO SEPTIMO & VICESIMO OCTAVO

VICTORIÆ REGINÆ.

Cap. lxxx.

An Act for making a Railway from the *Lancashire and Yorkshire* Railway at *Chatburn* to the *North-western* Railway at *Settle*, to be called “*The Ribblesdale Railway*;” and for other Purposes.

[23d June 1864.]

WHEREAS the making of a Railway from the *Lancashire and Yorkshire* Railway in the Township of *Chatburn* and Parish of *Whalley* in the County of *Lancaster* to the *North-western* Railway near *Settle* in the Township and Parish of *Giggleswick* in the West Riding of the County of *York*, would be of great public Advantage: And whereas the several Persons herein-after named with others are willing, at their own Expense, to carry the same into execution: And whereas Plans and Sections, showing the Line and Levels of the proposed Railway, and the Lands which the Company are by this Act authorized to acquire, and a Book of Reference to those Plans containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees and Occupiers of those Lands, have been deposited with the Clerks of the Peace for the County of *Lancaster* and for the West Riding of the County of *York* respectively: And whereas it is expedient that Provision should be made for enabling

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the Company on the one hand and the *Lancashire and Yorkshire* Railway Company and the *Midland* Railway Company, herein-after called "the Two Companies," or either of them, on the other hand, to enter into Contracts and Agreements with respect to the working, Use, and Maintenance by the Two Companies, or either of them, of the Railway, and with respect to the Regulation, Management, and Transmission of the Traffic upon the Railway, and upon the Railways of the Two Companies, or either of them, and with respect to the Collection, Payment, Division, Apportionment, Appropriation, and Distribution of the Tolls, Rates, and Charges arising from such respective Traffic: 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; (that is to say,)

Short Title.

1. This Act may for all Purposes be cited as "The *Ribblesdale* Railway Act, 1864."

8 & 9 Vict.
cc. 16. 18.
& 20.,
23 & 24 Vict.
c. 106., and
26 & 27 Vict.
c. 92. incor-
porated.

2. "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," and "The Railways Clauses Consolidation Act, 1845," and Part I. relating to the Construction of a Railway, of "The Railways Clauses Act, 1863," shall be incorporated with and form Part of this Act so far as the same respectively are applicable to the Objects and Purposes of this Act and are not altered or otherwise provided for by this Act.

Same Mean-
ings to
Words in in-
corporated
Acts as in
this Act.

3. The several Words and Expressions to which by the Acts wholly or partially incorporated with this Act Meanings are assigned have in this Act the same respective Meanings unless excluded by the Subject or Context.

Interpreta-
tion of
Terms.

4. The Expression "Superior Courts" or "Court of competent Jurisdiction," or any other like Expression in this Act or any Act incorporated herewith, shall be read and have effect as if the Debt or Demand with respect to which the Expression is used were a common Simple Contract Debt, and not a Debt or Demand created by Statute.

Company in-
corporated.

5. The Right Honourable *Thomas* Lord *Ribblesdale*, *Lorenzo Christie*, Captain *Henry Gandy*, *James Garnett*, *Christopher John Geldard*, *Richard Hardacre*, *Robert Hopwood Hutchinson*, *Thomas Lund*, *Robert Clayton Mercer*, *James Barlow Stewardson Sturdy*, *Robert Watson*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking,
and

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and their Executors, Administrators, Successors, and Assigns respectively are by this Act united into a Company for the Purpose of making and maintaining the Railway and for other the Purposes of this Act, and for those Purposes are by this Act incorporated by the Name of "the Ribblesdale Railway Company," in this Act called "the 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.

6. The Capital of the Company shall be One hundred and eighty thousand Pounds, in Eighteen thousand Shares of Ten Pounds each. Capital.

7. It shall not be lawful for the Company to issue any Share created under the Authority of this Act, nor shall any Share vest in the Person accepting the same unless and until a Sum, not being less than One Fifth Part of the Amount of such Share, shall have been paid in respect thereof. Shares not to be issued unless and until One Fifth shall have been paid up.

8. Two Pounds Ten Shillings a Share shall be the greatest Amount of a Call, and Four Months at least shall be the Interval between successive Calls, and Three Fourths of the Amount of the Share shall be the utmost aggregate Amount of the Calls made in any One Year upon any Share. Calls.

9. The Company from Time to Time may borrow on Mortgage any Sums not exceeding in the whole Sixty thousand Pounds, but no Part thereof shall be borrowed until the whole of the Capital of One hundred and eighty thousand Pounds is subscribed for and One Half thereof is paid up, and the Company has proved to the Justice who is to certify under the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that Shares for the whole of the Capital have been issued and accepted, and that not less than One Fifth Part of the Amount thereof has been paid on account of each separate Share before or at the Time of the Issue or Acceptance thereof, and that such Shares were issued *bonâ fide* and are held by the Subscribers or their Assigns, and for which such Subscribers or their Assigns are legally liable. Power to borrow on Mortgage.

10. The Mortgagees under this Act may enforce the Payment of the Arrears of Interest, or of Principal and Interest, due on their respective Mortgages, by the Appointment of a Receiver, and the Amount to authorize a Requisition for a Receiver shall be Six thousand Pounds. Arrears may be enforced by Appointment of a Receiver.

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Application
of Monies.

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

Interest not
to be paid
on Calls
paid up.

12. The Company shall not, out of any Money by this Act authorized to be raised by Calls 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 Companies Clauses Consolidation Act, 1845."

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

13. 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 now or hereafter 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.

First Ordinary Meeting.

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

Number of
Directors.

15. The Number of Directors shall be Eight, provided always that the Company from Time to Time may vary the Number of Directors, so as the Number be not more than Eight nor less than Six.

Quorum.

16. The Quorum of a Meeting of Directors shall be Four.

First
Directors.

17. The Right Honourable *Thomas Lord Ribblesdale, Hector Christie, Captain Henry Gandy, James Garnett, Richard Hardacre, Robert Clayton Mercer, James Barlow Stewardson Sturdy, and Robert Watson* shall be the First Directors of the Company.

Qualification
of Directors.

18. The Qualification of a Director shall be the Possession in his own Right of Shares to the aggregate nominal Amount of One thousand Pounds.

Election of
Directors.

19. 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 any of them, or the Meeting may elect a new Body of Directors, or

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so many Directors as are required to supply the Place of those not continued in Office, the Directors appointed by this Act being, if qualified, eligible for Re-election.

20. At the First Ordinary Meeting to be held in every Year after the First Ordinary 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 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 by "The Companies Clauses Consolidation Act, 1845."

Subsequent Election of Directors.

21. The Newspaper for Advertisements shall be any Newspaper published either in the County of *Lancaster* or the West Riding of the County of *York*.

Newspaper for Advertisements.

22. Subject to the Provisions of this Act and of the Acts wholly or partially incorporated herewith, the Company may from Time to Time enter upon, take, and use all or any of the Lands defined on the deposited Plans and described in the deposited Book of Reference.

Power to take Lands as on deposited Plans.

23. Subject to the Provisions of this Act, the Company may from Time to Time make and maintain in the Line and according to the Levels shown on the deposited Plans and Sections, and in and upon the Lands which the Company are by this Act authorized to enter upon, take, and use, the Railway following, with all proper Stations, Approaches, Works, and Conveniences connected therewith ; (that is to say,)

Power to make Railway as herein described.

A Railway to commence in the Township of *Chatburn* in the Parish of *Whalley* in the County of *Lancaster*, by a Junction with the *Lancashire and Yorkshire* Railway at or near the Station of the said Railway there, and terminating in the Township and Parish of *Giggleswick* in the West Riding of the County of *York*, to the Eastward of and near to the *Settle* Station of the *North-western* Railway, there to form a Junction with the said *North-western* Railway.

24. As regards the Roads next herein-after mentioned, the Company may make those Roads respectively when altered for the Purposes of this Act of any Inclinations not steeper than the Inclinations

As to Inclinations of certain Roads.

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tions herein-after mentioned in connexion with those Roads respectively; (that is to say,)

Number of Road on deposited Plan.	Parish.	Description of Road.	Intended Inclination.
47	Whalley - -	Public Highway	1 in 15.
27	Sawley with Tosside (extra-parochial).	Public Road -	1 in 8.
108	Gisburn - -	Public Highway	1 in 17.

As to Width of Roadway over Bridge.

25. The Company may make the Roadway over the Bridge by which the Road, numbered on the deposited Plans 47 in the Parish of *Whalley*, will be carried over the Railway, of such Width between the Fences thereof as the Company think fit, not being less than Fifteen Feet.

Mode of effecting Junction with Midland Railway.

26. The Junction between the Railway hereby authorized and the *Midland* Railway shall not be made at the Points where, according to the Plans deposited as in this Act mentioned, such Railway appears to communicate therewith; but such Junction shall be made at such Points within the Limits of Deviation shown upon such Plans as shall be fixed by the Engineer for the Time being of the *Midland* Railway Company, and according to a Plan to be approved of by such Engineer in Writing; and all Communications between the Railway hereby authorized and the *Midland* Railway shall be effected in a substantial Manner by means of Connexion Rails and Points, of the Construction and laid in the Manner which the Engineer for the Time being of the *Midland* Railway Company may from Time to Time approve and require, and shall be executed to his Satisfaction in all respects; and in case of any Difference arising as to the Mode of effecting such Communication, the same shall be determined at the Cost of the Company by a Referee to be appointed by the Board of Trade on the Application of either Company.

Saving Rights of the Midland Railway Company.

27. Provided always, That, except as is by this Act expressly provided, this Act, or anything herein contained, shall not take away, diminish, alter, or prejudice any of the Rights, Powers, Privileges, or Authorities of the *Midland* Railway Company.

Lands for extraordinary Purposes.

28. The Company may purchase by Agreement, in addition to the Lands by this Act authorized to be purchased compulsorily, any Quantity of Land for the extraordinary Purposes specified in "The Railways Clauses Consolidation Act, 1845," not exceeding Three Acres.

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29. 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.

Powers for compulsory Purchases limited.

30. The Railway shall be completed within Five 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 Railway, 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.

31. 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 20., a Sum of Thirteen thousand six hundred Pounds, being Eight *per Centum* upon One hundred and seventy thousand Pounds, the Amount of the Estimate of the Railway 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 Sum so deposited as aforesaid, or the Interest or Dividends thereof, 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 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 Railway, either open the 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 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 Company shall either have opened the 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 Sum so 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 Sum so deposited

Deposit Money not to be repaid but in a certain Event.

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deposited 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 Solicitor to the Lords Commissioners of Her Majesty's Treasury,) conditioned for the Payment to Her Majesty, Her Heirs or Successors, of the Sum so deposited if the Company shall not, within the Time limited for the Completion of the Railway, either open the Railway 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 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 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 Monies to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Money and the Interest and 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.

Tolls.

32. The Company from Time to Time may lawfully demand and take, in respect of the Use of the Railway, any Tolls not exceeding the following; (that is to say,)

Tonnage on Articles of Merchandise.

In respect of the Tonnage of Goods conveyed on the Railway:

For all Coals, Coke, Culm, Charcoal, and Cinders, Dung, Compost, and all Sorts of Manure, Lime, and Limestone and all undressed Materials for the Repair of public Roads or Highways, *per Ton per Mile* One Penny; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* of One Halfpenny:

For all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, 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*, One Penny Halfpenny; and

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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, and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per Ton per Mile* Twopence ; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* of 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* Threepence ; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* of 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* Sixpence :

And a 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.

In respect of Passengers conveyed in Carriages upon the Railway or any Part thereof, as follows :

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

In respect of Animals conveyed on the Railway or any Part thereof, as follows :

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

For every Calf or Pig, Sheep, Lamb, or other small Animal conveyed in or upon any such Carriage, *per Mile* One Penny ; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per Mile* of One Farthing.

33. The following Provisions and Regulations apply to the fixing of all Tolls ; (that is to say,) Regulations
as to Tolls.

For Persons, Animals, or Things conveyed on the Railway for a less Distance than Four Miles the Company may demand and receive the before-mentioned Tolls 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, Minerals, and Merchandise for such Fraction in proportion to the Number of Quarters of a Mile contained therein,

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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.

With respect to small Packages not exceeding Five hundred Pounds in Weight, and single Articles of great Weight, notwithstanding the Rates prescribed by this Act, the Company may demand and take any Tolls not exceeding the following ; (that is to say,)

For the Carriage of small Parcels on the Railway, as follows :

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

For any Parcel exceeding Seven Pounds and not exceeding Twenty-eight Pounds in Weight, Sixpence ;

For any Parcel exceeding Twenty-eight Pounds and not exceeding Fifty-six Pounds in Weight, Eightpence ;

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

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

For the Carriage of single Articles of great Weight :

For the Carriage of any single Article the Weight of which, including the Carriage, exceeds Four Tons but does not exceed Eight Tons, the Company may demand any Sum not exceeding Sixpence a Ton a Mile :

For the Carriage of any single Article the Weight of which, including the Carriage, exceeds Eight Tons, the Company may demand any Sum they think fit.

Tolls for
small Par-
cels and
single Ar-
ticles of
great
Weight.

Limiting
Charges for
propelling
Power.

34. The Toll which the Company may demand and receive for the Use of the Locomotive 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.

35. Every

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35. Every Passenger travelling upon the Railway may take with him his ordinary Luggage not exceeding the Weight following; (that is to say,) Passengers
Luggage.

Every Passenger travelling in a First-class Carriage, One hundred and twenty Pounds in Weight:

Every Passenger travelling in a Second-class Carriage, One hundred Pounds in Weight:

Every Passenger travelling in a Third-class Carriage, Sixty Pounds in Weight:

without any Charge being made for the Carriage thereof.

36. The maximum Rate of Charge to be made by the Company for the Conveyance of Passengers upon the Railway, including the Tolls for the Use of the Railway and of Carriages, and for locomotive Power, and every other Expense incidental to the Conveyance, shall not exceed the following; (that is to say,) Maximum
Rates for
Passengers.

For every Passenger conveyed in a First-class Carriage, Threepence a Mile:

For every Passenger conveyed in a Second-class Carriage, Twopence a Mile:

For every Passenger conveyed in a Third-class Carriage, One Penny Farthing a Mile.

37. The maximum Rate of Charge to be made by the Company for the Conveyance of Animals, Minerals, and Things on the Railway, including the Tolls for the Use of the Railway and of Carriages and for locomotive Power, and for every other Expense incidental to the 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 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,) Maximum
Rates for
Animals and
Goods.

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

For all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, 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* Twopence:

For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per Ton per Mile* Threepence:

For

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For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, or Things, *per Ton per Mile* Fourpence :

And for every Carriage of whatever Description, not being a Carriage adapted and used for travelling on a Railway, carried or conveyed on a Truck or Platform, *per Mile* Sixpence :

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

For every Ox, Cow, Bull, or Neat Cattle conveyed in or upon any Carriage, *per Mile* Threepence :

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

Terminal Station.

38. 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.

Restrictions as to Charges not applicable to Special Trains.

39. The Restrictions with respect to the Charges to be made for Passengers shall not extend to any Special Train required to run upon the Railway, but shall apply only to the Express and Ordinary Trains from Time to Time appointed by the Company for the Conveyance of Passengers and Goods upon the Railway.

Company may take increased Charges by Agreement.

40. This Act, or anything therein contained, shall not prevent the Company from taking any increased Charges over and above the Charges by this Act limited for the Conveyance of Animals, Minerals, or Things of any Description by Agreement with the Owners or Persons in charge thereof in respect of the Conveyance thereof (except small Parcels) by Passenger Trains, or by reason of any special Service performed by the Company in relation thereto.

Power to Company and the Two Companies to make Working Arrangements.

41. The Company on the one hand and the Two Companies or either of them on the other hand may from Time to Time make and enter into and carry into effect, and from Time to Time alter or vary, any Contracts or Agreements with respect to the following Purposes, or any of them ; (that is to say,)

The Use and Working by the Two Companies, or either of them, of the Railway and the Works and Conveniences connected therewith :

The Passage over the Railway of the Engines and Carriages of the Two Companies or of either of them :

The Conveyance by the Two Companies, or either of them, of all or any Part of the Traffic passing over the Railway :

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The Supply of Engines, Carriages, and Rolling Stock by the Two Companies, or either of them, for or in respect of the Railway :

The Accommodation, Conveyance, Forwarding, Interchange, Regulation, and Management of the Traffic on to and from the Railway and the Railways of the Two Companies respectively, or either of them :

The Division between the Company and the Two Companies, or either of them, of the Tolls and Fares arising from such Traffic :

The Tolls, Rates, Duties, and Charges, or other Consideration to be charged in respect of such Traffic, or to be paid in respect of such User, and the fixing and apportioning of such Tolls, Rates, Duties, and Charges, or other Consideration, or any of them :

The Maintenance and Repair of the Railway :

The Costs and Expenses of such Working, Management, Maintenance, and Repair :

And Part III., relating to Working Agreements of "The Railways Clauses Act, 1863," shall be incorporated with this Act in reference to any such Contract or Agreement.

42. During the Continuance of any Contract or Agreement which may be entered into under the Authority of this Act, the Railways of the Companies Parties to such Contract or Agreement shall for the Purposes of Tolls and Charges be considered as One Railway; and in estimating the Amount of Tolls and Charges in respect of Traffic conveyed partly on the Railways of the Company and partly on the Railways of the Two Companies, or either of them, Parties or Party to such Contract or Agreement, for a less Distance than Four Miles, Tolls and Charges may only be charged as for Four Miles, and in respect of Passengers for each Mile or Fraction of a Mile beyond Four Miles, Tolls and Charges as for One Mile only; and in respect of Animals, Minerals, and Goods, for every Quarter of a Mile or Fraction of a Quarter of a Mile beyond Four Miles Tolls and Charges as for a Quarter of a Mile only; and no other Short-distance Charge shall be made for the Conveyance of Passengers, Animals, and Goods, or other Matters partly on the Railways of the Company and partly on the Railways of the Two Companies, or either of them, Parties or Party to such Contract or Agreement.

Tolls during
Contracts.

43. This Act or anything herein contained 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

Railways
not exempt
from Pro-
visions of
present and
future Gene-
ral Acts.

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Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges by this Act authorized, or of the Rates for small Parcels hereby authorized.

Expenses of
Act.

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

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1864.