



CHAPTER ccii.

An Act for making a Railway from Ross to Ledbury in the counties of Gloucester and Hereford; and for other purposes. A.D. 1873.
[28th July 1873.]

WHEREAS the making of the railways herein-after described would be attended with public and local advantage :

And whereas the persons in this Act named, with others, are willing at their own expense to construct the railways, and it is expedient that powers should be conferred on them for that purpose :

And whereas plans and sections, showing the lines and levels of the railways authorised by this Act, and also books of reference, containing the names of the owners and lessees, or reputed owners and lessees, and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act, were duly deposited with the clerks of the peace for the counties of Gloucester and Hereford, and are herein-after respectively referred to as the deposited plans, sections, and books of reference :

And whereas the railway follows for some distance the course of the Herefordshire and Gloucestershire Canal, which is now very little used, and a portion thereof might with advantage be utilised for the purposes of the railway :

And whereas it is expedient that the Company, and the Great Western Railway Company, and the Ross and Monmouth Railway Company, respectively, should be authorised to enter into working agreements as herein-after provided :

And whereas the purposes of this Act 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 :

1. This Act may be cited as the "Ross and Ledbury Railway Act, 1873." Short title.

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Provisions of Acts herein named incorporated.

2. "The Companies Clauses Consolidation Act, 1845," Part I. (relating to cancellation and surrender of shares) and Part III. (relating to debenture stock) of "The Companies Clauses Act, 1863," "The Lands Clauses Consolidation Acts, 1845, 1860, and 1869," "The Railways Clauses Consolidation Act, 1845," and Part I. (relating to construction of a railway) and Part III. (relating to working agreements) of "The Railways Clauses Act, 1863," are (except where expressly varied by this Act) incorporated with and form part of this Act.

Interpretation of terms.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings, unless there be something in the subject or context repugnant to such construction; the expression "the Company" means the Company incorporated by this Act; the expressions "the railway" and "the undertaking" mean respectively the railways and the undertaking by this Act authorised; the expression "the working companies" shall mean the Great Western Railway Company and the Ross and Monmouth Railway Company; and the expression "superior courts," or "court of competent jurisdiction," or any other like expression in this Act or any Act wholly or partially incorporated herewith, shall be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt and not a debt or demand created by statute.

Company incorporated.

4. William Partridge, George Clive, Michael Biddulph, John William Miles, Alfred Barry, and all other persons and corporations who have already subscribed to or shall hereafter become proprietors in the undertaking, and their executors, administrators, successors, and assigns respectively, shall be and are hereby united into a Company for the purpose of making and maintaining the railways and for other the purposes of this Act, and for those purposes shall be and are hereby incorporated by the name of the "Ross and Ledbury Railway Company," and by that name shall be a 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 of this Act.

Power to make railway according to deposited plans.

5. Subject to the provisions of this Act, the Company may make and maintain, in the lines and according to the levels shown on the deposited plans and sections, the railways herein-after described, with all proper stations, sidings, approaches, works, and conveniences connected therewith, and may enter upon, take, and use such of the lands delineated on the said plans and described in the deposited books of reference as may be required for that purpose. The railways herein-before referred to and authorised by this Act are,—

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1. A railway (7 miles 4 furlongs and 6·30 chains in length), commencing in the parish of Ross in the county of Hereford by a junction there with the Great Western Railway, about 5 chains to the eastward of the passenger shed of the said Great Western Railway at Ross, and terminating in the parish of Dymock in the county of Gloucester in a pasture field called the "Four Acres," situate near a place called "the Maypole," and belonging or reputed to belong to Reginald Wynniatt :
2. A railway (wholly situated in the said parish of Ross, 1 furlong and 8·60 chains in length), commencing by a junction with the Ross and Monmouth Railway at or near the bridge whereby the turnpike road leading from Ross to Gloucester is carried over the said Ross and Monmouth Railway, and terminating by a junction with Railway No. 1 authorised by this Act in a field called "the Moors," part of the glebe lands of the rectory of Ross, and numbered 488 on the tithe commutation map of the said parish of Ross :
3. A railway (4 miles 5 furlongs and 3·25 chains in length), commencing in the said parish of Dymock at the herein-before described termination of the said Railway No. 1, and terminating in the parish of Ledbury in the county of Hereford by a junction with the Great Western Railway at the western extremity of the bridge whereby the Great Western Railway is carried over the public highway leading from Ledbury to Bromyard.

6. The capital of the Company shall be one hundred and eighty thousand pounds, in eighteen thousand shares of ten pounds each.

Capital.

7. The Company shall not issue any share created under the authority of this Act, nor shall any such share vest in the person accepting the same, unless and until a sum not being less than one fifth of the amount of such share is paid in respect thereof.

Shares not to issue till one fifth paid up.

8. One fifth of the amount of a share shall be the greatest amount of a call, and three months at least shall be the interval between successive calls, and four fifths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share.

Calls.

9. If any money is payable to a shareholder being a minor, idiot, or lunatic, the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Receipt clause in case of persons not sui juris.

10. Subject to the provisions of this Act, the Company, with the authority of three fourths of the votes of the shareholders present, in person or by proxy, at a general meeting of the Company specially convened for the purpose, may from time to time divide any share

Power to divide shares.

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in their capital into half shares, of which one shall be called "preferred half share" and the other shall be called "deferred half share;" but the Company shall not so divide any share under the authority of this Act unless and until not less than sixty per centum upon such share has been paid up, and upon every such division fifty per centum upon the entire share shall be carried to the credit of the deferred half share (being the whole amount payable thereon), and the residue to the credit of the preferred half share.

Dividends on half shares.

11. The dividend which would from time to time be payable on any divided share if the same had continued an entire share shall be applied in payment of dividends on the two half shares in manner following; (that is to say,) first in payment of dividend, after such rate not exceeding five per centum per annum as shall be determined once for all at a general meeting of the Company specially convened for the purpose, on the amount for the time being paid up on the preferred half share, and the remainder, if any, in payment of dividend on the deferred half share, and the Company shall not pay any greater amount of dividend on the two half shares than would have from time to time been payable on the entire share if the same had not been divided.

Dividend on preferred shares to be paid out of the profits of the year only.

12. Each preferred half share shall be entitled out of the profits of each year to the dividend which may have been attached to it by the Company as aforesaid in priority to the deferred half share bearing the same number; but if in any year ending the thirty-first day of December there shall not be profits available for the payment of the full amount of dividend on any preferred half share for that year, no part of the deficiency shall be made good out of the profits of any subsequent year or out of any other funds of the Company.

Shares registered and certificates issued.

13. Forthwith after the creation of any half shares the same shall be registered by the directors, and each half share shall bear the same number as the number of the entire share certificate in respect of which it was issued, and the directors shall issue certificates of the half shares accordingly, and shall cause an entry to be made in the register of the entire shares of the conversion thereof; but the directors shall not be bound to issue a certificate of any half share until the certificate of the existing entire share be delivered to them to be cancelled, unless it be shown to their satisfaction that such certificate is destroyed or lost, and on any certificate being so delivered up the directors shall cancel it.

Terms of issue to be stated in certificates.

14. The terms and conditions on which any preferred half share or deferred half share created under this Act is issued shall be stated on the certificate of each such half share.

15. The provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the forfeiture of shares for nonpayment of calls shall apply to all preferred half shares created under the authority of this Act, and every such preferred half share shall for that purpose be considered an entire share distinct from the corresponding deferred half share; and until any forfeited preferred half share shall be sold by the directors all dividends which would be payable thereon if the same had not been forfeited shall be applied in or towards payment of any expenses attending the declaration of forfeiture thereof, and of the arrears of calls for the time being due thereon, with interest.

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Forfeiture of preferred shares.

16. No preferred half share created under the authority of this Act shall be cancelled or be surrendered to the Company.

Preferred shares not to be cancelled or surrendered.

17. The several half shares under this Act shall be half shares in the capital of the Company, and every two half shares (whether preferred or deferred, or one of each,) held by the same person shall confer such right of voting at meetings of the Company, and (subject to the provisions herein-before contained) shall confer and have all such other rights, qualifications, privileges, liabilities, and incidents as attach and are incident to an entire share.

Half shares to be half shares in capital.

18. The Company may from time to time borrow on mortgage any sum not exceeding in the whole sixty thousand pounds, but no part thereof shall be borrowed until the whole capital of one hundred and eighty thousand pounds is issued and accepted, and one half thereof is paid up, and the Company 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 such capital has been issued and accepted, and that one half thereof has been paid up, and that not less than one fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such capital was issued bona fide and is held by the persons or corporations to whom the same was issued, or their executors, administrators, successors, or assigns, and that such persons or corporations, their executors, administrators, successors, or assigns, are legally liable for the same; and upon production to such justice of the books of the Company, and of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

Power to borrow on mortgage.

19. The mortgagees of the Company may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages by the appointment of a receiver. In order to authorise the appointment of a receiver in respect of arrears of

Arrears may be enforced by appointment of a receiver.

A.D. 1873. principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than six thousand pounds in the whole.

Debenture stock.

20. The Company may create and issue debenture stock, subject to the provisions of Part III. of "The Companies Clauses Act, 1863," but notwithstanding anything therein contained the interest of all debenture stock at any time created and issued by the Company shall rank *pari passu* with the interest of all mortgages at any time granted by the Company, and shall have priority over all principal moneys by such mortgages.

Application of moneys.

21. All moneys raised under this Act, whether by shares, debenture stock, or borrowing, shall be applied for the purposes of this Act only.

First ordinary meeting and quorum.

22. The first ordinary meeting of the Company shall be held within nine months after the passing of this Act, and the quorum for general meetings, whether ordinary or extraordinary, shall be seven shareholders, holding together not less than ten thousand pounds in the capital of the Company.

Number of directors.

23. The number of directors shall be five, but the Company may from time to time reduce the number, provided that the number be not less than three.

Qualification of directors.

24. The qualification of a director shall be the possession in his own right of not less than thirty shares.

Quorum.

25. The quorum of a meeting of directors shall be three, and if the number of directors be reduced to three the quorum shall be two.

First directors.

26. William Partridge, George Clive, Michael Biddulph, John William Miles, and Alfred Barry shall be the first directors of the Company, and shall continue in office until the first ordinary meeting held after the passing of this Act; at that meeting the shareholders present, in person or by proxy, may either continue in office the directors appointed by this Act, or any of them, or may elect a new body of directors, or directors to supply the place of those not continued in office, the directors appointed by this Act being, if qualified, eligible for re-election; and at the first ordinary meeting to be held in every year after the first ordinary meeting, the shareholders present, in person or by proxy, shall (subject to the power herein-before contained for reducing the number of directors) elect persons to supply the places of the directors then retiring from office, agreeably to the provisions of "The Companies Clauses Consolidation Act, 1845," and the several persons elected at any such meeting,

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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 same Act. A.D. 1873.

27. The quantity of land to be taken by the Company by agreement for the extraordinary purposes mentioned in "The Railways Clauses Consolidation Act, 1845," shall not exceed four acres. Lands for extraordinary purposes.

28. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of three years from the passing of this Act. Powers for compulsory purchases limited.

29. In altering for the purposes of this Act the roads next herein-after mentioned the Company may make the same of any inclinations not steeper than the inclination herein-after mentioned in connexion therewith respectively ; (that is to say,) Inclination of roads.

No. on Deposited Plan.	Parish.	Description of Road.	Intended Inclination.
RAILWAY No. 1.			
7	Upton Bishop	Public	1 in 9.
24	Upton Bishop	Turnpike	1 in 12.
RAILWAY No. 3.			
130	Ledbury	Public	1 in 13 on one side of the bridge.

30. The Company shall have power to purchase from the company or persons entitled thereto so much and such parts of the old canal known as the Herefordshire and Gloucestershire Canal, with the banks, towing-path, and land held therewith, as they may require for the purposes of this Act ; and upon any portion being so purchased and taken by the Company and appropriated for the purposes of this Act all rights of way or navigation and other rights and privileges (if any) along, upon, or over such portion of the said canal banks, towing-path, and land shall cease and determine. Company may acquire portion of Hereford and Gloucester Canal.

31. Persons empowered by "The Lands Clauses Consolidation Act, 1845," to sell and convey or release lands may, if they think fit, subject to the provisions of that Act, and of "The Lands Clauses Consolidation Acts (Amendment Act), 1860," and of this Act, grant to the Company any easement, right, or privilege, not being an easement of water required for the purposes of this Act, in, over, or affecting any such lands ; and the provisions of the said Act Power to take easements, &c. by agreement.

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Deposit money not to be repaid until line opened or half the capital paid up and expended.

32. 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 nine thousand six hundred and ninety-seven pounds four shillings and fourpence new three per cent. annuities, being five per cent. upon the amount of the estimate in respect of the railway, has been transferred to the account of the Paymaster General on behalf of the Court of Chancery in England, in respect of the application to Parliament for this Act: Be it enacted, that, notwithstanding anything contained in the said Act, the said stock shall not be transferred to or on the application of the person or persons, or the majority of 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 completion of the railway, either open the railway for the public conveyance of passengers, or prove to the satisfaction of the Board of Trade that the Company have paid up one half of the amount of the capital by this Act authorised 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 Board of Trade, the said stock shall be applied in the manner herein-after specified; and the certificate of the Board of Trade that such proof has been given to their satisfaction as aforesaid shall be sufficient evidence of the fact so certified, and it shall not be necessary to produce any certificate of this Act having passed, anything in the above-mentioned Act to the contrary notwithstanding.

Application of deposit.

33. The said stock transferred as aforesaid shall be applicable, and after due notice in the "London Gazette" shall be applied, towards compensating any landowners or other persons whose property may have been interfered with or otherwise rendered less valuable by the commencement, construction, or abandonment of the railway, or any portion thereof, or who may have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act, and for which injury or loss no compensation or inadequate compensation shall have been paid, and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions

as to the Court of Chancery in England may seem fit; and if no such compensation shall be payable, or if a portion of the said stock shall have been found sufficient to satisfy all just claims in respect of such compensation, then the said stock, or such portion thereof as may not be required as aforesaid, shall either be forfeited to Her Majesty, and accordingly be transferred to or for the account of Her Majesty's Exchequer in such manner as the Court of Chancery in England thinks fit to order on the application of the Solicitor of Her Majesty's Treasury, and shall be carried to and form part of the Consolidated Fund of the United Kingdom, or, in the discretion of the Court, if the Company is insolvent and has been ordered to be wound up, or a receiver has been appointed, shall wholly or in part be transferred to such receiver, or to the liquidator or liquidators of the Company, or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof: Provided that until the said stock has been re-transferred to the transferrors, or has become otherwise applicable as hereinbefore mentioned, any interest or dividends accruing thereon shall from time to time and as often as the same shall become payable 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.

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34. If the railway is not completed within five years from the passing of this Act, then on the expiration of that period the powers by this Act granted to the Company for making and completing 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.

35. The Company may demand and take in respect of the use of the railway any tolls not exceeding the following; (that is to say,)

Tolls for passengers and animals.

In respect of passengers and animals conveyed on the railway:

For every person, twopence per mile, and if conveyed in or upon a carriage belonging to the Company an additional sum of one penny per mile:

Class 1. For every horse, mule, or other beast of draught or burden, threepence per mile, and if conveyed in or upon a carriage belonging to the Company an additional sum per mile not exceeding one penny:

Class 2. For every ox, cow, bull, or head of neat cattle, twopence per mile, and if conveyed in or upon a carriage belonging to the Company an additional sum per mile not exceeding one penny:

Class 3. For every calf, pig, sheep, lamb, or other small animal,

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one penny per mile, and if conveyed in or upon a carriage belonging to the Company an additional sum per mile not exceeding one halfpenny :

Tolls for goods.

In respect of goods and minerals conveyed upon the railway :

Class 4. For all coals, culm, cinders, cannel, iron ore, limestone, chalk, sand, slag, and clay (except fire-clay), dung, compost, and all sorts of manure, and all undressed materials for the repair of public roads or highways, per ton per mile one penny, and if conveyed in a carriage belonging to the Company an additional sum per ton per mile of one halfpenny :

Class 5. For all coke, charcoal, lime, and limestone, and all stones for building, pitching, and paving, all bricks, tiles, slates, fire-clay, marl, ironstone, copper ore, lead ore, and iron ore, antimony, and manganese, and all other ores, minerals, and semi-metals, per ton per mile one penny, and if conveyed in a carriage belonging to the Company an additional sum per ton per mile of one halfpenny :

Class 6. For all pig iron, bar iron, rod iron, hoop iron, and all other similar descriptions of wrought iron, and iron castings, and lead not manufactured into utensils, or other articles of merchandise, per ton per mile one penny halfpenny, and if conveyed in a carriage belonging to the Company an additional sum per ton per mile of one halfpenny :

Class 7. For all sugar, grain, corn, flour, hides, dyewoods, earthenware, timber, staves, deals, and metals (except iron), tinned nails, nails, anvils, vices, and chains, and for light iron castings, per ton per mile twopence, and if conveyed in a carriage belonging to the Company an additional sum per ton per mile of one penny :

Class 8. For cotton and other wools, drugs, and manufactured goods, and all other ware, merchandise, fish, articles, matters, or things, per ton per mile threepence, and if conveyed in a carriage 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, conveyed on a truck or platform belonging to the Company, sixpence per mile ; 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.

Tolls for propelling power.

36. 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, in addition to the several other tolls or sums by this Act authorised to be taken. A.D. 1873. —

37. The following provisions and regulations shall apply to the fixing of all tolls and charges payable under this Act; (that is to say,) Regulations as to tolls.

For all passengers, animals, goods, or minerals conveyed on the railway for a less distance than four miles the Company may demand tolls and charges as for four miles : Short distances.

For a fraction of a mile beyond four miles or beyond any greater number of miles the Company may demand tolls and charges 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 ; Fractional parts of a mile.

For a fraction of a ton the Company may demand tolls 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 : Fractional parts of a ton.

With respect to all articles, except stone and timber, the weight shall be determined according to the usual avoirdupois weight : General 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. Weight of stone and timber.

38. With respect to small parcels not exceeding five hundred pounds in weight, and single articles of great weight, notwithstanding anything in this Act, the Company may demand and take any tolls not exceeding the following ; (that is to say,) Tolls for small parcels and single articles of great weight.

For the carriage of small parcels on the railway :

For any parcel not exceeding seven pounds in weight, three-pence :

For any parcel not exceeding fourteen pounds in weight, five-pence :

For any parcel not exceeding twenty-eight pounds in weight, sevenpence :

For any parcel not exceeding fifty-six pounds in weight, nine-pence :

And for any parcel exceeding fifty-six pounds but not exceeding five hundred pounds in weight the Company may demand any sum which they may think fit :

A.D. 1873. Provided always, that articles sent in large aggregate quantities, although made up in separate parcels, such as bags of sugar, coffee, meal, and the like, shall not be deemed small parcels, but that term shall apply only to single parcels in separate packages.

For the carriage of single articles of great weight on the railway :

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 one boiler, cylinder, or single piece of machinery, or single piece of timber or stone, 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.

Maximum
rates for
passengers.

39. 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 for carriages and locomotive power, and every other expense incidental to such conveyance, shall not exceed the following ; (that is to say,)

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 halfpenny per mile.

Maximum
rates for
animals and
goods.

40. The maximum rate of charge to be made by the Company for the conveyance of animals, goods, and minerals (except such small parcels and single articles of great weight as aforesaid) on the railway, including the tolls for the use of the railway, and for waggons or trucks and locomotive power, and for every other expense incidental to the conveyance, (except a reasonable charge for loading and unloading goods at any terminal station in respect of such goods, and for delivery and collection, and any other service incidental to the business or duty of a carrier, where any such service is performed by the Company,) shall not exceed the following sums ; (that is to say,)

For every animal in class 1, fourpence per mile :

For every animal in class 2, threepence per mile :

For every animal in class 3, twopence per mile :

For everything in class 4, one penny halfpenny per ton per mile :

For everything in class 5, twopence per ton per mile :

For everything in class 6, twopence halfpenny per ton per mile : A.D. 1873.

For everything in class 7, threepence per ton per mile : —

For everything in class 8, 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 weighing more than one ton, carried or conveyed on a truck or platform, per mile sixpence, and if weighing more than one ton one penny halfpenny for every additional quarter of a ton or fractional part of a ton which such carriage may weigh.

41. 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 in weight for third-class passengers, without any charge being made for the carriage thereof. Passengers luggage.

42. No station shall be considered a terminal station in regard to any goods conveyed on the railway unless such goods have been received thereat direct from the consignor or are directed to be delivered thereat to the consignee. Terminal station.

43. The restrictions as to the charges to be made for passengers shall not extend to any special train run upon the railway, in respect of which the Company may make such charges as they fit, but shall apply only to the ordinary and express trains appointed from time to time by the Company for the conveyance of passengers and goods upon the railway. Restrictions as to charges not to apply to special trains.

44. Nothing in this Act shall prevent the Company from taking any increased charges over and above the charges by this Act limited for the conveyance of animals, goods, or minerals of any description by agreement with the owners or persons in charge thereof, either by reason of any special service performed by the Company in relation thereto, or in respect to the conveyance of animals, goods, or minerals, other than small parcels, by passenger trains. Company may take increased charges by agreement.

45. The Company on the one hand and the working companies respectively on the other hand may, subject to the provisions of Part III. of "The Railways Clauses Act, 1863," from time to time enter into agreements with respect to the following purposes, or any of them ; (that is to say,) Power to enter into working agreements with the Great Western and Ross and Monmouth Railway Companies.

The working, use, management, and maintenance of the railway of the Company, or any part thereof, and of the works connected therewith, and some part or parts of the railways of the working

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companies, and stations, sidings, works, and conveniences connected therewith :

The supply and maintenance of engines, rolling stock, and plant :

The fixing, collection, division, and appropriation of the tolls and other income arising from the traffic on the said railways and portions of railway :

The contributions, payments, and allowances to be made for or with reference to or on account of all or any of the aforesaid objects, and the application thereof :

The services, facilities, and accommodation to be afforded, made, and provided by the contracting companies respectively.

Tolls on traffic conveyed partly on the railway and partly on the railways of the working company.

46. During the continuance of any agreement to be entered into under the provisions of this Act for the working or use of the railway by either of the working companies, the railways of the Company and of the working company shall for the purposes of short-distance 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 railway, and partly on the railway of the working company, for a less distance than four miles tolls and charges may only be charged as for four miles ; and in respect of passengers for every mile or fraction of a mile beyond four miles tolls and charges as for one mile only ; and in respect of animals 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, or goods partly on the railway, and partly on the railways of the working companies, or either of them.

Provision for compensation to the Severn Commissioners.

47. The Company shall pay to the Severn Commissioners such a sum as the Railway and Canal Traffic Commissioners shall determine by way of compensation for the loss of tolls arising from the closing of the canal, or from the conversion of any part thereof into a railway under the powers of this Act, and such compensation shall be by way of annual payment, or otherwise as the said Railway and Canal Traffic Commissioners shall determine, and if by way of annual payment the same shall continue during such time as any money shall remain due on any mortgage made by the Severn Commissioners under the Severn Navigation Act, 1869, but in case any sum towards such compensation is paid by the Newent Railway Company, such payment shall be taken in satisfaction and discharge pro tanto of the liability of the Company in respect of the same.

Accounts to be sent to the Company.

48. The said Severn Commissioners shall, within fourteen days after the annual meeting in any year, cause a copy of the abstract of accounts certified at such meeting to be transmitted, free of charge,

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to the Company so long as the Company are required to pay any compensation to the said Severn Commissioners under the provisions of this Act.

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49. The Company shall not, out of any money by this Act authorised to be raised, pay interest or dividend to any shareholder on the amount of the calls made in respect of the shares held by him; but nothing in this Act shall prevent the Company from paying to any shareholder such interest or money advanced by him beyond the amount of the calls actually made as is in conformity with "The Companies Clauses Consolidation Act, 1845."

Interest not to be paid on calls paid up.

50. The Company shall not, out of any money by this Act authorised to be raised, pay or deposit any sum 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 authorising the Company to construct any other railway, or to execute any other work or undertaking.

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

51. Nothing in this Act contained shall exempt the railway from the provisions of any general Act relating to railways, or the better and 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 from any future revision or alteration, under the authority of Parliament, of the maximum rates of fares and charges, or of the rates for small parcels, authorised by this Act.

Railway not exempt from provisions of present and future general Acts.

52. All 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.

Costs of Act

