



CHAPTER clxxvi.

An Act for making a Railway to be called the Lambourn Valley Railway, and for other purposes. A.D. 1882.

[2nd August 1883.]

WHEREAS the making and maintaining of a Railway from Lambourn, in the county of Berks, to the Berks and Hants Branch of the Great Western Railway near Newbury, in the same county, would be of public and local advantage:

And whereas the persons in this Act named, with others, are willing at their own expense to construct the Railway, and are desirous of being incorporated into a Company for the purpose:

And whereas it is expedient that such arrangements should be authorised and such powers conferred with reference to other undertakings and Companies as are hereinafter provided:

And whereas plans and sections showing the lines and levels of the intended Railway, and also books of reference to such plans 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 clerk of the peace for the county of Berks, and are hereinafter respectively referred to as the deposited plans, sections, and books of reference:

And whereas the objects 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 Lambourn Valley Railway Act 1883. Short title.

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, Incorporation of general Acts.

[Ch. clxxvi.] *Lambourn Valley Railway Act, 1883.* [46 & 47 VICT.]

A.D. 1883. as amended by the Companies Clauses Act 1869, the Lands Clauses Consolidation Acts 1845, 1860, and 1869, the Railways Clauses Consolidation Act 1845, 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.

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 Railway and undertaking by this Act authorised; the expression "the Great Western Company" means the Great Western Railway Company; the expression "the Didcot Company" means the Didcot Newbury and Southampton Railway Company; and for the purposes of this Act 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. George Bramston Eyre, Thomas Chaloner Smith, Henry Hippisley, 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 Railway, and for other the purposes of this Act, and for those purposes shall be and are hereby incorporated by the name of "the Lambourn Valley 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 and works.

5. Subject to the provisions of this Act the Company may make and maintain, in the line and according to the levels shown on the deposited plans and sections, the Railway hereinafter 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 Railway hereinbefore referred to and authorised by this Act is—

A Railway, 12 miles 1 furlong in length, commencing in the parish of Lambourn at a point in a field belonging or reputed to belong

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to Richard Hickman Murray, on the south side of the road called Fair Ground Hill, distant eighty-five yards or thereabouts, measuring in an easterly direction, from the east end of a row of cottages or tenements at the top of the said hill, and nine yards or thereabouts, measuring in a southerly direction, from the south fence of the aforesaid road called Fair Ground Hill, and terminating in the parish of Newbury by a junction with the Berks and Hants Branch of the Great Western Railway at a point thereon immediately on the west side of the bridge carrying the public road known as Bartholomew Street over the Great Western Railway.

6. For the protection of the Great Western Railway Company (in this section called "the Great Western Company") the following provisions shall have effect (that is to say):—

For the protection of the Great Western Railway Company.

(1.) The Company shall not enter upon or interfere with the Kennet and Avon Canal of the Great Western Company, or the towing-path thereof, or any of the lands or works of that Company, or execute any works whatsoever under, over, or affecting the same, until the Company shall have delivered to the Great Western Company plans and drawings of such intended works, and those plans and drawings shall have been approved in writing by the principal engineer for the time being of the Great Western Company, or, in the event of his failure for fourteen days after the delivery of the plans and drawings, until the same shall have been approved by an engineer to be appointed on the application of the Company by the Board of Trade; and all the intended works shall be executed by the Company at their sole expense in all things according to such approved plans and drawings, and to the reasonable satisfaction of the said engineer for the time being of the Great Western Company, or in case of difference by an engineer to be appointed by the Board of Trade;

Not to enter on lands of Great Western Company until plans of proposed works affecting that Company approved.

(2.) In constructing the Railway by this Act authorised through or over the land and property of the Great Western Company, the Company shall not deviate from the centre line shown on the deposited plans, where the Railway passes over the Kennet and Avon Canal and towing-path of the Great Western Company, without the previous consent in writing of that Company under their common seal, and the Railway shall be carried over that canal and the towing-path thereof by means of a bridge of not less than thirty-five feet span on the square, and having a headway of not less than ten feet high from the surface of the water in the canal at navigation level to the under side of the girders of the bridge, the piers of which bridge are to be made parallel to

As to execution of Railway on lands of Great Western Company.

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the said canal and towing-path, and such crossing of the canal and towing-path of the Great Western Company shall be effected in such a manner as not to injure the stability of the canal, towing-path, and works of the Great Western Company in any way whatever ;

Company to pay to the Great Western Company expenses of watchmen during construction of works.

(3.) The Company shall bear and on demand pay to the Great Western Company the reasonable expense of the employment by them during the making of the Railway over and adjacent to the said canal, towing-path, and works, of a sufficient number of inspectors, signalmen, or watchmen to be appointed by them for watching the said canal, towing-path, and works, and the conduct of the traffic thereon with reference to and during the execution of the intended works, and for preventing as far as may be all interference, obstruction, danger, and accident from any of the operations, or from the acts or defaults of any person or persons in the employ of the Company with reference thereto or otherwise ;

Damages sustained by Great Western Company to be repaid.

(4.) Notwithstanding anything in this Act contained, the Company shall from time to time be responsible for and make good to the Great Western Company all losses, costs, damages, and expenses, which may be occasioned to them or any of their works or property, or to their traffic on their said canal, or to any Company or persons using the same, or otherwise during the execution or renewal or by reason of the failure of any of the intended works, or of any act, default, or omission of the Company, or of any person in their employ, or of their contractors, or otherwise, and the Company shall effectually indemnify and hold harmless the Great Western Company from all claims and demands upon or against them by reason of such execution or failure, and of any such act, default, or omission ;

Maintenance of works affecting the Railways of the Great Western Company.

(5.) The Company shall at their sole expense and at all times maintain the bridge and other works constructed by them, by which the Railway shall be carried over the said canal, towing-path, and works of the Great Western Company, in substantial repair and good order and condition, to the reasonable satisfaction in all respects of the engineer for the time being of the Great Western Company ; and if and whenever the Company fail so to do, after one month's notice from the Great Western Company for that purpose, or in case of urgency without any notice being required, the Great Western Company may make and do in and upon as well the land of the Company as their own land all such works and things as the Great Western Company shall think requisite in that behalf for ensuring such repair ; and the sum from time to time certified by their

engineer to be the amount of the expenditure reasonably incurred in that behalf shall be repaid to them by the Company, and in default of full repayment the amount due may be recovered with full costs by the Great Western Company from the Company in any court of competent jurisdiction;

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(6.) In constructing or maintaining the Railway the Company shall not in any way obstruct or interfere with the traffic passing along the said canal and towing path of the Great Western Company, and if by reason of any works or proceedings of the Company there shall be any unnecessary obstruction or interference with the said canal or towing path so as to impede or prevent the convenient passage of boats and horses along the same the Company shall pay to the Great Western Company the sum of thirty pounds per day during which any such obstruction or interference shall continue, any part of a day being considered as a whole day;

Not to interfere with traffic on Great Western Railway.

(7.) Except for the purpose of crossing the said canal and towing-path of the Great Western Company, and for the junction of the Railway with the Railway of the Great Western Company, and which junction or the substituted junction hereinafter referred to is to be maintained and worked at the expense and risk of the Company, the Company shall not take or acquire any land of the Great Western Company, or any right in or over the same, and save as aforesaid nothing in this Act contained shall extend to authorise or enable the Company to take or enter upon or use, either temporarily or permanently, any of the lands of the Great Western Company, or to alter, vary, or interfere with the Railway, canal, and towing-path of that Company, or with any of the works thereof respectively, further or otherwise than is necessary for the construction and maintenance of the Railway without the consent in writing in every instance for that purpose first had and obtained of the Great Western Company under their common seal; and with respect to any lands of the Great Western Company which the Company are by this Act from time to time authorised to purchase, take, use, enter upon, or interfere with for the purposes of such crossing or junction, or otherwise, the Company shall not purchase or take any greater or other estate or interest in any such lands than an easement or right of using such lands in perpetuity for the purposes for which but for this enactment the Company might purchase and take the same, and the provisions of this Act and of the Acts incorporated with this Act shall be construed and apply accordingly, and the Great Western Company may at any time or times hereafter, should it be necessary for them to do so, alter or remove the junction by this Act authorised

No land of Great Western Company to be taken except for certain works.

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with their Railway, and substitute a new junction therefor, but so as such alteration, or removal, or substituted junction, as the case may be, shall not stop the traffic of the Railway, or unnecessarily interfere therewith, or cause increased expense to the Company in the working or maintenance of the junction, or the substituted junction, as the case may be, or the signals, works, and conveniences connected therewith;

Company to pay for easements.

(8.) The Company shall pay to the Great Western Company by way of purchase or compensation for the rights and easements to be acquired under the provisions of this Act such an amount as may be agreed upon, or, in the event of difference, as may be determined by arbitration under the provisions of the Lands Clauses Consolidation Act 1845, relating to the purchase of lands otherwise than by agreement;

Arbitration.

(9.) If any dispute shall arise between the Great Western Company and the Company respecting the matters and provisions aforesaid, or any of them, such dispute shall be settled by an arbitrator to be agreed upon between the parties, or, in case of difference, to be appointed on the application of either party by the President for the time being of the Institution of Civil Engineers in London, the costs of such arbitration to be in the discretion of such arbitrator;

Saving rights of Great Western Company.

(10.) Nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the rights, privileges, or powers of the Great Western Company otherwise than is by this Act expressly provided.

Capital.

7. The capital of the Company shall be one hundred thousand pounds, in ten thousand shares of ten pounds each.

Shares not to be issued until one-fifth paid.

8. The Company shall not issue any share created under the authority of this Act, nor shall any such share vest in the person or corporation 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.

Calls.

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

Receipt clause in case of persons not sui juris.

10. 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.

Power to borrow.

11. The Company may, in respect of the capital of one hundred thousand pounds, which they are by this Act authorised to raise, from time to time borrow on mortgage any sum not exceeding

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in the whole thirty-three thousand pounds, but no part thereof shall be borrowed until the whole capital of one hundred 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 shares for the whole of such capital have 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 bonâ 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, or their executors, administrators, successors, or assigns, are legally liable for the same. 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 certificate shall be sufficient evidence thereof.

12. 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 principal, the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than three thousand pounds in the whole.

For appointment of a receiver.

13. 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 and of all mortgages at any time created and issued or granted by the Company under this or any subsequent Act, shall, subject to the provisions of any subsequent Act, rank *pari passu*, without respect to the dates of the securities or of the Acts of Parliament or resolutions by which the stock or mortgages were authorised, and shall have priority over all principal moneys secured by such mortgages.

Debenture stock.

14. All moneys raised under this Act, whether by shares, debenture stock, or borrowing, shall be applied only for the purposes of this Act to which capital is properly applicable.

Application of moneys.

15. The first ordinary meeting of the Company shall be held within four months after the passing of this Act.

First ordinary meeting.

16. 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.

Number of directors.

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Qualification of directors.

Quorum of directors.

First directors.

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

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

19. George Bramston Eyre, Thomas Chaloner Smith, Henry Hippisley, and two other persons to be nominated by them, or the majority of them, and consenting to such nomination, 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 nominated as aforesaid, or any of them, or may elect a new body of directors or directors to supply the places of those not continued in office, the directors appointed by this Act or nominated as aforesaid 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, being neither removed nor disqualified, nor having died or resigned, shall continue to be directors until others are elected in their stead in manner provided by the same Act.

Lands for extraordinary purposes.

Period for compulsory purchase of lands.

Inclinations of certain roads.

20. 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 five acres.

21. 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.

22. In altering for the purposes of this Act the roads next hereinafter mentioned, the Company may make the same of any inclinations not steeper than the inclinations hereinafter mentioned in connection therewith respectively (that is to say):

No. on deposited Plan.	Parish.	Description of Road.	Intended Inclination.
8	Welford - -	Public - -	1 in 15.
15	Welford - -	Public - -	1 in 17 on one side of the bridge.

23. The Company may make the arch of the bridge for carrying the Railway over the road next hereinafter mentioned of any height and span not less than the height and span hereinafter mentioned in connection therewith (that is to say):

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Height and span of a certain bridge.

No. on deposited Plan.	Parish.	Description of Road.	Height.	Span.
17	Lambourn -	Public - -	14 feet -	12 feet

24. The Company may make the roadway over the bridges by which the following roads will be carried over the Railway of such width between the fences thereof as the Company think fit, not being less than the respective widths hereinafter mentioned in connection therewith respectively (that is to say):

Width of certain roadways.

No. on deposited Plan.	Parish.	Description of Road.	Width of Roadway.
49	Lambourn - -	Public - -	12 feet.
8	Welford - -	Public - -	12 feet.

25. 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 Acts with respect to lands and rent-charges, so far as the same are applicable in this behalf, shall extend and apply to such grants, and to such easements, rights, and privileges as aforesaid respectively.

Power to take easements by agreement.

26. 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 four thousand and twenty-seven pounds, being equal to five per centum upon the amount of the estimate in respect of the Railway, has been deposited with the Chancery Division of the High Court of Justice in England in respect of the application to Parliament for this Act, which sum is referred to in this Act as the deposit fund: Be it enacted, that, notwithstanding anything contained in the said Act, the deposit fund shall not be paid or transferred to or on the application of the person or persons, or the majority of the persons, named in the

Deposit money not to be repaid except so far as Railway is opened.

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Application
of deposit.

27. If the Company do not previously to the expiration of the period limited by this Act for the completion of the Railway complete the same and open it for the public conveyance of passengers, then and in every such case the deposit fund, or so much thereof as shall not have been paid to the depositors, shall be applicable, and after due notice in the London Gazette shall be applied, towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement, construction, or abandonment of the Railway, or any portion thereof, or who 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, has been paid, and shall be distributed in satisfaction of such compensation as aforesaid, in such manner and in such proportions as to the Chancery Division of the High Court of Justice in England may seem fit; and if no such compensation is payable, or if a portion of the deposit fund has been found sufficient to satisfy all just claims in respect of such compensation, then the deposit fund, or such portion thereof as may not be required as aforesaid, shall either be forfeited to Her Majesty and accordingly be paid or transferred to or for the account of Her Majesty's Exchequer in such manner as the Chancery Division 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 Chancery Division, 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 paid or 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 deposit fund has been repaid to the depositors, 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 depositors. A.D. 1883.

28. 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.

29. 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.

In respect of passengers and animals conveyed in carriages upon the Railway, or any part thereof, as follows: Passengers.

For every person conveyed in or upon any such carriage, per mile two pence; and if conveyed in or upon any carriage belonging to the Company an additional sum per mile of one penny;

Class I.—For every horse, mule, ass, or other beast of draught or burden, conveyed in or upon such carriage per mile three pence; and if conveyed in or upon any carriage belonging to the Company an additional sum per mile of one penny; Animals.

Class II.—For cattle conveyed in or upon any such carriage per head per mile two pence; and if conveyed in or upon any carriage belonging to the Company an additional sum per mile of one penny;

Class III.—For every calf, pig, sheep, 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 halfpenny;

In respect of goods conveyed on the Railway: Goods.

Class IV.—For all dung, compost, and all sorts of manure, lime and limestone, and all undressed materials for the repair of public roads or highways, all stones for building, pitching, and paving, tiles, slates, clay, coal, iron, ironstone, iron ore, and pig iron, per ton per mile one penny halfpenny; and if conveyed in carriages belonging to the

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Company an additional sum per ton per mile not exceeding one halfpenny ;

Class V.—For all coke, culm, charcoal and cinders, sheet iron, bar iron, rod iron, hoop iron; and all other similar descriptions of wrought iron and iron castings not manufactured into utensils, bricks, salt, sand, fire-clay, and stone, per ton per mile two pence ; and if conveyed in carriages belonging to the Company an additional sum per ton per mile not exceeding one halfpenny ;

Class VI.—For sugar, grain, corn, flour, hides, dyewoods, earthenware, timber, staves and deals, nails, anvils, vices and chains, per ton per mile two pence halfpenny ; and if conveyed in carriages belonging to the Company an additional sum per ton per mile not exceeding one penny ;

Class VII.—For cotton and other wools, drugs, manufactured goods, and metals (except iron and tin), and all other wares, merchandise, fish, articles, matters, or things, per ton per mile three pence ; and if conveyed in carriages belonging to the Company an additional sum per ton per mile of one penny ;

Class VIII.—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 belonging to the Company, per mile six pence ; 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.

Limiting charges for propelling power.

30. 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 authorised to be taken.

Regulations as to tolls.

31. The following provisions and regulations shall apply to the fixing of the tolls and charges payable under this Act (that is to say) :

Short distances.

For all passengers, animals, minerals or goods, conveyed on the Railway for a less distance than three miles, the Company may demand and receive the before-mentioned tolls as for three miles ;

Fractional parts of a mile.

For a fraction of a mile beyond three 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;

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;

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.

32. 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 great weights.

For the carriage of small parcels on the Railway:

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

For any parcel exceeding seven pounds, and not exceeding fourteen pounds in weight, five pence;

For any parcel exceeding fourteen pounds and not exceeding twenty-eight pounds in weight, seven pence;

For any parcel exceeding twenty-eight pounds and not exceeding fifty-six pounds in weight, nine pence;

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, 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 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 six pence per ton per mile:

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For the carriage of any single article the weight of which including the carriage exceeds eight tons, the Company may demand and take any sum they think fit.

Maximum
rates for
passengers.

33. 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 such conveyance, shall not exceed the following (that is to say) :

For every passenger conveyed in a first-class carriage, per mile three pence ;

For every passenger conveyed in a second-class carriage, per mile two pence ;

For every passenger conveyed in a third-class carriage, per mile one penny.

Maximum
rates for
animals and
goods.

34. The maximum rate of charge to be made by the Company for the conveyance of animals and goods (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 such conveyance, except a reasonable charge for loading and unloading of goods at any terminal station in respect of such goods, and for delivery and collection, and any other services 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 mentioned in Class I. per mile four pence ;

For every animal mentioned in Class II. per mile three pence ;

For every animal mentioned in Class III. per mile one penny half-penny ;

For the articles and goods mentioned in Class IV. per ton per mile one penny halfpenny ;

For the articles and goods mentioned in Class V. per ton per mile two pence ;

For the articles and goods mentioned in Class VI. per ton per mile three pence ;

For the articles and goods mentioned in Class VII. per ton per mile four pence ;

For any carriage mentioned under Class VIII. not weighing more than one ton per mile six pence ; if weighing more than one ton per mile one penny halfpenny for every quarter of a ton or fractional part of a quarter of a ton.

35. 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. A.D. 1883
Passengers' luggage.

36. 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.

37. 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 think 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. Foregoing restrictions not to apply to special trains.

38. 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 or goods 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 or goods (other than small parcels) by passenger trains. Company may take increased charges by agreement.

39. The book, tables, or other document in use for the time being, containing the general classification of goods carried by goods or merchandise train on the Railway shall, during all reasonable hours, be open to the inspection of any person without the payment of any fee, at every station at which goods or merchandise are received for transmission; and such book, tables, or other document, as annually revised, shall be kept on sale at the principal office of the Company at a price not exceeding one shilling. The Company shall, within one week after application in writing made to the secretary of the Company by any person interested in the carriage of any goods which have been or are intended to be carried over the Railway, render an account to the person so applying, in which the charge made or claimed by the Company for the carriage of such goods shall be divided, and the charge for conveyance over the Railway shall be distinguished from the terminal charges, if any; and if any terminal charge is included in such account, the nature and detail of the terminal expenses in respect of which it is made shall be specified. If the Company fail to comply with the provisions of Classification table to be open to inspection and copies to be sold.
Accounts to be rendered as to terminal charge.
Penalty.

A.D. 1883. this section they shall for each offence, and in case of a continuing offence for every day during which the offence continues, be liable to a penalty not exceeding five pounds, which penalty shall be recovered and applied in the same manner as penalties imposed by the Regulation of Railways Act 1873, section 14.

Working and traffic arrangements with other Companies.

40. The Company on the one hand, and the Great Western Company and (subject to the approval of the Great Western Company) the Didcot Company, or either of them, on the other hand, may, subject to the provisions of Part III. of the Railways Clauses Act 1863, as amended or varied by the Regulation of Railways Act 1873, from time to time enter into and carry into effect and rescind contracts, agreements, and arrangements with respect to the following purposes, or any of them (that is to say):

The management, working, use, and maintenance of the Railway, or any part thereof, and of the works connected therewith;

The use or working of the Railway, or any part thereof, and the conveyance of traffic thereon, and the employment of officers and servants for the conduct of the traffic;

The supply and maintenance under any agreement for working the Railway of engines, stock, and plant necessary for and during the continuance of such agreement;

The regulation and interchange of traffic passing between the Railways of the Companies parties to such agreement;

The fixing and collection and apportionment of the tolls, rates, charges, receipts, and revenues levied, taken, or arising in respect of traffic;

The payments and allowances to be made, and the conditions to be performed, with respect to the matters aforesaid.

Tolls on traffic conveyed partly on the Railway and partly on the Railways of other Companies.

41. During the continuance of any agreement to be entered into under the provisions of this Act for the working and use of the Railway by the Great Western Company or the Didcot Company, the Railways of the Company and of such other Company respectively 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 such other Company for a less distance than three miles, tolls and charges may only be charged as for three miles; and in respect of passengers, for every mile or fraction of a mile beyond three 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 three 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 Railway of such other Company.

A.D. 1883.

42. 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 on 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.

43. 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 execute any other work or undertaking.

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

44. Nothing in this Act contained shall exempt the Company or 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.

Provision as to general Railway Acts.

45. 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.

Expenses of Act.

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