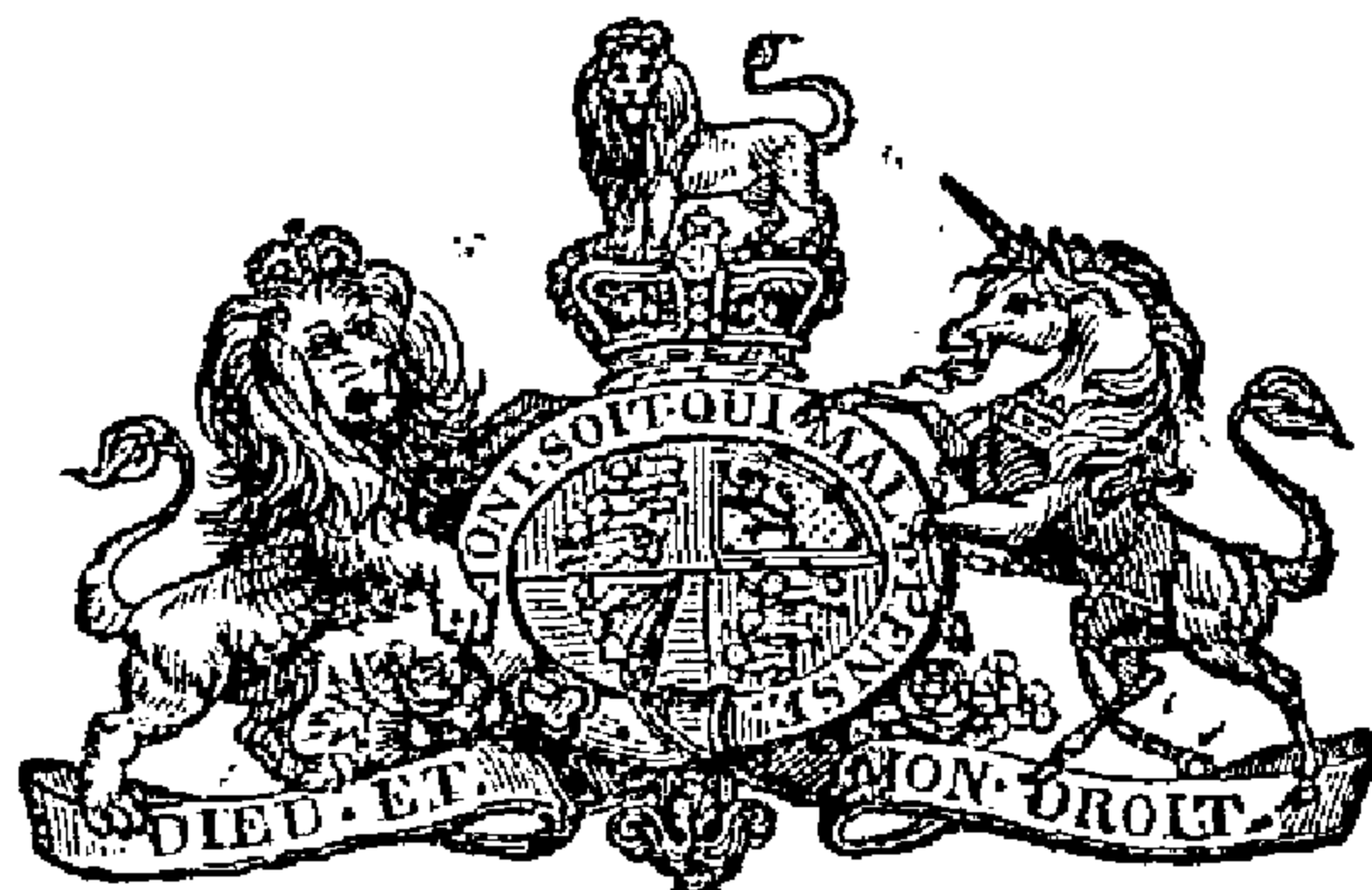


[32 & 33 VICT.] *Watlington and Princes Risborough* [Ch. cxliii.]
Railway Act, 1869.



CHAP. cxliii.

An Act for making a railway from Princes Risborough in the county of Buckingham to Watlington in the county of Oxford ; and for other purposes. [26th July 1869.] A.D. 1869.

WHEREAS the making and maintaining of a railway from Princes Risborough in the county of Buckingham to Watlington in the county of Oxford would be of public and local advantage :

And whereas the persons herein-after named, with others, are willing, at their own expense, to carry the undertaking into execution, if authorized so to do, and are desirous of being incorporated into a company for that purpose :

And whereas it is expedient that the company be authorized to work over and use the portion in that behalf in this Act specified of the Wycombe Railway (Thame Extension) of the Great Western Railway Company :

And whereas it is expedient that provision be made with respect to the laying down of narrow-gauge rails on the portion in that behalf in this Act specified of the said Wycombe Railway (Thame Extension) :

And whereas plans and sections of the proposed railway, showing the lines and levels thereof, and the lands which may be taken for the purposes of this Act, and also books of reference to the plans, containing the names of the owners or reputed owners, lessees or reputed lessees, and occupiers of the lands, have been deposited with the respective clerks of the peace for the counties of Buckingham and Oxford, and those plans, sections, and books of reference are in this Act 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

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A.D. 1869. 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:

Short title. 1. This Act may be cited for all purposes as "The Watlington and Princes Risborough Railway Act, 1869."

General Acts herein named incorporated. 2. "The Companies Clauses Consolidation Act, 1845," and 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 Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," "The Railways Clauses Consolidation Act, 1845," and Part I. (relating to construction of a railway) 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 or inconsistent with such construction; the expression "the company" means the company incorporated by this Act; the expression "the railway" or "the undertaking" means the railway by this Act authorized; 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 common simple contract debt, and not a debt or demand created by statute.

Company incorporated. 4. Thomas Taylor, Francis Edward Stephens Viret, John Henry Westcar Peel, William Harrison Davey, Thomas Alexander Allnutt, and all other persons and corporations who have already subscribed or shall hereafter subscribe to the undertaking, and their executors, administrators, successors, or assigns respectively, shall be united into a company for the purpose of making and maintaining the railway to be called "The Watlington and Princes Risborough Railway," and for other the purposes of this Act, and for those purposes shall be incorporated by the name of "The Watlington and Princes Risborough 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 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 herein-after described, with all proper stations, 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 herein-before referred to and authorized by this Act is,—

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—
according to
deposited
plans.

A railway (being the railway shown on the deposited plans and sections as railway No. 3) eight miles and four and three quarters chains in length, commencing in the parish of Princes Risborough in the county of Buckingham by a junction with the Wycombe Railway (Thame Extension) of the Great Western Railway Company, and terminating in the parish of Pyrton in the county of Oxford near the town of Watlington.

6. The capital of the company shall be thirty-six thousand pounds in three thousand six hundred shares of ten pounds each.

Capital and
number and
amount of
shares.

7. The company shall not 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 of the amount of such share shall have been paid in respect thereof.

Shares not
to issue until
one fifth
part paid up.

8. One fifth of the amount of a share shall be the greatest amount of a call, and two months at the least shall intervene 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.

Calls.

9. 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 in their capital into half shares, of which one shall be called "preferred half share," and the other shall be called "deferred half share:" Provided always, that the company shall not 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.

Power to
divide
shares.

10. 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

Dividends
on half
shares.

A.D. 1869. — rate not exceeding six per centum per annum as shall be determined 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.

11. 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.

Half shares to be registered, and certificates issued.

12. 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: Provided always, that the directors shall not be bound to issue a certificate of any half share until the certificate of the existing share be delivered to them to be cancelled, unless it be shown to their satisfaction that the certificate is destroyed or lost, and on any such certificate being so delivered up the directors shall cancel it.

Terms of issue to be stated in certificates.

13. 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.

Forfeiture of preferred shares.

14. 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 to be created under the authority of this Act, and every such preferred half share shall for that purpose be considered a whole share, distinct from the corresponding deferred half share: Provided always, that until any forfeited preferred half share shall be sold by the directors of the company, all dividends which would be payable thereon if the same had not been forfeited shall be applied in or towards payment of any expense attending the declaration of forfeiture thereof, and of the arrears of calls for the time being due thereon, with interest.

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15. 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, &c.

16. The several half shares under this Act shall be half shares in the capital of the company, and every two preferred or deferred half shares 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.

17. The company may from time to time borrow on mortgage any sum not exceeding in the whole twelve thousand pounds; but no part thereof shall be borrowed until the whole capital of thirty-six thousand pounds is subscribed for, 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 the capital has been subscribed for, 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 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 subscribers or their assigns, and that such subscribers or their 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 his certificate that the proof aforesaid has been given him, which certificate shall be sufficient evidence thereof.

Power to borrow on mortgage.

18. 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, and in order to authorize the appointment of a receiver in respect of principal, or principal and interest, the amount owing to the mortgagees by whom the application for a receiver shall be made shall not be less than two thousand pounds in the whole.

Arrears may be enforced by appointment of a receiver.

19. The company may create and issue debenture stock.

Debenture stock.

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

Application of monies.

21. The first ordinary meeting of the company shall be held within twelve months next after the passing of this Act, and the subsequent ordinary meetings of the company shall be held twice in

First and subsequent meetings.

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A.D. 1869. every year in the months of February or March, and August or September, as the directors may appoint.

Quorum of general meetings.

22. The quorum of general meetings of the company shall be six shareholders present personally or by proxy, holding in the aggregate not less than one thousand pounds in the capital of the company.

Number of directors.

23. The number of the directors shall be five, but it shall be lawful for the company from time to time to 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 right of not less than twenty shares.

Quorum of directors.

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

First directors.

26. Thomas Taylor, Francis Edward Stephens Viret, John Henry Westcar Peel, William Harrison Davey, and Thomas Alexander Allnutt 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 places 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 personally 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 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 same Act.

Election of directors.

Lands for extraordinary purposes.

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

Powers for compulsory purchases limited.

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.

Power to cross certain roads on the level.

29. Subject to the provisions of "The Railways Clauses Consolidation Act, 1845," and in Part I. (relating to the construction of

a railway) of "The Railways Clauses Act, 1863," contained, in reference to the crossing of roads on the level, the company may in the construction of the railway carry the same with a single line of railway only whilst the railway shall consist of a single line, and afterwards with a double line of railway only, across and on the level of the roads next herein-after mentioned; that is to say,

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No. on deposited Plans.	Parish.	Description of Road.
4	Chinnor - -	Public road.
5	Aston Rowant -	Public road.

30. The junction with the Wycombe Railway (Thame Extension) of the Great Western Railway Company shall be constructed at such points and in such manner as may be agreed upon between the engineer for the time being of the company and the engineer for the time being of the Great Western Railway Company; and all the provisions of "The Railways Clauses Act, 1863," with respect to junctions shall be applicable to the intended junction, and to the acquisition of land for and to the works and conveniences connected therewith or incidental thereto, and to the working and maintenance thereof; and any alteration of the sidings or works of the Great Western Railway Company rendered necessary in consequence of the construction and working of such junction shall be made and executed by the Great Western Railway Company at the expense of the company, and in the event of any difference between the company and the Great Western Railway Company as to such alteration, or the expense thereof, the same shall be referred to arbitration in the manner provided by "The Railway Companies Arbitration Act, 1859."

Provisions as to junction with the Wycombe Railway of the Great Western Railway Company.

31. Notwithstanding anything herein or in the incorporated Acts contained, it shall not be lawful for the company, nor any person acting under or in execution of this Act, to enter upon, occupy, or use, either permanently or temporarily, any of the lands, works, or property of the Great Western Railway Company, or in any manner to alter, vary, or interfere with their railway or works, without the consent of that company under their common seal, save only for the purpose of effecting the junction and communication by this Act authorized.

Not to take lands or interfere with railway of Great Western Railway Company except for the purpose of junction.

32. Whereas, pursuant to the standing orders of both Houses of Parliament, and to an Act of the ninth and tenth years of Her

Deposit money not to be repaid

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A.D. 1869.
until line
opened or
half the
capital paid
up and
expended.

present Majesty, chapter twenty, a sum of one thousand six hundred and ninety-five pounds, being five per centum upon thirty-three thousand eight hundred and eighty-nine pounds, the amount of the estimate in respect of the railway authorized by this Act, has been deposited with 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 recited Act, the said sum so deposited as aforesaid in respect of the application for this Act 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 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 said sum of money deposited as aforesaid shall be applied in the manner herein-after specified; and the certificate of the Lords of the said Committee 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 said recited Act to the contrary notwithstanding.

Providing
for appli-
cation of
deposit in
compen-
sation to
parties
injured.

33. The said sum of money deposited 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 sum of money shall have been found sufficient to satisfy all just claims in respect of such compensation, then the said sum of money, or such portion thereof as may not be required as aforesaid, 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 survivor or survivors of them : Provided that, until the said sum of money shall have been repaid to the depositors, or shall have become otherwise applicable as herein-before 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. The railway shall be completed within five years from 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 shall then be 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 conveyed in or upon any carriage, the sum of twopence per mile ; and if conveyed in or upon any carriage belonging to the company, an additional sum of one penny per mile :

For every horse, mule, or other beast of draught or burden, fourpence per mile ; and if conveyed in or upon any carriage belonging to the company, an additional sum of one penny per mile :

For every ox, cow, bull, or head of neat cattle, the sum of threepence per head per mile ; and if conveyed in carriages belonging to the company, an additional sum of one penny per mile :

For every calf, pig, sheep, lamb, and other small animal, twopence each per mile ; and if conveyed in carriages belonging to the company, an additional sum of one halfpenny per mile.

In respect of goods conveyed on the railway :

For all coals, coke, culm, charcoal, cannel, limestone, chalk, lime, salt, sand, fireclay, cinders, ashes, dung, compost, and all sorts of manure, and all undressed materials for the repair of public roads or highways, per ton per mile not exceeding one penny ; and if conveyed in carriages belonging to the company, an additional sum per ton per mile not exceeding one penny ;

Tolls for goods.

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For all ironstone, iron ore, pig iron, bar iron, rod iron, sheet iron, hoop iron, plates of iron, slabs, billets, and rolled iron, bricks, slag, and stone, stones for building, pitching, and paving, tiles, slates, and clay (except fireclay), and for wrought iron not otherwise specifically classed herein, and for heavy iron castings, including railway chairs, per ton per mile not exceeding twopence; and if conveyed in carriages belonging to the company, an additional sum per ton per mile not exceeding one halfpenny :

For all sugar, grain, corn, flour, hides, dye woods, earthenware, timber, staves, deals, and metals (except iron), nails, anvils, vices, and chains, iron hurdles, and for light iron castings, per ton per mile not exceeding twopence; and if conveyed in carriages belonging to the company, an additional sum per ton per mile not exceeding one penny :

For cotton and other wools, drugs, rags, and manufactured goods, and all other wares, merchandise, fish, articles, matters, or things, per ton per mile not exceeding threepence; and if conveyed in carriages belonging to the company, an additional sum per ton per mile not exceeding one penny :

For every carriage, of whatever description, not being a carriage adapted and used for travelling on a railway, and not weighing more than one ton, carried or conveyed on a truck or platform belonging to the company, not exceeding sixpence per mile, and one penny halfpenny per mile for every additional 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 authorized to be taken.

Regulations
as to tolls.

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

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

For a fraction of a mile beyond four miles or beyond any greater number of miles the company may demand tolls and charges for passengers as for one mile, and for 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 :

For a fraction of a ton the company may demand tolls according to the numbers of the 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 :

A.D. 1869.

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.

38. With respect to small parcels 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,)

Tolls for small parcels and single articles of great weight.

For the carriage of small parcels on the railway as follows :

For any parcel not exceeding seven pounds in weight, threepence :

For any parcel exceeding seven pounds and not exceeding fourteen pounds in weight, fivepence :

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

For any parcel exceeding twenty-eight pounds but not exceeding fifty-six pounds in weight, ninepence :

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

Provided always, that articles sent in large aggregate quantities, although made up 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 :

For the carriage of any iron 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 any such sum as they think fit, not exceeding sixpence per ton per mile :

For the carriage of any single piece of timber, stone, machinery, or other single article, the weight of which, with the carriage, shall exceed eight tons, the company may demand such sum as they think fit.

39. The maximum rates of charge to be made by the company for the conveyance of passengers upon the railway, including the

Maximum rates for passengers.

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A.D. 1869. 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 and goods on the railway, including the tolls for the use of the railway, and for waggons or trucks or locomotive power, and 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 horse, mule, or other beast of draught or burden, fourpence per mile:

For cattle, threepence per head per mile:

For calves, pigs, sheep, and small animals, twopence per mile:

For all coal, coke, and other articles herein-before classed therewith, one penny halfpenny per ton per mile:

For all iron, and other articles herein-before classed therewith, threepence per ton per mile:

For all sugar, grain, and other articles herein-before classed therewith, fourpence per ton per mile:

For all cotton, and other articles herein-before classed therewith, fivepence per ton per mile:

And for every carriage, of whatever description, not being a carriage adapted and used for travelling on a railway, and not weighing more than one ton, carried or conveyed on a truck or platform, per mile sixpence, and one penny halfpenny for every additional quarter of a ton weight which such carriage may weigh.

Passengers luggage.

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.

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

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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 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.

Restriction 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 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 parcels) by passenger train.

Company may take increased charges by agreement.

45. The Great Western Railway Company may and shall, on or before the opening of the railway for public traffic, at their own cost, convert or alter into a narrow-gauge railway or into a mixed-gauge railway at least one line of railway on their Wycombe Railway (Thame Extension) between their Princes Risborough station and the commencement of the railway by this Act authorized, and shall for ever thereafter, at their own cost, maintain the same in good working order and condition for the passage thereon of engines, carriages, and waggons constructed or adapted for passing over railways on the narrow gauge, and the company may run over and use, with their own engines, carriages, waggons, and trucks, and officers and servants, and for the purposes of their traffic of every description, the said portion of railway so converted or altered as aforesaid.

Great Western Railway Company to provide a narrow-gauge communication between Princes Risborough station and the commencement of the railway.

46. The company shall, unless otherwise agreed between them and the Great Western Railway Company, pay to the Great Western Railway Company, in respect of running over and using so much of their railway as aforesaid, a toll for all traffic passing on or over the said portion of railway equal in amount to the tolls authorized by this Act for traffic of a similar description passing on or over the railway hereby authorized; and for the purpose of calculating the said amount of toll the said portion of railway shall be taken and considered as one mile and a half, but when such toll does not amount to the sum of one hundred and fifty pounds in any one year the company shall, and whether the company use or do not use the said portion of railway, make up annually and pay to

Terms and conditions of or in relation to the exercise of running powers.

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A.D. 1869. — the Great Western Railway Company at the end of each year such an amount as will produce to the Great Western Railway Company a sum of at least one hundred and fifty pounds as a minimum annual rent for or in respect of the user or right of user of the said portion of railway.

Facilities to be afforded for the traffic of the company at the Princes Risborough station.

47. The Great Western Railway Company shall from time to time and at all times hereafter afford at their Princes Risborough station all facilities and accommodation, and make all such arrangements and perform all such services as are properly sufficient for the traffic of the company at that station, including the booking and invoicing such traffic over the railway by this Act authorized, and the employment of such clerks, officers, and servants as may be necessary therefor, and for the general conduct of such traffic in the said station, and shall at all times accommodate such traffic as if it were their own proper traffic, and without preference in favour of the latter; and the nature and extent of the facilities and accommodation to be so afforded, and of the arrangements so to be made, and of the services so to be performed, and the terms and conditions on which such facilities and accommodation shall be afforded, and arrangements made and services performed, shall be such as may from time to time be agreed upon between the company and the Great Western Railway Company, or as, failing agreement between them, shall be settled by arbitration in the manner provided by the Railway Companies Arbitration Act, 1859, for the settlement of matters in difference by arbitration.

Tolls on traffic conveyed partly on the railway and partly on the railway of the Great Western Railway Company.

48. Where, under the provisions of this Act, traffic is conveyed by the company partly on the railway and partly on the Wycombe Railway (Thame Extension) of the Great Western Railway Company, the railways of the company and of the Great Western Railway Company 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 railway and partly on the railway of the Great Western Railway 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 railway of the Great Western Railway Company.

49. 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 calls made in respect of the shares held by him; provided that the company may pay 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."

A.D. 1869.

Interest
not to be
paid out of
capital.

50. 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.

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

51. Nothing herein contained shall be deemed or construed to exempt the railway from the provisions of any general Act relating to railways, or 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 from any future revision or alteration, under the authority of Parliament, of the tolls for small parcels, and the maximum rates of fares and charges, by this Act authorized.

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

52. 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.

