



ANNO UNDECIMO & DUODECIMO

VICTORIÆ REGINÆ.

Cap. cxxxiv.

An Act to amalgamate the *Monkland and Kirkintilloch, Ballochney, and Slamannan* Railways.

[14th August 1848.]

WHEREAS an Act was passed in the Fifth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for making a Railway from Palace Craig in the Parish of Old Monkland in the County of Lanark to the Forth and Clyde Canal near Kirkintilloch in the County of Dumbarton*, whereby a Company was incorporated under the Name of the *Monkland and Kirkintilloch* Railway Company; and another Act was passed in the Fourth Year of the Reign of His late Majesty King William the Fourth, intituled *An Act for making Two Branch Railways from the Monkland and Kirkintilloch Railway, and for altering, amending, and enlarging the Powers of an Act of the Fifth Year of His late Majesty, for making the said Railway*; and another Act was passed in the Third Year of the Reign of Her present Majesty, intituled *An Act to enable the Monkland and Kirkintilloch Railway Company to raise a further Sum of Money, and to amend the Acts relating to the said Undertaking*; and another Act was passed in the Seventh Year of the Reign of Her said Majesty, intituled *An Act to make, complete, maintain, and incorporate with the Monkland and*

5 G. 4. c. 49.

3 & 4 W. 4.

c. 114.

2 & 3 Vict.

c. 70.

6 & 7 Vict.

c. 79.

[Local.]

20 G

Kirkintilloch

- Kirkintilloch Railway Two improved or additional Lines of Railway, and to alter, amend, enlarge, and repeal the Acts relating to the said Undertaking; and another Act was passed in the Ninth Year of the Reign of Her said Majesty, intituled *An Act to enable the Monkland and Kirkintilloch Railway Company to improve the Gauge of their Rails*; and another Act was passed in the Tenth Year of the Reign of Her said Majesty, intituled *An Act to enable the Monkland and Kirkintilloch Railway Company to make Branch Railways to Chapel Hall and the Glasgow, Garnkirk, and Coatbridge Railway*: And whereas an Act was passed in the Seventh Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for making a Railway from Arbuckle and Ballochney in the Parish of New Monkland in the County of Lanark to or near the Termination of the Monkland and Kirkintilloch Railway at Kipps or Kippbyres, also in the said Parish of New Monkland and County of Lanark*, whereby a Company was incorporated under the Name of the *Ballochney Railway Company*; and another Act was passed in the Sixth Year of the Reign of His late Majesty King William the Fourth, intituled *An Act for effecting an Extension of the Ballochney Railway in the County of Lanark, and for altering, amending, and enlarging the Powers of an Act of the Seventh Year of His late Majesty, for making the said Railway*; and another Act was passed in the Third Year of the Reign of Her present Majesty, intituled *An Act to enable the Ballochney Railway Company to raise a further Sum of Money, and to amend the Acts relating to the said Undertaking*; and another Act was passed in the Seventh Year of the Reign of Her said Majesty, intituled *An Act to enable the Ballochney Railway Company to make and maintain certain new Works, and in some respects to alter and amend the Provisions of the Acts relating to the said Railway*; and another Act was passed in the Tenth Year of the Reign of Her said Majesty, intituled *An Act to enable the Ballochney Railway Company to improve the Gauge of their Rails*: And whereas an Act was passed in the Sixth Year of the Reign of His late Majesty King William the Fourth, intituled *An Act to make and maintain a Railway from Stanrig and Arbuckle in the County of Lanark to the Union Canal at Causeway End in the County of Stirling*, whereby a Company was incorporated under the Name of the *Slamannan Railway Company*; and another Act was passed in the Third Year of the Reign of Her present Majesty, intituled *An Act for enabling the Slamannan Railway Company to raise a further Sum of Money*; and another Act was passed in the Tenth Year of the Reign of Her said Majesty, intituled *An Act to enable the Slamannan Railway Company to make Branch Railways to Bathgate and Jawcraig*: And whereas an Act was passed in the Eighth Year of the Reign of Her present Majesty, intituled *An Act to alter, amend, enlarge, and in part repeal the Acts relating to the Wishaw and Coltness Railway*; and another Act was passed in the Ninth Year of the Reign of Her said Majesty, intituled *An Act for making a Railway from Carlisle to Edinburgh and Glasgow and the North of Scotland, to be called the Caledonian Railway*; and another Act was passed in the Tenth Year of the Reign of Her said Majesty, intituled *An Act to enable the Caledonian Railway Company to make Branch Railways from the Castlecary Branch of the Caledonian Railway to the Glasgow, Garnkirk, and Coatbridge Railway*; and another Act
- 8 & 9 Vict.
c. 46.
- 9 & 10 Vict.
c. 179.
- 7 G. 4. c. 48.
- 5 & 6 W. 4.
c. 97.
- 2 & 3 Vict.
c. 59.
- 6 & 7 Vict.
c. 50.
- 9 & 10 Vict.
c. 104.
- 5 & 6 W. 4.
c. 55.
- 2 & 3 Vict.
c. 57.
- 9 & 10 Vict.
c. 151.
- 7 & 8 Vict.
c. 98.
- 8 & 9 Vict.
c. 162.
- 9 & 10 Vict.
c. 229.

Act was passed in the Tenth Year of the Reign of Her said Majesty, intituled "*The Slamannan and Borrowstouness Railway Act, 1846*;" and another Act was passed in the Tenth Year of the Reign of Her said Majesty, intituled *An Act for making a Railway from Glasgow to Airdrie, with Branches to the Clydesdale Junction Railway and to Mile End, to be called the Glasgow, Airdrie, and Monklands Junction Railway*; and another Act was passed in the Eleventh Year of the Reign of Her said Majesty, intituled *An Act for making a Branch Railway from the Glasgow, Airdrie, and Monklands Junction Railway at or near White Vale Street, Glasgow, to the Edinburgh and Glasgow Railway at or near Cowlaers, and to amend the Acts relating to such Railways*; by which several Acts certain Rights and Powers were conferred on the said *Monkland and Kirkintilloch, Ballochney, and Slamannan Railway Companies*: And whereas it would be attended with Advantage and Convenience to the Public, and to the said *Monkland and Kirkintilloch, Ballochney, and Slamannan Railway Companies*, if the said Railways were consolidated, and the said Companies incorporated into One Company; but these Objects 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, That from and after the passing of this Act the *Monkland and Kirkintilloch Railway Company*, the *Ballochney Railway Company*, and the *Slamannan Railway Company* shall be dissolved and cease to exist as separate Bodies; and the several Persons and Corporations who at the Time of the passing of this Act are Proprietors of Shares in the said Companies or in any of them shall be and they are hereby united and incorporated into One Company, under the Name and Style of "*The Monkland Railways Company*."

9 & 10 Vict.
c. 107.9 & 10 Vict.
c. 263.10 & 11 Vict.
c. 245.Monkland
and Kirkin-
tillock, Bal-
lochney, and
Slamannan
Railway
Companies
dissolved,
and Share-
holders in-
corporated in
new Com-
pany.

II. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments and Proceedings, it shall be sufficient to use the Expression "*The Monkland Railways Act, 1848*."

Short Title.

III. And be it enacted, That the Companies Clauses Consolidation (*Scotland*) Act, 1845, and, so far as regards the Railways and Works authorized by the said first Fourteen recited Acts hereby repealed, where the Lines of the said Railways are yet unexecuted, the Lands Clauses Consolidation (*Scotland*) Act, 1845, and the Railways Clauses Consolidation (*Scotland*) Act, 1845, shall be and the same are hereby incorporated with this Act.

Provisions of
8 & 9 Vict.
cc. 17, 19, and
33. applied
to this Act.

IV. And be it enacted, That, so far as regards those Portions of the said Railways and Works already executed, such Portions of the said Railways Clauses Consolidation (*Scotland*) Act, 1845, as relate to the carrying of Passengers and Goods upon the said Railways, and the Tolls to be taken thereon, to the Regulations of the Use of the Railways, to the Engines and Carriages to be brought on the Railways, to the Settlement of Disputes by Arbitration, to the

Provisions of
8 & 9 Vict.
c. 33. applied
to executed
Works.

the Recovery of Damages not specially provided for, and to the Determination of any other Matter referred to the Sheriff or Justices, and to the Provision to be made for affording Access to the special Act by all Parties interested, shall be incorporated with and form Part of this Act.

Property of dissolved Companies vested in new Company.

V. And be it enacted, That on the passing of this Act the whole Railways, Works, Lands, Tenements, and Hereditaments, and all Engines, Carriages, Waggons, Goods, Debts, Chattels, Monies, and other Property and Effects whatsoever, heritable and moveable, real and personal, belonging and owing to the said dissolved Companies or any of them, and all the Rights, Privileges, Powers, and Authorities belonging to or vested in the said Companies or any of them, by virtue of the said last Six recited Acts or any of them, or otherwise, shall, subject to the existing Debts, Liabilities, Engagements, Contracts, Obligations, and Incumbrances affecting the same, be transferred to and vested in the Company hereby incorporated, and may be lawfully held, used, exercised, enforced, and enjoyed by and in Name of the Company hereby incorporated.

Certain Acts repealed, except as herein reserved.

VI. And be it enacted, That from and after the passing of this Act the first Fourteen recited Acts, relating to the *Monkland and Kirkintilloch* Railway, the *Ballochney* Railway, and the *Slamannan* Railway, shall, excepting in so far as the said Acts relate to the Construction and Maintenance of the said *Monkland and Kirkintilloch* Railway, *Ballochney* Railway, and *Slamannan* Railway, and Works connected therewith respectively, where the Lines of the said Railways are already executed, and excepting in so far as herein-after expressly reserved in force, be repealed; provided that the repealing of the said Acts shall not annul or in anywise prejudice or affect any Purchase, Sale, Conveyance, Grant, Lease, Contract, Security, Action, Suit, Act, Matter, or Thing whatsoever made, done, committed, or instituted under or by virtue or in pursuance of the said hereby repealed Acts or any of them, but all such Purchases, Sales, Conveyances, Grants, Leases, Contracts, Securities, Actions, Suits, Acts, Matters, and Things shall be as good, valid, and effectual, to all Intents and Purposes whatsoever, in favour of or against and with reference to the Company hereby incorporated, and may be proceeded in and enforced by or against the said Company, in the same Manner as they might have been by or against the said dissolved Companies if the said hereby repealed Acts were not repealed; provided also, that nothing herein contained shall extend in any way to defeat, affect, or prejudice any Rights, Privileges, Liberties, Powers, Accommodations, or Exemptions which under or by virtue of the said hereby repealed Acts or any of them are given, granted, or reserved to or for the Benefit of any Persons, Corporations, Commissioners, or Trustees, whose Estates, Properties, or Interests are, have been, or may be in anywise affected in or by the making or maintaining or otherwise on account of the Railways and Works by the said repealed Acts respectively authorized to be made and maintained, or to which such Persons, Corporations, Commissioners, or Trustees, but for the Repeal of the said hereby repealed Acts, would have been entitled, under or by virtue of the said Acts or any of them, but all such Rights, Privileges,

villeges, Liberties, Powers, Accommodations, and Exemptions, shall (subject to the Conditions upon which the same have been granted or conferred) be as valid and effectual as if the said hereby repealed Acts were not repealed; and such several Persons, Corporations, Commissioners, and Trustees shall be entitled to, and shall have, use, and enjoy, the same Rights, Privileges, Liberties, Powers, Accommodations, and Exemptions, or such and so many of them as immediately before the passing of this Act they were entitled to have, use, and enjoy, as fully and effectually as if the said hereby repealed Acts had not been hereby repealed; and shall and may have and be entitled to such or the like Powers and Remedies upon and against the Company hereby incorporated, for securing the Possession, Use, and Enjoyment of such Rights, Privileges, Liberties, Powers, Accommodations, and Exemptions, as under the Provisions of the said hereby repealed Acts they had or were or might have been entitled to against the said dissolved Companies or any of them in case the said hereby repealed Acts had not been repealed; and all such Penalties, Damages, Monies, Costs, and Expenses as under the Provisions of the said hereby repealed Acts or any of them would or hereafter might have become payable to or recoverable by such Persons, Corporations, Commissioners, and Trustees as aforesaid, of and from the said hereby dissolved Companies or any of them, in case the said Acts had not been repealed, shall and may be payable by and recoverable from the Company hereby incorporated, in such Manner and by such Ways and Means as the same are respectively made payable and recoverable under the Provisions of the said hereby repealed Acts or any of them.

VII. And be it enacted, That any Right of Exemption competent to the said *Monkland and Kirkintilloch* Railway Company, the *Ballochney* Railway Company, and the *Slamannan* Railway Company, or any of them, from Payment of any Feu Duties, Casualties of Superiority, and public or parochial Burdens, and any Right competent to the said Companies or any of them to prohibit and prevent the Use of Horses or other animal Power in hauling Waggons or other Carriages upon the said Railways or Branches, and to purchase and acquire from the *Caledonian* Railway Company a certain Portion of their *Castlecary* Branch, shall be as competent and effectual to the Company hereby incorporated as if the same had been repealed and re-enacted in this Act.

Certain Provisions in repealed Acts continued.

VIII. Provided always, and be it enacted, That all Railways, Branches, and Works which under the Provisions of the said hereby repealed Acts or any of them the said dissolved Companies or any of them are authorized to make, and which have not been already made or completed, may be made or completed, as the Case may be, by the Company hereby incorporated; and the said Company shall have all such Powers for making and completing such Railways, Branches, and Works as the said dissolved Companies or any of them were entitled to exercise under the said hereby repealed Acts or any of them, as fully as if the said Company had been originally authorized to make the same: Provided always, that where any particular Time is by the said Acts or any of them limited for the Execution or Com-

Railways and Works authorized by repealed Acts to be completed under this Act.

pletion of such Railways, Branches, and Works, the same shall be made and completed within the Period so limited, otherwise the Powers and Authorities granted for the Execution and Completion thereof shall cease to exist.

Contracts to
be com-
pleted.

IX. And be it enacted, That in all Cases in which any of the said dissolved Companies previously to the passing of this Act shall, under the Powers or Provisions of any of the Acts hereby repealed, have entered into any Contract for the Purchase of or shall have taken or used any Land which at the Time of the passing of this Act shall not be effectually conveyed to such Company, or the Purchase Money in respect of which shall not have been duly paid by such Company, then and in every such Case such Contract, if in force, shall be completed by and such Land be conveyed to the Company hereby incorporated, or as the said Company shall direct; and such Purchase Money, if not paid, shall be paid and applied pursuant to the Act or Acts under which such Contract shall have been made or such Land shall have been taken or used; and all the Clauses, Provisions, Powers, and Authorities contained in such Act or Acts in relation to the Completion of such Contract, and the Purchase and Conveyance of such Land, and the Payment and Application of the Purchase Money in respect thereof, shall for the Purposes of this Act remain in full Force, and shall be construed and taken as if the said Company hereby incorporated were named in such Act or Acts and Contract respectively, instead of the Company which shall have entered into such Contract or taken or used such Land.

Capital of
united
Company.

X. And whereas the ordinary Capital of the said dissolved Companies already called up under the Powers of the said recited Acts amounts to the Sum of Three hundred and twenty-nine thousand eight hundred and eighty Pounds: Be it enacted, That the ordinary Capital of the Company hereby incorporated shall be and is hereby consolidated into Stock of the nominal Value of Three hundred and twenty-nine thousand eight hundred and seventy-nine Pounds Two Shillings.

Apportion-
ment of
ordinary
Capital.

XI. And whereas it has been agreed among the said Companies that the ordinary Shareholders therein shall be interested in the Stock, Property, and Profits of the Company hereby incorporated in the Proportions herein-after mentioned: Be it enacted, That every Person and Corporation who at the passing of this Act is Proprietor of One or more Shares in the *Monkland and Kirkintilloch* Railway Company shall on the passing of this Act be entitled in respect of each such Share to the Sum of Twenty-two Pounds Sixteen Shillings and Ten-pence of the said Consolidated Stock of the Company hereby incorporated; and that every Person and Corporation who at the passing of this Act is Proprietor of One or more Shares in the *Ballochney* Railway Company shall on the passing of this Act be entitled in respect of each such Share to the Sum of Forty Pounds Ten Shillings and Ten-pence of the said Consolidated Stock; and that every Person and Corporation who at the passing of this Act is Proprietor of One or more ordinary Shares in the *Slamannan* Railway

Railway Company shall on the passing of this Act be entitled in respect of each such Share to the Sum of Twenty-two Pounds Fifteen Shillings and Ten-pence of the said Consolidated Stock; and each of the Holders of the said Consolidated Stock shall be interested in the Property of the Company hereby incorporated, and entitled to participate in the Dividends and Profits thereof, in proportion to the Amount of their respective Interests in such Stock as aforesaid.

XII. Provided always, and be it enacted, That nothing herein contained shall be held or construed to incorporate the Holders of the Shares or Stock created under the Powers of the *Slamannan and Borrowstouness* Railway Act, 1846, in the Company hereby incorporated, or to entitle the Holders of such Shares or Stock to any Portion of the foresaid Consolidated Stock of the said Company.

Holdes of Borrowstouness Stock not to be incorporated in the Company.

XIII. And whereas the *Slamannan* Railway Company have, under the Powers of the last-recited Act relating to the *Slamannan* Railway, raised the Sum of Seven thousand and fifty Pounds, by the Creation of preferable Shares of Fifty Pounds each, bearing a fixed Dividend of Five Pounds *per Centum per Annum*: Be it enacted, That every Person and Corporation who at the passing of this Act is Proprietor of One or more such preferable Shares shall on the passing of this Act be entitled in respect of each such Share to a preferable Share of Fifty Pounds in the Company hereby incorporated, and to receive a fixed Dividend thereon at the Rate of Five Pounds *per Centum per Annum* out of the general Profits of the said Company, before any Part of such Profits are divided among the Holders of the ordinary Shares of the said dissolved Companies converted as aforesaid into Consolidated Stock of the Company hereby incorporated, but not to participate further or otherwise in the Dividends or Profits of the said Company.

As to preferable Shares.

XIV. And be it enacted, That it shall be lawful to the Company hereby incorporated from Time to Time to raise, by the Creation of new Shares in the said Company, such further Sums of Money as the said dissolved Companies are at the Date of the passing of this Act authorized to raise by the Creation of Shares, with such Guarantee of Dividend, not exceeding Six Pounds *per Centum per Annum*, as may be agreed upon at any Extraordinary Meeting or Meetings of the said Company, and the new Shares so created shall become Part of the general Capital of the said Company: Provided always, that any Guarantee of Dividend which may be granted in respect of such new Shares in pursuance hereof shall not prejudice or affect any Guarantee of Dividend or Interest which may have been granted by or in pursuance of any of the said recited Acts.

Power to Company to raise Money by Creation of new Shares, as authorized by previous Acts.

XV. And be it enacted, That the Sums hereby authorized to be raised by the Creation of new Shares shall be applicable only to the Objects and Purposes by this Act authorized, and that Ten Pounds *per Centum* upon the Amount of each Share shall be the greatest Amount of any One Call which the Company may make on such new Shares, and that there shall be an Interval of Two Calendar Months

Regulating Application of Money, and Amount of Calls on new Shares.

Months at least between the Time fixed for the Payment of any Call and the Time fixed for the Payment of the next succeeding Call.

Power to
borrow on
Mortgage.

XVI. And whereas the said *Monkland and Kirkintilloch, Ballochney, and Slamannan* Railway Companies have Power, under the said recited Acts, to borrow Money to the Extent of One Third Part of the Capital thereby authorized to be raised by means of Shares, and One Half of the said Capital has already been paid up: Be it enacted, That it shall be lawful to the Company hereby incorporated from Time to Time to borrow on Mortgage or Bond, and if paid up again to borrow, any Sum or Sums which, including the Sums already borrowed by the said dissolved Companies, and owing at the Date of the passing of this Act, shall not exceed One Third Part of the Capital at the Time of such borrowing of the said Company hereby incorporated, and also from Time to Time to borrow on Mortgage or Bond the whole or such Part of the Sums already borrowed and owing at the Date of the passing of this Act as aforesaid as may from Time to Time be paid up: Provided always, that all and every Part of the Money to be borrowed under the Powers of this Act shall be applicable only to the Objects and Purposes by this Act authorized; and that nothing herein contained shall prejudice or affect the Mortgages or Bonds or Guarantees granted by the said dissolved Companies, and subsisting at the Date of the passing of this Act, but the same shall remain in force and be effectual against the Company hereby incorporated.

Company
required to
fulfil Sla-
mannan
Railway
Company's
Guarantee
to Holders
of Borrow-
stouness
Stock.

XVII. And whereas the Capital authorized to be raised by the *Slamannan and Borrowstouness* Railway Act, 1846, was subscribed for the Condition that the Profits arising from the Tolls or Tonnage Dues for the Use of the Railways authorized by the said Act, after deducting the Expense of maintaining and repairing the same, should be guaranteed by the *Slamannan* Railway Company to amount to the Sum of Three and a Half *per Cent. per Annum* on the Sums so subscribed, as set forth in the Subscribers Agreement relative to the said Act: And whereas it is just and proper that the Company hereby incorporated should be bound to fulfil the said Condition: Be it enacted, That the said Guarantee shall be obligatory upon the Company hereby incorporated, and such Obligation shall be held as Fulfilment of the said Condition.

Votes of
Shareholders.

XVIII. And be it enacted, That at all General Meetings of the Company hereby incorporated every Shareholder shall have One Vote for every nominal Sum of Twenty-five Pounds of Consolidated Stock or new Shares held by him in the said Company up to Two hundred and fifty Pounds, and he shall have an additional Vote for every nominal Sum of One hundred and twenty-five Pounds of such Stock or Shares beyond the first Two hundred and fifty Pounds held by him up to Two thousand five hundred Pounds, and an additional Vote for every nominal Sum of Two hundred and fifty Pounds of such Stock or Shares held by him beyond the first Two thousand five hundred Pounds: Provided always, that no Shareholder shall be entitled to vote at any Meeting unless he shall have paid all the Calls then due upon the new Shares held by him.

XIX. And

XIX. And be it enacted, That the Number of Directors of the Company hereby incorporated shall be Nine, and the Qualification of a Director shall be the Possession in his own Right of Stock or Shares in the said Company of the nominal Value of Five hundred Pounds. Number and Qualification of Directors.

XX. And be it enacted, That it shall be lawful for the said Company to increase or reduce the Number of Directors, provided that the increased Number do not exceed Eleven, and that the reduced Number be not less than Seven. Power to vary the Number of Directors.

XXI. And be it enacted, That *Thomas Grahame, Thomas Hill, Hugh Brown, Alexander Struthers Finlay, Coll M'Gregor, William Brown, Robert Grahame, William Clapperton, and William Ramsay* shall be the First Directors of the Company, and shall enter upon Office on the passing of this Act. First Directors.

XXII. And be it enacted, That the Directors hereby appointed shall continue in Office until the First Ordinary Meeting to be held after the passing of this Act; and at such Meeting the Holders of Stock or Shares in the Company then present, personally or by Proxy, may either continue in Office the Directors appointed by this Act, or any Number 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 eligible as Members of such new Body. Election of Directors.

XXIII. And be it enacted, That it shall be lawful for the Company to demand any Tolls for the Use of the said Railways, not exceeding the following; (that is to say,) Tolls.

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

For all Dung, Compost, and all Sorts of Manure, Lime and Limestone, and all undressed Materials for the Repair of public Roads or Highways, *per Ton per Mile* One Penny Halfpenny; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* of One Penny Halfpenny for the First Mile, Three Farthings for the Second Mile, and One Halfpenny for each succeeding Mile:

For all Coals, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone, Iron Ore, and Pig Iron, *per Ton per Mile* Two-pence; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* of One Penny Halfpenny for the First Mile, Three Farthings for the Second Mile, and One Halfpenny for each succeeding Mile:

For Bar Iron, Rod Iron, Hoop Iron, Sheet Iron, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandize, *per Ton per Mile* Two-pence Halfpenny; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* of One Penny Halfpenny for the First Mile, Three

[Local.]

20 1

Farthings

Farthings for the Second Mile, and One Halfpenny for each succeeding Mile :

For Grain, Corn, Flour, Hides, Dyewood, Earthenware, Timber, Stones, and Deals, Metals (except Iron), *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 Halfpenny for the First Mile, and One Penny for each succeeding Mile :

For all Cotton and other Wools, Sugar, Drugs, manufactured Goods, and all other Wares, Merchandize, Fish, Articles, Matters, or Things, *per Ton per Mile* Four-pence ; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* of One Penny Halfpenny :

And for every Carriage, of whatever Description, not being a Carriage adapted and used for travelling by Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per Mile* not exceeding Sixpence :

And a Sum of Sixpence *per Mile* for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh ; and if conveyed on a Truck or Platform belonging to the Company, an additional Sum *per Mile* of Sixpence :

And for the Trouble occasioned by loading or unloading when performed by the Company, or for the Use of any Wharf or Basin belonging to the Company in connexion with any Canal or other Navigation, such reasonable Sum as to the Company shall seem fit :

And for the Use of each self-acting Inclined Plane or Inclined Plane worked by stationary Power on the Line of the said Railways, or any Part of such Inclined Plane, the Sum of One Penny Halfpenny *per Ton* :

Tolls for
Passengers
and Cattle.

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

For every Person conveyed in or upon any such Carriage, *per Mile* Two-pence ; and if conveyed in any Carriage belonging to the Company, an additional Sum of One Halfpenny :

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

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

Tolls for
propelling
Power.

XXIV. And be it enacted, That the Tolls which the Company may demand for the Use of Engines for drawing or propelling Carriages shall not exceed One Penny for the First Mile, and One Halfpenny for each succeeding Mile, for each Passenger or Animal, or for each Ton of Goods or other Articles, in addition to the several other Tolls or Sums by this Act authorized to be taken.

XXV. And be it enacted, That it shall not be lawful for the Company to demand or receive any greater Sum in respect of the Carriage of Passengers conveyed on the said Railways than Two-pence Halfpenny *per Passenger per Mile* in respect of any Passenger travelling in a First-class Carriage, Two-pence *per Passenger per Mile* in respect of any Passenger travelling in a Second-class Carriage, and One Penny *per Passenger per Mile* in respect of any Passenger travelling in a Third-class Carriage, including the Charges for the Use of Carriages and locomotive Power, and all other Charges incidental to such Conveyance, unless in the Case of Passengers travelling by Special Trains.

Limiting
Charge for
Conveyance
of Passen-
gers.

XXVI. And be it enacted, That every Passenger travelling upon the said Railways may take with him his ordinary Luggage, not exceeding One hundred Pounds in Weight for First-class Passengers, and Sixty Pounds in Weight for Second and Third Class Passengers, without any Charge being made for the Carriage thereof.

Passengers
Luggage.

XXVII. And be it enacted, That it shall not be lawful for the said Company to charge, in respect of the several Articles, Matters, and Things, and of the several Descriptions of Animals, hereafter mentioned, conveyed on the said Railways for a greater Distance than Five Miles, any greater Sum, including Tolls and Charges for the Use of Carriages, Waggons, or Trucks, and for locomotive Power, and all other Charges incidental to such Conveyance (except a reasonable Charge for the Expense of loading and unloading, where such Service is performed by the Company, and for the Use of such Wharves, Basins, and Inclined Planes as aforesaid), than the several Sums hereafter mentioned; (that is to say,)

Limiting
Charges for
Conveyance
of Goods
and Cattle.

For all Dung, Compost, and all Sorts of Manure, Lime, Limestone, and all undressed Materials for the Repair of public Roads or Highways, *per Ton per Mile* Two-pence Halfpenny :

For all Coals, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, Pig, Bar, Rod, Hoop, Sheet, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandize, *per Ton per Mile* Two-pence Halfpenny :

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

For all Cotton and other Wools, Sugars, Drugs, manufactured Goods, and all other Wares, Merchandize, Fish, Articles, Matters, and Things, *per Ton per Mile* Five-pence :

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, *per Mile* Sixpence :

For every Horse, Mule, or Ass, or other Beast of Draught or Burden, *per Mile* Four-pence :

For every Ox, Cow, Bull, or Neat Cattle, *per Mile* Four-pence :

For every Calf or Pig, Sheep, Lamb, or other small Animal, *per Mile* One Penny Halfpenny.

XXVIII. And

Regulations
as to Tolls.

XXVIII. And be it enacted, That the following Provisions and Regulations shall be applicable to the fixing of the several Tolls, Rates, and Charges hereby granted; (that is to say,)

For Fractions of any Mile the Company may demand, for the Use of Carriages, Waggons, and Engines, or either of them, as for One entire Mile; and for Fractions of any Half Mile the Company may demand Tolls for the Use of the Line, as for One Half Mile:

For Fractions of a Ton the Company may demand Toll according to the Number of Quarters of a Ton in such Fraction, and if there be a Fraction of a Quarter of a Ton such Fraction shall be deemed a Quarter of a Ton:

With respect to all Articles, except Stone and Timber, the Weight shall be determined according to the usual Avoirdupois Weight:

With respect to Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Teak, Beach, or Ash, and Fifty Cubic Feet of any other Timber, shall be deemed One Ton Weight, and so in proportion for any smaller Quantity.

Tolls for
small Parcels
and Articles
of great
Weight.

XXIX. And with respect to small Packages, and single Articles of great Weight, be it enacted, That, notwithstanding the Rate of Tolls prescribed by this Act, the Company may lawfully demand the following Tolls; (that is to say,)

For the Carriage of small Parcels (that is to say, Parcels not exceeding Five hundred Pounds in Weight each,) the Company may demand any Sum which they think fit: Provided always, that Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages, and to Parcels not being aggregate Quantities of the same Description of Articles sent in the same Package:

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 Twelve-pence *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.

Interest not
to be paid on
Calls paid up.

XXX. And be it enacted, That it shall not be lawful for the Company, out of any Money by this Act or any other Act relating to the Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein-before contained shall be deemed to prevent the Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls

Calls actually made as shall be in conformity with the Provisions in the Companies Clauses Consolidation (*Scotland*) Act, 1845, in that Behalf contained.

XXXI. And be it enacted, That it shall not be lawful for the Company, out of any Money by this Act or any other Act relating to the Company authorized to be raised for the Purposes of such Act or Acts, to pay or deposit any Sum of Money which by any Standing Order of either House of Parliament, now in force or hereafter to be 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 the Company's Capital.

XXXII. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railway*; and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways*; and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops*; and another Act was passed in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways*; and another Act was passed in the Tenth Year of the Reign of Her said Majesty, intituled *An Act for regulating the Gauge of Railways*; and another Act was passed in the Tenth Year of the Reign of Her said Majesty, intituled *An Act for constituting Commissioners of Railways*: Be it enacted, That nothing in this Act contained shall be held to exempt the said Railways or the Company hereby incorporated from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railways, and Company, so far as the same shall be applicable thereto.

Railway Company to be subject to the Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., and 9 & 10 Vict. cc. 57. 105.

XXXIII. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the said Railways from the Provisions of any general Act relating to this Act, or of any general Act relating to Railways, now in force, or which may pass during the present or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this and the said recited Acts.

Railways not exempt from Provisions of future general Acts.

XXXIV. And be it enacted, That the Expenses of applying for and obtaining this Act, and anywise incident thereto, shall be paid by the said Company out of the first Monies that shall come into their Hands.

Expenses of Act.

1786

11° & 12° VICTORIÆ, *Cap.cxxxiv.*

Public Act.

XXXV. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

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