



ANNO DECIMO QUARTO

# VICTORIÆ REGINÆ.

\*\*\*\*\*

## Cap. xl.

An Act for making a Railway from the *Gloucester and Dean Forest* Railway in the Parish of *Westbury* in the County of *Gloucester* to the City of *Hereford*. [5th June 1851.]

**W**HEREAS the making of a Railway from the Point herein-after mentioned upon the Line of the *Gloucester and Dean Forest* Railway in the Parish of *Westbury* in the County of *Gloucester* to the City of *Hereford* would be of great public Advantage: And whereas the Persons herein-after named, with others, are willing, at their own Expense, to carry such Undertaking into execution; but the same 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,

I. That "The Companies Clauses Consolidation Act, 1845,"  
"The Lands Clauses Consolidation Act, 1845," and "The Railways  
[Local.] 6 P Clauses

Provisions of  
8. & 9 Vict.  
cc. 16. 18.



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and 20. extended to this Act.

Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act, save as to such of the Provisions thereof (if any) as may be expressly altered by this Act.

Title of Act.

II. That in citing or referring to this Act in other Acts of Parliament, or in legal Instruments, Pleadings, or Notices of any Description, it shall be sufficient to use the Expression "The *Hereford, Ross, and Gloucester Railway Act, 1851.*"

Incorporating Company.

III. That the Right Honourable the Lord *Bateman*, Sir *Robert Price* Baronet, M. P., *George Cornwall Lewis* Esquire, M. P., *Thomas William Booker* Esquire, M. P., *Francis Wegg Prosser* Esquire, M. P., *Charles Williams Allen* Esquire, *John Ormerod* Esquire, *John Francis Vaughan* Esquire, *James Davies* Esquire, *Thomas Evans* Esquire, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Railway herein-after described, with all proper Works and Conveniences belonging thereto, according to the Provisions of this Act and the Acts incorporated herewith, and for other Purposes herein and in the said Acts contained; and for the Purposes aforesaid such Company shall be incorporated by the Name of "The *Hereford, Ross, and Gloucester Railway Company*," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, within the Restrictions herein and in the said Acts contained.

Capital.

IV. And whereas the estimated Cost of making the said Railway is Two hundred and seventy-five thousand Pounds: Be it enacted, That, subject to the Powers of converting Loans into Capital, in "The Companies Clauses Consolidation Act, 1845," contained, the Capital of the Company in Shares shall be Two hundred and seventy-five thousand Pounds, and all and every Part of the Money so to be raised shall be applied only in carrying into execution the Objects and Purposes of this Act.

Shares.

V. That the Number of Shares into which the said Capital shall be divided shall be Thirteen thousand seven hundred and fifty, and the Amount of each Share shall be Twenty Pounds.

Calls.

VI. That Five Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and Ten Pounds *per* Share shall be the utmost aggregate Amount of



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Calls that may be made in any One Year upon any Share, and Four Months at the least shall be the Interval between successive Calls.

VII. 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 or Dividend 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; but 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 actually made as shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

Interest not to be paid on Calls paid up.

VIII. 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.

IX. That it shall be lawful for the Company to borrow on Mortgage or Bond any Sums not exceeding in the whole the Sum of Ninety-one thousand Pounds; but no Part of such Sum shall be borrowed until the whole of the said Capital Sum of Two hundred and seventy-five thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up; and all and every Part of the Monies so to be borrowed on Mortgage or Bond shall be applied only in carrying into execution the Objects and Purposes of this Act.

Borrowing.

X. And whereas it is expedient that the *Gloucester and Dean Forest* Railway Company should be enabled to subscribe towards and become Shareholders in the said Undertaking: Be it enacted, That the *Gloucester and Dean Forest* Railway Company may subscribe towards and become Shareholders in the said Undertaking to any Extent not exceeding Twenty-five thousand Pounds, and may pay the said Sum of Twenty-five thousand Pounds, or any Part thereof, by and out of any Monies which they have raised or are now authorized to raise by Shares or Mortgage under the Provisions of any Act or Acts relating to the said *Gloucester and Dean Forest* Railway Company.

Power for Gloucester and Dean Forest Railway Company to subscribe and hold Shares.

XI. That the *Gloucester and Dean Forest* Railway Company, or the Directors of that Company, may from Time to Time, so long

Gloucester and Dean Forest Railway Com-



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pany may  
appoint a  
Person to  
vote.

as that Company continue Shareholders in the said Undertaking, appoint One or more Person or Persons (whether such Person or Persons shall hold Shares in the Company or not) to vote on behalf of the said *Gloucester and Dean Forest* Railway Company at any Meeting or Meetings of the Company, and may from Time to Time revoke any such Appointment, and appoint another Person or Persons in that Behalf; and the Person or Persons so for the Time being appointed shall during his or their Appointment have the same Right of voting at any such Meeting as he or they would have if the Shares in the Undertaking for the Time being held by the *Gloucester and Dean Forest* Railway Company were held by such Person or Persons in his or their own Right: Provided always, that every such Appointment or Revocation shall be in Writing, and under the Seal of the *Gloucester and Dean Forest* Railway Company, or under the Hand of the Chairman for the Time being of the Directors of that Company; provided further, that the Person named in such Appointment shall not, on behalf of the last-mentioned Company, be entitled to vote at any Meeting upon any Question touching the Election of Directors, or touching any proposed Reduction in the Number of Directors.

Limiting the  
Number of  
Votes to  
which Share-  
holders are  
to be en-  
titled.

XII. That, subject to the Provisions herein-after mentioned, every Shareholder shall be entitled to vote at all General Meetings of the Company according to the Scale of voting prescribed by "The Companies Clauses Consolidation Act, 1845:" Provided always, that no Company or Person shall be entitled to any additional Vote for any Shares beyond the first Twelve hundred and fifty Shares held by such Company or Person in the Capital of the Company,

First Gene-  
ral Meeting.

XIII. That the First Ordinary Meeting of the Company shall be held within Three Months after the passing of this Act.

Number of  
Directors.

XIV. That, subject to the Provisions herein-after contained for increasing or reducing the Number of Directors, the Number of Directors appointed by the Shareholders in the Company, exclusive of such Directors as may be appointed by the *Gloucester and Dean Forest* Railway Company in accordance with the Provisions herein-after mentioned, shall be Twelve; and the Qualification of each such Director appointed by the Shareholders in the Company, exclusive as aforesaid, shall be the Possession in his own Right of Twenty-five Shares in the Undertaking,

Election of  
Directors at  
Firstordi-  
nary Meet-  
ing.

XV. That the Directors appointed by this Act shall continue in Office until the First Ordinary Meeting to be held after the passing of this Act; and at such Meeting the Shareholders present, personally or by Proxy, may either continue in Office the Directors appointed  
by

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by this Act, or any Number of them, or may elect a new Body of Directors, the Directors appointed by this Act being eligible as Members of such new Body.

XVI. That at the First Ordinary Meeting to be held in the Year One thousand eight hundred and fifty-two the Shareholders present, personally or by Proxy, shall elect Persons to supply the Places of the Directors appointed by the Company (exclusive as aforesaid) then retiring from Office agreeably to the Provisions in "The Companies Clauses Consolidation Act, 1845," contained; and the several Persons so 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 the Manner provided by "The Companies Clauses Consolidation Act, 1845."

Subsequent Election of Directors.

XVII. That it shall be lawful for the Company from Time to Time to increase or reduce the Number of Directors appointed by the Company (exclusive as aforesaid); but the whole Number of such Directors, after any such Increase or Reduction, shall not be greater than Sixteen or less than Eight.

Power to increase or reduce the Number of Directors.

XVIII. That when and so soon as the said *Gloucester and Dean Forest* Railway Company shall have subscribed towards and become Shareholders in the said Undertaking to the Extent of Twenty-five thousand Pounds, it shall be lawful for the Directors of the last-mentioned Company to appoint from among the Shareholders therein Two Persons (whether or not being Shareholders in the Company) as Directors of the Company, in addition to the ordinary Directors thereof, and also (so long as the said *Gloucester and Dean Forest* Railway Company shall continue Shareholders in the said Undertaking to the Extent of Twenty-five thousand Pounds) from Time to Time to remove any Director appointed under this present Power, and to appoint another Person from among the Shareholders in the said *Gloucester and Dean Forest* Railway Company (and whether or not being a Shareholder in the Company) in the Stead of any such Director who shall be so removed, or shall die, resign, become incapable of acting, or disqualified by ceasing to be a Shareholder in the said *Gloucester and Dean Forest* Railway Company, or who shall retire, or be about to retire, under the Provisions in that Behalf herein-after contained.

Power for Gloucester and Dean Forest Railway Company to appoint Two Directors.

XIX. That the Directors for the Time being appointed by the Directors of the *Gloucester and Dean Forest* Railway Company as aforesaid shall retire from Office at the First Ordinary Meeting of the Company in every Year, and shall be re-eligible in manner herein-before provided, forthwith, or by anticipation, or in any subsequent

Retirement, Re-election, and Powers of such Directors.

[Local.]

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Year;



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Year; and (except as in this Act otherwise provided) such Directors shall have the same Powers and be subject to the same Provisions and Regulations as other Directors of the Company.

As to Evidence of such Appointment, &c.

XX. That a Certificate in Writing of the Appointment, Removal, Resignation, Incapacity, or Disqualification of any Director appointed on behalf of the *Gloucester and Dean Forest* Railway Company, under the Common Seal of that Company, or under the Hand of the Chairman for the Time being of the Directors of that Company, shall, as soon as conveniently may be after the Event therein certified shall have occurred, be deposited at the principal Office of the Company, and shall (as between the Company and the said *Gloucester and Dean Forest* Railway Company) be conclusive Evidence of the Fact thereby certified: Provided always, that if the Directors of the *Gloucester and Dean Forest* Railway Company shall at any Time or Times hereafter fail or omit to appoint a Director or Directors under the Powers in that Behalf herein contained, the remaining or ordinary Directors of the Company shall be competent to act as if no such Failure or Omission had occurred.

Not to vote in Election of other Directors.

XXI. Then when and so long as the Directors of the said *Gloucester and Dean Forest* Railway Company shall be entitled to appoint such Two Directors as aforesaid the Directors of the said last-named Company, or their Nominees, shall not be entitled to vote in or otherwise influence the Election of any other or ordinary Director of the Company.

Certain Clauses of 8 & 9 Vict. c. 16. not to apply to such Directors.

XXII. That the Clauses and Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the Election, Qualification, Retirement from Office, and Rotation of Directors, shall not apply to the Directors from Time to Time appointed by the Directors of the *Gloucester and Dean Forest* Railway Company.

As to Retirement of such Directors, if the said Company cease to hold Shares to a certain Extent.

XXIII. That if at any Time after the said *Gloucester and Dean Forest* Railway Company shall have become Shareholders in the said Undertaking to the Extent of Twenty-five thousand Pounds they shall cease to be Shareholders therein to that Extent, then and immediately thereupon the Directors for the Time being appointed on their Behalf shall retire from Office, and the Powers by this Act vested in such Directors, and in the said *Gloucester and Dean Forest* Railway Company, to appoint Directors as aforesaid, shall for ever cease and determine.

First Directors of the Company.

XXIV. That Sir *Robert Price* Baronet, M.P., *Francis Wegg Prosser* Esquire, M.P., *George Cornewall Lewis* Esquire, M.P., *Thomas William Booker* Esquire, M.P., *Henry Morgan Clifford* Esquire, M.P.,  
*John*

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*John Ormerod Esquire, Daniel Peplow Peplow Esquire, John Francis Vaughan Esquire, James Davies Esquire, Charles Burmester Esquire, Charles Williams Allen Esquire, James Allaway Esquire* shall be the First Directors of the Company.

XXV. That the Quorum of a Meeting of Directors shall be Five. Quorum.

XXVI. That the Number of Directors of which Committees appointed by the Directors shall consist shall be not less than Five, and the Quorum of such Committees shall be Three. Committees of Directors.

XXVII. That it shall be lawful for the Company to make the Railway herein-after mentioned, with all proper Works and Conveniences connected therewith, (that is to say,) a Railway commencing by a Junction with the Line of the *Gloucester and Dean Forest* Railway in the Parish of *Westbury* in the County of *Gloucester*, and terminating by a Junction with or near to the Line of the *Shrewsbury and Hereford* Railway as now authorized to be made in or near to the City of *Hereford*. Power to make Railway.

XXVIII. Whereas Plans and Sections of the Railway, showing the Line and Levels thereof, and also Books of Reference containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and of the Occupiers of the Lands which may be required to be taken for the Purposes thereof, have been deposited for public Inspection with the Clerks of the Peace of the Counties of *Hereford* and *Gloucester*: Be it enacted, That, subject to the Provisions and Powers of Deviation in this and "The Railways Clauses Consolidation Act, 1845," contained, the said Railway shall be made in the Line or Course and upon the Lands delineated upon the said Plans and described in the said Books of Reference, and according to the Levels defined on the said Sections; and, subject to the Provisions in this and the recited Acts contained, it shall be lawful for the Company to enter upon, take, and use such of the said Lands as may be necessary for the Purposes thereof. Railway to be made according to deposited Plans, &c.

XXIX. That, subject to the Provisions in this Act and in "The Railways Clauses Consolidation Act, 1845," contained, it shall be lawful for the Company in the Construction of the Railway to carry the same across and upon the Level of the several Turnpike and Public Roads numbered on the Plans deposited as aforesaid as follows; (that is to say,) in the Parish of *Westbury* the Road numbered 113; in the Parish of *Longhope*, the Road numbered 68; in the Parish of *Holme Lacey*, the Road numbered 23; in the Parish of *Lower Bullingham*, the Road numbered 5. As to level Crossings.

XXX. That



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A Station or Lodge to be erected at Points of Crossings, and Company to abide by Rules of the Commissioners of Railways.

XXX. That the Company shall erect and permanently maintain either a Station or Lodge at the Points where the Railway crosses the before-mentioned Roads on the Level; and the Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Roads on the Level, or with regard to the Speed at which Trains shall pass such Roads, as may from Time to Time be made by the Commissioners of Railways; and if the Company shall fail to erect or at all Times maintain any such Station or Lodge, or appoint a proper Person to watch or superintend the Crossing at such Point or Station, or to observe or abide by any such Rule or Regulation as aforesaid, they shall for every such Offence be liable to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred.

Commissioners of Railways may require Bridges in lieu of level Crossings.

XXXI. That it shall be lawful for the Commissioners of Railways, if it shall appear to them to be necessary for the Public Safety, at any Time hereafter, to require the Company, within such Time as the said Commissioners shall direct, and at the Expense of the Company, to carry any or either of the said Roads either over or under the Railway by means of a Bridge or Arch in lieu of crossing the same on a Level, or to execute such other Works as under the Circumstances of the Case shall appear to the said Commissioners best adapted for removing or diminishing the Danger arising from such level Crossing: Provided always, that when any such Road shall be so carried either under or over the Railway it shall not be necessary for the Company to erect or maintain any Station or Lodge at the Point where such Road may be crossed, or to appoint any Person to watch or superintend the Crossing thereat, nor shall they be liable to any of the aforesaid Penalties for Failure so to do.

Regulating Inclinations of Approaches to certain Bridges.

XXXII. That in carrying the several Roads numbered as herein-after mentioned on the Plans deposited as aforesaid over, under, or across the Railway, it shall be lawful for the Company to make the Inclinations of the said Roads such as or not steeper than those herein-after mentioned; that is to say,

Number on Plan.	Parish.	Description of Road.	Proposed Inclination.
47	Longhope - - -	Turnpike Road -	1 in 20.
95	Ditto - - -	Turnpike Road -	1 in 20.
30	Lea - - -	Turnpike Road -	1 in 20.
44	Weston-under-Penyard -	Public Carriage Road	1 in 18.
69	Ditto - - -	Turnpike Road -	1 in 26.
1 a } 7 }	All Saints - - - } St. John the Baptist - }	Turnpike Road -	1 in 25.

XXXIII. Whereas



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XXXIII. Whereas the Railway hereby authorized to be made is intended to join the *Gloucester and Dean Forest* Railway, already constructed or authorized to be constructed upon the Broad Gauge of Seven Feet, and by means of such Railway to communicate with the *Great Western* and *South Wales* Railways, already constructed upon the same Broad Gauge of Seven Feet: And whereas it is expedient especially to define the Gauge upon which the Railway is to be constructed: Be it enacted, That the Railway shall be constructed upon a Gauge of Seven Feet, so as to admit of the same being worked continuously with the said *Gloucester and Dean Forest*, *South Wales*, and *Great Western* Railways respectively.

Defining  
Gauge of  
Railway.

XXXIV. That it shall be lawful for the said Company to purchase for extraordinary Purposes any Quantity of Land not exceeding Thirty Acres.

Lands for ex-  
traordinary  
Purposes.

XXXV. That the Railway shall be completed within Five Years from the passing of this Act, and on the Expiration of such Period the Powers by this Act granted to the Company for executing the same, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the said Railway as shall then be completed.

Limiting  
Time for  
Completion  
of Work.

XXXVI. That the Railway shall communicate with the Line of the *Shrewsbury and Hereford* Railway at the Point where according to the Plans deposited as aforesaid such Railway appears to communicate therewith, and at no other Point, without the Consent in Writing of the *Shrewsbury and Hereford* Railway Company under their Common Seal; and all Communications between the Railway and the said *Shrewsbury and Hereford* Railway shall be effected in a substantial and workmanlike Manner by means of Connexion Rails and Points of the Construction and laid in the Manner most approved from Time to Time, by and to the reasonable Satisfaction of the Engineer for the Time being of the said *Shrewsbury and Hereford* Railway Company; and if any Dispute shall arise between the said Companies as to the Manner of effecting such Junction, such Dispute shall be settled in the Manner provided by "The Railways Clauses Consolidation Act, 1845," with respect to the Settlement of Disputes by Arbitration.

As to Com-  
munication  
with the  
*Shrewsbury*  
and *Hereford*  
Railway.

XXXVII. That it shall not be lawful for the Company, further or otherwise than is by this Act expressly authorized, to enter upon, take, or use any of the Land or Property of the *Shrewsbury and Hereford* Railway Company, or in any Manner to vary or alter the said *Shrewsbury and Hereford* Railway, or any of the Works appertaining thereto, without the Consent of the last-mentioned Company.

Company not  
to interfere  
with the Pro-  
perty of the  
*Shrewsbury*  
and *Hereford*  
Railway  
Company.

[Local.]

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XXXVIII. That

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Saving  
Rights of the  
Shrewsbury  
and Hereford  
Railway  
Company.

XXXVIII. That, except as by this Act expressly authorized, nothing in this Act contained shall prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities of or vested in or belonging to the said *Shrewsbury and Hereford Railway Company*.

Tolls.

XXXIX. That it shall be lawful for the Company to demand any Tolls for the Use of the Railway, not exceeding the following; that is to say,

For all natural Manures, Limestone for burning, and undressed Materials for Roads, Buildings, pitching or paving, Coals, Coke, Culm, Charcoal, Bricks, Tiles, Slates, Clay, Sand, Ironstone, Iron Ore, Pig Iron, Bar Iron, and all other similar Descriptions of Wrought Iron and for heavy Iron Castings not manufactured into Utensils or into other Articles of Merchandize, and all such Articles offered for Carriage in Bulk, and not requiring Protection, not exceeding *per Ton per Mile* Three Halfpence; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Halfpenny:

For all Quick Lime, Oil Cake, and artificial Manures, Cider, Hops, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber and Deals, Bark, Metals (other than Iron), Plates of Iron, Iron Nails, Chains, and other Articles manufactured in Iron, and for light Castings, not exceeding *per Ton per Mile* Twopence; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding Three Farthings:

For all Sugar, Groceries, Fish, Cotton, and Wools, Drugs, manufactured Goods, and all other Wares, Merchandize, Articles, Matters, or Things not specially herein-before mentioned, *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:

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 not belonging to the Company, *per Mile* not exceeding Sixpence:

And a Sum of Twopence *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* not exceeding Twopence.

Tolls for  
Passengers  
and Cattle.

XL. That in respect of Passengers and Animals conveyed in Carriages upon the Railway the Company may demand any Tolls for



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for the Use of the Railway, not exceeding the following; (that is to say,)

For any Person conveyed in or upon any Carriage, *per* Mile not exceeding Twopence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Halfpenny:

For every Horse, Mule, Ass, or other Beast of Draught or Burden, and for every Ox, Bull, Cow, or other Neat Cattle, conveyed in or upon any Carriage, *per* Mile not exceeding Threepence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Penny:

For every Calf or Pig, Sheep or Lamb, or other small Animal, conveyed in or upon any Carriage, *per* Mile not exceeding One Penny; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Farthing.

XLI. That the Company may demand Tolls for the Use of Engines for propelling Carriages on the Railway not exceeding 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 authorized to be taken, unless the said Passengers, Animals, or Goods are sent by a Special Train, in which Case the Company may charge any reasonable Sum in their Discretion beyond the Tolls and Charges herein limited.

Tolls for locomotive Power.

XLII. That the following Provisions and Regulations shall be applicable to the fixing of such Tolls; (that is to say,)

Regulations in reference to Tolls.

For Articles or Persons conveyed on the Railway for a less Distance than Six Miles, the Company may demand Tolls and Charges as for Six Miles:

For a Fraction of a Mile beyond Six Miles or beyond any greater Number of Miles, the Company may demand Tolls and Charges as for One Mile:

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

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

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

XLIII. That



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As to Tolls  
for small  
Packets and  
Articles  
of great  
Weight.

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

For the Carriage of small Parcels, (that is to say,) Parcels not exceeding Five hundred Pounds Weight each, the Company may demand any Sum which they shall think fit: Provided always, that Parcels 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; provided also, that this present Enactment with reference to small Parcels shall be subject to any future Revision or Alteration under the Authority of Parliament:

For the Carriage of any One Boiler, Cylinder, Bob, 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 Six Tons, the Company may demand 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 single Article, the Weight of which, with the Carriage, shall exceed Six Tons, the Company may demand such Sum as they think fit.

Maximum  
Charges for  
Passengers.

XLIV. That 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 Sums:

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  
Charges for  
Cattle and  
Goods.

XLV. That with respect to the Conveyance of Horses, Cattle, Carriages, and Goods, the maximum Rate of Charge to be made by the Company, including the Tolls for the Use of the Railway, and Waggons or Trucks and locomotive Power, and every Expense incidental to such Conveyance (except the loading and unloading of Goods, and for Delivery and Collection, and any other Services incidental to the Business or Duty of a Carrier, where such Services

are



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are performed by the Company), shall not exceed the following Sums:

For Horses, or other Beasts of Draught or Burden before classed with Horses, (except Oxen, Bulls, Cows, or other Neat Cattle,) the Sum of Fivepence *per Head per Mile*:

For Oxen, Bulls, Cows, or other Neat Cattle, the Sum of Twopence *per Head per Mile*:

For Calves or Pigs, One Penny *per Head each per Mile*:

For Sheep and small Animals, Three Farthings *per Head per Mile*:

For every Carriage, the Sum of Sixpence *per Mile*:

For natural Manures, Coals, Coke, and other Articles herein-before classed therewith, the Sum of Twopence *per Ton per Mile*:

For all Quick Lime, Grain, and other Articles herein-before classed therewith, the Sum of Twopence Three Farthings *per Ton per Mile*:

For Sugar and other Articles herein-before classed therewith, the Sum of Fourpence *per Ton per Mile*.

XLVI. That the Restriction as to the Charges to be made for Passengers shall not extend to any special or extra Train.

Restrictions as to Charges not to apply to Special Trains.

XLVII. That nothing herein contained shall be held to prevent the Company from taking any increased Charge, over and above the Charges herein-before limited, for the Conveyance of Goods of any Description, by Agreement with the Owners of or Persons in charge of such Goods, either in respect of the Conveyance thereof by Passenger Trains, or by reason of any other special Service performed by the said Company in relation thereto.

Increased Charges may be taken by Agreement.

XLVIII. That every Passenger travelling upon the Railway may take with him his ordinary Luggage, not exceeding One hundred Pounds in Weight for First-class Passengers, Sixty Pounds in Weight for Second-class Passengers, and Forty Pounds in Weight for Third-class Passengers, without any Charge being made for the Carriage thereof.

Passengers Luggage.

XLIX. That nothing in this Act contained shall affect or be deemed or construed as affecting any Contract or Agreement which shall have been entered into between the *Great Western Railway Company* and any Company or Person for the Purchase of Lands for the Purposes of the Railway authorized to be constructed by "The *Monmouth and Hereford Railway Act, 1845*," nor shall anything in this Act contained prejudice in any way the Rights or

Nothing to affect Contracts entered into with the *Great Western Railway Company*.

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*The Hereford, Ross, and Gloucester Railway Act, 1851.*

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Remedies of the Parties to such Contracts or any of them, either at Law or in Equity.

Railway  
Company to  
be subject  
to the Pro-  
visions 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.

L. Whereas the following Public General Acts relating to Railways have been passed; that is to say, First and Second of *Victoria*, Chapter the Ninety-eighth; Third and Fourth of *Victoria*, Chapter the Ninety-seventh; Fifth and Sixth of *Victoria*, Chapter the Fifty-fifth; Seventh and Eighth of *Victoria*, Chapter the Eighty-fifth; and Ninth and Tenth of *Victoria*, Chapters the Fifty-seventh and the One hundred and fifth: Be it enacted, That nothing in this Act contained shall be held to exempt the Railway by this Act authorized to be made, or the Company, from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect of the said Railway and Company, so far as the same shall be applicable thereto.

Railway not  
exempt from  
Provisions of  
future Gene-  
ral Acts.

LI. That nothing herein contained shall be deemed or construed to exempt the Railway by this Act authorized to be made from the Provisions of any General Act relating to this Act, or of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter 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 Act.

Expenses of  
Act.

LII. That all the Costs, Charges, and Expenses of and attending the passing of this Act or incidental thereto shall be paid by the Company out of the First Monies which shall come into their Hands, in preference to every other Payment whatsoever.

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