



ANNO DECIMO SEXTO & DECIMO SEPTIMO

# VICTORIÆ REGINÆ.

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## *Cap. ccxiv.*

An Act for making a Railway from *Wellington* to *Coalbrookdale*, and an Extension to the *River Severn*, all in the County of *Salop*; and for other Purposes. [20th August 1853.]

**W**HEREAS the making of a Railway from the *Shrewsbury and Birmingham* Railway at or near to *Ketley* in the Parish of *Wellington* in the County of *Salop* to *Coalbrookdale* in the Parish of *Madeley*, with an Extension to the *River Severn* in the Parish of *Madeley*, all in the same County, would be of great public and local 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, as follows; (that is to say,)

[*Local.*]

43 *M*

I. That

*The Wellington and Severn Junction Railway Act, 1853.*

8 & 9 Vict.  
cc. 16. 18. &  
20. incorpo-  
rated with  
this Act.

I. That "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Railways 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.

Short Title.

II. That in citing or referring to this Act in other Acts of Parliament, or in legal Instruments and Pleadings, or Notices of any Description, it shall be sufficient to use the Expression "*The Wellington and Severn Junction Railway Act, 1853.*"

Incorpora-  
tion of Com-  
pany.

III. That the Honourable *Robert Henry Clive, Henry Hill, Thomas Jeffreys Badger, John Perks, George Knox, William Bailey, Robert Roy, Richard William Johnson*, 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 Railways 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 Wellington and Severn Junction 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 and Works is Sixty 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 shall be Sixty 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 Six thousand, and the Amount of each Share shall be Ten Pounds.

Calls.

VI. That Two Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and Six Pounds *per* Share shall be the utmost aggregate Amount of Calls that may be made in any One Year upon any Share, and Three Months at the least shall be the Interval between successive Calls.

VII. That

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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 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 Ten thousand Pounds, but no Part of such Sum shall be borrowed until the whole of the said Capital Sum of Sixty 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 be borrowed on Mortgage or Bond shall be applied only in carrying into Execution the Objects and Purposes of this Act.

Borrowing.

X. That the First Ordinary Meeting of the Company shall be held at *Wellington* in the County of *Salop*, or such other Place as the Directors may appoint, within Three Months after the passing of this Act, and the future Ordinary Meetings shall be held in the Months of *January* or *February* and *August* or *September* in each Year; and the said Meetings shall be held at *Wellington* in the County of *Salop*, or such other Places as the Directors may appoint.

First General Meeting.

XI. That, subject to the Provisions herein-after contained for reducing the Number of Directors, the Number of Directors shall be Eight, and the Qualification of each Director shall be the Possession in his own Right of Thirty Shares in the Undertaking.

Number of Directors.

XII. That the Directors appointed by this Act shall continue in Office until the First Ordinary Meeting to be held after the passing of this

Election of Directors at First Ordinary Meeting.

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this Act, and at such Meeting the Shareholders 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, the Directors appointed by this Act being eligible as Members of such new Body.

Power to reduce the Number of Directors.

XIII. That it shall be lawful for the Company from Time to Time to reduce the Number of Directors, but the whole Number of Directors after any such Reduction shall not be less than Six.

First Directors.

XIV. That the Honourable *Robert Henry Clive, Henry Hill, Thomas Jeffreys Badger, John Perks, George Knox, William Bailey, Robert Roy, and Richard William Johnson* shall be the First Directors of the Company.

Quorum.

XV. That the Quorum of a Meeting of Directors shall be Three.

Committees of Directors.

XVI. That the Number of Directors of which Committees appointed by the Directors shall consist shall not be less than Three.

Election of Directors.

XVII. 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 this Act, or any of them, or may elect new Directors to supply the Place of those not continuing in Office, the Directors appointed by this Act being eligible for Re-election; and at the corresponding Ordinary Meeting to be held in the next and every succeeding Year the Shareholders present, personally or by Proxy, shall elect Persons to supply the Place of the Directors then retiring from Office in rotation, agreeably to the Provisions in the said "Companies Clauses Consolidation Act, 1845," contained; and the several Persons elected at any such Meeting, being neither removed or disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead in manner provided by the said last-mentioned Act.

Rotation of Directors.

XVIII. That the Directors to be elected at such First Ordinary Meeting as aforesaid shall go out of Office in the following Proportions; (that is to say,)

At the End of the First Year, One Fourth;

At the End of the Second Year, One Fourth;

And in every subsequent Year One Fourth of the Directors shall go out of Office.

Newspaper for Advertisements.

XIX. That the Newspaper in which Advertisements relating to the Affairs of the Company are to be inserted shall be some Newspaper published in the County of *Salop*.

XX. That

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XX. That it shall be lawful for the Company to make the several Railways herein-after mentioned, with all proper Works and Conveniences connected therewith respectively; (that is to say,) Power to make Railways.

First, a Railway commencing by a Double Junction with the *Shrewsbury and Birmingham* Railway in the Parish of *Wellington* in the County of *Salop* at or near to *Ketley*, and passing from, in, through, or into the Parishes and Places following, (that is to say,) *Wellington* and *Madeley* in the County of *Salop*, and terminating at or near to the Ironworks of the *Coalbrookdale* Company at *Coalbrookdale* in the Parish of *Madeley* in the said County of *Salop* :

Second a Railway commencing by a Junction with the said first-mentioned intended Railway at or near the said Ironworks of the *Coalbrookdale* Company at *Coalbrookdale*, and terminating at or near the River *Severn* on the North Side thereof at or near a Field or Piece of Land marked Number 67 on the said deposited Plans, and which Railway will be entirely situate in the said Parish of *Madeley* in the County of *Salop*.

XXI. 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 Clerk of the Peace for the County of *Salop* : Be it enacted, That, subject to the Provisions and Powers of Deviation in this and "The Railway Clauses Consolidation Act, 1845," contained, the said Railways 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.

XXII. And whereas a Bill is now depending before Parliament to authorize a Company to be thereby incorporated under the Style of "The *Severn Valley* Railway Company," to construct a Railway from *Hartlebury* to *Shrewsbury*, to be called "The *Severn Valley* Railway," with a Branch Railway or Tramway diverging from the said intended Main Line of Railway at or near certain Limekilns or Limeworks situate at or near *Benthall Edge* in the Parish of *Benthall* in the County of *Salop*, occupied by *John Patten*, and terminating at or near a certain Enclosure in the Parish of *Madeley* in the County of *Salop* marked Number 48 on the deposited Plans of the said intended Branch Company to afford Facilities for effecting Junction with Branch of *Severn Valley* Railway.

[Local.]

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Railway

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Railway or Tramway : And whereas the said *Severn Valley* Railway Company are by the said Bill authorized to effect a Junction with the Railway second above authorized in the Manner most convenient for the Transit of Goods and Passengers from and between the said Lines of Railway : Be it enacted, That it shall be lawful for the Company hereby incorporated and they are hereby required to do all Acts and to afford all Facilities within their Power for the Formation and Maintenance of such Junction as aforesaid ; and in the event of Difference of Opinion between the said Companies as to the Position or Mode of effecting such Junction, or as to the Works necessary for completing the same, such Difference shall be determined by a Referee to be mutually agreed on, or, failing such Agreement, by a Referee to be appointed by the Board of Trade, and the Decision of the Referee shall be final and binding on the Parties.

Certain Roads to be crossed on the Level.

XXIII. 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,)

No. on Plan.	Parish.	Description of Road.
Main Line - -	19	Wellington - Turnpike Road.
	80	Wellington - Highway.
	68	Dawley - Highway crossed in Two Places on the Level ; first Crossing at Three Miles Two Furlongs Six Chains ; second Crossing at Three Miles Three Furlongs Nine Chains.
	86	
Extension to River Severn - - - }	86	Dawley - Highway.
	110	Dawley - Highway.
	141	Dawley - Highway.
	1	Madeley - Turnpike Road.

Station or Lodge to be erected at the Points of Crossings.

XXIV. That the Company shall erect and permanently maintain either a Station or Lodge at the Points where the Railways cross 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 Board of Trade ; 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

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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.

XXV. That it shall be lawful for the Board of Trade, 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 Board 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 Board 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.

Board of Trade may require Bridges in lieu of level Crossings.

XXVI. That the Railway shall communicate with the Line of the *Shrewsbury and Birmingham* 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 Birmingham* Railway Company under their Common Seal; and all Communications between the Railway hereby authorized and the *Shrewsbury and Birmingham* Railway shall be effected in a substantial and workmanlike Manner, by means of Connection 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 *Shrewsbury and Birmingham* Railway Company; and if any Dispute shall arise between the 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 Communication with the Shrewsbury and Birmingham Railway.

XXVII. 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 Lands or Property of the *Shrewsbury and Birmingham* Railway Company, or in any Manner to vary or alter the said *Shrewsbury and Birmingham* Railway, or any of the Works appertaining thereto, without the Consent of the last-mentioned Company.

Company not to interfere with the Property of the Shrewsbury and Birmingham Railway Company, without Consent.

XXVIII. That

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Lands for extraordinary Purposes.

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

Limiting Time for compulsory Purchase of Lands.

XXIX. That 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.

Limiting Time for Completion of Works.

XXX. That the Railways 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 Railways as shall then be completed.

Providing for the Completion of the Railway.

XXXI. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of Her present Majesty, Chapter Twenty, a Sum of Four thousand five hundred Pounds, being One Tenth Part of Three Fourths of the Amount of the Estimate of the Expense 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 of Four thousand five hundred Pounds so deposited as aforesaid in respect of the Application for this Act, or the Interest or Dividends of such Sum of Money, shall not, except upon the Execution and Deposit of such Bond as herein-after mentioned, 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 said Company shall, previously to the Expiration of the Period limited by this Act for Completion of the Railway hereby authorized to be made, either open the said 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 said 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 said Company shall either have opened the said 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, and the Interest and Dividends thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid and transferred





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not exceeding One Halfpenny ; and if conveyed on Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Farthing :

For all Dung, Compost, and all Sorts of Manure, and all undressed Materials for the Repair of public Roads or Highways, Culm, Charcoal, Coke, and all Stones for building, pitching, and paving, all Tiles, Slates, Clay (except Fireclay), Wire Iron, Sheet Iron, Hoop Iron, Chains, and for all Iron Castings, including Railway Chairs, *per Ton per Mile* not exceeding One Penny ; and if conveyed on Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Halfpenny :

For all Grain, Corn, Flour, Sugar, Hides, Dyewoods, Earthenware, Timber, Staves, Deals, Metals (except Iron), Nails, Anvils, Vices, and for all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandise, Articles, Matters, or Things, *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 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 Fivepence, 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.

For Passengers and Cattle.

In respect of Passengers and Animals conveyed in Carriages upon the Railway, as follows :

For any Person conveyed in or upon any such 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, *per Mile* not exceeding Threepence ; and for every Ox, Cow, Bull, or Neat Cattle, *per Mile* not exceeding Three Halfpence ; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per Mile* not exceeding One Penny :

For every Calf, Pig, Sheep, Lamb, Dog, or other small Animal conveyed in or upon any such 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.

XXXIII. That

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XXXIII. That the Tolls which the Company may demand and receive for the Use of Engines for propelling Carriages on the Railway shall not exceed One Penny *per* Mile for each Passenger or Animal, or for each Ton of Goods or other Articles, by the ordinary Trains, in addition to the several other Tolls or Sums by this Act authorized to be taken, except when the Company may be required to carry such Passengers, Animals, or Goods at a greater Rate of Speed than the ordinary Rate of conveying the same on the Railway by the said Trains respectively, or with a less Load than may be the full Load of any such Engine so to be employed: Provided always, that nothing herein-before contained shall extend to any Case in which any special or extra Train may be required and be allowed by the Company.

Tolls for  
propelling  
Power.

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

Regulations  
as to Tolls.

For Persons and Things conveyed on the Railway for a less Distance than Three Miles the Company may demand the said Tolls and Charges as for Three Miles:

Provided always, that the said Company may not demand the said Tolls and Charges as for more than One Mile in respect of any Fraction of a Mile when such Articles are conveyed on Carriages and by Engines not belonging to the Company:

For a Fraction beyond Three Miles or beyond any greater Number of Miles respectively the Company may demand Tolls 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:

For a Fraction of a Penny in the gross Amounts of Tolls and Charges in respect of any Passenger or Article for the entire Distance carried, the Company may demand a Penny:

For Articles weighing together less than One Ton and a Half conveyed on the Railway in One Carriage the Company may demand Tolls as for One Ton and a Half:

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, and so in proportion for any smaller Quantity.

XXXV. And with respect to small Packages, and single Articles of great Weight, notwithstanding the Rate of Tolls prescribed by this Act,

Tolls for  
small Parcels  
and Articles

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Weight.

Act, the Company may lawfully demand the Tolls following; (that is to say,)

For the Carriage of small Parcels on the Railway, as follows:

For any Parcel not exceeding Seven Pounds in Weight, Sixpence:

For any Parcel not exceeding Fourteen Pounds in Weight, One Shilling:

For any Parcel not exceeding Twenty-eight Pounds in Weight, Two Shillings:

For any Parcel not exceeding Fifty-six Pounds in Weight, Two Shillings and Sixpence:

And for Parcels exceeding Fifty-six Pounds in Weight and not exceeding Five hundred Pounds Weight each the Company may demand any Sum which they may 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:

For the Carriage of any One Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Carriage, shall exceed Four Tons but shall not exceed Eight Tons, the Company may demand such Sum as they think fit, not exceeding Sixpence *per Ton per Mile*:

For the Carriage of any 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.

Passengers  
Luggage.

XXXVI. 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.

Maximum  
Charges for  
Conveyance  
of Passen-  
gers.

XXXVII. 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 Railway than Threepence *per Passenger per Mile* in respect of any Passenger travelling in a First-class Carriage, Twopence *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 Carriage and Locomotive Power, and all other Charges incidental to such Conveyance.

XXXVIII. That

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XXXVIII. That it shall not be lawful for the Company to charge in respect of the several Descriptions of Articles and Animals herein-after mentioned conveyed on the Railway any greater Sum, including the Charges for the Use of Carriages, Waggon, or Trucks, and for locomotive Power, and all other Charges incident to such Conveyance, (except a reasonable Charge for the Expense of loading and unloading where such Service is performed by the Company,) than the several Sums herein-after mentioned; (that is to say,)

For Conveyance of Goods and Cattle.

For Coals, and other Articles herein-before classed therewith, *per Ton per Mile* One Penny Halfpenny :

For Dung, and other Articles herein-before classed therewith, *per Ton per Mile* Twopence :

For Grain, and other Articles herein-before classed therewith, *per Ton per Mile* Threepence :

For every Carriage, the Sum of Sevenpence *per Mile*; and for every Carriage, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton and a Half, *per Mile* Sixpence :

For every Horse, or other Beast herein-before classed with Horses, *per Mile* Fivepence :

For Cattle, the Sum of Twopence *per Head per Mile* :

For Calves and Pigs, One Penny each *per Mile* :

For Sheep and small Animals, Three Farthings each *per Mile*.

XXXIX. That in respect of the Carriage on the said Railway of Coals, Ironstone, and other Articles herein-before classed therewith, conveyed in Carriages not belonging to the Company, it shall not be lawful for the said Company to demand or receive any greater Toll or Sum *per Ton per Mile* than One Penny, including the said Toll for the Use of Engines.

Limiting Tolls for Conveyance of Coals, Ironstone, &c.

XL. Provided always, That in respect of empty Carriages or Trucks which have been conveyed with Goods by the Engines of the Company, the Company may not demand any Toll or Charge for the Return on the said Railway of such empty Carriages or Trucks, the Time and Mode of the Return or Conveyance back of such empty Trucks or Carriage being subject to the Byelaws or Regulations of the Company.

As to the Return of empty Carriages and Trucks.

XLI. Provided always, That the Restriction as to the Charges to be made for Passengers shall not extend to any Special or Extra Train which may be required to run upon the Railway, but shall apply only to the Express and Ordinary Trains appointed or to be appointed from

Restrictions as to Charges not to apply to special Trains.

[Local.]

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Time

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Time to Time by the Company for the Conveyance of Passengers and Goods upon the Railway.

Company  
may take in-  
creased  
Charges by  
Agreement.

XLII. Provided always, That nothing herein contained shall be held to prevent the Company from taking any increased Charges, over and above the Charges herein-before limited, for the Conveyance of Goods of any Description, except small Parcels, by Agreement with the Owners or Persons in charge of such Goods, in respect of the Conveyance of such Goods by Passenger Trains, or by reason of any other special Service performed by the Company in relation to such Goods.

As to Charge  
for loading.

XLIII. That it shall be lawful for the said Company to demand and take, in addition to the Tolls, Rates, and Charges which they are now or hereafter may be authorized to take and demand, a reasonable Sum for the loading, unloading, and covering, and for the Delivery and Collection of Goods, and other Services incidental to the Business of a Carrier, where such Services respectively shall be performed by the Company, and a further reasonable Sum for warehousing and Wharfage, and for any other extraordinary Services which may be reasonably and properly performed by the said Company in relation to such Goods.

Providing for  
Use by the  
Company of  
a Portion of  
the Shrews-  
bury and  
Birmingham  
Railway

XLIV. That the *Shrewsbury and Birmingham* Railway Company shall allow the Company hereby incorporated, or the Parties carrying upon the Railway hereby authorized, to pass over and to use so much of the Railway belonging to the said *Shrewsbury and Birmingham* Railway Company as lies between the Goods Station on that Railway at *Wellington* and the Point of Junction of the firstly above described Railway hereby authorized with the *Shrewsbury and Birmingham* Railway, and also to use all Stations, Sidings, Watering Places, and other Conveniences connected with the said Portion of the *Shrewsbury and Birmingham* Railway, on such Terms and Conditions, and on Payment of such Tolls, Charges, Rent, or other Considerations, as may be agreed upon between the Parties respectively, or, failing such Agreement, on such Terms and Conditions, and on Payment of such Tolls, Charges, Rent, or other Consideration, as shall from Time to Time be determined by Two Referees, One to be named by each of the said Parties, or by an Umpire to be appointed by and between the said Referees in case of Difference, or, if such Referees cannot agree as to such Umpire, then by an Umpire to be appointed by the Board of Trade, on the Application of either or any of the said Parties, and the Decision of such Referees or Umpire respectively shall be final and binding on the Parties.

XLV. That

*The Wellington and Severn Junction Railway Act, 1853.*

XLV. That the Times at which and the Manner in which the Trains of the Company shall run upon the said Portion of Railway of the said *Shrewsbury and Birmingham* Railway Company shall be subject to the Byelaws and Regulations of the said last-named Company; but in the event of Objection by the Company to any of the said Byelaws or Regulations as affecting them, or in the event of Difference of Opinion between the Parties as to the Time or Manner of running such Trains, or as to the said Byelaws and Regulations as affecting the Company hereby incorporated, such Objection or Difference shall be settled by Arbitration in manner herein-before provided: Provided always, that no such Arbitration shall be valid or binding on either of the said Companies until the same shall have been approved by the Board of Trade.

Company to be subject to Byelaws and Regulations of Shrewsbury and Birmingham Railway Company.

XLVI. That the Company shall allow the *Shrewsbury and Birmingham* Railway Company, and all other Companies or Persons having a Right through or under them to use the Railway belonging to such last-named Company, to pass over and to use with Engines and Carriages the Railway hereby authorized, or any Part of the same, and also to use all Stations, Sidings, Watering Places, and other Conveniences connected with the said Railway, on such Terms and Conditions, and on Payment of such reasonable Tolls, Charges, Rent, or other Consideration, as may be agreed upon between the Parties respectively, or, failing such Agreement, on such Terms and Conditions, and on Payment of such reasonable Tolls, Charges, Rent, or other Consideration, as shall from Time to Time be determined by Two Referees, One to be named by each of the said Parties so unable to agree, or by an Umpire to be appointed by and between the said Referees in case of Difference, or, if either of the Parties shall fail for a Period of Fourteen Days to appoint a Referee, or if such Referees cannot agree as to such Umpire, then by an Umpire to be appointed by the Board of Trade, on the Application of either of the said Parties; and the Decision of such Referees or Umpire respectively shall be final and binding on the Parties, and it shall not thereafter be lawful for the Company to demand or levy in respect of the Traffic passing to or from the said *Shrewsbury and Birmingham* Railway any Tolls or Charges other than such as shall be fixed by such Agreement or Arbitration: Provided always, that no such Agreement or Arbitration shall be valid and binding on any of the said Parties until the same shall have been approved by the Board of Trade; and every Agreement and Award made under the Provisions of this Act shall be subject to and in conformity with "The Railway Clauses Consolidation Act, 1845."

Providing for Use of Line by the Shrewsbury and Birmingham Railway Company.

XLVII. That

*The Wellington and Severn Junction Railway Act, 1853.*

Shrewsbury and Birmingham Railway Company to be subject to the Byelaws and Regulations of the Company.

XLVII. That the Times at which and the Manner in which the Trains of the said *Shrewsbury and Birmingham* Railway Company, or such other Companies or Persons as aforesaid, shall run upon the Railway hereby authorized, shall be subject to the Byelaws and Regulations of the Company hereby incorporated; but in the event of Objection by the *Shrewsbury and Birmingham* Railway Company, or such other Companies or Persons, to any of the said Byelaws or Regulations as affecting them, or in the event of Difference of Opinion between the *Shrewsbury and Birmingham* Railway Company, or such other Companies or Persons as aforesaid, and the Company hereby incorporated, as to the Time or Manner of running such Trains, or as to the said Byelaws and Regulations as affecting the said *Shrewsbury and Birmingham* Railway Company, or such other Companies or Persons as aforesaid, such Objection or Difference shall be settled by Arbitration in manner herein-before provided for settling the Terms of using the Line of Railway hereby authorized: Provided always, that no such Arbitration shall be valid or binding on any of the said Parties until the same shall have been approved by the Board of Trade.

Provision for conveying Carriages over Railways herein named.

XLVIII. And whereas it is expedient that (subject to the Provisions herein-after contained) Facilities should be afforded as herein-after mentioned for the Transmission of Traffic to and from the *London and North-western*, the *Shropshire Union*, and *Shrewsbury and Birmingham* Railway Companies, to and from *Wellington* Station, over the Railway hereby authorized to be made, and over such Portion of the *Shrewsbury and Birmingham* Railway as is herein-after mentioned: Be it therefore enacted, That the Company hereby incorporated and the *Shrewsbury and Birmingham* Railway Company shall, if required by the *London and North-western*, the *Shropshire Union* Railway, or the *Shrewsbury and Birmingham* Railway Companies, or either of them, convey or permit to be conveyed on the Railway by this Act authorized, and also over the *Shrewsbury and Birmingham* Railway between *Wellington* and the Junctions of the Railway hereby authorized at or near *Ketley*, any Carriages, Trucks, and Waggons, whether loaded or unloaded, belonging to the *London and North-western*, the *Shropshire Union*, or the *Shrewsbury and Birmingham* Railway Company, or belonging to any other Company or Person, and being of the Gauge of Four Feet Eight and a Half Inches, which shall have passed or shall be intended to pass over the *London and North-western*, the *Shropshire Union*, or the *Shrewsbury and Birmingham* Railways, and shall, if required by the *London and North-western*, the *Shropshire Union*, or *Shrewsbury and Birmingham* Railway Companies, carry or convey, or permit to be carried or conveyed, to or from the *London and North-western*, the *Shropshire Union*, and *Shrewsbury and Birmingham* Railway, over the Railway by this Act authorized,



*The Wellington and Severn Junction Railway Act, 1853.*

rized, or any Part thereof, any Passengers, Goods, Minerals, or other Traffic, and give all reasonable Facility and Accommodation for the Despatch of Passengers, Collection, Delivery, or Transmission of such Goods or Minerals, at the Stations of the Railway hereby authorized, on such Terms and Conditions, and subject to the Payment of such reasonable and moderate Rates, Tolls, and Charges, as may be agreed upon between the Company and the *London and North-western*, the *Shropshire Union*, and *Shrewsbury and Birmingham* Railway Companies, or, in case of Difference, as shall from Time to Time be settled respectively by Arbitration, the Umpire to be appointed by the Board of Trade.

XLIX. 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 present Majesty, intituled *An Act for regulating Railways*; and another Act was passed in the Sixth Year of the Reign of Her present 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 present 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 Two other Acts were passed in the Tenth Year of the Reign of Her present Majesty, intituled *An Act for regulating the Gauge of Railways*, and *An Act for constituting Commissioners of Railways*; and another Act was passed in the Fifteenth Year of the Reign of Her present Majesty, intituled *An Act to repeal the Act for constituting Commissioners of Railways*: Be it enacted, That nothing in this Act contained shall be held to exempt the Railway or the Company from the Provisions of such several Acts respectively, but such Provisions shall be in force in respect to the Railway and the Company so far as the same are applicable thereto.

Railway to be subject to Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., 9 & 10 Vict. c. 57. 105., and 14 & 15 Vict. c. 64.

L. That nothing herein contained shall be deemed or construed to exempt the Railways 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, and of the Rates for small Parcels.

Railways not exempt from Provisions of future General Acts.

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*The Wellington and Severn Junction Railway Act, 1853.*

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Expenses of  
Act.

LI. That all the Costs, Charges, and Expenses of and attending the passing of this Act or incidental thereto shall be paid by the Company.

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