



ANNO DECIMO SEXTO & DECIMO SEPTIMO

# VICTORIÆ REGINÆ.

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## *Cap. ccxxvii.*

An Act for making a Railway from the *Oxford, Worcester, and Wolverhampton* Railway near *Hartlebury* in the County of *Worcester* to the Borough of *Shrewsbury* in the County of *Salop*, with a Branch to be called “*The Severn Valley Railway* ;” and for other Purposes.

[20th August 1853.]

**W**HEREAS the making of a Railway from the *Oxford, Worcester, and Wolverhampton* Railway near *Hartlebury* in the County of *Worcester* to the Borough of *Shrewsbury*, with a Branch therefrom, as in this Act described, would be of public Advantage: And whereas the Persons herein-after named, with others, are willing, at their own Expense, to carry the 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 this Act may be cited for any Purpose as “*The Severn Valley Railway Act, 1853.*”

[*Local.*]

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II. That

*The Severn Valley Railway Act, 1853.*

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

II. That "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," except so far as the Provisions of the same are varied or otherwise provided for by this Act, are incorporated with this Act.

Same Mean-  
ings to  
Words, &c.  
in incorpo-  
rated Acts  
and this Act.

III. That the several Words and Expressions to which by the Acts incorporated with this Act Meanings are assigned have in this Act the same respective Meanings, unless there be in the Subject or Context something repugnant to or inconsistent with such Construction.

Subscribers  
incorpo-  
rated.

IV. That the Right Honourable *George Cecil Weld Forester*, *Norman Hilton Macdonald*, *Jonathan Thorp*, *William Reed*, *Charles William Tyndale*, *Francis Parker*, and *Michael Grazebrook*, and all other Persons and Corporations who have already subscribed or 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 a Railway from the *Oxford, Worcester, and Wolverhampton* Railway in the Parish of *Hartlebury* in the County of *Worcester* to the Borough of *Shrewsbury* in the County of *Salop*, with a Branch therefrom, and proper Works and Conveniences connected therewith, according to the Provisions of this Act, and for other the Purposes of this Act, and for such Purposes are by this Act incorporated by the Name of "The *Severn Valley* Railway Company," and by that Name shall be One Body Corporate, with perpetual Succession, and with a Common Seal, and with Power to purchase, take, hold, and dispose of Lands and other Property for the Purposes but subject to the Restrictions of this Act.

Capital.

V. That the Capital of the Company shall be Six hundred thousand Pounds in Thirty thousand Shares of Twenty Pounds each.

Calis.

VI. That Three Pounds a Share shall be the greatest Amount of a Call, and Three Months at least shall be the Interval between successive Calls, and the aggregate Amount of all Calls to be made in any One Year shall not exceed Three Fourths of the nominal Amount of a Share.

Power to  
borrow  
Money on  
Mortgage.

VII. That the Company may borrow on Mortgage or Bond any Sums not exceeding in the whole Two hundred thousand Pounds, but any Part thereof shall not be borrowed until the whole of the Capital shall have been subscribed for, and One Half thereof paid up: Provided always, that all and every Part of the Money raised under this Act, whether by Shares or Mortgage or Bond, shall be applied only to the Purposes authorized by this Act.

VIII. That

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VIII. That the Company shall not, out of any Money by this Act authorized to be raised by Calls or by borrowing, pay Interest or Dividend to any Shareholder on the Amount of the Calls made in respect of the Shares held by him: Provided always, that this Act shall not 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 of "The Companies Clauses Consolidation Act, 1845."

Interest not to be paid on Calls paid up.

IX. That the Company shall not out of any Money by this Act authorized to be raised pay or deposit any Sum of Money which by any Standing Order of either House of Parliament, now or hereafter in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the Company to construct any other Railway or execute any other Work or Undertaking.

Deposits for future Bills not to be paid out of the Company's Capital.

X. That the First Ordinary Meeting of the Company shall be held within Eight Months next after the passing of this Act.

First and other Meetings.

XI. That, subject to the Provisions of this Act for reducing the Number of Directors, the Number of Directors shall be Seven.

Number of Directors.

XII. That the Qualification of a Director shall be the Possession in his own Right of Fifty Shares.

Qualification of Directors.

XIII. That the Directors appointed by this Act shall continue in Office until the First Ordinary Meeting 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 elect a new Body of Directors to supply their Places, the retiring Directors being, if qualified, eligible for Election.

Election of Directors at First Ordinary Meeting.

XIV. That the Company may from Time to Time reduce the Number of Directors, so as the Number of Directors be not less than Five.

Power to reduce the Number of Directors.

XV. That the Right Honourable *George Cecil Weld Forester*, *Norman Hilton Macdonald*, *Jonathan Thorp*, *William Reed*, *Charles William Tyndale*, *Francis Parker*, and *Michael Grazebrook* shall be the First Directors.

First Directors of the Company.

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

Quorum.

XVII. That the Newspapers for Advertisements shall be any One Newspaper of each of the Counties of *Worcester* and *Salop* respectively.

Newspapers.

XVIII. Whereas

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Power to  
make Rail-  
way and  
Branch ac-  
cording to  
deposited  
Plans.

XVIII. Whereas Plans and Sections of the Railway, Branch, and Works, showing the Lines and Levels thereof respectively, and also a Book of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners and Lessees and Occupiers of the Lands through which the same respectively are intended to be made, have been deposited with the respective Clerks of the Peace for the Counties of *Worcester*, *Stafford*, and *Salop*: Therefore, subject to the Provisions of this Act, the Company may make and maintain the Railway, Branch, and Works in the Lines and upon the Lands delineated on those Plans and described in that Book of Reference, and according to the Levels described on those Sections, and may enter upon, take, and use such of those Lands as the Company think necessary for that Purpose.

Railway,  
Branch, and  
Works.

XIX. That the Railway, Branch, and Works by this Act authorized are the following; (to wit,)

1. A Railway commencing by a Junction with the Main Line of the *Oxford, Worcester, and Wolverhampton* Railway in the Parish of *Hartlebury* in the County of *Worcester* at or near a Point Five and a Half Furlongs or thereabouts Southwards of the *Hartlebury* Station on that Main Line, and terminating at or near a certain Road situate in the Parish of *Holy Cross* and *St. Giles* within the Borough of *Shrewsbury* and the County of *Salop*, and numbered 47 on the deposited Plans of the Railway hereby authorized:
2. A Branch Railway or Tramway commencing and diverging from and out of that intended 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 Inclosure situate in the Parish of *Madeley* in that County, and numbered 48 on the deposited Plans of the Branch Railway or Tramway hereby authorized.

As to Con-  
struction of  
Portion of  
Railway  
running  
through the  
Property of  
T. C. Whit-  
more, Esq.

XX. That in constructing the said Line of Railway through the Property of *Thomas Charlton Whitmore* Esquire, in the Parish of *Astley Abbots*, the Company shall and they are hereby required to construct the said Line of Railway between the Points shown on the deposited Plans as being between 22 Miles and 22 Miles 3 Furlongs and 110 Yards, in such Manner so that when the said Line of Railway shall be completed through the said Property the same shall be entirely in Tunnel or be continuously arched over: Provided always, that the said Portion of Railway shall be wholly constructed on the Western Side of the centre Line of Railway delineated on the said Plans, and as close as Engineering Circumstances may admit of to the  
Western

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Western Limits of Deviation: Provided nevertheless, that the Company shall not be required to construct such deviated Line at the Point shown on the said Plans as 22 Miles 3 Furlongs and 110 Yards at a greater Distance than Sixty Yards from the centre Line shown on such Plans.

XXI. That in constructing the said Railway and Works through the Lands of the said *Thomas Charlton Whitmore* in the said Parish of *Astley Abbotts* it shall not be lawful for the Company to enter upon, take, or use any of the said Lands, except for the Purposes of constructing the Railway and Works and Shafts over the Tunnel, nor to take or use any of the said Lands for the Purpose of Spoil Banks.

Lands of T. C. Whitmore not to be taken, &c. except for Purposes of Railway.

XXII. That, notwithstanding anything in this Act contained, after the Completion of the said Railway and Works, the Land over the said Tunnel between the Points last above mentioned shall remain the Property of the said *Thomas Charlton Whitmore*, or the Proprietor for the Time being of the *Apley* Estate, reserving, nevertheless, to the Company the Power from Time to Time of entering thereupon for the Purposes only of executing the necessary Repairs of the Tunnel.

Land over Tunnel to remain the Property of T. C. Whitmore, &c.

XXIII. And whereas a Bill is now depending before Parliament to authorize a Company to be thereby incorporated under the Style of "The *Wellington and Severn Junction Railway Company*" to construct a Railway, to be called the *Wellington and Severn Junction Railway*, from the *Shrewsbury and Birmingham Railway* at or near *Ketley* in the Parish of *Wellington* in the County of *Salop* to a Point on the North Bank of the River *Severn* near the Point where the Branch Railway or Tramway above authorized is intended to cross the said River: Be it enacted, That it shall be lawful for the said Company hereby incorporated, notwithstanding anything in this Act contained, so to construct the said Branch Railway or Tramway as to effect a Junction with the said *Wellington and Severn Junction Railway* in the Manner most convenient for the Transit of Goods and Passengers from and between the said Lines of Railway; and the said Company and the said *Wellington and Severn Junction Railway Company* shall be and they are hereby respectively bound to do all Acts and to afford all Facilities within their Power for the Formation and Maintenance of such Junction; 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.

Providing for Junction with *Wellington and Severn Junction Railway*.

[*Local.*]

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XXIV. That

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Certain  
Roads to be  
crossed on  
the Level.

XXIV. That, subject to the Provisions of this Act, the Company may carry the Railway across and on the Level of the several Roads numbered in the Plans deposited for the Purposes of this Act as follows; (to wit,)

The Roads numbered 23, 31, and 53 respectively in the Foreign of the Parish of *Kidderminster* :

The Road numbered 5 in the Parish of *Dowles* :

The Road numbered 27 in the Parish of *Chelmarsh* :

The Road numbered 15 in the Parish of *Barrow* :

The Roads numbered 100, 111, 123, and 152 respectively in the Parish of *Broseley* :

The Road numbered 7 in the Parish of *Benthall* :

The Road numbered 35 in the Parish of *Buildwas* :

The Roads numbered 24, 120, and 123 respectively in the Parish of *Cound* :

The Road numbered 6 in the Parish of *Berrington*.

Company to  
erect a Sta-  
tion or Lodge  
at Points of  
crossing, and  
abide by  
Rules, &c. of  
Board of  
Trade.

XXV. That for the greater Convenience and Security of the Public the Company shall erect and permanently maintain either a Station or a Lodge at the Points where the Railway crosses those 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 those Roads on the Level, or with regard to the Speed at which Trains shall pass those Roads, as are from Time to Time made by the Board of Trade; and if the Company fail to erect or at all Times maintain any such Station or Lodge, or to appoint a proper Person to watch or superintend the crossing at any such Point or Station, or to observe or abide by any such Rule or Regulation, 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 continues after such Penalty of Twenty Pounds is incurred.

Board of  
Trade may  
require a  
Bridge to be  
erected in  
lieu of level  
Crossings.

XXVI. That the Board of Trade, if it appear to them necessary for the Public Safety, may at any Time, either before or after the Railway to be carried across those Roads on the Level are complete and opened for public Traffic, require the Company, within such Time as the Board of Trade direct, and at the Expense of the Company, to carry any of those Roads either under or over the Railway by means of a Bridge or Arch in lieu of crossing the same on the Level, or to execute such other Works as under the Circumstances of the Case appear to the Board of Trade best adapted for removing or diminishing the Danger arising from any such level Crossings.

XXVII. That

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XXVII. That the Company may make the Ascent or Descent of the Roads herein-after referred to of the Inclinations described on the said Sections deposited as aforesaid ; (that is to say,) Regulating Inclinations of certain Roads.

## MAIN LINE.

No. on Plan.	Parish.	Description of Road.	Inclination.
113	Hartlebury - - -	Turnpike Road - - -	1 in 14
5	Dowles - - -	Road - - -	1 in 8
15	Barrow - - -	Public Road - - -	1 in 6
50	Broseley - - -	Public Road - - -	1 in 8½
123	Broseley - - -	Public Road - - -	1 in 7
169	Broseley - - -	Road - - -	1 in 8

XXVIII. That the Communications of the Railway with the *Oxford, Worcester, and Wolverhampton* Railway shall be made at the Points shown in that Behalf on the deposited Plans, or within the Limits of Deviation, and not at any other Point, without the Consent of the *Oxford, Worcester, and Wolverhampton* Railway Company under their Common Seal ; and all such Communications shall be effected in a substantial and workmanlike Manner, by means of Connexion Rails and Points of the Construction and laid at the Place and in the Manner from Time to Time most approved, and to the entire Satisfaction of the Engineer for the Time being of the *Oxford, Worcester, and Wolverhampton* Railway Company. Communications with the Oxford, Worcester, and Wolverhampton Railway.

XXIX. That the Expense of the Communications with the *Oxford, Worcester, and Wolverhampton* Railway, and of all necessary Openings in the Rails thereof, and of all other Works from Time to Time requisite for altering, amending, repairing, and maintaining such Communications, Rails, and Points, and of regulating and adjusting the same, shall be borne and paid by the Company ; and all such Communications, Openings, and other Works shall be made and done, and from Time to Time be altered, amended, repaired, and maintained, to the reasonable Satisfaction of the Engineer for the Time being of the *Oxford, Worcester, and Wolverhampton* Railway Company, and in every Case in such Manner and Form and by such Ways and Means as shall not in anywise prejudice the *Oxford, Worcester, and Wolverhampton* Railway, or impede or interfere with the free, uninterrupted, and safe Passage along their Railway. Communications, &c. to be made at the Cost of the Company, and subject to the Approval of the Engineer of the Oxford, &c. Railway Company.

XXX. Provided always, That the Company, or any other Company or Person acting under this Act, shall not, without the Consent of the *Oxford, Worcester, and Wolverhampton* Railway Company under their Common Seal, either permanently or temporarily enter upon, take, or use any of the Land or Property of that Company, or which they have Power to take or use, or in any Manner alter or interfere with Land not to be entered upon, except for forming Junction, without Consent of the Oxford, &c. Company.

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with the *Oxford, Worcester, and Wolverhampton* Railway, or any of the Works appertaining thereto, save only for the Purpose of effecting the Junctions therewith by this Act authorized.

Saving  
Rights of the  
*Oxford, &c.*  
Company.

XXXI. Provided always, That, except as is by this Act expressly provided, this Act or anything therein contained shall not take away, diminish, alter, or prejudice any of the Rights, Privileges, Powers, or Authorities of the *Oxford, Worcester, and Wolverhampton* Railway Company.

Company not  
to interfere  
with the  
Navigation  
of the Rivers  
*Stour* and  
*Severn*.

XXXII. And whereas the Railway and Branch are intended to be carried over the Rivers *Stour* and *Severn* at various Points thereof, and it is expedient to provide against Injury or Obstruction being occasioned by means of the Railway and Branch to those Rivers, or to the Navigation thereof: Therefore every Bridge erected by the Company over the Rivers *Stour* and *Severn* shall be erected with Arches or Openings of such Size as may be necessary for the free Navigation of those Rivers, as the same has usually been carried on.

Plans, &c. to  
be deposited  
with Admi-  
ralty for Ap-  
proval pre-  
vious to com-  
mencing  
Bridges, &c.  
over Rivers  
*Stour* and  
*Severn*.

XXXIII. That previously to commencing the Bridges or Crossings, or either of them, for carrying the said Railway and Branch over the Rivers *Stour* or *Severn*, or of the Works connected therewith, the Company shall deposit at the Admiralty Office Plans, Sections, and Working Drawings of the said Bridges or Crossings, and Works connected therewith, for the Approval of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland* or the Commissioners for executing the Office of Lord High Admiral aforesaid, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty, and such Bridges or Crossings and Works shall be constructed only in accordance with such Approval.

Company  
to provide  
Lights  
during Con-  
struction of  
Bridges, &c.  
for the Navi-  
gation of the  
Rivers *Stour*  
and *Severn*.

XXXIV. That during the Construction of the said Bridges or Crossings over the Rivers *Stour* or *Severn*, and Works connected therewith, the said Company shall cause to be hung out or exhibited, every Night, from Sunset to Sunrise, a Light, to be kept burning by and at the Expense of the Company for the Navigation and safe Guidance of Vessels, and which Light shall be from Time to Time altered by the said Company in such Manner and be of such Description and be so used and placed as the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral shall by Writing under the Hand of the Secretary of the Admiralty approve of; and in case the said Company shall neglect to exhibit and keep any or either of such Lights burning as aforesaid they shall forfeit and pay for every such Neglect the Sum of Ten Pounds.

XXXV. That



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XXXV. That it shall not be lawful for the Company to construct any Crossing or Work in, under, over, or across the Rivers *Stour* and *Severn*, or either of them, without the previous Consent of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland* or the Commissioners for executing the Office of Lord High Admiral aforesaid for the Time being, to be signified in Writing under the Hand of the Secretary of the Admiralty, and then only according to such Plan and under such Restrictions and Regulations as the said Lord High Admiral or the said Commissioners for executing the Office of Lord High Admiral may approve, such Approval being signified as last aforesaid; and where any such Crossing or Work shall have been constructed it shall not be lawful for the Company at any Time to alter or extend the same without obtaining, previously to making any such Alteration or Extension, the like Consent or Approval; and if any such Crossing or Work shall be commenced or completed or altered contrary to the Provisions of this Act, it shall be lawful for the said Lord High Admiral or the said Commissioners for executing the Office of Lord High Admiral to abate, alter, and remove the same, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due to the Crown, and be recoverable accordingly, with Costs of Suit.

Works not to be executed without Consent of the Admiralty.

XXXVI. That if at any Time or Times it shall be deemed expedient by the Lord High Admiral of the United Kingdom or the Commissioners for executing the Office of Lord High Admiral to order a local Survey and Examination of any Works of the Company in, under, over, or affecting the Rivers *Stour* and *Severn*, or either of them, or of the intended Site thereof, the Company shall defray the Costs of every such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the Company, and if not paid, upon Demand, may be recovered as a Debt due to the Crown, with the Costs of Suit, or may be recovered, with Costs, as a Penalty is or may be recoverable from the Company.

Admiralty may order local Survey of Works at the Expense of Company.

XXXVII. That if any Work to be constructed by the Company in, under, over, or across the Rivers *Stour* and *Severn* or either of them, or if any Portion of any such Work which affects any such Rivers or either of them, or Access thereto, shall be abandoned, or suffered to fall into Disuse or Decay, it shall be lawful for the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly, with Costs of Suit.

Admiralty may remove Works abandoned by the Company at the Cost of the Company.

[*Local.*]

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XXXVIII. That

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Lands for extraordinary Purposes.

XXXVIII. That the Company may purchase, in addition to the Lands for constructing the Railway, Branch, and Works, any Quantity of Land not exceeding in the whole One hundred Acres for extraordinary Purposes.

Period for compulsory Purchase of Lands limited.

XXXIX. 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 after the passing of this Act.

Period for Completion of Works.

XL. That the Railway, Branch, and Works shall be completed within Five Years after the passing of this Act, and on the Expiration of that 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 thereof as is then completed.

Restriction as to Payment and Transfer of the Sum of 20,000*l.* and the Sum of 25,000*l.* 3*l.* per Cent. Consols.

XLI. 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 Twenty thousand Pounds has been deposited with the Court of Chancery in *England*, and Three *per Centum* Consolidated Bank Annuities to the Amount of Twenty-five thousand Pounds have also been transferred, pursuant to the said Act, in respect of the Application to Parliament for this Act, which Two Sums together make One Tenth Part of Three Fourths of the Amount of the Estimate of the Expense of the Undertaking authorized by this Act: Be it enacted, That, notwithstanding anything contained in the said recited Act, the said Sum of Twenty thousand Pounds so deposited, and the said Stock so transferred as aforesaid, in respect of the Application for this Act, or the Interest of such Sum of Money, or the Dividends of such Stock, 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 and Branch hereby authorized to be made, either open the said Railway and Branch 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 and Branch 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, and the said Stock transferred as aforesaid, and the Interest and Dividends

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Dividends thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*; provided that at any Time after the passing of this Act, if a Bond in twice the Amount of the said Sum of Forty-five thousand Pounds shall have been executed by the said Company, with One or more Sureties, (such Bond to be prepared to the Satisfaction of and such Surety or Sureties to be approved by the Solicitor to the Lords Commissioners of Her Majesty's Treasury,) conditioned for Payment to Her Majesty, Her Heirs or Successors, of the said Sum of Forty-five thousand Pounds if the said Company shall not within the Time limited for the Completion of the said Railway and Branch either open the said Railway and Branch for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee that the said Company have paid up One Half of the Amount of the said 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 such Bond shall have been deposited with the said Solicitor to the said Lords Commissioners, then such Sum of Money, Stock, and the Interest or Dividends thereof, shall be paid and transferred to or on the Application of the Person or Persons or the Majority of the Persons named in such Warrant or Order as aforesaid, or the Survivors or Survivor of them, and it shall not be necessary to produce any Certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding; and the Monies to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Money, Stock, and the Interest or Dividends thereof, would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitor to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Lords of the said Committee that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

XLII. That the Company may demand and take any Tolls for the Use of the Railway and Branch, not exceeding the following; (to wit,) Tolls.

In respect of the Tonnage of all Articles conveyed upon the Railway and Branch or any Part thereof, as follows: Tonnage on Articles of Merchandise.

For all Coals, Coke, Ironstone, Iron Ore, Pig Iron, Bar Iron, Rod Iron, Sheet Iron, Hoop Iron, Plates of Iron, Slabs, Billets, and rolled Iron, Limestone, Lime, Bricks, Salt, Sand, Fireclay, Cinders, Slag, and Stone, *per Ton per Mile* One Halfpenny; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Farthing:

For

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For all Dung, Compost, and all Sorts of Manure, and all undressed Materials for the Repair of public Roads or Highways, and for heavy Iron Castings, including Railway Chairs, *per Ton per Mile* not exceeding One Penny; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Halfpenny:

For all Culm, Charcoal, and all Stones for building, pitching, and paving, all Tiles, Slates, Clay (except Fireclay), Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, and for light Castings, *per Ton per Mile* Twopence; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Penny:

For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandise, Articles, Matters, or Things, *per Ton per Mile* not exceeding Threepence; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Penny:

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 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 weighs:

Tolls for  
Passengers  
and Cattle.

In respect of Passengers and Animals conveyed in Carriages upon the Railway and Branch or any Part thereof, as follows:

For every 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, and for every Ox, Bull, Cow, or Neat Cattle, conveyed in or upon any such 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 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.

Tolls for  
propelling  
Power.

XLIII. That the Toll which the Company may demand for the Use of Engines for propelling Carriages on the Railway and Branch shall not exceed One Penny *per Mile* for each Passenger or Animal, or for each Ton of Goods or other Articles, in addition to the several other Tolls or Sums by this Act authorized to be taken.

XLIV. That

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

For Articles or Persons conveyed on the Railway and Branch 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 as for One Mile: Provided always, that in respect of Traffic passing along the Branch Railway carried for a less Distance than Four Miles along the Main Line and Branch the Company shall only demand Tolls and Charges as for Four Miles :

For the 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 Avoirdupoise 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.

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

For the Carriage of small Parcels on the Railway and Branch as follows :

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

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 Weight 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 that Term applies 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, exceeds Four Tons but does not exceed Eight Tons, the Company may

[Local.]

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demand

*The Severn Valley Railway Act, 1853.*

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, exceeds Eight Tons, the Company may demand such Sum as they think fit.

Passengers  
Luggage.

XLVI. That every Passenger travelling upon the Railway and Branch 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  
Rates of  
Charges for  
Passengers.

XLVII. That the maximum Rate of Charge to be made by the Company for the Conveyance of Passengers upon the Railway and Branch, including the Tolls for the Use of the Railway and Branch, 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  
Rates of  
Charges for  
Cattle,  
Goods, &c.

XLVIII. And with respect to the Conveyance of Horses, Cattle, Carriages, and Goods the maximum Rates of Charges to be made by the Company, including the Tolls for the Use of the Railway and Branch, and Waggons or Trucks, and locomotive Power, and every Expense incidental to such Conveyance (except the loading and unloading of Goods, where such Service is performed by the Company), shall not exceed the following Sums :

For every Horse, or other Beast of Draught or Burden before classed with Horses, Fivepence *per Mile* :

For Cattle, Twopence each *per Mile* :

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

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

For every Carriage, Sevenpence *per Mile* :

For Coals, Coke, Ironstone, and other Articles in this Act classed therewith, One Penny Halfpenny *per Ton per Mile* :

For Manure, and other Articles in this Act classed therewith, Twopence *per Ton per Mile* :

For Sugar, and other Articles in this Act classed therewith, Threepence *per Ton per Mile* :

For Cotton, and other Goods and Articles in this Act classed therewith, Fourpence *per Ton per Mile*.

XLIX. Pro-

*The Severn Valley Railway Act, 1853.*

XLIX. Provided always, That in respect of the Carriage on the Railway and Branch of Coals, Ironstone, and other Articles in this Act classed therewith, conveyed in Carriages not belonging to the Company, the Company shall not demand or receive any greater Toll or Sum *per Ton per Mile* than Three Farthings, including the Toll for the Use of Engines, in the event of such Coals, Ironstone, or other Articles passing for a greater Distance than Forty Miles on the Railway and Branch, or than One Penny *per Ton per Mile* for any shorter Distance.

Limiting  
Tolls for  
Conveyance  
of Coals,  
Ironstone,  
&c. in Car-  
riages not  
belonging to  
the Company.

L. Provided always, That the Restriction as to the Charges to be made for Passengers shall not extend to any special Train that may be required to be run upon the Railway and Branch, but shall apply only to the express and ordinary Trains appointed from Time to Time by the Company for the Conveyance of Passengers and Goods upon the Railway and Branch.

Restriction  
as to Charges  
not to apply  
to special  
Trains.

LI. Provided always, That the Company may demand and take any increased Charge, over and above the Charges by this Act limited, for the Conveyance of Goods of any Description, by Agreement with the Owners or Persons in charge of such Goods, either in respect of the Conveyance of such Goods, except small Parcels, by Passenger Trains, or by reason of any other special Service performed by the Company in relation to such Goods.

Company  
may take  
increased  
Charge by  
Agreement.

LII. And whereas it is expedient that Facilities should be afforded for the Transmission of Traffic to and from the Railway and Branch hereby authorized over the said *Wellington and Severn Junction* Railway from and to the *Horse Hays* Ironworks or any intermediate Point on the said *Wellington and Severn Junction* Railway: Be it enacted, That if Complaint shall at any Time be made by the Company to the Board of Trade of any Interruption or Impediment to the proper and expeditious Passage and Transmission of Traffic to and from the Railway and Branch hereby authorized over any Part of the *Wellington and Severn Junction* Railway, it shall be lawful for the Board of Trade from Time to Time to make and enforce such Rules, Orders, and Regulations as to such Board may seem necessary and proper for the Accommodation of such Traffic, and to fix and determine the Charges to be made in respect thereof; and if the *Wellington and Severn Junction* Railway Company shall neglect or refuse to carry out and abide by any such Rules, Orders, or Regulations, they shall, so long as they so neglect or refuse, forfeit and pay to the Company a daily Penalty of Twenty Pounds; and the Costs, Charges, and Expenses of the Board of Trade relating to the making and enforcing of such Rules, Orders, or Regulations shall be paid equally by the Company and the said *Wellington and Severn Junction* Railway Company, upon Application being made to them respectively by the said Board: Pro-  
vided

Wellington  
and Severn  
Junction  
Railway  
Company to  
afford Faci-  
lities for  
Transmis-  
sion of  
Traffic.

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*The Severn Valley Railway Act, 1853.*

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vided always, that nothing in this Act contained shall be held to authorize the said Company to run Locomotive Engines upon any Portion of the said *Wellington and Severn Junction* Railway.

Railway, &c.  
not exempt  
from Pro-  
visions of  
future Gene-  
ral Acts.

LIII. That this Act or anything therein contained shall not exempt the Railway and Branch from the Provisions of any General Act relating to this Act, or of any General Act relating to Railways, or to the better or more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during this or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the Tolls for small Parcels and of the maximum Rates of Fares and Charges by this Act authorized, or of the Rates for small Parcels by this Act authorized.

Railway, &c.  
to be sub-  
ject to Pro-  
visions 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., and  
14 & 15 Vict.  
c. 64.

LIV. 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 Railways*; 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 Session of Parliament held in the Ninth and Tenth Years of the Reign of Her said Majesty, intituled *An Act for regulating the Gauge of Railways*; and another Act was passed in the Fourteenth and Fifteenth Years of the Reign of Her said 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 said Railway and Branch hereby authorized, or the said Company in respect thereof, from the Provisions of the same several Acts respectively, but that such Provisions shall be in force with reference to the same Railway and Branch, and Company in respect thereof, so far as the same are applicable.

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