



ANNO DECIMO OCTAVO

VICTORIÆ REGINÆ.

Cap. xvii.

An Act for making a Railway from the *Midland* Railway in the Parish of *Cam* in the County of *Gloucester* to the Town of *Dursley*.

[25th May 1855.]

WHEREAS the Construction of a Railway from the Line of the *Midland* Railway near *Harmer's Mill* in the Parish of *Cam* in the County of *Gloucester* to the Town of *Dursley* would be of public and local Benefit, and the Persons herein-after named are willing at their own Expense to make and maintain such Railway; but the Purpose aforesaid 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:

I. The Provisions of "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.

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

[*Local.*]

3 A

I. In

The Dursley and Midland Junction Railway Act, 1855.

Short Title.

II. In citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "*The Dursley and Midland Junction Railway Act, 1855.*"

"The Company."

III. Wherever the Expression "the Company" or "the said Company" is used in this Act, the same shall be held to mean the Company incorporated by this Act, except in the Clauses and Provisions of this Act which relate to Tolls and Charges, in which the said Expression shall be held to mean "the Company for the Time being working the Traffic upon the Railway."

Subscribers incorporated.

IV. *Edward Bloxsome, Thomas Williams Richards, William Richards, George Lister, Samuel Hadley, William Turner Turner, James Harding, Joseph Gazard, Edward Gazard, William Champion, and Charles Workman*, 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 mentioned, together with all proper Works and Conveniences belonging thereto and connected therewith, according to the Provisions of this Act and of the Acts incorporated herewith, and for other the Purposes herein and in the said Acts contained; and for the Purposes aforesaid such Company shall be incorporated by the Name of "*The Dursley and Midland 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.

V. The Capital of the Company shall be Twelve thousand Pounds, and shall be applied solely to the Purposes of this Act.

Number and Amount of Shares.

VI. The Number of Shares into which the said Capital shall be divided shall be Six hundred, and the Amount of each Share shall be Twenty Pounds.

Calls.

VII. Two Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and One Month at the least shall be the Interval between successive Calls, and not more than Three Fourths of the Amount of a Share shall be called up in any One Year.

Interest or Dividend not to be paid on Calls.

VIII. It shall not be lawful for the Company, out of any Money by this Act authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest or Dividends

The Dursley and Midland Junction Railway Act, 1855.

Dividends to any Shareholder on the Amount of Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein contained shall be deemed to prevent the Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of Calls actually made as shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

IX. It shall not be lawful for the Company, out of any Money by this Act authorized to be raised for the Purposes of such Act, 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 any 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.

X. It shall be lawful for the Company to borrow on Mortgage or Bond any Sums not exceeding Four thousand Pounds; but no Part of such Sums shall be borrowed until the whole of the said Capital of Twelve thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up; and the whole of the Money so borrowed shall be applied to the Purposes of this Act.

Power to borrow on Mortgage.

XI. Subject to the Provision herein-after contained for reducing the Number of Directors, the Number of Directors shall be Eight; and the Qualification of a Director shall be the Possession in his own Right of Five Shares in the Undertaking.

Number and Qualification of Directors.

XII. It shall be lawful for the Company to reduce the Number of Directors, provided that the reduced Number be not less than Six.

Power to reduce the Number of Directors.

XIII. *Edward Bloxsome, Thomas Williams Richards, William Richards, George Lister, Samuel Hadley, William Turner Turner, Edward Gazard, and William Champion* shall be the First Directors of the Company.

First Directors.

XIV. The First Ordinary Meeting of the Company shall be held within Six Months after the passing of this Act.

First Ordinary Meeting.

XV. 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 Number of them, or may elect a new Body of Directors,

Election of Directors at First Ordinary Meeting.

or

The Dursley and Midland Junction Railway Act, 1855.

or Directors to supply the Places of those not continued in Office, the Directors appointed by this Act being eligible as Members of such new Body.

Subsequent
Election of
Directors.

XVI. At the First Ordinary Meeting to be held in the Year next after the Year in which such last-mentioned Directors shall have been appointed or elected, the Shareholders present, personally or by Proxy, shall elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions in "The Companies Clauses Consolidation Act, 1845," contained; and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead, in manner provided by "The Companies Clauses Consolidation Act, 1845."

Quorum.

XVII. A Quorum of a Meeting of Directors shall be Three.

Committee of
Directors.

XVIII. The Number of Directors of which Committees appointed by the Directors shall consist shall not be less than Three, and the Quorum of such Committees shall be Two.

As to Money
payable to
Persons
under Dis-
ability.

XIX. If any Money be payable to any Shareholder being a Minor, Idiot, Lunatic, or *non compos mentis*, the Receipt of the Guardian of such Minor, or of the Committee of such Idiot, Lunatic, or Person *non compos mentis*, shall be a sufficient Discharge to the Company for the same.

Power to
make Rail-
way accord-
ing to de-
posited
Plans.

XX. And whereas Plans and Sections of the Railway showing the Lines and Levels thereof, with a Book of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of the Lands through which the same is intended to pass, have been deposited with the Clerk of the Peace for the County of *Gloucester*: Be it enacted, That, subject to the Provisions in this and the Acts incorporated herewith contained, it shall be lawful for the Company to make and maintain the Railway and Works in the Line and Levels and upon the Lands delineated on the said Plans and Sections and described in the said Book of Reference, and to enter upon, take, and use such of those Lands as shall be necessary for such Purpose.

Line of Rail-
way.

XXI. The Railway shall commence by a Junction with the *Bristol and Birmingham* Line of the *Midland* Railway in the Parish of *Cam* in the County of *Gloucester*, and shall terminate at or near the Town of *Dursley* in the same County.

As to level
Crossings.

XXII. Subject to the Provisions in this Act and in "The Railways Clauses Consolidation Act, 1845," contained, it shall be lawful for the

The Dursley and Midland Junction Railway Act, 1855.

the Company in the Construction of the Railway to carry the same across and on the Level of the public Roads numbered on the deposited Plans 16 and 29 in the Parish of *Cam*.

XXIII. For the greater Convenience and Security of the Public, 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 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 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.

Station or
Lodge to be
erected at
Points of
Crossing.

XXIV. 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 to be best adapted for removing or diminishing the Danger arising from such level Crossing; but where any such Road shall be so carried over or under 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.

XXV. The Bridge to be erected for the Purpose of carrying the Railway over the Road numbered 85 in the Parish of *Cam* may be so constructed as to leave a clear Height or Headway of not less than Twelve Feet from the Surface of such Road for the whole Width thereof.

Height of
Arch over
Road num-
bered 85. in
in the Parish
of *Cam*.

XXVI. It shall be lawful for the Company and they are hereby authorized to purchase by Agreement and hold any Quantity of Lands for the extraordinary Purposes mentioned in "The Railways Clauses Consolidation Act, 1845," not exceeding Two Acres.

Lands for
extraordi-
nary Pur-
poses.

[*Local.*]

3 B

XXVII. The

The Dursley and Midland Junction Railway Act, 1855.

Period
within which
Lands are to
be pur-
chased.

XXVII. 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 Two Years from the passing of this Act.

Company to
erect and
make such
Arches and
Crossings as
Earl Fitz-
hardinge
shall require.

XXVIII. The Company shall, at their own Expense, after any Part of the said Railway shall have been laid out and formed through any Land or Ground in the said Parish of *Cam*, the Estate of the Right Honourable *William Fitzhardinge* Earl *Fitzhardinge*, forthwith erect and make, and from Time to Time for ever thereafter maintain in sufficient Repair and Condition, such and so many Cattle Archways under the said Railway, and also all such level Crossings over the said Railway, with proper and usual Gates to such level Crossings, and in such Places as the said Earl *Fitzhardinge* or the Owner for the Time being of the said Estate shall judge necessary and appoint, for the Use and Occupation of his said Lands through which the said Railway shall be made, and every such Archway and Crossing shall be made and continued of such Width as to leave a clear and open Space of not less than Nine Feet for the Width of the Road through or over the same, and every such Archway shall be at least Seven Feet in Height; and in case the Company shall refuse or neglect to make or maintain such Archways and Crossings and Gates, or any of them, for the Space of Ten Days after the Time which shall be appointed for those Purposes respectively by Two or more Justices of the Peace for the said County of *Gloucester*, upon the Application of the said Earl *Fitzhardinge* or the Owner for the Time being of the said Estate, it shall be lawful for the said Earl *Fitzhardinge* or the Owner for the Time being of the said Estate to erect and make, or, as the Case may require, to maintain and repair, such Archways and Crossings and Gates, so that in erecting, making, repairing, or maintaining the same the said Railway or any of the Works by this Act authorized to be made or constructed by the Company shall not be obstructed for any longer Space of Time or to be used in any other Manner than shall be unavoidably necessary, and all the reasonable Costs and Charges thereof shall be repaid to the said Earl *Fitzhardinge*, his Heirs and Assigns, or the Party who shall have so erected and made, repaired and amended, such Archways and Crossings and Gates as last aforesaid, by the Company, within the Space of Twenty-one Days next after the same shall have been so incurred, and an Account and Demand in Writing shall have been delivered to and made from the Company; and in default in Payment of the said Costs and Charges within the Time aforesaid, Two or more Justices of the Peace for the County of *Gloucester* shall, upon the Application of the said Earl *Fitzhardinge*, his Heirs and Assigns, or of the Party entitled to make such Application as aforesaid, and they are hereby required, by Warrant under their Hands and Seals, to levy the said Costs and Charges by Distress and Sale of any of the Goods and Chattels of the Company,

The Dursley and Midland Junction Railway Act, 1855.

Company, for the Use of the Party by whom such Costs and Charges shall have been incurred, rendering to the Company the Overplus, if any, on Demand, after deducting the reasonable Charges of making such Distress and Sale, to be settled by the said Justices; or the said Earl *Fitzhardinge*, or the Owner for the Time being of the said Estate, upon Neglect and Refusal by the Company to pay the said Costs and Charges as aforesaid, shall and may also have such and the like Remedy against them for the Recovery thereof by Action at Law: Provided always, that no such Archway or level Crossing shall be required to be erected or made under or over the said Railway or any Part thereof at or in any Place or Manner at or in which the same would, if so erected or made, prevent or obstruct the working or using the said Railway.

XXIX. If the said Earl *Fitzhardinge* or the Owner for the Time being of the said Estate shall give Notice to the Company that he desires the Removal of any Person who shall be appointed by the Company for the Protection and watching of that Part of the Railway which shall be made through the said Estate, the Appointment of such Person shall from and after the Expiration of One Calendar Month after such Notice cease and be void, and the Person so appointed shall thenceforth cease to exercise any Power or Authority under or by virtue of this Act.

Power to Earl Fitzhardinge to require Removal of Persons appointed to superintend Railway in his Estate.

XXX. The Railway shall be completed within Three Years from the passing of this Act, and on the Expiration of such Period the Powers by this or the Acts incorporated herewith granted to the Company for executing the Railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Railway as shall then be completed.

Period for Completion of Works.

XXXI. All Communications between the Railway hereby authorized and the *Midland* Railway shall be effected in a substantial Manner by means of Connexion Rails and Points of the Construction and laid in the Manner most approved from Time to Time, and to the Satisfaction of the Engineer for the Time being of the *Midland* Railway Company.

Mode of effecting Communications with *Midland* Railway.

XXXII. The *Midland* Railway Company from Time to Time may erect such Signals and other Works and Conveniences, and appoint and remove such Watchmen, Switchmen, or other Persons, as that Company deem necessary, for the Prevention of Danger or Destruction to or Interference with Traffic, at and near the Junction between the Railway and the *Midland* Railway, and the working Management of such Signals, Works, and Conveniences shall be under the exclusive Management and Regulation of that Company, and all the Costs and Expenses

Signals, &c. to be erected and maintained, and Persons to be appointed to prevent Danger at Point of Junction.

The Dursley and Midland Junction Railway Act, 1855.

Expenses of erecting and maintaining such Signals, Works, and Conveniences, and the Wages of such Watchmen, Switchmen, and other Persons, shall at the End of every Half Year be repaid by the Company to the *Midland* Railway Company, and in default of such Repayment the Amount of such Costs, Expenses, and Wages may be recovered from the Company by the *Midland* Railway Company in any Court of competent Jurisdiction.

Expenses of
Communi-
cations to be
borne by the
Company.

XXXIII. The Expenses of the Communications hereby authorized with the *Midland* Railway, and of all the necessary Openings in the Rails thereof, and of all other Works which may from Time to Time be requisite for effecting, altering, amending, repairing, and maintaining such Rails and Points, and of regulating and adjusting the same, shall be borne and paid by the Company; and all such Communications, Openings, and Works shall not only be in the first instance made and done, but shall also from Time to Time be altered, amended, repaired, and maintained, to the reasonable Satisfaction of the Engineers for the Time being of the respective Companies, and in such Manner and Form and by such Ways and Means only as shall not in anywise prejudice or injure the *Midland* Railway, or impede or interfere with the free, uninterrupted, and safe Passage along the same.

Deposit
Money not
to be repaid
until Line
opened, or
Half the
Capital paid
up and ex-
pended,
except on
Execution of
Bond, &c.

XXXIV. 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 Nine 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 Nine 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

The Dursley and Midland Junction Railway Act, 1855.

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 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 Nine hundred 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 Solicitors to the Lords Commissioners of Her Majesty's Treasury,) conditioned for Payment to Her Majesty, Her Heirs or Successors, of the said Sum of Nine hundred Pounds, if the said Company shall not, within the Time limited for the Completion of the said Railway, either open the said Railway 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 and the Interest or Dividends thereof shall be paid to or on the Application of the Person or Persons or the Majority of the Persons named in such Warrant or Order as aforesaid, or the 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 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.

XXXV. It shall be lawful for the Company to demand any Tolls. Tolls for the Use of the Railway not exceeding the following; (that is to say,)

[*Local.*]

3 C

For

The Dursley and Midland Junction Railway Act, 1855.

- Class One. For all Compost, Dung, and all Sorts of Manure, Lime, and Limestone, Ashes, Gravel, Sand, Chalk, and all undressed Materials for the Repairs of Roads or Highways, carried upon the Railway or any Part thereof, the Sum of Fourpence *per* Ton; and if conveyed in Carriages belonging to the Company, an additional Sum not exceeding Twopence *per* Ton; and if propelled by an Engine belonging to the Company, a further Sum not exceeding Twopence *per* Ton:
- Class Two. For all Coals, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Draining Pipes, Clay, Ironstone, and Iron Ore, Pig Iron, Rod Iron, Bar Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron, and Iron Castings not manufactured into Utensils or other Articles of Merchandise, Boiler Plates, Bars, Bolts, Hoops, Axles, Chains, Rails, Nails, Lead, Salt, and Cement, carried upon the Railway or any Part thereof, the Sum of Sixpence *per* Ton; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton not exceeding Twopence; and if propelled by an Engine belonging to the Company, a further Sum *per* Ton not exceeding Twopence:
- Class Three. For all Sugar, Grain, Corn, Flour, Meal, Oilcake, Hides, Skins, Horns and Hoofs, Dyewoods, Earthenware, Timber, Deals, Metals (except Iron), carried upon the Railway or any Part thereof, the Sum of Ninepence *per* Ton; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton not exceeding Threepence; and if propelled by an Engine belonging to the Company, a further Sum *per* Ton not exceeding Threepence:
- Class Four. For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, or Things, carried upon the Railway or any Part thereof, any Sum not exceeding One Shilling *per* Ton; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton not exceeding Fourpence; and if propelled by an Engine belonging to the Company, a further Sum *per* Ton not exceeding Fourpence: And
- Class Five. 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, conveyed upon the Railway or any Part thereof, any Sum not exceeding One Shilling; and if any such Carriage be conveyed on a Truck or Platform belonging to the Company, an additional Sum not exceeding Sixpence; and if propelled by an Engine belonging to the Company, a further Sum not exceeding Sixpence; and the Sum of Fourpence 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

The Dursley and Midland Junction Railway Act, 1855.

conveyed on a Truck or Platform belonging to the Company, an additional Sum not exceeding Twopence for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton; and if propelled by an Engine belonging to the Company, a further Sum not exceeding Twopence for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton.

XXXVI. In respect of Animals conveyed in Carriages upon the Railway as follows: Tolls for Animals, &c.

For every Horse, Mule, Ass, or other Beast of Draught or Burthen conveyed in or upon any such Carriage conveyed upon the Railway or any Part thereof, the Sum of Ninepence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding Sixpence; and if such Carriage be propelled by an Engine belonging to the said Company, an additional Sum not exceeding Threepence: Class Six.

For every Ox, Cow, Bull, or Neat Cattle conveyed in or upon any such Carriage conveyed upon the Railway or any Part thereof, the Sum of Sixpence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding Twopence; and if such Carriage be propelled by an Engine belonging to the Company, an additional Sum not exceeding Twopence: Class Seven.

For every Calf or Pig, Sheep, Lamb, or other small Animal, conveyed in or upon any such Carriage upon the Railway or any Part thereof, any Sum not exceeding Threepence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding One Penny; and if propelled by an Engine belonging to the Company, an additional Sum not exceeding One Penny. Class Eight.

XXXVII. In respect of Passengers conveyed in Carriages upon the Railway or any Part thereof, as follows: Tolls for Passengers.

For any Person conveyed in or upon any such Carriage on the Railway or any Part thereof, not exceeding Sixpence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding Twopence; and if propelled by an Engine belonging to the Company, an additional Sum not exceeding Twopence.

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

For every Fraction of a Ton the Company may demand Tolls 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

The Dursley and Midland Junction Railway Act, 1855.

With respect to all Articles, except Stone and Timber, the Weight shall be determined according to the usual Avoirdupois Weight: With respect to Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Teak, Beech, or Ash, and Fifty Cubic Feet of any other Timber, shall be deemed One Ton Weight, and so in proportion for any smaller Quantity.

Tolls for
small Parcels
and Articles
of great
Weight.

XXXIX. And with respect to small Packages, and single Articles of a 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 on the Railway or any Part thereof, as follows; (that is to say,)

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

For any Parcel exceeding Seven Pounds but not exceeding Fourteen Pounds in Weight, One Shilling;

For any Parcel exceeding Fourteen Pounds but not exceeding Twenty-eight Pounds in Weight, One Shilling and Threepence;

For any Parcel exceeding Twenty-eight Pounds but not exceeding Fifty-six Pounds in Weight, One Shilling and Sixpence;

And for any Parcel exceeding Fifty-six Pounds but not exceeding Five hundred Pounds in Weight, the Company may demand any Sum which they think fit:

Provided always, that Articles sent in large aggregate Quantities, although made up 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 upon the Railway or any Part thereof 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 any Sum *per* Ton not exceeding One Shilling; and if conveyed in or upon a Carriage belonging to the Company, an additional Sum *per* Ton not exceeding Threepence; and if propelled by an Engine belonging to the Company, a further Sum *per* Ton not exceeding Threepence:

For the Carriage upon the Railway or any Part thereof of any One Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber, Stone, or other single Article, the Weight of which, with the Carriage, shall exceed Eight Tons, the Company may demand such Sum as they shall think fit.

XL. The

The Dursley and Midland Junction Railway Act, 1855.

XL. The maximum Rates of Charges to be made for the Conveyance of Passengers upon the Railway or any Part thereof, 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:

Maximum
Rates of
Charges for
Passengers.

For every Passenger conveyed in a First-class Carriage, the Sum of Ninepence:

For every Passenger conveyed in a Second-class Carriage, the Sum of Sixpence:

For every Passenger conveyed in a Third-class Carriage, the Sum of Threepence.

XLI. The maximum Rate of Charge to be made by the Company, including the Tolls for the Use of the Railway, and of Carriages, and for locomotive Power, and every other Expense incidental to such Conveyance, (except the loading and unloading of Goods when such Service is performed by the Company,) shall not exceed the Amounts mentioned in the following Table; (that is to say,)

Maximum
Rates for
Goods and
Animals.

For the Matters herein-before mentioned under Class One, not exceeding Sevenpence *per* Ton:

For the Matters mentioned under Class Two, not exceeding Tenpence *per* Ton:

For the Matters mentioned under Class Three, not exceeding One Shilling and Twopence *per* Ton:

For the Matters mentioned under Class Four, not exceeding One Shilling and Eightpence *per* Ton:

For any Carriage mentioned under Class Five, not weighing more than One Ton, not exceeding Two Shillings; and if weighing more than One Ton, not exceeding One Shilling and Threepence for every Quarter of a Ton or fractional Part of a Quarter of a Ton above One Ton:

For everything mentioned under Class Six, not exceeding One Shilling and Sixpence:

For everything mentioned under Class Seven, not exceeding Tenpence:

For everything mentioned under Class Eight, not exceeding Fourpence.

XLII. Notwithstanding anything in this Act contained, it shall be lawful for the Company, and they are hereby authorized and empowered, by Agreement with the Owner or Owners of or Person or Persons in charge of Goods of any Description, to take and receive, and in such Case to demand and recover, 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

Power to
charge extra
for Goods by
Agreement
with the
Owners.

[Local.]

3 D

Company

The Dursley and Midland Junction Railway Act, 1855.

Company in relation thereto, any increased Rates or Charges over and above the Rates and Charges by this Act limited or authorized to be received and taken for or in respect of any such Goods.

Restriction
as to Charges
not to apply
to Special
Trains.

XLIII. The Restrictions as to Charges to be made for Passengers shall apply to the Ordinary and Express Trains from Time to Time appointed, but shall not extend to any Special Train.

Passengers
Luggage.

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

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.
14 & 15 Vict.
c. 64.
17 & 18 Vict.
c. 31.

XLV. 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 Mails by Railways*; 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 another Act was passed in the Tenth Year of the Reign of Her present Majesty, intituled *An Act for regulating the Gauge 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*; and another Act was passed in the last Session of Parliament, intituled *An Act for the better Regulation of the Traffic on Railways and Canals*: Nothing in this Act contained shall be held to exempt the Railway by this Act authorized, or the Company, from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the Railway and Company, so far as the same shall be applicable thereto.

Railway not
exempt from
Provisions of
future Ge-
neral Acts.

XLVI. Nothing herein contained shall be deemed or construed to exempt the Railway by this Act authorized to be made, or the Company from the Provisions of any General Acts relating to such 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 Dursley and Midland Junction Railway Act, 1855.

under the Authority of Parliament, of the maximum Rates of Fares and Charges, and of the Rates for small Parcels, authorized by this Act.

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

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