

The South Staffordshire Railway Act, 1855.

subsequently passed: And whereas it is expedient that the said Company should be empowered to construct the Branch Railways herein-after mentioned, and should also be empowered to acquire and use, for Purposes connected with their Railway, certain Lands at *Wichnor* in the Parish of *Tatenhill* in the County of *Stafford*: And whereas it is expedient that Provision should be made for the Acquisition of Lands and Houses in the Parish of *Dudley* in the County of *Worcester* for Station Purposes, and that the *South Staffordshire* and *Oxford, Worcester, and Wolverhampton* Railway Companies should be empowered to enter into such Contracts and Agreements as they may think fit with reference thereto: And whereas by "The *South Staffordshire Junction* Railway Act, 1846," it is enacted, "that it shall be lawful for the Company thereby incorporated, and for the *Grand Junction* Railway Company, and the *Oxford, Worcester, and Wolverhampton* Railway Company, each or either of them, to make and enter into such Contracts or Agreements for working or using the Railway and Branches thereby authorized, or any of them, or any Part or Parts thereof respectively, or for the Maintenance and Repair thereof or any Part or Parts thereof respectively, as they the said Companies might respectively deem advisable, and subject to such Terms and Conditions as might be mutually agreed on between them;" and it is expedient that such Provision should be explained and enlarged, and that the Powers thereby granted should be extended so as to give to the *South Staffordshire* Railway Company and their Lessee, and the *Oxford, Worcester, and Wolverhampton* Railway Company, Power to enter into the like Contracts or Agreements with respect to the Working and Use and Maintenance and Repair of the Narrow Gauge Rails on that Portion of the *Oxford, Worcester, and Wolverhampton* Railway, and the Stations thereof, which extends between *Kidderminster* and *Wolverhampton*, or any Part or Parts of such Portion, and the Regulation and Management of the Traffic on such Portion, and the Payment and also the Division or Apportionment of the Tolls, Rates, and Duties leviable in respect of such Traffic: And whereas it is expedient that certain Agreements which have been entered into between the *London and North-western* Railway Company, and the *South Staffordshire* Railway Company, and the Lessee of the *South Staffordshire* Railway, as to the Use of Portions of the *London and North-western* and *Birmingham, Wolverhampton, and Stour Valley* Railways, and as to the Division and Apportionment of the Tolls leviable in respect of the Traffic on such Portions, should be confirmed: And whereas it is also expedient that some of the Provisions of "The *South Staffordshire* Railway (Leasing) Act, 1850," should be explained, and that any Doubts which may exist as to the Application of the said Act to all or any Part of the Undertaking of the *South Staffordshire* Railway Company not comprised in a certain Lease to *John Robinson M'Clean* bearing Date the Thirteenth Day

of

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of *February* One thousand eight hundred and fifty-one should be removed: And whereas it is expedient that the *South Staffordshire Railway Company* should be empowered to raise additional Capital for carrying the Purposes aforesaid or some of them into effect, and that some of the Powers and Provisions of the existing Acts relating to that Company should be altered; but such Objects cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

I. That in citing this Act it shall be sufficient to describe it as Short Title. "The *South Staffordshire Railway Act, 1855.*"

II. That where in this Act the Expression "the Company" or "The Company" "the said Company" is used the same respectively shall mean the *South Staffordshire Railway Company.*

III. That "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. 18. & 20. incorporated.

IV. And whereas Plans of the proposed Railways, and of the additional Lands at *Wichnor* proposed to be taken for the Purposes before mentioned, and Sections showing the Levels of the said intended Railways respectively, and also Books of Reference to the said Plans, have been deposited with the Clerk of the Peace for the County of *Stafford*: Be it enacted, That, subject to the Provisions in this Act contained, the Company may make and maintain the Railways hereinafter mentioned, with all necessary Works and Conveniences connected therewith, in the Lines and according to the Levels shown upon the Plans and Sections relating to the said Railways, and upon the Lands delineated on the said Plans and described in the said Books of Reference relating to the said Railways, and may enter upon, take, and use all or such of the said Lands as may be necessary for those Purposes; (that is to say,)

A Railway commencing by a Junction with the *South Staffordshire Railway*, at or near the *Wednesbury Station* of the same Railway, in the Parish of *Wednesbury*, and terminating by a Junction with the *London and North-western Railway* in the Parish of *Darlaston* near the *Darlaston Passenger Station*: Description of Railways.

A Railway commencing by a Junction with the *South Staffordshire Railway* at or near the *Wednesbury Station* aforesaid in the said Parish of *Wednesbury*, and terminating by a Junction

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Junction with the *Birmingham, Wolverhampton, and Stour Valley* Railway at or near the *Tipton* Station of the same Railway in the Parish of *Tipton*, and by a Junction with the *Oxford, Worcester, and Wolverhampton* Railway in the Parish of *Sedgley* at or near the Point where a Tramway leading from the *Dimock's* Col-
lieries passes by a Bridge over the said Railway :

And the Company may also, subject as aforesaid, enter upon, take, and use, for the Purpose of providing additional Accommodation in connexion with their Railway, all or any of the Lands and Buildings in the Township of *Wichnor* and Parish of *Tatenhill* in the County of *Stafford* described upon the Plans and in the Books of Reference so deposited as aforesaid ; and the new Lines of Railway and Works by this Act authorized shall for all Purposes become Part of the Undertaking of the *South Staffordshire* Railway Company.

Power to
cross certain
Roads on a
Level.

V. That, subject to the Provisions in "The Railways Clauses Consolidation Act, 1845," contained, in reference to the crossing of Roads on the Level, it shall be lawful for the Company, in the Con-
struction of the Railways by this Act authorized, to carry the same across and on the Level of the several Roads numbered on the Plans deposited as herein-before mentioned as follows ; (that is to say,)

Number on Plan.					Parish.		
<i>Darlaston Branch.</i>							
106	-	-	-	-	-	-	Darlaston.
<i>Branch to Tipton and Princes End.</i>							
139	-	-	-	-	-	-	Tipton.
165	-	-	-	-	-	-	Tipton.

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

VI. That for the greater Convenience and Security of the Public the Company shall erect and permanently maintain either a Station or Lodge at the several 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 any 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

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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 imposed.

VII. 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, either before or after the Railways by this Act authorized to be made shall have been completed and opened for public Traffic, to require the Company, within such Time as the said Board of Trade shall direct, and at the Expense of the Company, to carry any or either of the before-mentioned Roads either under or over the Railway by means of a Bridge or Arch, in lieu of crossing the same on the Level, and to execute such other Works as under the Circumstances of the Case shall appear to the said Board of Trade the best adapted for removing or diminishing the Danger arising from any such level Crossing.

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

VIII. That the Company shall and they are hereby required to make a Road parallel to the Railway in the Parish of *Darlaston* between the Roads numbered 103 and 106 on the deposited Plans, in addition to the Surface Crossing by this Act authorized.

A certain Road to be made in the Parish of *Darlaston*, in addition to level Crossing.

IX. That the Company shall and they are hereby required to construct a Foot Bridge of a Width not less than Eight Feet at each of the level Crossings in the Parish of *Tipton* numbered 139 and 165 respectively on the deposited Plans, in addition to the level Crossings by this Act authorized, and from and after the Construction of such Foot Bridges respectively the level Crossings by this Act authorized shall no longer be used by Foot Passengers.

A Foot-bridge to be constructed at each of the level Crossings in the Parish of *Tipton*.

X. That all Communications between the Railways hereby authorized and the *London and North-western* Railway, the *Birmingham, Wolverhampton, and Stour Valley* Railway, and the *Oxford, Worcester, and Wolverhampton* Railway respectively, and all Openings in the Rails thereof which may be necessary or convenient for effecting such Communications, shall be made and maintained at the Expense of the Company, in the Manner most approved, and to the reasonable Satisfaction of the Engineers for the Time being of the said other Railway Companies respectively.

As to Communications with other Railways.

XI. That the Railway secondly herein-before described as commencing at or near the *Wednesbury* Station shall not be opened for public Traffic in connexion with the *Birmingham, Wolverhampton, and Stour Valley* Railway until the Junction Railway shall have been formed up to and connected with the *Oxford, Worcester, and Wolverhampton* Railway, and also opened for public Traffic.

Time for opening Junction Railways.

[*Local.*]

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XII. The

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As to Bridge
for crossing
the Birm-
ingham and
Wednesbury
Turnpike
Road.

XII. The Bridge or Viaduct to be erected for carrying the Railway across the *Birmingham and Wednesbury* Turnpike Road at or near to *Ocker Hill* in the Parish of *Tipton* shall between the Abutments thereof be of the full Width of the said Turnpike Road and Footpaths at the Point of crossing.

Lands for ex-
traordinary
Purposes.

XIII. That it shall be lawful for the Company to purchase by Agreement any Quantity of Land for the extraordinary Purposes mentioned in "The Railways Clauses Consolidation Act, 1845," and either adjoining or near to their Railway or otherwise, as shall seem convenient, not exceeding Thirty Acres, in addition to the Land which they are already authorized to take for such Purposes.

Limiting
Time for
compulsory
Purchase of
Lands.

XIV. That the Powers of the Company for the compulsory Purchase of Lands for the Purposes of the said new Lines of Railway and the said additional Land at *Wichnor* shall not be exercised after the Expiration of Two Years from the passing of this Act.

Limiting
Time for
completing
Railways.

XV. That the Railways hereby authorized shall be completed within Five Years from the passing of this Act, and on the Expiration of that Period the Powers by this Act granted to the Company for executing the said Railways, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

Dividends
suspended if
Railways
not opened
within a
limited Pe-
riod.

XVI. That if the Railways by this Act authorized to be constructed shall not be completed and opened for public Traffic within Five Years from the passing of this Act, then and from thenceforth it shall not be lawful for the Company to declare or pay any Dividend on the ordinary or unguaranteed Capital of the Company until the said Railways shall have been completed and opened for public Traffic.

Maximum
Tolls by this
Act autho-
rized.

XVII. That the Company may from Time to Time lawfully demand and receive from other Parties, in respect of their Right to use the Railways by this Act authorized, and in respect of Carriages and Engines employed by such other Parties thereon respectively, any Tolls not exceeding the Tolls specified in the firstly herein-before recited Act.

Maximum
Rates of
Charges.

XVIII. That the Company may from Time to Time lawfully demand and receive, for the Conveyance by them of Passengers upon the said Railways, including every Expense incidental to such Conveyance, any Sums not exceeding the maximum Rate of Charge prescribed by the firstly herein-before recited Act.

XIX. That

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XIX. That the Company may from Time to Time lawfully demand and receive, for the Conveyance by the Company of Goods and Cattle upon the said Railways, including every Expense incidental to such Conveyance, except a reasonable Sum for loading, covering, and unloading of Goods, and for Delivery and Collection, and any other Services incidental to the Business or Duty of a Carrier, where such Services or any of them are or is performed by the Company, any Sums not exceeding the maximum Charges prescribed by the said firstly herein-before recited Act, and the same Regulations shall apply to all such Tolls, Rates, and Charges as apply to the Tolls, Rates, and Charges specified in the said firstly herein-before recited Act.

Tolls for
Cattle,
Goods, &c.

XX. Provided always, That with respect to small Parcels carried on the Railways by the recited Acts and this Act authorized the Company may lawfully demand the Tolls following; (that is to say,) For the Carriage of small Parcels on any of the Railways or any Part thereof, as follows:

Tolls for
small Par-
cels and
Articles of
great
Weight.

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

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

For any Parcel not exceeding Twenty-eight Pounds in Weight, One Shilling and Fourpence:

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

And for Parcels exceeding Fifty-six Pounds in Weight and 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.

XXI. And whereas the said Railway secondly hereby authorized to be constructed is intended to be carried over the Canals of the Company of Proprietors of the *Birmingham Canal Navigations* (which Company is herein-after referred to as the *Birmingham Canal Company*) in the Parish of *Tipton*: Be it therefore enacted, That the said Railway Company shall and they are hereby required, at their own Expense, to build in a proper Manner a good and substantial Bridge over the said Canal and the Towing-paths and other Works thereof, at each of the Points where the said Railway is intended to be carried over the same Canal, as shown upon the said Plans so deposited as aforesaid, or within such Deviation therefrom as is herein-after authorized, of such Dimensions as shall be agreed upon between the Company and the *Birmingham Canal Company*, or as

Company
to make
Bridges or
Viaducts
over or
Tunnels
under the
Birmingham
Canal in a
prescribed
Manner.

in

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in case of Difference shall be settled by Arbitration by an Arbitrator to be appointed under the Provisions of "The Railways Clauses Consolidation Act, 1845."

Company to
keep Bridges,
&c. in repair.

XXII. That the said Railway Company shall at all Times for ever after the said several Bridges or Viaducts to be made and constructed under the Provisions of this present Act shall have been completed keep the same, and all future Bridges or Viaducts to be erected or made respectively in lieu thereof, (and which shall be at the same respective Places, in the like respective Directions, and of the like Dimensions, Capacity, and Materials as are herein-before severally mentioned,) together with all Works belonging to or connected therewith respectively, in good and complete Repair; and in case of any Want of Repair to any such Bridges or Viaducts, or any Work belonging thereto or connected therewith, and whether such Want of Repair shall arise from the sinking of any such Bridges or Viaducts, or any Part thereof respectively, or from any other Cause whatsoever not arising from the Act or Default of the said *Birmingham Canal Company*, and Notice in Writing thereof being given by the said *Birmingham Canal Company* to the said Railway Company, then, if the said Railway Company shall not within the Space of Ten Days after such Notice commence the Repairs, or, as the Case may require, the raising or rebuilding or Reconstruction of the said Bridges or Viaducts which shall be out of repair as aforesaid, or such Part or Parts thereof as it shall for the Time being be requisite to repair, raise, or rebuild or reconstruct, and proceed therein with all reasonable Expedition until such repairing, raising, or rebuilding or Reconstruction shall be wholly completed, it shall be lawful for the said *Birmingham Canal Company* to make all such Repairs to any such Bridges or Viaducts, and raise or rebuild or reconstruct the same or such Part thereof respectively as they may think proper; and all the Expenses thereof shall be repaid by the said Railway Company to the said *Birmingham Canal Company*, upon Demand; and in default of such Payment any Two or more of Her Majesty's Justices of the Peace for the County of *Stafford* shall and they are hereby required, on Application by the said *Birmingham Canal Company* or their Clerk, or any other Person authorized by them, by Warrant under the Hands and Seals of the said Justices, to cause the Amount of such Expenses (which Amount shall be settled and allowed by such Justices) to be levied by Distress and Sale of the Goods and Chattels of the said Railway Company, and to be paid to the said *Birmingham Canal Company*, their Agents or Clerk, rendering the Overplus, if any, on Demand, after deducting the reasonable Charges for making such Distress and Sale, to the said Railway Company; or otherwise the said *Birmingham Canal Company* may sue for and recover such Expenses as aforesaid against the
said

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said Railway Company by Action of Debt or on the Case in any Court of competent Jurisdiction: Provided always, that during the Progress of constructing any such Bridges or Viaducts, and at all future Times during any Repairs, raising, or rebuilding or Reconstruction thereof, the Engineer for the Time being of the said *Birmingham Canal Company*, with the requisite Assistants and Workmen, shall have free Access to such Bridges or Viaducts, and full Permission to inspect the Workmanship and Materials thereof.

XXIII. That it shall not be lawful for the said Railway Company, or any Person, in execution of this Act, to alter the Course of any of the Canals vested in the said *Birmingham Canal Company* (save only as herein specially provided for), or to contract the Width of the same, or to contract the Width of the Towing-paths thereof, or of any Space reserved or intended as a Towing-path thereof, to a less Width than Ten Feet, or to obstruct the Course or Supply of the Water in or to the said Canals or any of them, or in any Manner to impede the Navigation thereof or Access thereto, or to injure any of the Banks or other Works thereof; and that the said Railway Company (except for the Purpose of crossing the said Canal) shall not take or interfere with the said Canals, or any of the Property of the said *Birmingham Canal Company*, or make any lateral Deviation from the Course or Direction of the said Railway hereby authorized to be made as delineated on the said Map or Plan so deposited as aforesaid, by which Deviation any of the Wharfs, Warehouses, Buildings, Locks, Side Ponds, Towing-paths, Bridges, Aqueducts, or Feeders of the said *Birmingham Canal Company* shall be taken, used, or damaged, without the Consent of the said *Birmingham Canal Company*, under their Common Seal, first had and obtained.

Company
not to alter
the Course
or obstruct
the Naviga-
tion of the
Birmingham
Canal.

XXIV. That if by or by reason or in execution of any of the Works by this Act authorized, or by reason of the Mode of Construction of any such Bridges or Viaducts, or of any of the Slopes, Banks, or Walls of the said Railway near the said Canals or any of them, or any other Works by this Act authorized to be constructed, or by any Act or Omission of the said Railway Company or any of their Agents or Servants, it shall happen that the said Canals, or the Towing-paths thereof, or any of them, or the Works connected therewith, shall be so injured or obstructed that Boats or other Vessels using the same, with their usual and accustomed Load, shall be impeded in their Passage along the said Canals, or shall not be able to pass freely along the same, then and in any such Case the said Railway Company shall pay to the said *Birmingham Canal Company*, as or by way of ascertained Damages, the Sum of One hundred Pounds for every Twenty-four Hours during which any such Impediment shall continue after Notice in Writing thereof from the said *Birmingham*

Provisions
and Penal-
ties in case
of Obstruc-
tions to
Navigation.

[Local.]

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Canal

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Canal Company, their Agent or Clerk, to the said Railway Company, and so in proportion for any less Time than Twenty-four Hours; and in default of Payment of any such Sum, on Demand made on the said Railway Company, the *Birmingham* Canal Company may sue for and recover the same, together with full Costs of Suit, against the said Railway Company, by Action of Debt or on the Case in any Court of competent Jurisdiction: Provided always, that nothing herein contained shall extend to prevent the said *Birmingham* Canal Company from recovering against the said Railway Company any special, further, or other Damage that may be sustained by them, on account of any Act or Default of the said Railway Company, in respect of which the said Sum in Nature of liquidated Damages is hereby imposed or made payable, beyond the Amount thereof, and they are hereby authorized to sue for and recover such special, further, or other Damages accordingly.

For Preservation of the Springs, &c. of the *Birmingham* Canal Company.

XXV. Provided always, That nothing herein contained shall authorize or empower the said Railway Company to take away, obstruct, or lessen any Springs, Brooks, Streams, Feeders, Drains, Waters, or Watercourses which now are or heretofore have been taken for the Use of the said *Birmingham* Canal Navigations, or which the said *Birmingham* Canal Company are by Law authorized and empowered to take for the Use of the said Canals, or any of them, or to take away or obstruct or in any Manner impede the free Use of any Communication already made between the Water of the said Canals or any of them and any Steam Engine, or to take away or prejudice the Right of any Person to make such Communication, pursuant to the Provisions of the Acts of Parliament for regulating or otherwise relating to the said *Birmingham* Canal Navigations or any of them.

Company not to obstruct the Formation of Branches communicating with the *Birmingham* Canal.

XXVI. And whereas, under and by virtue of the Acts relating to the Canals belonging to the said *Birmingham* Canal Company, or some of them, certain Powers are reserved to the Owners of Mines, Works, and Lands adjoining to the said Canals or some of them, or for the said Company, at the Request of such Owners, to form Cuts, Canals, Railways, or Roads, not exceeding a certain Length specified, in order to communicate with the said Canals: And whereas the Railways by this Act authorized may intervene between the said Canals and some of the Mines, Works, or Lands of Persons to whom such Powers are reserved as aforesaid, and additional Expense would be occasioned by the Construction of Bridges, Viaducts, or Aqueducts, for the Purpose of carrying such Cuts, Canals, Railways, or Roads over, under, or across the said Railways: Be it therefore enacted, That in the event of any such Person being desirous to make or to procure to be made any such Cuts, Canals, Railways, or Roads as aforesaid to communicate with the said Canals or any of them, the said Rail-
way

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way Company shall afford all requisite and proper Facilities for the Formation thereof, where necessary, either over, under, across, or by the Side of the said Railways; and if any Difference shall arise between the said Railway Company and any Person so desirous to make or procure to be made any such Cut, Canal, Railway, or Road as aforesaid, or between the said Railway Company and the said Canal Company, either as to the Mode of carrying the same over, under, or across or by the Side of the said Railways, or as to the Place where the same shall be so carried, or as to the Facilities to be afforded by the said Railway Company for the Purposes thereof, or as to the Proportion (if any) of the Cost of making and maintaining the same, to be borne by the said Railway Company, or as to the Use thereof at any Time thereafter by the Owners, Lessees, or other Persons in the Occupation thereof, such Difference shall be settled by Arbitration.

XXVII. And whereas the said Railways may also intervene between the said Canals or One of them and the Lands on which Steam Engines may hereafter be erected, between which and the said Canals Communication for the Passage and Supply of Water may require to be made: Be it therefore enacted, That if any such Communications are hereafter required to be made, the said Railway Company shall afford all required Facilities for the Purposes thereof, by constructing, at the Cost of the Party requiring the same, or permitting to be constructed, through, under, or over the said Railways, such Culvert, Arches, Pipes, Tunnels, or other Works as may be necessary; and in the event of any Difference arising between the said Railway Company and the said Canal Company or any other Person as to the Nature and Amount of the Facilities so to be afforded by them, such Difference shall in like Manner be settled by Arbitration.

Communica-
tion between
Canal and
Steam
Engines not
to be
obstructed.

XXVIII. Provided also, That nothing in this Act contained shall extend to prejudice, diminish, or alter or take away any of the Rights, Privileges, Powers, or Authorities vested in the said *Birmingham* Canal Company in and by all or any of the several Acts of Parliament now in force relating to the said Canals, except as is expressly enacted by this present Act.

Company
not to inter-
fere with the
Powers and
Rights of
the Birm-
ingham
Canal Com-
pany.

XXIX. And whereas Plans showing the Lands and Property proposed to be taken for the Purposes of a Station at *Dudley*, and a Book of Reference to the said Plans, have been deposited with the Clerk of the Peace for the County of *Worcester*: Be it enacted, That, subject to the Provisions in this Act contained, it shall be lawful for the *South Staffordshire* Railway Company, either separately, or jointly with the *Oxford, Worcester, and Wolverhampton* Railway Company, to make and maintain a Station at or near *Dudley*, with suitable Works and Conveniences, upon the Lands and Property or any Part thereof shown

Power to
acquire
Lands and
construct
Station at
Dudley.

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shown upon the said Plans and described in the said Book of Reference, and to enter upon, take, and use such Parts of those Lands and Property as they may think requisite for that Purpose.

Power to enter into Agreements with Oxford, Worcester, and Wolverhampton Railway Company as to Station at Dudley.

XXX. That it shall be lawful for the Company and their Lessee, and the *Oxford, Worcester, and Wolverhampton* Railway Company, from Time to Time to make and enter into such Arrangements and Contracts as they may think fit for the Construction, Maintenance, Arrangement, Management, and User by those Companies respectively of the said Station at *Dudley*, and the Works connected therewith, by this Act authorized, and for the fixing, regulating, and Apportionment of the Tolls, Rates, and Terminal Charges to be demanded, taken, and received for the Use of the said Station and the Works connected therewith, and such Arrangements and Contracts respectively may be upon such Terms and Conditions as the said Parties shall mutually agree upon.

Arbitration in regard to Dudley Station.

XXXI. That if any Questions, Disputes, or Differences shall arise between the Company or their Lessee and the *Oxford, Worcester, and Wolverhampton* Railway Company, in regard to the Construction, Arrangement, Management, or User of the said Station at *Dudley*, or in relation to the Lands to be acquired for the Purposes thereof, or to the fixing, regulating, or Apportionment of the Tolls, Rates, and Terminal Charges to be demanded, taken, or received for the Use thereof or of the Works connected therewith, or otherwise in relation thereto, the same shall from Time to Time be settled by Arbitration in the Manner provided by "The Companies Clauses Consolidation Act, 1845," with respect to the Settlement of Disputes by Arbitration.

Limiting Time for compulsory Purchase of Lands at Dudley.

XXXII. That the Powers by this Act granted for the compulsory Purchase of Lands for the Purposes of the said Joint Station at *Dudley* shall not be exercised after the Expiration of Two Years from the passing of this Act.

Power to enter into Agreements for working and use of Oxford, Worcester, and Wolverhampton Railway.

XXXIII. That it shall be lawful for the Company and their Lessee, or either of them, on the one Part, and the *Oxford, Worcester, and Wolverhampton* Railway Company on the other Part, to make, enter into, and carry into effect all such Contracts and Agreements as they may think fit, in respect of the Working and User by the Company or their Lessee of the Narrow Gauge Rails on that Portion of the *Oxford, Worcester, and Wolverhampton* Railway, and the Stations thereof, which extends between *Kidderminster* and *Wolverhampton*, or any Part or Parts of such Portion, and the Regulation and Management of the Traffic on such Portion, and the Payment and also the Division or Apportionment of the Tolls, Rates, and Duties leviable in respect of such Traffic.

XXXIV. Pro-

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XXXIV. Provided always, That nothing in this Act contained shall extend or be deemed or construed to extend to authorize or enable the *South Staffordshire* Railway Company to enter upon any of the Lands belonging to the *Oxford, Worcester, and Wolverhampton* Railway, or any of the Branches or Works thereof, further or otherwise than is necessary for the convenient Junctions and Intercommunications between the *Oxford, Worcester, and Wolverhampton* Railway and the *South Staffordshire* Railway, without the Consent in Writing of the *Oxford, Worcester, and Wolverhampton* Railway Company in every Instance for that Purpose first had and obtained.

Lands of
Oxford, Wor-
cester, and
Wolver-
hampton
Railway not
to be taken
without
Consent.

XXXV. That it shall be lawful for the Company (subject to the existing Lease of their Undertaking) and their Lessee, or either of them, on the one Part, and the *London and North-western* Railway Company on the other Part, to make, enter into, and carry into effect all such Contracts and Agreements as they may think fit in respect of the Working and User by the *London and North-western* Railway Company of all or any of the Railways now or hereafter belonging to the *South Staffordshire* Railway Company, or any Part or Parts of the same, and for the Maintenance and Repair thereof, and the Regulation and Management of the Traffic thereon, and the Payment and also the Division and Apportionment of the Tolls leviable in respect of such Traffic.

Agreements
with London
and North-
western
Company for
Working and
Use of Line
by that
Company.

XXXVI. That all Contracts and Agreements which may have been entered into prior to the passing of this Act between the Company and their Lessee, or either of them, and the *London and North-western* Railway Company, as to the Working or Use of Portions of the *London and North-western* and *Birmingham, Wolverhampton, and Stour Valley* Railways, and as to the Rent or other Consideration for such User, and the Division and Apportionment of the Tolls, Rates, Charges, and other Payments leviable in respect thereof, shall be and the same are hereby confirmed.

As to Agree-
ments rela-
tive to
Traffic on
London and
North-
western,
and Birm-
ingham, Wol-
verhampton,
and Stour
Valley
Railways.

XXXVII. And whereas by "The *South Staffordshire* Railway (Leasing) Act, 1850," the Company was empowered, with such Consent as therein mentioned, to lease their Undertaking to *John Robinson M'Clean*, his Executors, Administrators, or Assigns, for a Term of Twenty-one Years; and the Company accordingly, by Indenture, dated the Thirteenth Day of *February* One thousand eight hundred and fifty-one, granted a Lease of their Undertaking to the said *John Robinson M'Clean*: And whereas it is expedient that any Doubts which may exist as to the Application of the said Act to all or any Part of the Undertaking of the *South Staffordshire* Railway Company not comprised in the said Lease should be removed, and that the Company should be empowered to lease all or any Part of their Under-

Explaining
and extend-
ing Pro-
visions of
"The South
Staffordshire
Railway
(Leasing)
Act, 1850."

The South Staffordshire Railway Act, 1855.

taking (whether existing or authorized at the Time of the Execution of the said Lease or not) which they are not already authorized to lease to the said *John Robinson M'Clean*: Be it therefore enacted, That the Powers and Provisions contained in "The *South Staffordshire Railway (Leasing) Act, 1850*," shall extend to and may from Time to Time be exercised in respect of all or any Part or Parts of the Undertaking of the *South Staffordshire Railway Company* (whether existing or authorized at the Date of the said Lease of the Thirteenth Day of *February* One thousand eight hundred and fifty-one, or not,) which are not already authorized to be leased to the said *John Robinson M'Clean*.

Power to
raise addi-
tional Capital
by new
Shares.

XXXVIII. That for the Purpose of making the new Railways and Works by this Act authorized, and acquiring the additional Lands for Station and other Accommodation at *Wichnor* and *Dudley*, and executing all or any other of the Objects and Purposes of this Act, it shall be lawful for the Company from Time to Time to raise, by creating new Shares, in addition to the Sums of Money which they are authorized to raise under and by virtue of the existing Acts relating to their Undertaking, or any of them, any Sum of Money not exceeding in the whole the Sum of One hundred and twenty-seven thousand Pounds.

Mode in
which new
Shares are to
be allotted.

XXXIX. That the new Shares so to be created shall be of such nominal Value as the Company may determine, and shall be allotted to and amongst such Persons at such Times and in such Manner as the Company may direct.

Calls.

XL. That Twenty Pounds *per Centum* on the Amount of each Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders in respect of the Money by this Act authorized to be raised, and Three Fifths of the Amount of a Share shall be the utmost aggregate Amount of Calls that may be made in any One Year upon any Share, and Two Months at the least shall be the Interval between successive Calls.

Power to
borrow on
Mortgage.

XLI. That after the whole of the Sum by this Act authorized to be raised by Shares shall have been subscribed for, and One Half of the Amount by this Act authorized to be raised by Shares shall have been paid up, it shall be lawful for the Directors of the Company to borrow on Mortgage, and, if subsequently paid off, again to reborrow, such Sums of Money as shall from Time to Time be authorized to be borrowed by an Order of any General or Special General Meeting of the Company, not exceeding in the whole the Sum of Forty thousand Pounds, in addition to the Sums which they are now authorized to borrow, and for securing the Repayment of the Sum so borrowed,

The South Staffordshire Railway Act, 1855.

borrowed, with Interest, to mortgage the Undertaking belonging to them, and also, if they think fit, the whole or any of the future Calls on the Shareholders of the Company.

XLII. That all Mortgages or Bonds granted or to be granted under the Authority of any Act already passed relating to the Company shall during the Continuance thereof have Priority over any Mortgages or Bonds to be created by virtue of this Act.

Former
Mortgages
to have
Priority.

XLIII. That all the Money to be raised by virtue of this Act by the Creation of Shares or by Mortgage shall be applied to the Purposes of their Undertaking, and to no other Purpose whatsoever.

Application
of Monies.

XLIV. That it shall be lawful for the Company to appropriate to or towards all or any of the Objects and Purposes of this Act any Sums of Money which they are authorized to raise or which shall have been raised by them under the Provisions of any Act or Acts in force with relation to the said Company, and which may not be required for the Purposes to which they are by any such Act or Acts made specially applicable.

Power to
apply Cor-
porate Funds
to Purposes
of this Act.

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

Interest not
to be paid
on Calls
paid up.

XLVI. That the Company shall not, out of any Money by this Act or any other Act relating to the said Company authorized to be raised for the Purposes of such Act or Acts, 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
the Com-
pany's
Capital.

XLVII. And whereas an Act was passed in the Second Year of the Reign of the Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railways*; and another Act was

Railways
and Com-
pany to be
subject to

passed

The South Staffordshire Railway Act, 1855.

the 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.,
14 & 15 Vict.
c. 64., and
17 & 18 Vict.
c. 31.

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 Session of Parliament held 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*; and another Act was passed in the Session of Parliament held in the Seventeenth and Eighteenth Years of the Reign of Her said Majesty, intituled *An Act for the better Regulation of the Traffic on Railways and Canals*: Be it enacted, That nothing in this Act contained shall be held to exempt the said Railways or the Company from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railways and Company, so far as the same shall be applicable thereto.

Railways
not exempt
from Pro-
visions of
future
General
Acts.

XLVIII. That nothing herein contained shall be deemed or construed to exempt the Railways by this or any other Act relating to the Company authorized to be made, or the said Company, from the Provisions of any General Act relating to such Acts, 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 this 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, and of the Rates for small Parcels, authorized by this or any other Act relating to the Company.

Expenses of
Act.

XLIX. That all the Costs, Charges, and Expenses of and incident to the obtaining of this Act and preparatory thereto shall be paid by the Company.

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