



ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

Cap. clxxxiii.

An Act for the making and maintaining of the *Severn Valley* Railway, and for other Purposes.

[30th July 1855.]

WHEREAS by "The *Severn Valley* Railway Act, 1853," the *Severn Valley* Railway Company were incorporated, with a Capital of Six hundred thousand Pounds in Thirty thousand Shares of Twenty Pounds each, and were authorized to make and maintain a Railway from the *Oxford, Worcester, and Wolverhampton* Railway near *Hartlebury* to *Shrewsbury*, with a Branch therefrom: And whereas the Company have not begun to make their Railway, and have not borrowed any Money: And whereas it is expedient, and would be to the Advantage of the Public, that the Company should be authorized to relinquish and abandon the Formation of certain Portions of their Main Line of Railway by the recited Act authorized to be made, and that the Company should be authorized to make the Lines of Railway herein-after mentioned in substitution for and in lieu of the Portions of their said Main Line of Railway, the Formation of which is by this Act relinquished and abandoned: And whereas Plans and Sections of the Railway and Branch authorized by the recited Act showing the Lines and Levels thereof, and also Books of Reference thereto containing the Names

[*Local.*]

33 H

of

The Severn Valley Railway Act, 1855.

of the Owners and Lessees, or reputed Owners and Lessees, and Occupiers of the Lands in and through which the same were intended to be made, were deposited for the Purposes of the recited Act with the respective Clerks of the Peace for the Counties *Worcester, Stafford,* and *Salop*: And whereas Plans and Sections of the substituted Lines of Railway by this Act authorized showing the Lines and Levels thereof, and also Books of Reference thereto containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and Occupiers of the Lands in and through which the same are intended to be made, have been deposited for the Purposes of this Act with the respective Clerks of the Peace for the Counties of *Worcester* and *Salop*: And whereas it is expedient that such Powers of using a Portion of the Railway, Stations, and Works of the *Shrewsbury and Hereford* Railway Company, and of using Portions of the Railways of the *Great Western* and the *London and North-western* Railway Companies, and of the *Shropshire Union* Railways and Canal Company, for obtaining Accommodation at the Joint Station at *Shrewsbury* of those Companies, and of the *Shrewsbury and Hereford* Railway Company, or some of them, and also of obtaining Accommodation at the Goods Station at *Shrewsbury* of the *Shrewsbury and Hereford* Railway Company, as are by this Act granted, be conferred on the Company: And whereas it is expedient that Powers for enabling the Purposes of this Act to be carried into effect be conferred on the Company and those Companies respectively, which last-mentioned Companies are in this Act called the Four specified Railway Companies: And whereas the Capital of the Company will more than suffice for the undertaking of the Company as reduced by this Act, and it is therefore expedient that the Capital of the Company should be reduced in the Manner and to the Extent herein-after mentioned: And whereas the making of the Railway and Branch will be beneficial to the *Oxford, Worcester, and Wolverhampton* Railway Company, and it is expedient that that Company and the Company should be authorized and empowered to enter, if they should respectively think fit, into such Arrangements as are herein-after mentioned with respect to the Undertaking: And whereas it is expedient that some of the Powers and Provisions of the recited Act be amended: And whereas, in order to avoid some Inconveniences resulting from several Local and Personal Acts relating to the same Matters being in force at the same Time, it is expedient that the recited Act be repealed, and that some of the Provisions thereof be re-enacted with Amendments: And whereas the Objects of this Act cannot be attained 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. This

The Severn Valley Railway Act, 1855.

I. This Act may be cited for any Purpose as “The *Severn Valley Railway Act, 1855.*” Short Title.

II. The Word “Admiralty” where used in this Act shall mean the Lord High Admiral of the United Kingdom of *Great Britain and Ireland*, and also the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain and Ireland*. Meaning of the Word “Admiralty.”

III. “The Companies Clauses Consolidation Act, 1845,” “The Lands Clauses Consolidation Act, 1845,” and “The Railways Clauses Consolidation Act, 1845,” save so far as the same respectively are expressly varied by this Act, are incorporated with this Act. 8 & 9 Vict. cc. 16., 18., and 20. incorporated.

IV. 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. Same Meanings to Words, &c. in incorporated Acts and this Act.

V. From and after the passing of this Act, but subject to the Provisions of this Act, the recited Act is by this Act repealed. First-recited Act repealed.

VI. Notwithstanding the Repeal of the recited Act, the Company shall for the Purposes of this Act remain as from the passing of that Act, and continue incorporated by the Name of *The Severn Valley Railway Company*, and by that Name shall be One Body Corporate, with perpetual Succession and a Common Seal, and with Power to make and maintain the Railway, Branch, and Works by this Act authorized, and for other the Purposes of this Act, and to purchase, take, and hold Lands and other Property for the Purposes but subject to the Restrictions of this Act. Company to continue incorporated.

VII. Notwithstanding the Repeal of the recited Act, the Company shall remain and be seised and possessed of and entitled to all the Lands, Buildings, Estates, Moneys, Property, Effects, Claims, and Demands whatsoever of or to which the Company, by virtue of the recited Act or otherwise howsoever, are immediately before the Commencement of this Act seised, possessed, or in any way entitled at Law or in Equity, or otherwise howsoever, with the Appurtenances, as if this Act were not passed. Company to remain entitled to their Property.

VIII. Notwithstanding the Repeal of the recited Act, but subject to the Provisions of this Act, the several Clauses and Provisions whatsoever in favour of the Company of any Act or Acts other than the recited Act, and which immediately before the Commencement of this Act are in force, shall, on and from the Commencement of this Company to continue entitled to Powers under other Acts.

The Severn Valley Railway Act, 1855.

this Act and for the Purposes thereof, continue and be in force; and the Company, by themselves, their Officers and Servants, may and shall accordingly be entitled to, and have, exercise, and enjoy, under or by virtue of those Clauses and Provisions respectively, all such Rights, Interests, Powers, Authorities, and Privileges whatsoever as in case this Act were not passed the Company, by themselves, their Officers and Servants, under or by virtue of the same, might be entitled to, or might have, exercise, or enjoy.

Conveyances, &c. to remain in force.

IX. Notwithstanding the Repeal of the recited Act, all Purchases, Sales, Conveyances, Leases, Contracts, Agreements, Securities, and other Acts and Things before the Commencement of this Act made, done, entered into, executed, or instituted under or by virtue of the recited Act, or with reference to the Purposes thereof, shall be as good, valid, and effectual to all Intents and Purposes whatsoever for, against, and with reference to the Company as if this Act were not passed, and may be proceeded on and enforced accordingly.

Actions, &c. not to abate.

X. Notwithstanding the Repeal of the recited Act, any Action, Suit, Prosecution, or other Proceeding whatsoever commenced either by or against the Company before the passing of this Act shall not abate or be discontinued or prejudicially affected by this Act, but on the contrary shall continue and take effect both in favour of and against the Company in the same Manner to all Intents and Purposes as if this Act were not passed.

Debts due to and by Company to be paid to and by them.

XI. Notwithstanding the Repeal of the recited Act, all Persons who immediately before the Commencement of this Act owe any Sum of Money to the Company, or to any Person on their Behalf, shall pay the same, with all the Interest (if any) due and payable or accruing for the same, to the Company, and all Debts and Moneys which immediately before the Commencement of this Act are due or owing by or recoverable from the Company, or for the Payment whereof the Company are or but for this Act would be liable, shall be paid, with all Interest (if any) due and payable or accruing for the same, by or be recoverable from the Company.

Shareholders to pay Calls.

XII. Notwithstanding the Repeal of the recited Act, the several Persons who immediately before the Commencement of this Act are Shareholders of the Company, their Heirs, Executors, Administrators, Successors, and Assigns respectively, shall pay the Amount subscribed by them respectively, or so much thereof as at the Commencement of this Act is not paid and is hereby authorized to be raised, with all Interest, if any, due or to accrue due thereon, to the Company, when and as the same is under this Act called up by the Company.

XIII. Not-

The Severn Valley Railway Act, 1855.

XIII. Notwithstanding the Repeal of the recited Act, the several Persons who immediately before the Commencement of this Act are the Directors of the Company shall remain in Office until they respectively cease, according to the Provisions of this Act, to be Directors. Directors to remain in Office.

XIV. Notwithstanding the Repeal of the recited Act, every Officer and Servant appointed by virtue of or acting under the Authority of that Act shall hold and enjoy his Office and Employment, and the Salary thereunto annexed, and be deemed an Officer and Servant of the Company, until he be removed from such Office and Employment, and he shall have the like Power and Authority for the Purposes of this Act, and be subject to the like Power of Removal, Rules, Regulations, Pains, and Penalties in all respects whatsoever, as if he were appointed under this Act. Officers to continue.

XV. Notwithstanding the Repeal of the recited Act, all Books, Certificates, and other Documents by that Act directed or authorized to be kept or made, and which if that Act were not repealed would be receivable in Evidence, shall be admitted as Evidence in all Courts of Law and Equity and elsewhere accordingly. Books to be Evidence.

XVI. Notwithstanding the Repeal of the recited Act, and except only as is by this Act otherwise expressly provided, everything before the passing of this Act done and suffered respectively under the recited Act shall be as valid as if this Act were not passed, and such Repeal and this Act respectively shall accordingly be subject and without prejudice to everything so done and suffered respectively, and to all Rights, Liabilities, Claims, and Demands, both present and future, which if such Repeal had not happened and this Act were not passed would be incident to or consequent on any and every thing so done and suffered respectively, and the Company by this Act incorporated shall in all Cases represent and be substituted for the Company incorporated by the said recited Act: Provided always, that the Generality of the preceding Provision shall not be restricted by any of the other Clauses and Provisions of this Act. Present and future Rights and Liabilities under repealed Acts not to be affected.

XVII. The Share Capital of the Company shall be Four hundred and eighty thousand Pounds in Twenty-four thousand Shares of Twenty Pounds each. Capital.

XVIII. Every Person who immediately before the Commencement of this Act is entitled to One Share of Twenty Pounds in the originally authorized Capital shall on the Commencement of this Act be entitled to One of the like Amount in the reduced Share Capital, and Shareholders to have One Share of 20l. in the reduced Capital.

[*Local.*]

33 I

that

The Severn Valley Railway Act, 1855.

that Share shall vest in him accordingly, and represent that One Share in the originally authorized Capital.

Such Shares to be subject to the same Trusts, &c. as now existing Shares.

XIX. Every such representing Share shall vest in the Shareholder entitled thereto, subject to the same Trusts, Provisions, and Liabilities as those which immediately before the Commencement of this Act affect the Share which it represents, and so as not to revoke but to give effect to any Will or testamentary Disposition of or affecting the represented Share.

Certificates of Shares.

XX. The Certificates of the Shares created under the Powers of the recited Act, and which shall be existing at the Time of the passing of this Act, shall be the Certificates of the Shares representing the reduced Share Capital of the Company as authorized by this Act, and it shall not be obligatory on the Company to issue fresh Certificates in respect of such Shares, except in Cases where such Certificates are worn out or damaged, or lost or destroyed.

Calls.

XXI. 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 in any One Year shall not exceed Three Fourths of the nominal Amount of a Share.

Power to borrow on Mortgage.

XXII. The Company from Time to Time may borrow on Mortgage or Bond any Sums not exceeding in the whole One hundred and sixty thousand Pounds, but no Part thereof shall be borrowed until the whole of the Capital of Four hundred and eighty thousand Pounds be subscribed for, and One Half thereof paid up.

Arrears may be enforced by Appointment of a Receiver.

XXIII. The Mortgagees or Bond Creditors of the Company may enforce the Payment of the Principal and Interest Moneys due to them respectively upon their respective Mortgages and Bonds by the Appointment of a Receiver, and the Amount to authorize a Requisition for a Receiver shall be Ten thousand Pounds.

Forfeited Shares may be cancelled with Consent of Proprietors.

XXIV. Where any Share in the Company shall have been or shall be declared forfeited, it shall be lawful for the Company on confirming such Forfeiture, and with the Consent in Writing of the Person who at the Time of such Declaration of Forfeiture was the registered Proprietor thereof, to resolve and direct that the same instead of being sold shall be cancelled, and upon the passing of such Resolution such Share shall be *ipso facto* cancelled, and all Liabilities and Rights upon or in respect of such Share shall thenceforth be absolutely extinguished.

XXV. In

The Severn Valley Railway Act, 1855.

XXV. In all Cases where any Share in the Company shall have been or shall be declared forfeited, and such Forfeiture shall have been or shall be confirmed by a General Meeting of the Company, in accordance with the Provisions of "The Companies Clauses Consolidation Act, 1845," and Notice of such Forfeiture shall have been or shall be given by Advertisement in the *London Gazette*, and in some Newspaper published or circulating in the County in which the principal Office or Place of Business of the Company is or shall at the Time be situate, it shall be lawful for the Company, if the Directors shall be unable to sell such Share for a Sum equal to the Arrear of Calls and Interest due in respect thereof, at any General Meeting of the Company held after an Interval of at least Two Months after such Notice shall have been given as aforesaid, (unless Payment of all Arrears of Calls, together with the Interest due thereon and the Expenses, be made by the registered Owner before such Meeting be held,) to resolve and direct that the same instead of being sold shall be cancelled, and the same shall thenceforth be cancelled accordingly; and a Declaration in Writing made by some credible Person before any Justice, stating that a Sum of Money sufficient to pay the Arrears of Calls and Interest in respect of such Share could not be obtained for the same upon the Stock Exchange of the City of *London* at the Time of such Cancellation, shall be conclusive Evidence of the Fact therein stated, and the Proprietor of such Share shall from and after the passing of such Resolution be precluded from all Right and Interest therein; but such Cancellation shall not affect or alter the Liability of the last Proprietor of any such Share to pay to the Company the Arrear of Calls and Interest due in respect of such Share at the Time of such Cancellation, or the Powers of the Company to enforce Payment thereof by Action: Provided nevertheless, that the Value of the Share at the Time of such Cancellation shall be deducted from the Amount which may be due as aforesaid, and that if Payment of all Arrears of Calls and Interest and Expenses shall be made as aforesaid such Share shall revert to the Person to whom the same belonged before Forfeiture, and shall be so re-entered upon the Register.

Forfeited Shares which cannot be sold may be cancelled.

XXVI. In lieu and instead of any Share in the Company which shall be so cancelled as aforesaid, it shall be lawful for the Company from Time to Time to create and issue such new Shares, of such Amount and with such Guarantee or Right to a preferential or fixed Dividend not exceeding Six *per Centum per Annum*, and generally upon such Terms and in such Manner, as by the Votes of Three Fifths at least of the Shareholders of the Company present in Person or by Proxy at a General Meeting of the Company shall be resolved and determined; provided, that the Company shall not, by the Creation of new Shares as aforesaid, increase the aggregate Amount of

Company may issue new Shares in lieu of Shares cancelled.

The Severn Valley Railway Act, 1855.

of their Capital as limited by this Act, and that the Capital to be raised by the Creation of such new Shares shall be applied only to the Purposes of this Act.

Application
of Moneys.

XXVII. All and every Part of the Money raised under this Act, whether by Shares or by borrowing, shall be applied only to Purposes of this Act.

Interest not
to be paid on
Calls paid up.

XXVIII. 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."

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

XXIX. The Company shall not, out of any Money by this Act authorized to be raised, pay or deposit any Sum which by any Standing Order of either House of Parliament now or hereafter in force is 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.

First Meet-
ing.

XXX. The next Ordinary Meeting of the Company shall be held within Twelve Months after the passing of this Act.

Number of
Directors.

XXXI. Subject to the Provisions of this Act for reducing the Number of Directors, the Number of Directors shall be Seven.

Candidate
for Direction
to give
Notice.

XXXII. No Person shall be capable of being appointed a Director of the Company at any General Meetings of the Company unless Notice of his Intention or Consent to become a Candidate for such Office shall have been given to the Secretary of the Company in Writing Twenty-one Days at the least prior to the Day of such Meeting.

Qualification
of Directors.

XXXIII. The Qualification of a Director shall be the Possession in his own Right of Fifty Shares.

Power to re-
duce the
Number of
Directors.

XXXIV. The Company may from Time to Time reduce the Number of Directors to any Number not less than Five.

Quorum of
Directors.

XXXV. The Quorum of a Meeting of Directors shall be Three.

XXXVI. The

The Severn Valley Railway Act, 1855.

XXXVI. The Newspapers for Advertisements shall be any One Newspaper of each of the Counties of *Worcester* and *Salop* respectively. Newspapers for Advertisement.

XXXVII. Subject to the Provisions of this Act, the Company may make and maintain such Parts as are by this Act authorized of the Railway and Branch by the recited Act authorized upon the Lands shown on the Plans and described in the Books of Reference respectively deposited for the Purposes of the recited Act, and in the Lines and on the Levels shown by the Plans and Sections deposited for the Purposes of that Act, and may enter upon, take, and use such of those Lands as they think requisite for that Purpose. Power to make Parts of Railway authorized by recited Act, and to take Lands for same.

XXXVIII. Subject to the Provisions of this Act, the Company may make and maintain the Lines of Railway in substitution for and in lieu of the Portions of Railway by this Act authorized to be abandoned and relinquished upon the Lands shown on the Plans and described in the Books of Reference respectively deposited for the Purposes of this Act, and in the Lines and on the Levels shown by the Plans and Sections deposited for the Purposes of this Act, and may enter upon, take, and use such of those Lands as they think requisite for that Purpose. Power to make substituted Line of Railway authorized by this Act, and take Lands for same.

XXXIX. The Powers of the Company for the compulsory Purchase of such Lands for the Purposes of this Act as they were by the recited Act authorized to purchase shall not be exercised after the Expiration of Three Years after the passing of that Act, and the Powers of the Company for the compulsory Purchase of other Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years after the passing of this Act. Powers for compulsory Purchases limited.

XL. The Company may purchase by Agreement, for the extraordinary Purposes mentioned in the Railways Clauses Consolidation Act, any Quantity of Land not exceeding in the whole One hundred Acres. Lands for extraordinary Purposes.

XLI. Such Parts as are by this Act authorized of the Railway and Branch by the recited Act authorized are the following; (to wit,) Parts of Railway, Branch, and Works authorized by recited Act authorized by this Act.

First, 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 Road in the Parish of *Holy Cross and Saint Giles* within the Borough of *Shrewsbury* and the County of *Salop*, and numbered 47 on the Plans deposited for the Purposes of the recited

[*Local.*] 33 K Act,

The Severn Valley Railway Act, 1855.

Act, except only the Parts of that Railway which the Company are by this Act authorized to abandon :

Second, a Branch Railway or Tramway commencing and diverging from and out of that intended Railway at or near certain Lime Kilns or Limeworks at or near *Benthall Edge* in the Parish of *Benthall* in the County of *Salop*, occupied by *John Patten*, and terminating at or near an Inclosure in the Parish of *Madeley* in that County, numbered 48 on the Plans of that Branch Railway or Tramway deposited for the Purposes of the recited Act.

Substituted
Railway
authorized.

XLII. The new or substituted Lines of Railway by this Act authorized are the following ; (to wit,)

First, a Deviation commencing by a Junction with the Main Line of Railway by the recited Act authorized in or near a Field in the Foreign of the Parish of *Kidderminster* in the County of *Worcester*, numbered 27 on the Plans of the said Railway deposited for the Purpose of such Act, and terminating by a Junction with the said Main Line of Railway in or near a Field, numbered 91 on the said last-mentioned Plans, in the said Foreign of the Parish of *Kidderminster* and County of *Worcester* :

Second, also a Deviation commencing by a Junction with the Main Line of Railway by the recited Act authorized in or near a Field in the Parish of *Saint Leonard's* in the Borough of *Bridgnorth* in the County of *Salop*, numbered 5 on the before-mentioned Plans, and terminating by a Junction with the said Main Line of Railway in or near a Wood or Plantation, numbered 14 on the said last-mentioned Plans, in the Parish of *Linley* in the said County of *Salop* :

Third, a Railway commencing from and out of the Main Line of Railway by the recited Act authorized at or near a Point marked Thirty-eight Miles on the said Plans, in the Parish of *Saint Chad* and County of *Salop*, and terminating in the Parish of *Saint Julian Shrewsbury* in that County by a Junction with the *Shrewsbury and Hereford* Railway, at or near a Point thereon Two hundred and forty Yards or thereabouts Northwards of the Milepost on that Railway indicating One Mile from *Shrewsbury*.

Company not
to use Spoil
Banks on the
Estate of T.
C. Whitmore.

XLIII. In constructing the Railway and Works through the Lands of *Thomas Charlton Whitmore* in the Parish of *Astley Abbots*, 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, nor take or use any of the said Lands for the Purpose of Spoil Banks.

Period for
Completion
of Works.

XLIV. Such Parts of the Railway and Branch as were authorized by the recited Act, and are authorized by this Act, shall be completed within

The Severn Valley Railway Act, 1855.

within Five Years after the passing of the recited Act, and the substituted Works by this Act authorized shall be completed within Five Years after the passing of this Act, and on the Expiration of those respective Periods the Powers by this Act granted to the Company for executing their Works shall cease to be exercised, except as to so much thereof as is then completed.

XLV. The Company may make the Ascent or Descent of the Inclinations shown on the Sections deposited for the Purposes of the recited Act as follows ; (to wit,) Inclination
of Roads.

ROADS shown on the Plans deposited for the Purposes of the recited Act.

MAIN LINE.

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

XLVI. 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 the recited Act and this Act respectively as follows ; (to wit,) Level Cross-
ings.

ROADS shown on the Plans deposited for the Purposes of the recited Act.

No. on Plan.	Parish.
23	The Foreign of the Parish of Kidderminster.
5	Dowles.
27	Chelmarsh.
15	Barrow.
100, 111, 123, 152	Broseley.
7	Benthall.
35	Buildwas.
24, 120, 123	Cound.
6	Berrington.

ROAD shown on the Plans deposited for the Purposes of this Act.

No. on Plan.	Parish.
35	The Foreign of the Parish of Kidderminster.

XLVII. For

The Severn Valley Railway Act, 1855.

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

XLVII. 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 in lieu of level Crossing.

XLVIII. 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 is 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 appear to the Board of Trade best adapted for removing or diminishing the Danger arising from any such level Crossing.

As to Communications with the Oxford, Worcester, and Wolverhampton Railway.

XLIX. The Communications of the Railway with the *Oxford, Worcester, and Wolverhampton* Railway shall be made at the Points shown in that Behalf on the Plans deposited for the Purposes of the recited Act, or within the Limits of Deviation shown thereon, 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 reasonable Satisfaction of the Engineer of the *Oxford, Worcester, and Wolverhampton* Railway Company.

Communications with Oxford, Worcester, and Wolverhampton Railway to be at the Expense of the Company.

L. 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

The Severn Valley Railway Act, 1855.

Time be altered, amended, repaired, and maintained to the reasonable Satisfaction of the Engineer of the *Oxford, Worcester, and Wolverhampton* Railway Company, but at the Cost in all Things of the Company, and in every Case in such Manner and by such 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 that Railway.

LI. 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 "The *Oxford, Worcester, and Wolverhampton* Railway," or any of the Works appertaining thereto, save only such as may be necessary for the Purpose of effecting the Junctions therewith by this Act authorized.

Land, &c. of Oxford, Worcester, and Wolverhampton Railway Company not to be used without Consent.

LII. 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.

Saving Rights of the said Company.

LIII. The Communications of the Railway with the *Shrewsbury and Hereford* Railway shall be made at the Points shown in that Behalf on the Plans deposited for the Purposes of this Act, or within the Limits of Deviation shown thereon, and not at any other Point, without the Consent of the *Shrewsbury and Hereford* 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 reasonable Satisfaction of the Engineer of the *Shrewsbury and Hereford* Railway Company.

As to Communications with the Shrewsbury and Hereford Railway.

LIV. The Expense of the Communications with the *Shrewsbury and Hereford* 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 *Shrewsbury and Here-*

Communications with the Shrewsbury and Hereford Railway to be made to the Satisfaction of their Engineer.

The Severn Valley Railway Act, 1855.

ford Railway Company, and in every Case in such Manner and by such Means as shall not in anywise prejudice the *Shrewsbury and Hereford* Railway, or impede or interfere with the free and uninterrupted and safe Passage along that Railway.

Land, &c. of
Shrewsbury
and Hereford
Railway
Company not
to be used
without Con-
sent.

LV. Provided always, That the Company or any other Company or Person acting under this Act shall not, without the Consent of the *Shrewsbury and Hereford* 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 the *Shrewsbury and Hereford* Railway, or any of the Works appertaining thereto, save only for the Purpose of effecting the Junction therewith by this Act authorized.

Saving
Rights of
the said
Company.

LVI. 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 *Shrewsbury and Hereford* Railway Company.

As to Junction
with
Wellington
and Severn
Junction
Railway.

LVII. Notwithstanding anything in this Act, the Company may so construct the Branch Railway or Tramway as to effect a Junction with the *Wellington and Severn Junction* Railway in the Manner most convenient for the Transit of Goods and Passengers from and between those Lines of Railway; and the Company and the *Wellington and Severn Junction* Railway Company respectively shall do all Acts and afford all Facilities within their respective Power proper for the making and maintaining of such Junction, and in case of Difference of Opinion between those Companies as to the Position of or Mode of effecting such Junction, or as to the Works necessary for completing the same, every such Difference shall be determined by a Referee mutually agreed on between those Companies, or failing such Agreement by a Referee appointed, on the Application of those Companies or either of them, by the Board of Trade, and the Decision of the Referee shall be final and binding on all Parties interested.

For Protec-
tion of the
Staffordshire
and Worces-
tershire
Canal and
the Erection
and Main-
tenance of a
Bridge over
the same.

LVIII. And whereas the Railway is to be carried across the Canal belonging to the Company of Proprietors of the *Staffordshire and Worcestershire* Canal Navigation (in this Act called the Canal Company) at a Point in the Parish of *Hartlebury* in the County of *Worcester*: Be it enacted, That the Company shall, at their own Expense, build in a proper Manner, and to the Satisfaction of the Engineer for the Time being of the Canal Company, a good and substantial Bridge or Viaduct of Brick, Stone, or Iron over the said Canal and the Towing-path thereof, with the requisite Guard and proper Approaches thereto, upon which Bridge or Viaduct the Rail-
way

The Severn Valley Railway Act, 1855.

way shall be made ; and the Opening or Span of the Arch of the said Bridge or Viaduct shall not be less than Twenty-eight Feet between the Walls or Abutments thereof, and shall be constructed so as to leave a clear Headway of not less than Twenty Feet at the Centre of the said Bridge, measured from the Surface of the Water according to the High-water Level thereof to the Soffit or Underside of the Arch of such Bridge or Viaduct at the Crown thereof, and also so as to leave a clear Height of Fifteen Feet, measured from the said High-water Level of the Canal to the springing of the Arch of such Bridge or Viaduct ; and such Bridge or Viaduct, and the Foundations thereof, shall be so made as not to injure or impair the Canal, or the Bed or Sides or Banks or Towing-path of the same, and so as not in any Manner to cause the Escape from the Canal or any of the Water thereof by Leakage or otherwise ; and if any Damage or Injury shall be done to the Canal, or the Bed, Sides, Banks, or Towing-path of the same, in the course of the Construction of such Bridge or Viaduct, or if the Effect of the Construction of the said Bridge or Viaduct shall, either during the Progress of the Works or after their Completion, be to cause the Escape from the said Canal of any of the Water thereof by Leakage or otherwise, it shall be lawful for the Canal Company to make good or repair such Damage or Injury or to prevent such Escape of Water, as the Case may be, and to charge the Expenses thereof to the Railway Company, who shall pay the same to the Canal Company upon Demand ; and, in default of Payment, and Two or more of Her Majesty's Justices of the Peace for the County of *Worcester* shall and they are hereby required, on Application by the Canal Company, by Warrant under the Hands and Seals of the said Justices, to cause the Amount of such Expenses, which shall be first settled and allowed by such Justices, to be levied by Distress and Sale of the Goods and Chattels of the Company, and to be paid to the Canal Company, rendering the Overplus, if any, on Demand, after deducting the reasonable Charges of making such Distress and Sale, to the Company, or otherwise the Canal Company may sue for and recover the same against the Company by Action in any Court of competent Jurisdiction.

LIX. The Company shall at all Times for ever after such Bridge or Viaduct shall have been erected keep the same, and every future Bridge or Viaduct to be erected in lieu thereof, and which shall be of the like Dimensions, Capacity, and Materials as the Bridge or Viaduct for which it shall be substituted, in good and complete Repair ; and in case of any Want of Repair to the said Bridge or Viaduct, whether arising from the sinking of the said Bridge or Viaduct, or from any Act or Omission of the Company, then, if Notice in Writing thereof shall be given by the Canal Company to the Company, and the Company shall not for the Space of Seven Days after such Notice com-
For keeping
the Bridge in
repair.
 mence

The Severn Valley Railway Act, 1855.

mence such Repairs, and, in case of any such sinking, commence the raising and rebuilding of the said Bridge or Viaduct, or such Part thereof as shall be necessary, and proceed therein with all reasonable Expedition until the same shall be completed, it shall be lawful for the Canal Company from Time to Time to make all such Repairs to the said Bridge or Viaduct, and raise and rebuild the same, or such Parts thereof as shall be necessary, in such Manner as they may think necessary, and all the Expenses thereof shall be repaid by the Company to the Canal Company upon Demand, and in default of Payment the Amount of such Expenses may be recovered by the Canal Company from the Company in the Manner herein-before provided in respect to Damage or Injury caused by or in consequence of the Construction of the intended Bridge over the Canal.

Provision for the free Passage of the Canal during the Construction of the Bridge.

LX. The Company shall, during the Progress of constructing such Bridge or Viaduct, or the necessary Repairs thereof, or the Erection of any future Bridge or Viaduct in lieu thereof, at all Times leave a free, open, and uninterrupted navigable Waterway in the Canal of not less than Twelve Feet in Width and Eight Feet in Height under the Centering, to be used for constructing, repairing, or rebuilding the said Bridge or Viaduct, and also a free, open, and uninterrupted Passage along the Towing-path of the Canal.

Company not to alter the Course, &c. of the Staffordshire and Worcester-shire Canal.

LXI. The Company shall not, in the erecting of any such Bridge or Viaduct, nor by any other Means, alter the Course, Line, or Level of the Canal, nor obstruct the same so as to impede the Navigation, nor injure any of the Works of the same.

Bridge not to be commenced till after Seven Days Notice.

LXII. It shall not be lawful for the Company to commence the Construction of the said Bridge or Viaduct, either by making Excavations for the Foundations thereof, or by entering upon preliminary Works or otherwise, without giving to the Canal Company Seven clear Days previous Notice in Writing of the Intention to commence the Erection of the said Bridge or Viaduct, and such Notice shall specify the Day on which it is intended to commence the Construction of the said Bridge or Viaduct.

Power to the Canal Company to inspect the Bridge.

LXIII. It shall be lawful for any Person by the Canal Company thereunto authorized, at all Times both during the Erection and after the Completion of the said Bridge or Viaduct, or of any Bridge or Viaduct to be erected in its Place or Stead, to enter upon and inspect the Progress of the Erection and the State and Condition after the Erection of such Bridge or Viaduct, and of any Bridge or Viaduct to be erected in its Place or Stead.

For Preservation of the Springs, &c.

LXIV. Nothing herein contained shall authorize the Company to take away, obstruct, or lessen any Springs, Brooks, Streams, Feeders, Waters,

The Severn Valley Railway Act, 1855.

Waters, or Watercourses which now are or heretofore have been taken for the Use of the Canal, and if at any Time hereafter it may be found necessary for the Purposes of this Act to make or construct any Arches or other Works over or along any of such Springs, Brooks, Streams, Feeders, Waters, or Watercourses, all such Arches and other Works shall be made and constructed at the Expense of the Company, but under the Superintendence and to the reasonable Satisfaction of the Engineer for the Time being of the Canal Company; and all such Arches and other Works shall from Time to Time be supported, maintained, cleansed, and kept in good Order and Repair by the Company to the Satisfaction of the said Engineer; and if at any Time after Seven Days Notice in Writing shall have been given by or on the Behalf of the Canal Company that the said Arches and other Works, or any of them, are not made to the Satisfaction of the said Engineer, or, being made, shall not be cleansed, maintained, kept, and repaired according to the true Intent and Meaning of this Act, it shall be lawful for the Canal Company, and their Engineers, Surveyors, and Workmen, to make, cleanse, and repair all such Arches and other Works in such Manner as may appear necessary to the said Engineer, and all the Expenses thereof shall be paid on Demand to the Canal Company by the Company, and in case of Default in Payment for the Space of Twenty-one Days after Demand, such Expenses may be levied and recovered by the Canal Company, by Distress and Sale of the Goods and Chattels of the Company, in the same Manner as any other Expenses may, by virtue of this Act or otherwise, be levied and recovered upon and from the Company.

of the Staffordshire and Worcestershire Canal.

LXV. Nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in the Canal Company in and by any Acts of Parliament relating to the said Canal.

General Saving of the Rights of the Staffordshire and Worcestershire Canal Company.

LXVI. If in the Execution of any of the Works by this Act authorized, or by reason of any Act or Omission of the Company, their Agents, Servants, or Workmen, or if by reason of any of the said Works when made the *Staffordshire and Worcestershire* Canal Navigation, or the Towing-path or Banks thereof, shall at any Time be so obstructed or injured that Boats or other Vessels navigating or using the said Canal shall be obstructed or impeded in their Passage further or otherwise than is hereby authorized, or shall not be able to pass along the same, then and in any such Case the Company shall pay to the Canal Company, as or by way of ascertained Damages, the Sum of One hundred and fifty Pounds for every Twenty-four Hours during which such Impediment or Obstruction shall continue in the said Navigation, and so in proportion for any less Time than Twenty-four Hours; and in default of Payment of the said Sum of One hundred

For preventing Obstructions and Impediments in the Staffordshire and Worcestershire Canal.

[Local.]

33 M

and

The Severn Valley Railway Act, 1855.

and fifty Pounds, or such Proportion thereof as shall become due, on Demand made on the Treasurer of the Company by the Canal Company, the Canal Company may sue for and recover the same, together with full Costs of Suit, against the Company by Action in any Court of competent Jurisdiction.

Nothing to prevent the Canal Company from recovering special Damages.

LXVII. Nothing herein contained shall extend to prevent the Canal Company from recovering against the Company any special Damage that may be sustained by the Canal Company for or on account of the Acts or Defaults of the Company in respect of which the said Penalties are imposed beyond the Amount of any such Penalty, and they are hereby authorized to sue for and recover such special Damage accordingly; but in every Case where any Penalty shall have been paid by the Company, and any Action for special Damage shall be brought as above mentioned, such Penalty shall be deemed and considered as a Payment on account of such special Damage, and Credit shall be given by the Court before whom such Action shall be tried for any Sum of Money so paid by the Company, and the same shall be deducted from the Amount of Damages to be recovered by the Canal Company; and in case the Amount of Damages recovered shall not exceed the Sum so paid, then Judgment shall be given for the Company, and no Action shall be maintainable by the Canal Company against the Company for the Recovery of any Penalty after Judgment shall have been obtained by them for any special Damage in respect of the Act for which such Penalty would have been recoverable, and no Execution shall be issued in any such Action for special Damages pending any Action for any such Penalty, but after Judgment in any such last-mentioned Action Execution may be taken out in such first-mentioned Action for the Balance (if any) remaining, after deducting any such Penalty recovered from any Sum also recovered for such special Damages in any such first-mentioned Action.

Damage occasioned by letting out the Water of the Staffordshire and Worcestershire Canal to be made good by the Railway Company to the Parties sustaining the same.

LXVIII. If in the Execution of any of the Works by this Act authorized, or if by reason of any Act or Omission of the Company, their Agents, Servants, or Workmen, or if by reason of any of the said Works when made, the Water of the *Staffordshire and Worcestershire* Canal shall be let out of or escape from the Canal, all Damage or Injury which may be occasioned thereby shall be defrayed by the Company to the Person sustaining the same on Demand in Writing, and no such Person shall have any Claim or Demand on the Canal Company for or on account thereof, nor shall the Canal Company be answerable in any way for the Inconvenience, Damage, or Injury to the Traders and others using the Canal which may arise out of any Hindrance or Interruption of the Trade of the Canal by reason or in consequence of any of the Causes mentioned in this present Clause.

LXIX. And

The Severn Valley Railway Act, 1855.

LXIX. And whereas the Railway is 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 to those Rivers or to the Navigation thereof: Therefore every Bridge erected by the Company over either of 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.

For Protec-
tion of the
Navigation
of the Rivers
Stour and
Severn.

LXX. Before beginning to make any Bridge or Crossing for carrying the Railway over either of the Rivers *Stour* and *Severn*, or any of the Works connected therewith, the Company shall deposit at the Admiralty Office Plans, Sections, and Working Drawings of the Bridges or Crossings, and Works connected therewith, for the Approval of the Admiralty, to be signified in Writing under the Hand of the Secretary of the Admiralty, and such Bridges and Crossings and Works shall be made only in accordance with such Approval.

Plans, &c. to
be deposited
with Admi-
ralty for Ap-
proval before
Commence-
ment of
Works.

LXXI. The Company shall not make any Bridge, Crossing, or Work in, under, over, or across either of the Rivers *Stour* and *Severn* without the previous Approval of the Admiralty, 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 Admiralty approve, such Approval being so signified; and where any such Crossing or Work is made the Company shall not at any Time alter or extend the same without obtaining, before making any such Alteration or Extension, the like Approval; and if any such Crossing or Work be begun, completed, or altered contrary to the Provisions of this Act, the Admiralty may abate, alter, and remove the same, and restore the Site thereof to its former Condition, at the Expense 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 Con-
sent of
Admiralty.

LXXII. During the making of the Bridges or Crossings over the Rivers *Stour* and *Severn* respectively, and the Works connected therewith, the Company shall exhibit, every Night from Sunset to Sunrise, a Light, kept burning by and at the Expense of the Company, for the Navigation and safe Guidance of Vessels, and which Light shall from Time to Time be altered by the Company in such Manner, and be of such Description, and be so used and placed, as the Admiralty, by Writing under the Hand of the Secretary of the Admiralty, approve; and if the Company neglect to exhibit or keep any such Light so burning they shall for every such Neglect forfeit Ten Pounds.

Company
to provide
Lights
during Con-
struction of
Bridges, &c.
for Naviga-
tion of Ri-
vers *Stour*
and *Severn*.

LXXIII. If

The Severn Valley Railway Act, 1855.

Admiralty
may order
local Survey
at Expense
of Company.

LXXIII. If at any Time the Admiralty think fit 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 Expense of every such local Survey and Examination, and the Amount thereof shall be a Debt due to the Crown 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 remove,
at Company's
Expense,
Works aban-
doned by
Company.

LXXIV. If any Work made 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 those Rivers or either of them, or Access thereto, be abandoned or suffered to fall into Decay or Disuse, the Admiralty from Time to Time may abate and remove the same, or such Parts thereof as they think fit, and restore the Site thereof to its former Condition, at the Expense of the Company, and the Amount thereof shall be a Debt due to the Crown, and be recoverable accordingly with Costs of Suit.

Power for
Company to
abandon
Parts of Rail-
way herein
named.

LXXV. The Company may abandon the making of the following Portions of their Main Line of Railway authorized by the recited Act; (that is to say,)

Firstly, so much thereof as is situate between a Field numbered 27 on the Plans deposited for the Purposes of that Act, in the Foreign of the Parish of *Kidderminster* in the County of *Worcester*, and a Field numbered 91 on the said Plans, in the aforesaid Parish and County :

Secondly, so much thereof as is situate between a Field numbered 5 on the before-mentioned Plans, in the Parish of *Saint Leonard's* in the Borough of *Bridgnorth* and County of *Salop*, and a Wood or Plantation, numbered 14 on the said Plans, in the Parish of *Linley* in the said County :

Thirdly, so much thereof as is situate between the Point marked 38 Miles on the said Plans, in the Parish of *Saint Chad* in the County of *Salop*, and the Terminus thereof by that Act authorized in the Parish of *Holy Cross and Saint Giles Shrewsbury* in that County.

Wellington
and Severn
Junction
Railway
Company to
afford Facili-
ties for
Transmis-
sion of
Traffic.

LXXVI. And whereas it is expedient that Facilities be afforded for the Transmission of Traffic to and from the Railway and Branch over the *Wellington and Severn Junction* Railway from and to the *Horse Hays* Ironworks or any intermediate Point on the *Wellington and Severn Junction* Railway : Therefore, if Complaint be at any Time 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 over any Part of
the

The Severn Valley Railway Act, 1855.

the *Wellington and Severn Junction* Railway, the Board of Trade from Time to Time may make and enforce such Rules, Orders, and Regulations as to that Board seem proper for the Accommodation of such Traffic, and may fix the Charges to be made in respect thereof; and if the *Wellington and Severn Junction* Railway Company fail to carry out or abide by any such Rules, Orders, or Regulations, they shall, so long as they so fail, forfeit and pay to the Company a daily Penalty of Twenty Pounds, and the Charges and Expenses of the Board of Trade relating to the making and enforcing of such Rules, Orders, or Regulations shall be paid on Demand by them equally by the Company and the *Wellington and Severn Junction* Railway Company: Provided always, that anything in this Act shall not authorize the Company to run locomotive Engines upon any Portion of the *Wellington and Severn Junction* Railway.

LXXVII. The Company may from Time to Time pass over and use with their Engines, Carriages, and Waggons such Part of the *Shrewsbury and Hereford* Railway as lies between the intended Junction of the Railway therewith and the Passenger and Goods Stations at *Shrewsbury*, and the several Stations, Watering Places, Sidings, Offices, and other Works and Conveniences between that intended Junction and *Shrewsbury* now or hereafter belonging to or under the Management and Regulation of or used by the *Shrewsbury and Hereford* Railway Company, or any Parts thereof, upon Payment of such Rents, Tolls, Rates, and Charges, and upon such Terms and Conditions, as may be from Time to Time agreed on between the Company and the *Shrewsbury and Hereford* Railway Company.

Power for Company to use a Portion of the *Shrewsbury and Hereford* Railway.

LXXVIII. If at any Time the *Shrewsbury and Hereford* Railway Company fail to agree with the Company in regard to the Matters aforesaid or any of them, the Board of Trade, on the Application of the Company, may from Time to Time make and enforce such Orders and Regulations as to that Board seem proper for such User by the Company, and may fix the Charges to be made in respect thereof, and the Charges and Expenses of that Board shall be paid by the Company and the *Shrewsbury and Hereford* Railway Company, or by such of them and in such Proportions as the said Board may determine.

Board of Trade to decide if Companies fail to agree.

LXXIX. The Times at which and the Manner in which the Trains of the Company shall run upon such Part of the *Shrewsbury and Hereford* Railway as aforesaid shall be subject to the Byelaws and Regulations of the *Shrewsbury and Hereford* Railway Company, but in the event of Objection by the Company to any of the said Byelaws and Regulations as affecting them, or in the event of Difference

Company to be subject to the Byelaws, &c. of the *Shrewsbury and Hereford* Railway Company.

[*Local.*]

33 N

between

The Severn Valley Railway Act, 1855.

between the Company and the *Shrewsbury and Hereford* Railway Company as to the Time or Manner of running such Trains, or as to the said Byelaws and Regulations as affecting the Company, such Objection or Difference shall be settled by the Board of Trade on the Application of either of the said Companies.

The Four specified Railway Companies to give Company Accommodation at the common Station at Shrewsbury.

LXXX. The Four specified Railway Companies shall make all Arrangements at the Passenger Station at *Shrewsbury* belonging jointly to them which may be necessary for the booking and reasonable Accommodation of the Passenger Traffic coming to or from the *Severn Valley* Railway, on Payment of such Charges, Rent, or Consideration as may from Time to Time be agreed upon between the Company and the said Four specified Railway Companies; and if at any Time a Difference shall arise as to the Nature and Extent of the Accommodation to be afforded by the said Four specified Railway Companies, or as to such Charges, Rent, or other Consideration, the Board of Trade, on the Application of the Company, may from Time to Time make and enforce such Orders and Regulations as to that Board seem proper in regard to the Accommodation to be afforded by the said Four specified Railway Companies as aforesaid, and may fix the Charges to be made in respect thereof, and the Costs incurred by the Board of Trade shall be paid by the Company and the Four specified Railway Companies, or by such of them and in such Proportions as the Board may determine.

Shrewsbury and Hereford Railway Company to give Company Accommodation at their Goods Station at Shrewsbury.

LXXXI. The *Shrewsbury and Hereford* Railway Company shall afford such Accommodation at the Goods Station at *Shrewsbury* belonging to that Company which may be necessary for the reasonable Accommodation of the Goods Traffic coming to or from the *Severn Valley* Railway, on Payment of such Charges, Rent, or Consideration as may from Time to Time be agreed upon between the Company and the said *Shrewsbury and Hereford* Railway Company; and if at any Time a Difference shall arise as to the Nature and Extent of the Accommodation to be afforded by the said *Shrewsbury and Hereford* Railway Company, or as to such Charges, Rent, or other Consideration, the Board of Trade, on the Application of the Company, may from Time to Time make and enforce such Orders and Regulations as to that Board seem proper in regard to the Accommodation to be afforded by the said *Shrewsbury and Hereford* Railway Company as aforesaid, and may fix the Charges to be made in respect thereof, and the Costs incurred by the Board of Trade shall be paid by the Company and the said *Shrewsbury and Hereford* Railway Company, or by such of them and in such Proportion as the Board may determine.

LXXXII. The

The Severn Valley Railway Act, 1855.

LXXXII. 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 Goods.

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 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, and 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:

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

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 Burthen, and for every Ox or Bull, Cow or Neat Cattle, conveyed in or upon any such Carriage, *per Mile* not exceeding Threepence; and if conveyed

The Severn Valley Railway Act, 1855.

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.

LXXXIII. 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 every Passenger or Animal, or for every Ton of Goods or other Articles, in addition to the several other Tolls or Sums by this Act authorized to be taken.

Regulation
as to Tolls.

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

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

For a Fraction of a Mile beyond Six Miles, or beyond any greater Number of Miles, the Company may demand Tolls 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 a Fraction of a Ton the Company may demand Toll according to the Number of Quarters of a Ton in such Fraction; and if there be a Fraction of a Quarter of a Ton, such Fraction shall be deemed a Quarter of a Ton :

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

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

Tolls for
small Parcels
and Articles
of great
Weight.

LXXXV. 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,)

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

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

For

The Severn Valley Railway Act, 1855.

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

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

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

And for Parcels exceeding Fifty-six Pounds in Weight, and not exceeding Five hundred Pounds Weight, 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 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.

LXXXVI. Every Passenger travelling upon the Railway and Branch may take with him his ordinary Luggage, not exceeding One hundred and twelve Pounds in Weight for First-class Passengers, One hundred 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. Passengers
Luggage.

LXXXVII. With respect to the Conveyance of Animals, 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 Waggon 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 : Maximum
Rates of
Charges for
Cattle and
Goods.

For every Horse, or other Beast of Draught or Burthen 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 :

[*Local.*]

33 O

For

The Severn Valley Railway Act, 1855.

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*.

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

LXXXVIII. 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 Thirty-five Miles on the Railway and Branch, or than One Penny *per Ton per Mile* for any shorter Distance.

Maximum
Rates of
Charges for
Passengers.

LXXXIX. 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, Threepence *per Mile* :

For every Passenger conveyed in a Second-class Carriage, Twopence *per Mile* :

For every Passenger conveyed in a Third-class Carriage, One Penny Halfpenny *per Mile* :

Restriction
as to Charges
not to affect
Special
Trains.

XC. Provided always, That the Restriction as to the Charges to be made for Passengers does not extend to any Special Train that may be required to run upon the Railway and Branch, but applies only to the Express and Ordinary Trains from Time to Time appointed by the Company for the Conveyance of Passengers and Goods upon the Railway and Branch.

Company
may take
increased
Charges by
Agreement.

XCI. 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.

Power for
Companies
to enter into

XCII. The *Oxford, Worcester, and Wolverhampton* Railway Company and the Company may from Time to Time enter into Agreements

The Severn Valley Railway Act, 1855.

ments with respect to the following Purposes, or any of them; (that is to say,) Traffic Arrangements.

The Use and Working by the *Oxford, Worcester, and Wolverhampton* Railway Company of all or any Part of the Railways of the Company, and the Use of the Works and Conveniences belonging thereto:

The Conveyance by the *Oxford, Worcester, and Wolverhampton* Railway Company of the whole or any Part of the Traffic upon the said Railways:

The Division and Apportionment of the gross or net Receipts from such Traffic between the said Companies:

The Supply of any Rolling or Working Stock required for such Purposes:

The Use or Purchase by the *Oxford, Worcester, and Wolverhampton* Railway Company of the Rolling or Working Stock belonging to the Company, or any Part thereof:

The Management, Maintenance, and Repair of the said Railways, or either of them, or any Part of either thereof:

The Costs and Expenses of such Working, Management, Maintenance, and Repairs:

The forwarding, Interchange, and Transmission upon or over the respective Railways of the said Companies of any Passenger or other Traffic which may be conveyed upon and from the *Oxford, Worcester, and Wolverhampton* Railway to and along the *Severn Valley* Railway, or any Part thereof, or which may be conveyed upon and from the *Severn Valley* Railway to and along the *Oxford, Worcester, and Wolverhampton* Railway, or any Part thereof:

The Collection, Delivery, and general Conduct of such Traffic:

The fixing of the Tolls, Rates, and Charges to be levied or taken by the said Companies in respect of the Traffic conveyed over their several Railways or any Part thereof respectively, not exceeding the maximum Tolls, Rates, and Charges authorized by the Acts of Parliament relating to such Railways respectively:

The Collection, taking, and levying of the said Tolls, Rates, and Charges:

The Division between the said Companies of the Receipts arising from the Traffic upon their respective Railways, or any Part thereof respectively, subject to any Deductions to be made therefrom, or any Rent or other Consideration to be paid by either of the said Companies to the other of them, by virtue of the said Agreement.

XCIII. Any such Agreement shall not be for more than Five Years, and no such Agreement shall have any Operation until the Duration of Agreement, which shall be approved

The Severn Valley Railway Act, 1855.

by Board of Trade.

Agreements not to affect Persons not Parties thereto.

same shall have been approved of by the Board of Trade; and no such Agreement as aforesaid shall in any Manner alter, affect, increase, or diminish any of the Tolls, Rates, or Charges which the said Companies shall for the Time being be respectively authorized and entitled to demand and receive from any Person or any other Company, but all other Persons and Companies shall, notwithstanding any such Agreement, be entitled to the Use and Benefit of the Railways to which the said Agreement may relate, upon the same Terms and Conditions, and on Payment of the same Tolls, Rates, and Charges, as they would have been in case no such Agreement had been entered into: Provided always, that the said Board shall not approve such Agreement without being satisfied that the same has been duly assented to by the Shareholders of the several Companies Parties thereto in Special Meeting assembled for that Purpose.

Appointment of joint Committee for carrying the Agreement into effect.

XCIV. The said Companies may, by any such Agreement as aforesaid, appoint a joint Committee composed of such Number of Directors of the said Companies as the said Companies may think proper, and from Time to Time may alter, vary, and renew any such Committee as Occasion may require, and may regulate the Proceedings of such Committee, and delegate to such Committee all such Powers of the said Companies respectively as may be necessary for carrying into effect the Purposes of such Agreement; and every such joint Committee so appointed shall have and may exercise the Powers so for the Time being delegated to them, in like Manner as the same might have been had and exercised by the said Companies respectively or their respective Directors.

Agreement may be renewed with Approval of the Board of Trade, but Public Notice to be given.

XCV. At the Expiration of the said Agreement the said Companies, with the Consent in Special Meeting of the Shareholders of such Companies respectively, and subject to the Approval of the Board of Trade, may enter into a further Agreement for all or any of the Purposes aforesaid: Provided always, that before such Companies shall enter into any such further Agreement as aforesaid, they shall give Notice of their Intention to enter into such Agreement by Advertisement, in a Form to be approved of by the Board of Trade, inserted once in each of Three successive Weeks in some Newspaper published or circulating in each County in which any Part of the Railway or Railways to which such proposed Agreement relates is situated; and every such Notice shall set forth within what Time and in what Manner any Company or Person aggrieved by such proposed Agreement, and desiring to object thereto, may bring such Objections before the Board of Trade; and no such Agreement shall be valid at Law or in Equity until the same shall have been approved of by the Board of Trade.

Agreement inoperative until approved by Board of Trade.

XCVI. No

The Severn Valley Railway Act, 1855.

XCVI. No such Agreement shall have any Operation or Effect unless and until the same shall have been submitted to and approved by a Majority of not less than Three Fifths of the Votes of the Shareholders present, personally or by Proxy, at a Meeting of the Company specially convened for that Purpose.

Agreement not to take effect unless approved by Three Fifths of the Shareholders.

XCVII. Such Meeting shall be called by Advertisements inserted for Two successive Weeks in a Morning Newspaper published in *London* and in some Newspaper of the County in which the principal Office of the Company is situate, the last of which Advertisements shall be published not less than Seven Days before such Meeting, and also by a Circular addressed to each Shareholder entitled to vote at Meetings of the Company, to be served in the Manner prescribed by "The Companies Clauses Consolidation Act, 1845," with respect to Notices requiring to be served by the Company upon the Shareholders.

Meeting how to be convened.

XCVIII. Provided always, That, except as is by this Act expressly provided, this Act or anything therein shall not take away, diminish, alter, or prejudice any of the Rights, Privileges, Powers, or Authorities of any of the several Railway Companies respectively named in the Preamble to this Act.

Saving Rights of other Railway Companies.

XCIX. And whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of Her Majesty, Chapter Twenty, Consolidated Three Pounds *per Centum* Bank Annuities to the Value of Forty-five thousand Pounds have been transferred, pursuant to that Act, in respect of the recited Act, which said Sum is One Tenth Part of Three Fourths of the Amount of the Estimate of the Expense of the Undertaking authorized by that Act: And whereas inasmuch as Parts of the original Undertaking of the Company authorized by the recited Act are by this Act authorized to be abandoned, and the Estimate of the Expense of the Works authorized by this Act and the recited Act is thereby reduced to the Sum of Four hundred and eighty thousand Pounds, One Tenth Part of Three Fourths of the Amount whereof is the Sum of Thirty-six thousand Pounds: Be it enacted, That, notwithstanding anything in the recited Act, such Part of the Stock so transferred as shall be equal in Value to the said Sum of Thirty-six thousand Pounds, 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 that Act, Chapter Twenty, or the Survivors or Survivor of them, unless the Company, before the Period prescribed by this Act for the Com-

Restriction as to Transfer of certain Moneys deposited pursuant to Standing Orders, &c.

The Severn Valley Railway Act, 1855.

pletion of the Railway as authorized by this Act, either open the Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Board of Trade that the 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 that Capital; and if that Period arrive before the Company either have opened the Railway for the public Conveyance of Passengers, or have given such Proof to the Satisfaction of the Board of Trade, the Stock so transferred and the Dividends thereof shall immediately from and after the Arrival of that 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 Thirty-six thousand Pounds be executed, 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 Treasury,) conditioned for Payment to Her Majesty, Her Heirs or Successors, of the Sum of Thirty-six thousand Pounds if the Company do not, before the Period prescribed by this Act as aforesaid, either open the Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Board of Trade that the 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 that Capital, and if such Bond be deposited with the Solicitor to the Treasury, then such Stock and the 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, or the Survivors or Survivor of them, and it shall not be necessary to produce any Certificate of this Act having passed, anything in that Act, Chapter Twenty, to the contrary notwithstanding; and the Moneys to be recovered upon such Bond shall be dealt with in like Manner as such Stock and the Dividends thereof would be dealt with under this Act if such Bond were not so executed and deposited; and the Certificate of the Solicitor to the Treasury that such Bond is so executed and deposited, and the Certificate of the Board of Trade that such Proof has been given to their Satisfaction, shall respectively be sufficient Evidence of the Facts so certified: Provided also, that the Railway to be so opened for the public Conveyance of Passengers shall not include the Parts of the Railway or Undertaking of the Company by this Act authorized to be abandoned.

C. Not-

The Severn Valley Railway Act, 1855.

C. Notwithstanding anything in the recited Act contained, the High Court of Chancery may and shall at any Time after the passing of this Act, on Application by the Company or on their Behalf by Petition, in a summary Way, order that One Fifth Part of the said Stock and the Dividends thereon, being Part of the said Annuities so transferred pursuant to the Act of the Ninth Year of Her Majesty, Chapter Twenty, in respect of the recited Act as aforesaid, be transferred and paid to the Company, or to such Person or Persons as the Company may appoint in that Behalf, and that upon such Order being made the said One Fifth Part of the said Stock and the Dividends thereon shall be transferred and paid to the Company, or to such Person or Persons as the Company shall appoint.

Court of Chancery may order Transfer to Company of Moneys in respect of reduced Capital.

CL. This Act or anything therein shall not exempt the Railway 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 and Tolls for small Parcels, by this Act authorized.

Railway not exempt from Provisions of present and future General Acts.

CII. All the Costs, Charges, and Expenses of and incident to the obtaining and passing of this Act shall be paid by the Company.

Expenses of Act.

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1855.

