



ANNO VICESIMO TERTIO & VICESIMO QUARTO

VICTORIÆ REGINÆ.

Cap. clxxiii.

An Act for making a Railway from the *Mid-Sussex and Midhurst Junction* Railway to *Petersfield* in the County of *Southampton*. [23d July 1860.]

WHEREAS the making of a Railway, with proper Works and Conveniences, from the *Mid-Sussex and Midhurst Junction* Railway to *Petersfield* in the County of *Southampton*, would be of great local and public Advantage: And whereas the Persons herein-after named, together with other Persons, are willing, at their own Expense, to carry such Undertaking into execution, but these Purposes 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. "The Companies Clauses Consolidation Act, 1845," "The Lands
Clauses Consolidation Act, 1845," and "The Railways' Clauses Consoli-
dation Act, 1845," shall, save as to such of the Provisions thereof (if any)
as may be expressly repealed or altered by this Act, be incorporated with
and form Part of this Act.

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cc. 16. 18.
and 20. in-
corporated.

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Short Title. II. In citing this Act for any Purpose it shall be sufficient to use the Expression "*The Petersfield Railway Act, 1860.*"

Incorporation of Company. III. *Joseph Cary, Henry Hawes Fox, Joseph Dierden, William Edward Knobel*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Railway herein-before and herein-after more particularly described, with proper Works and Convenience belonging thereto, according to the Provisions of this Act and of the Acts incorporated herewith, and for other the Purposes herein and in the said Acts contained, and for the Purposes aforesaid such Company shall be incorporated by the Name of "*The Petersfield Railway Company*," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, within the Restrictions herein and in the said recited Acts contained.

Capital and Amount of Shares. IV. The Capital of the Company shall be One hundred thousand Pounds, divided into Ten thousand Shares, and the Amount of each shall be Ten Pounds.

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

Power to borrow on Mortgage. VI. It shall be lawful for the Company to borrow on Mortgage any Sums not exceeding in the whole the Sum of Thirty thousand Pounds, but no Part of such Sum shall be borrowed until the whole of the said Capital or Sum of One hundred thousand Pounds shall have been subscribed for, and One Half shall have been actually paid up.

Arrears may be enforced by Appointment of Receiver. VII. It shall be lawful for the Mortgagees of the Company to enforce the Payment of the Arrears of Principal and Interest due on any Mortgages by the Appointment of a Receiver; and in order to authorize the Appointment of such Receiver, in the event of the Principal Money due on such Mortgages not being duly paid, the Amount owing to the Mortgagee by whom Application for such Receiver shall be made shall not be less than Three thousand Pounds in the whole.

Application of Money. VIII. All and every Part of the several Sums of Money hereby authorized to be raised by Shares or Mortgage shall be applied only to the Objects and Purposes by this Act authorized.

IX. The

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IX. The *London and South-western* Railway Company and the Company may from Time to Time enter into Agreements with respect to the following Purposes or any of them ; (that is to say,)

Power to enter into Traffic Arrangements.

The Maintenance, Use, and working by the *London and South-western* Railway Company of all or any Part of the Railway of the Company, and the Use of the Works and Conveniences belonging thereto, and the Conveyance by the *London and South-western* Railway Company of the whole or any Part of the Traffic upon the said Railway :

The Division and Apportionment of such Traffic between the said Companies respectively :

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

The Management, Maintenance, and Repair of the Railway :

The Costs and Expenses of such working, Management, Maintenance, and Repair :

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 Railway of the *London and South-western* Railway Company to and along the Railway or any Part thereof, or which may be conveyed upon and along the Railway to and along the *London and South-western* 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 or either of them in respect of the Traffic conveyed over their respective 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 such 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 Agreements.

X. Any such Agreement shall not be for more than Ten Years, and no such Agreement shall have any Operation until the same shall have been approved 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 Persons or any other Company, but all other Persons and Companies shall, notwithstanding any such Agreement,

Duration of Agreement to be approved by Board of Trade.

Agreements not to affect be

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Persons not
Parties
thereto.

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 said Companies, Parties thereto, in Special Meeting assembled for that Purpose, as herein-after required.

Agreement
may be re-
newed with
the Approval
of the Board
of Trade.

XI. At the Expiration of the said Agreement or of any future Agreement the said Companies, with the Consent in Special Meeting of the Shareholders of such Companies respectively, as herein-after required, (and subject to the Approval of the Board of Trade,) may from Time to Time enter into an Agreement for not more than Ten Years from the Expiration of the preceding Agreement for all or any of Purposes aforesaid.

Public
Notice to be
given of the
Intention to
enter into
Agreements.

XII. 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 Two 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 said Board.

Agreement
inoperative
until ap-
proved by
Board of
Trade.

Working
Arrange-
ments to be
approved by
Share-
holders.

XIII. None of the Agreements herein authorized to be entered into between the Company and the *London and South-western* Railway Company shall have any Operation or Effect unless and until the Contracts or Arrangements intended to be made for such Purposes respectively shall have been submitted to and approved by a Majority consisting of not less than Three Fifths of the Votes of the Shareholders present, personally or by Proxy, at a Meeting of the Companies Parties thereto specially convened for that Purpose.

Meeting
how to be
convened.

XIV. Such Meeting shall be called by Advertisement inserted once at least in Two successive Weeks in a Morning Newspaper published in *London*, and in some Newspaper of the County in which the principal Office of each Company Party to such Contract or Arrangement is situate, the last of which Advertisements shall be published not less than Seven Days before such Meeting of the Company, and also by a Circular addressed to each Shareholder entitled to vote at Meetings of the Company,

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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.

XV. In estimating the Tolls or Charges to be paid during the Continuance in force of any such Contract or Agreement as aforesaid, the Railway shall be deemed to be Part of the *London and South-western Railway*. Provision as to Traffic on the Lines.

XVI. The First Ordinary Meeting of the Company shall be held within Three Months after the passing of this Act. First General Meeting.

XVII. The Number of Directors of the said Company shall be Six, and the Qualification of a Director shall be the Possession in his own Right of Fifty Shares in the Undertaking. Number and Qualification of Directors.

XVIII. It shall be lawful for the Company from Time to Time to reduce the Number of Directors, provided that the reduced Number be not less than Three. Power to vary Number of Directors.

XIX. *Joseph Cary, Henry Hawes Fox, and William Edward Knobel* shall be the First Directors of the Company. First Directors.

XX. The Directors appointed by this Act shall continue in Office until the First Ordinary Meeting to be held after the passing of this Act, and at such Meeting the Shareholders present, personally or by Proxy, may either continue in Office the Directors appointed by this Act, or any Number of them, or may elect a new Body of Directors, or Directors to supply the Place of those not continued in Office, the Directors appointed by this Act being eligible as Members of such new Body; and at the corresponding Ordinary Meeting to be held in the next and every Year thereafter the Shareholders present, personally or by Proxy, shall elect Persons to supply the Places of the Directors then retiring from Office by Rotation, agreeably to the Provisions in the said "Companies Clauses Consolidation Act, 1845," contained; and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead, in manner provided by the said "Companies Clauses Consolidation Act, 1845:" Provided always, that the above-named Directors shall not be subject to such Removal as herein-before mentioned, but shall continue in Office for the full Term of Five Years from the First Ordinary Meeting under this Act. Election of future Directors.

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

XXII. The Newspapers in which Advertisements relating to the Affairs of the Company are to be inserted shall be One Newspaper published Newspapers for Advertisements.

[Local.]

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lished

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lished in *London*, and One Newspaper published and circulated in the County of *Southampton*.

Railway to
be made
according to
deposited
Plans.

XXIII. And whereas Plans and Sections of the said intended Railway, showing the Line and Levels thereof, and also Books of Reference to such Plans, containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands through which the said Railway is intended to pass, have been deposited with the Clerk of the Peace for the County of *Sussex* and also for the Clerk of the Peace for the County of *Hants* in the Month of *November* One thousand eight hundred and fifty-nine: Therefore, subject to the Provisions in this and the said incorporated Acts contained, and to the Powers of Deviation given by such Acts and by the next Section of this Act, it shall be lawful for the Company to make and maintain the said Railway and Works in the Line and upon the Lands delineated upon the Plans and described in the Books of Reference, and according to the Levels shown on the said Sections, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purposes.

Railway to
be made
according to
amended
Plans and
Sections.

XXIV. And whereas since the Deposit of the said Plans and Sections and Books of Reference a Deviation in the Line or Course of the Railway has been deemed expedient: And whereas an amended Plan and Section, describing the Deviation of the said Railway according to the altered Line and Levels thereof, with a Book of Reference to such Plan, have been deposited in the Month of *June* One thousand eight hundred and sixty with the Clerk of the Peace of the County of *Sussex*: Be it enacted, That the Railway, so far as by this Act authorized and required to be deviated, shall not be made in the Line or Course and according to the Levels delineated upon the said Plans and Sections so deposited with the said Clerks of the Peace in the Month of *November* One thousand eight hundred and fifty-nine, but the said Railway shall be made in the Line or Course delineated upon the said Plan so deposited with the said Clerk of the Peace in the said Month of *June* One thousand eight hundred and sixty, or within the Limits of Deviation defined thereon, and according to the Levels delineated upon the Section deposited with such Plan, and it shall be lawful for the Company to enter upon, take, and use such of the Lands delineated upon the said Plan and described in the Book of Reference so deposited in the said Month of *June* as shall be necessary for such Purpose.

Company
not to con-
struct cer-
tain Works.

XXV. The Company shall not construct any Part of the Works shown upon the said Plans deposited in the Month of *November* last, and situate to the East of the Baptist Chapel at *Midhurst*, and no Extension of the Railway to join the *Mid-Sussex and Midhurst Junction* Railway shall hereafter be made in the Direction shown upon the said last-mentioned Plans.

XXVI. It

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XXVI. It shall be lawful for the Company to make and maintain the Railway following ; (that is to say,) Line of
Railway.

A Railway, with all proper Stations, Works, and Conveniences connected therewith; commencing by a Junction with the Line of the *Mid-Sussex and Midhurst Junction* Railway, as proposed to be authorized by an Act of the present Session of Parliament, at a Point adjoining the Southerly Side of the public Road leading from *Midhurst* to *Bepton* about Three hundred and seventy Yards to the Westward of the Baptist Chapel in the Parish of *Midhurst* in the County of *Sussex*, and terminating in a Field numbered 24 in the Parish of *Petersfield* in the County of *Southampton* as marked on the deposited Plans, being near a Point about Eighteen Chains to the South-westward of the Point where the Boundary between the Parishes of *Petersfield* and *Sheet* crosses the *Direct London and Portsmouth* Railway in the Parish of *Petersfield*, which said intended Railway and Works will pass in, through, or into the several Parishes, Townships, extra-parochial and other Places following, or some of them ; (that is to say,) *Cocking, Woollavington, Midhurst, Bepton, Woolbeding, Stedham, Iping, Treyford, Trotton, Didling, Elstead, Linch, Chithurst, Rogate, Harting, and Turwick* in the County of *Sussex*, and *Buriton, Sheet, Petersfield, and Steep* in the County of *Southampton*.

XXVII. In constructing the Railway the Level of the Road numbered 40 on the deposited Plan in the Tithing of *Sheet*, and also numbered 15 on the deposited Plan in the Parish of *Petersfield*, when altered, shall not be lower than the present Level of the Road where such Road crosses the adjoining Brook. As to Level
of Road
herein
named.

XXVIII. No Junction of the Railway with the *Direct London and Portsmouth* Railway shall be made, nor shall the Company take, use, enter upon, or interfere with any of the Lands, Buildings, Works, or Property of the *Direct London and Portsmouth* Railway, or of the *London and South-western* Railway Company, without in every Case the previous Consent of the *London and South-western* Railway Company in Writing under their Common Seal. No Junction
of Railway
with London
and Ports-
mouth Rail-
way without
Consent.

XXIX. The Quantity of Land to be purchased by the Company by Agreement for the extraordinary Purposes mentioned in the said "Railway Clauses Consolidation Act, 1845," shall not exceed Three Acres. Land for ex-
traordinary
Purposes.

XXX. The Powers of the Company for compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing of this Act. Powers for
compulsory
Purchases
limited.

XXXI. The

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Period for
Completion
of Railway,
&c.

XXXI. The Railway shall be completed within Four Years from the passing of this Act, and after the Expiration of such Time all the Powers hereby granted to the Company for executing the Railway hereby authorized, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Railway as shall be then completed.

For securing
Completion
of the Rail-
way.

XXXII. And whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of Her present Majesty, Chapter Twenty, a Sum of Seven thousand two hundred Pounds, being One Eighth of the Amount of the Estimate of the Expense of the Railway authorized by this Act, has been deposited with the Court of Chancery in *England* in respect of the Application to Parliament for this Act: Be it enacted, That, notwithstanding anything contained in the said recited Act, the said Sum of Seven thousand two hundred Pounds so deposited as aforesaid in respect of the Application for this Act, or the Interest or Dividends of such Sum of Money, shall not (except upon the Execution and Deposit of such Bond as hereinafter mentioned) be paid or transferred to or on the Application of the Person or Persons or the Majority of the Persons named in the Warrant or Order issued in pursuance of the said Act, or the Survivors or Survivor of them, unless the Company shall, previously to the Expiration of the Period limited by this Act for Completion of the Railway hereby authorized to be made, either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the 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 the said Capital; and if the said Period shall expire before the Company shall either have opened the Railway for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Board of Trade, the Sum of Money deposited as aforesaid, and the Interest and Dividends thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom: Provided that at any Time after the passing of this Act, if a Bond in twice the Amount of the said Sum of Seven thousand two hundred Pounds shall have been executed by the Company, with One or more Sureties, (such Bond to be prepared to the Satisfaction of and such Surety or Sureties to be approved by the Solicitor to the Treasury,) conditioned for the Payment to Her Majesty, Her Heirs or Successors, of the said Sum of Seven thousand two hundred Pounds if the Company shall not within the Time limited for

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for the Completion of the Railway 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 the said Capital, and if such Bond shall have been deposited with the said Solicitor, then such Sum of Money and the Interest or Dividends thereof shall be paid to or on the Application of the Person or Persons or the Majority of the Persons named in such Warrant or Order as aforesaid, or the Survivors or Survivor of them, and it shall not be necessary to produce any Certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding; and the Monies to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Money and the Interest or Dividends thereof would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitor that such Bond has been executed and deposited as aforesaid, and the Certificate of the Board of Trade that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

XXXIII. Nothing in this Act contained shall prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities of or vested in or belonging to the said *Mid-Sussex and Midhurst Junction* Railway Company or the said *London and South-western* Railway Company respectively. Saving Rights of Companies herein named.

XXXIV. The Company may demand any Tolls for the Use of the Tolls. Railway by this Act authorized, not exceeding the following; (to wit,)

In respect of the Tonnage of all Articles conveyed thereon or upon any Part thereof, and included within the following Classes: Tonnage on Articles of Merchandise.

Class One. For all Coals, Coke, Culm, Charcoal, and Cinders, Compost, Dung, and all Sorts of Manure, Lime and Limestone, Chalk, and all undressed Materials for the Repair of Roads or Highways, and for all Stones for building, pitching, and paving, Bricks, Tiles, Slate, Clay, and Sand; *per Ton per Mile* not exceeding One Penny Halfpenny; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Halfpenny; and if drawn or propelled by an Engine belonging to the Company, a further Sum *per Ton per Mile* not exceeding One Halfpenny:

Class Two. For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Timber, Staves, Deals, Iron and all other Metals, Cotton and other Wools, manufactured Goods, and all other Wares, Merchandise, Articles, Matters, or Things, (except as herein-before
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and herein-after mentioned,) *per Ton per Mile* not exceeding Twopence; and if conveyed in Carriages belonging to the Company, a further Sum *per Ton per Mile* not exceeding Three Farthings; and if drawn or propelled by an Engine belonging to the Company, a further Sum *per Ton per Mile* not exceeding Three Farthings:

Class Three. For all Silk, Indigo, Cinnamon and other Spices, Oranges, Lemons, and other Fruit not dried, Eggs, Fish, Poultry, Meat, and all other Articles of a perishable or consumable Nature, *per Ton per Mile* not exceeding Sixpence; and if conveyed in Carriages belonging to the Company, a further Sum *per Ton per Mile* One Penny; and if drawn or propelled by an Engine belonging to the Company, a further Sum *per Ton per Mile* not exceeding One Penny:

Class Four. 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,) *per Mile* not exceeding Fourpence; and if any such Carriage be conveyed on a Truck or Platform belonging to the Company, an additional Sum *per Mile* not exceeding One Penny Halfpenny; and if drawn or propelled by an Engine belonging to the Company, a further Sum *per Mile* not exceeding One Penny Halfpenny; and for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton above One Ton which any such Carriage may weigh, further Tolls not exceeding One Penny:

Tolls for
Animals, &c.

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

Class Five. For every Horse, Mule, Ass, or other Beast of Draught or Burden, Ox, Cow, Bull, or Head of Neat Cattle, conveyed in or upon any such Carriage, *per Mile* not exceeding One Penny Halfpenny; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per Mile* not exceeding One Penny; and if such Carriage be drawn or propelled by an Engine belonging to the Company, an additional Sum *per Mile* not exceeding One Penny:

Class Six. For every Calf or Pig conveyed in or upon any such Carriage, the Sum of One Halfpenny *per Mile*; and if conveyed in any Carriage belonging to the Company, an additional Sum *per Mile* not exceeding One Halfpenny; and if such Carriage be drawn or propelled by an Engine belonging to the Company, an additional Sum *per Mile* not exceeding One Halfpenny:

Class Seven. For every Sheep, Lamb, or other small Animal conveyed in or upon any such Carriage, *per Mile* not exceeding One Halfpenny; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per Mile* not exceeding One Farthing;

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Farthing; and if drawn or propelled by an Engine belonging to the Company, an additional Sum *per* Mile not exceeding One Farthing :

In respect to Passengers conveyed in Carriages upon the Railway, as follows : Tolls for Passengers.

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; and if drawn or propelled by an Engine belonging to the Company, an additional Sum *per* Mile not exceeding One Halfpenny.

XXXV. The following Provisions and Regulations shall be applicable to the fixing of the Tolls and maximum Rates of Charge; (to wit,) Regulations as to Tolls.

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

For a Fraction of a Mile beyond Three Miles or beyond any greater Number of Miles the Company may demand in respect of Passengers Tolls and Charges as for One Mile, and in respect of Animals and Articles Tolls and Charges in proportion to the Number of Quarters of a Mile contained in such Fraction; and for this Purpose a Fraction of a Quarter of a Mile shall be deemed a Quarter of a Mile :

For a Fraction of a Ton the Company may demand Toll according to the Numbers 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 Weight, and so on in proportion for any smaller Quantity.

XXXVI. With respect to small Packages and single Articles of great Weight, notwithstanding the Rate of Tolls prescribed by this Act, the Company may demand any Tolls not exceeding the following; (to wit,) Tolls for small Parcels and Articles of great Weight.

For the Carriage of small Parcels on the Railway or any Part thereof, as follows :

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

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

For

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For any Parcel exceeding Fourteen Pounds in Weight but not exceeding Twenty-eight Pounds in Weight, Eightpence :

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

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

Provided that Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages :

For the Carriage of any One Boiler, Cylinder, or any One Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Carriage, shall exceed Four Tons but shall not exceed Eight Tons, the Company may demand any Sum not exceeding One Shilling *per Ton per Mile* ; and if conveyed in or upon a Carriage belonging to the Company, an additional Sum *per Ton per Mile* not exceeding Fourpence ; and if drawn or propelled by an Engine belonging to the Company, a further Sum *per Ton per Mile* not exceeding Threepence :

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

Passengers
Luggage.

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

Maximum
Rates of
Charge for
Passengers.

XXXVIII. The maximum Rates of Charge to be made by the Company for the Conveyance of Passengers upon the Railway, including the Tolls for the Use of the Railway, and of Carriages and for locomotive Power, and every other Expense incidental to such Conveyance, shall not exceed the following Sums :

For every Passenger conveyed in a First-class Carriage, the Sum of Twopence Halfpenny *per Mile* :

For every Passenger conveyed in a Second-class Carriage, the Sum of One Penny Three Farthings *per Mile* :

For every Passenger conveyed in a Third-class Carriage, the Sum of One Penny *per Mile*.

Maximum
Charges for
Goods and
Animals.

XXXIX. The maximum Rate of Charge to be made by the Company for the Conveyance of Animals, Articles, Matters, or Things respectively included

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included in the Classes before mentioned, including the Tolls for the Use of the Railway, and of Carriages and for locomotive Power, and every other Expense incidental to such Conveyance, shall not exceed the Amounts following; (to wit,)

For the Matters mentioned under Class One, not exceeding Twopence *per Ton per Mile* :

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

For the Matters mentioned under Class Three, not exceeding Fivepence *per Ton per Mile* :

For any Carriage mentioned under Class Four, not weighing more than One Ton, not exceeding Sixpence *per Mile*; and if weighing more than One Ton, not exceeding One Penny Halfpenny *per Mile* for every Quarter of a Ton or fractional Part of a Quarter of a Ton :

For everything mentioned under Class Five, not exceeding Fourpence *per Mile* :

For everything mentioned under Class Six, not exceeding One Penny Halfpenny *per Mile* :

For everything mentioned under Class Seven, not exceeding One Penny *per Mile*.

XL. The Restriction as to the Charges to be made shall not extend to any Special Train that may be required to be run upon the Railway, but shall apply only to the ordinary and Express Trains appointed from Time to Time by the Company for the Conveyance of Passengers and Goods upon the Railway.

Restriction as to Charges not to apply to Special Trains.

XLI. This Act or anything herein contained shall not prevent the Company from taking any increased Charges, 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 by reason of any special Service performed by the Company in relation thereto, or in respect to the Conveyance of any Goods other than small Parcels by Passenger Trains.

Company may take increased Charges, by Agreement.

XLII. Provided always, That no such Agreement as aforesaid shall in any Manner alter or affect, increase or diminish, any of the Tolls which the respective Companies Parties thereto shall for the Time being be respectively authorized and entitled to demand or receive from any other Person or Company, but all other Persons and Companies shall, notwithstanding any such Agreement, be entitled to the Use and Benefit of the said Railways or either of them upon the same Terms and Conditions and on Payment of the same Tolls as they would have been in case no such Agreement had been entered into.

Agreement not to affect Persons not Parties thereto.

XLIII. It shall not be lawful for the Company, out of any Money by this Act relating to the said Railway Company authorized to be raised by

Interest or Dividend not to be

[Local.]

29 F

Calls

The Petersfield Railway Act, 1860.

paid on Calls
paid up.

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

Deposits for
future Bills
not to be
paid out of
Capital.

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

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

XLV. Nothing herein contained shall be deemed or construed to exempt the Railway by this Act authorized to be made, or the Company, from the Provisions of any General Act relating to Railways, or the better or more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during the present or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act, or of Rates for small Parcels.

Expenses of
Act.

XLVI. All the Costs, Charges, and Expenses of applying for and obtaining this Act, and in any way incidental thereto, shall be paid by the Company.

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