



ANNO VICESIMO QUINTO & VICESIMO SEXTO

VICTORIÆ REGINÆ.

Cap. clxxi.

An Act for making Railways from *Rickmansworth* in the County of *Hertford* to *Amersham* and *Chesham* in the County of *Buckingham*, and for other Purposes. [17th July 1862.]

WHEREAS the making of Railways from *Rickmansworth* in the County of *Hertford* to *Amersham* and *Chesham* in the County of *Buckingham* would be of great public and local Advantage: And whereas the Persons herein-after named, with others, are willing to carry such Undertaking into execution: And whereas Plans and Sections showing the Lines and Levels of the said intended Railways, with a Book of Reference to such Plans containing the Names of the Owners and Lessees or reputed Owners and Lessees and Occupiers of the Lands proposed to be taken for the Purposes of such Railways, have been deposited with the respective Clerks of the Peace for the Counties of *Hertford* and *Buckingham*: And whereas it is also expedient that the *London and North-western* Railway Company should be authorized to contribute to the said Undertaking to the Extent herein-after mentioned: And whereas it is expedient that the Company incorporated by this Act (in this Act called "the Company") should be authorized to run over and use, with their own Engines, Carriages, and Waggon, a certain Portion herein-after described of the *Watford*

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and

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and *Rickmansworth* Railway: And whereas it is also expedient that Provisions should be made for facilitating the Interchange and Transmission of Traffic from, to, and over the said intended Railways and the Railway belonging to the said *Watford and Rickmansworth* Railway Company: And whereas it is also expedient that the Company and the *London and North-western* Railway Company should be authorized to enter into Traffic and Working Agreements as herein-after mentioned: And whereas the Objects and Purposes of this Act 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,)

8 & 9 Vict.
cc. 16. 18.
and 20.,
22 & 23 Vict.
c. 59., and
23 & 24 Vict.
c. 106. in-
corporated.

1. "The Companies Clauses Consolidation Act, 1845," "The Railways Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," and "The Railways Companies Arbitration Act, 1859," shall be incorporated with and form Part of this Act.

Short Title.

2. In citing this Act for any Purpose whatever it shall be sufficient to use the Expression "*Rickmansworth, Amersham, and Chesham* Railway Act, 1862."

Subscribers
incorporated.

3. The Right Honourable *Robert* Lord *Ebury*, the Honourable *Reginald Algernon Capel*, Colonel *William Elsey*, *John Henry Dillon*, and *Joseph Cary*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Railway herein-after described, with all proper Works and Conveniences connected therewith, according to the Provisions of this Act and the Acts incorporated therewith; and for the Purposes aforesaid such Company shall be incorporated by the Name of "*The Rickmansworth, Amersham, and Chesham* 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 said Undertaking within the Restrictions herein and in the said Acts contained.

Capital.

4. Subject to the Powers of converting Loans into Capital in "The Companies Clauses Consolidation Act, 1845," contained, the Capital of the Company in Shares shall be Ninety thousand Pounds, and all and every Part of the Money so to be raised shall be applied only in carrying into execution the Objects and Purposes of this Act.

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5. The Number of Shares into which the said Capital shall be divided shall be Nine thousand, and the Amount of each Share shall be Ten Pounds. Shares.

6. Three Pounds *per* Share shall be the greatest Amount of any Call which the Company may make on the Shareholders, and Three Months at the least shall be the Interval between successive Calls, and Eight Pounds *per* Share shall be the greatest aggregate Amount of Calls to be made thereon in any One Year. Calls.

7. It shall be lawful for the Company to borrow on Mortgage of their Undertaking any Sums of Money not exceeding in the whole the Sum of Thirty thousand Pounds, but no Part of that Sum shall be borrowed until the whole of the said Capital of Ninety thousand Pounds shall have been subscribed for, and One Half thereof paid up, and until the Company shall prove to the Justice who is to certify under the Provisions contained in the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the whole of the said Capital of Ninety thousand Pounds has been subscribed for *bonâ fide*, and that the same is held by Subscribers or their Assigns, and for which such Subscribers or their Assigns are legally liable, and all and every Part of the Money so to be borrowed shall be applied in carrying the Purposes of this Act into execution. Power to borrow on Mortgage.

8. It shall be lawful for the Mortgagees of the Company to enforce Payment of the Arrears of Principal and Interest due on any such Mortgages by the Appointment of a Receiver, and the Amount necessary to authorize the Appointment of a Receiver shall not be less than Three thousand Pounds in the whole. Arrears may be enforced by Appointment of a Receiver.

9. The Company shall not, out of any Money by this Act or any other Act relating to the Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, pay Interest or Dividends to any Shareholders on the Amount of Calls made in respect of the Shares held by them in the Capital of the Company: Provided always, that the Company may pay to any Shareholder such Interest on Money advanced by him beyond the Amount of Calls actually made as shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained. Interest not to be paid on Calls paid up.

10. The Company shall not, out of any Money by this Act or any other Act relating to the Company authorized to be raised for the Purpose of such Act or Acts, pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament for the Time being in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing Deposits on future Bills not to be paid out of Capital.

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rizing the Company to construct any other Railway, or execute any other Work or Undertaking.

Number and Qualifications of Directors.

11. The Number of Directors shall not be more than Six nor fewer than Three, and the Qualification of a Director shall be the Possession in his own Right of Thirty Shares in the Undertaking.

First Directors.

12. The Right Honourable *Robert Lord Ebury*, the Honourable *Reginald Algernon Capel*, Colonel *William Elsey*, *John Henry Dillon*, and *Joseph Cary* shall be Five of the First Directors of the Company.

Election of Directors at First General Meeting.

13. The Directors appointed by this Act, or such of them as shall not die or resign or become disqualified or be removed, shall continue in Office until the First Ordinary General Meeting to be held after the passing of this Act; and at such Meeting the Shareholders present personally or by Proxy may continue in Office the Directors appointed by this Act, or any Number of them, or may elect new Directors to supply the Places of those not continued in Office, the Directors appointed by this Act being eligible to be elected as Members of such new Body.

Subsequent Election of Directors.

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

Quorum of a Meeting of Directors.

15. The Quorum of a Meeting of Directors shall be Three so long as the Number of Directors shall be more than Three, and if the Number of Directors shall be Three then the Quorum shall be Two.

Advertisements.

16. The Newspaper in which Advertisements relating to the Affairs of the Company shall be inserted shall be a Newspaper published in *London*.

Power to make Railways.

17. It shall be lawful for the Company to make and maintain the Railways herein-after mentioned, with all proper Works and Conveniences connected therewith; (that is to say,)

1. A Railway commencing in the Parish of *Rickmansworth* in the County of *Hertford* by a Junction with the *Watford and Rickmansworth* Railway, and terminating in the Parish of *Chesham Bois* in the County of *Buckingham* :

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2. A Railway commencing by a Junction with the *Uxbridge and Rickmansworth* Railway, and terminating by a Junction with the said Railway No. 1., and which Railway will be situate wholly within the Parish of *Rickmansworth* and County of *Hertford* :

Provided always, that the Company shall not be bound to construct the Railway secondly above authorized unless the *Uxbridge and Rickmansworth* Railway Company shall, on or before the First Day of *July* One thousand eight hundred and sixty-three, by Requisition under their Common Seal, require the Company so to do.

18. Subject to the Provisions and Powers of Deviation in this Act and in the incorporated Acts contained, the Railways shall be made and maintained by the Company in the Line or Course and upon the Lands delineated on the deposited Plans, and described in the deposited Books of Reference, and according to the Levels defined on the deposited Sections, and it shall be lawful for the Company to enter upon, take, and use such of the said Lands as shall be necessary for the said Railways and the Works connected therewith.

Railways to be made according to deposited Plans.

19. And whereas since the Deposit of the Plans and Sections hereinbefore mentioned it has been deemed expedient that the proposed Railway should be deviated between a Point marked 4 Miles 4 Furlongs or thereabouts in a certain Field in the Parish of *Chenies* and County of *Buckingham*, numbered 21 in that Parish on the said deposited Plans, and another Point marked 7 Miles 4 Furlongs or thereabouts in a certain Field in the Parish of *Chesham Bois* and said County of *Buckingham*, numbered 3 in that Parish on the said deposited Plans : And whereas amended Plans and Sections showing the Line and Level of the said Deviation, with a Book of Reference to the said Plan, were in the Month of *March* One thousand eight hundred and sixty-two deposited with the Clerks of the Peace for the Counties of *Hertford* and *Buckingham* respectively : Be it enacted, That the Railway shall within the Points aforesaid be made in the Line or Course shown on the said last-mentioned Plans, and according to the Levels defined on the Sections deposited therewith ; and, subject to the Provisions in this and the incorporated Acts contained, it shall be lawful for the Company to enter upon, take, and use such of the said Lands as may be necessary for making the said substituted Portion of Railway, in like Manner as they might have entered upon, taken, and used the same Lands for making the Portion of Railway for which such Deviation as aforesaid is hereby authorized and required to be substituted.

Railway to be deviated between certain Points.

20. It shall be lawful for the Company to make the Inclinations of the several Roads numbered as herein-after mentioned on the said
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Regulating Inclination of certain Roads.

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deposited Plans, when altered for the Purposes of this Act, not steeper than those herein-after mentioned; (that is to say,)

No. on Plan.	Parish.	Description of Road.	Proposed Inclination.
138	Rickmansworth - -	Public Road - -	1 in 10
138	Rickmansworth - -	Public Road - -	1 in 12

Lands for extraordinary Purposes.

21. The Company may by Agreement purchase Lands adjoining or near to the Railway for the extraordinary Purposes mentioned in "The Railways Clauses Consolidation Act, 1845," but the Quantity of Land so to be purchased shall not exceed Five Acres.

Powers for compulsory Purchases limited.

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

Period for Completion of Railways.

23. The Railways shall be completed within Four Years from the passing of this Act, and on the Expiration of such Period the Powers by this Act granted to the Company for executing the said Railways shall cease.

As to Communication with the Watford and Rickmansworth and Uxbridge and Rickmansworth Railways.

24. The Company may make such Openings in and Alterations of the Rails of the *Watford and Rickmansworth* and *Uxbridge and Rickmansworth* Railways respectively, and may do all such Acts and Works, as are necessary in order to effect the Communications hereby authorized between the said Railways and the Railways hereby authorized; and such Communications shall be effected in a substantial Manner by means of Connexion Rails and Points of the Construction and laid in the Manner which the Engineer for the Time being of the Company with whose Railway such Junction is formed may from Time to Time approve and require, and shall be executed to his Satisfaction in all respects: Provided always, that in case of Difference between such Engineer and the Engineer of the Company with respect to any Works for effecting such Communications, the same shall be determined by an Engineer to be appointed by the Board of Trade.

Expenses of Communications to be borne by the Company.

25. The Expenses of the said Communications, and of all Works which may from Time to Time be requisite for effecting, altering, and amending such Communications, shall be borne and paid by the Company, and such Communications and Works shall be in the first instance made and be afterwards from Time to Time altered, amended, repaired, and maintained under the Direction and Superintendence and to the reasonable Satisfaction of the Engineer for the Time being of the Company with whose Railway such Junction is formed, and in such Manner and

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by such Ways and Means respectively as shall not injure the Railway of the said Company, or impede or interfere with the free, uninterrupted, and safe Passage along the same.

26. The *Watford and Rickmansworth Railway Company* and the *Uxbridge and Rickmansworth Railway Company* may from Time to Time erect, maintain, and alter such Signals and other Works and Conveniences, and appoint and remove such Watchmen, Pointsmen, and other Servants, as the said Companies respectively may deem necessary for the Prevention of Damage to, or Detention of, or Interference with Traffic at or near the Junctions between their Railways respectively and the Railways hereby authorized; and the Working and Management of such Signals, Works, and Conveniences, and the Control and Direction of such Watchmen, Pointsmen, and other Servants, shall belong exclusively to the Company so erecting and maintaining the same; and all the Costs and Expenses during each Half Year of erecting and maintaining and altering such Signals, Works, and Conveniences, and of employing and paying such Watchmen, Pointsmen, and other Servants, shall, at the Expiration of such Half Year, be repaid by the Company on Demand, and in default the Amount of such Costs and Expenses may be recovered from the Company in any Court of competent Jurisdiction.

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

27. The Company may demand any Tolls for the Use of the said Railways not exceeding the following; (that is to say,)

Tolls.

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

Tonnage on Goods, &c.

Class 1. For all Compost, Dung, and all Sorts of Manure, Lime and Limestone, and all undressed Materials for the Repair of Roads or Highways, *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 and if propelled by an Engine belonging to the Company, a further Sum *per Ton per Mile* not exceeding Three Farthings :

Class 2. For all Coals, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Brick, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings of Merchandise, *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; and if propelled by an Engine belonging to the Company, a further Sum *per Ton per Mile* not exceeding Three Farthings :

Class 3. For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per Ton per Mile* not exceeding Twopence; and if conveyed

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veyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding Three Farthings; and if propelled by an Engine belonging to the Company, a further Sum *per Ton per Mile* not exceeding Three Farthings:

Class 4. For all Cotton and other Wools in Carriages, Drugs, Manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, or Things, *per Ton per Mile* not exceeding Threepence; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Penny; and if propelled by an Engine belonging to the Company, a further Sum *per Ton per Mile* not exceeding Three Farthings:

Class 5. 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; and if propelled by an Engine belonging to the Company, an additional Sum *per Mile* not exceeding One Penny; and the Sum of One Penny *per Mile* for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh.

Tolls for
Animals.

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

Class 6. For every Horse, Mule, Ass, or other Beast of Draught or Burden conveyed in or upon any such Carriage, *per Mile* not exceeding Threepence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per Mile* not exceeding One Penny; and if such Carriage be propelled by an Engine belonging to the said Company, an additional Sum *per Mile* not exceeding One Penny:

Class 7. For every Ox, Cow, Bull, or Neat Cattle conveyed in or upon any such Carriage, not exceeding Twopence *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 propelled by an Engine belonging to the Company, an additional Sum *per Mile* not exceeding Three Farthings:

Class 8. For every Calf, Pig, 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; and if propelled by an Engine belonging to the Company, an additional Sum *per Mile* not exceeding One Farthing.

Tolls for
Passengers.

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

For every Person conveyed in or upon any such Carriage, *per Mile* not exceeding Twopence; and if conveyed in or upon any Carriage belonging

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

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

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

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

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 Weight, and so in proportion for any smaller Quantity.

29. And with respect to small Packages and single Articles of great Weight, be it enacted, That, notwithstanding the Rates of Tolls prescribed by this Act, the Company may lawfully demand Tolls not exceeding the following; (that is to say,) Tolls for
small Parcels
and single
Articles of
great
Weight.

For the Carriage of small Parcels on the Railways, as follows :

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

For any Parcel exceeding Fourteen Pounds and not exceeding Twenty-eight Pounds in Weight, Sixpence :

For any Parcel exceeding Twenty-eight Pounds and not exceeding Fifty-six Pounds in Weight, Ninepence :

And for any Parcel exceeding Fifty-six Pounds in Weight but not exceeding Five hundred Pounds in Weight the Company may demand any Sum which they may think fit: Provided always, that Parcels 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 Terms shall apply only to single Parcels in separate Packages :

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For the Carriage of any Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Carriage, shall exceed Four Tons but shall not exceed Eight Tons, the Company may demand any Sum not exceeding Sixpence *per Ton per Mile* :

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

Passengers
Luggage.

30. Every Person travelling upon the Railways may take with him his ordinary Luggage, not exceeding One hundred and twenty 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.

Maximum
Rates of
Charges for
Passengers.

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

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

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

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

Maximum
Charges for
Goods and
Animals.

32. The maximum Rate of Charge to be made by the Company, including the Tolls for the Use of the Railways and of Carriages, and for locomotive Power, and every other Expense incidental to such Conveyance, shall not exceed the Amounts mentioned in the following Table ; (that is to say,)

For the Matters herein-before mentioned under Class 1, not exceeding One Penny Halfpenny *per Mile* :

For the Matters mentioned under Class 2, not exceeding Twopence *per Ton per Mile* :

For the Matters mentioned under Class 3, not exceeding Threepence *per Ton per Mile* :

For the Matters mentioned under Class 4, not exceeding Fourpence *per Ton per Mile* :

For any Carriage mentioned under Class 5, not weighing more than One Ton, not exceeding Sixpence *per Mile* ; and if weighing more than One Ton, not exceeding One Penny *per Mile* for every Quarter of a Ton or fractional Part of a Quarter of a Ton above One Ton :

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For everything mentioned under Class 6, not exceeding Fourpence *per Mile* :

For everything mentioned under Class 7, not exceeding Twopence Halfpenny *per Mile* :

For everything mentioned under Class 8, not exceeding One Penny *per Mile*.

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

Restriction as to Charges not to apply to Special Trains.

34. Nothing herein contained shall be held to prevent the Company from taking any increased Charges, over and above the Charges hereinbefore limited, for the Conveyance of Goods of any Description, by Agreement with the Owners of or Persons in charge of such Goods, either in respect of the Conveyance of such Goods (except small Parcels) by Passenger Trains, or by reason of any other special Service performed by the Company in relation to such Goods.

Company may take increased Charges by Agreement.

35. The *London and North-western* Railway Company from Time to Time may subscribe for, take, and hold Shares in the Capital of the Company any Sum not exceeding Thirty thousand Pounds.

London and North-western Company may contribute to Funds ;

36. For the Purposes of any Contribution by the *London and North-western* Railway Company towards the Funds of the Company that Company may apply any Monies now or hereafter belonging to them or under their Control, and which are not by any Act or Acts relating to them expressly appropriated for any particular Purpose, or which, if so appropriated, are not required for that Purpose, and may raise any Monies by the Creation and Issue of new Shares or Stock, either ordinary or preferential, but, if preferential, the Dividend thereon not to exceed the Rate of Five Pounds *per Centum per Annum*.

and may apply Monies for Contribution towards such Funds,

37. Provided always, That no Contribution towards the Funds of the Company shall be made, nor shall any Share or Stock be created for the Purpose, by the *London and North-western* Railway Company, without in every Case the Sanction of at least Three Fifths of the Votes of the Shareholders voting in Person or by Proxy at a General Meeting of the *London and North-western* Railway Company convened with special Notice of the Object.

but such Contribution to be sanctioned by themselves.

38. The preferential Dividend, if any, to be paid by the *London and North-western* Railway Company on any Shares which they are by this Act authorized to create shall be payable half-yearly out of the Profits

Payment of Preferential Dividend by London and North-western Company.

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Profits of every Year applicable for the Payment of Dividends, and in priority to the Dividend on the ordinary Shares; but if and whenever the Profits of any Year ending with the Thirty-first Day of *December* applicable for the Payment of Dividends on the said Shares of the Company are insufficient for the Payment in full of the preferential Dividend thereon for that Year, the Deficiency shall not be paid or payable wholly or in part out of the Profits of any subsequent Year, or out of any other Funds of the said Company.

Certificates of Shares to express Conditions of Issue.

39. The Certificates issued for such Preferential Shares shall distinctly express upon the Face of them the Conditions upon which the same are issued.

Saving Rights of existing preferential Shares.

40. Provided always, That any Preference or Priority in the Payment of Interest or Dividend granted by the *London and North-western Railway Company* with respect to any new Shares or Stock created by them in pursuance of this Act, shall not prejudice or affect any Preference or Priority in the Payment of Interest or Dividend on any other Shares or Stock previously granted by them by or in pursuance of or confirmed by any Act of Parliament passed before this Act or in the present Session of Parliament, or otherwise from Time to Time lawfully subsisting.

Power for *London and North-western Railway Company* to nominate Person to vote at Meetings of Company.

41. The *London and North-western Railway Company*, so long as they are Shareholders of the Company, may appoint any Person (whether a Shareholder in the Company or not) to vote on their Behalf at General Meetings of the Company, and from Time to Time may revoke any such Appointment, and appoint another Person in that Behalf, and every such Person so appointed by the *London and North-western Railway Company* shall, during the Appointment, have the same Right of voting and acting at every such General Meeting as he would have if the Shares of the Company then held by the *London and North-western Railway Company* were held by him in his own Right.

Instruments of Appointment and Revocation of Person to vote.

42. Every such Appointment and Revocation shall be in Writing under the Seal of the *London and North-western Railway Company*, and shall be delivered to the Company and kept with their Records; until the contrary be shown, every Instrument purporting to be the Instrument of any such Appointment or Revocation, and under the Seal of the *London and North-western Railway Company*, and without Proof of the Seal thereto affixed being duly affixed, shall be Evidence of the Appointment or Revocation purporting to be thereby made: Provided always, that notwithstanding it be afterwards discovered that there was some Defect in the Appointment of any such Person, all his Votes and Acts as a Nominee of the *London and North-western Railway Company*, and all Proceedings consequent thereon or relating thereto, shall be as valid as if he were duly appointed.

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43. The Company and all Companies lawfully using their Railway may pass over and use, with their Engines and Carriages and Servants, and for the Purposes of Traffic of all Kinds, the Portion of Railway herein-after mentioned, and the Stations, Sidings, Watering Places, Works, and Conveniences belonging to or connected with the said Portion of Railway; (that is to say,) so much of the said *Watford and Rickmansworth* Railway as lies between the Junction therewith of the Railway Number One hereby authorized and the *Rickmansworth* Station of the said *Watford and Rickmansworth* Railway Company, including the said *Rickmansworth* Station; and the *Watford and Rickmansworth* Railway Company shall make all necessary Arrangements for that Purpose, and afford all reasonable Facilities and perform all reasonable Services for the Passage, Reception, Delivery, and Transmission of Traffic over their Railway to and from the Railways by this Act authorized, or either of them, and make Provision for the Use of Booking Offices at the Stations on such Portion of Railway, and all other Matters necessary for facilitating the Traffic of the Railway by this Act authorized in connexion with the said *Watford and Rickmansworth* Railway.

Power to use certain Portion of Watford and Rickmansworth Railway.

44. The Terms, Conditions, and Regulations to which the Company and such other Companies as aforesaid shall be subject in respect of the said Use, Facilities, and Services, and the Tolls or other Considerations to be paid by them for the same, shall, if not agreed upon between them and the *Watford and Rickmansworth* Railway Company, be from Time to Time determined by an Arbitrator to be appointed by the Board of Trade, and the Decisions of such Arbitrator shall be binding and conclusive on all the Parties in difference; and the Costs and Expenses of such Arbitration shall be defrayed as the Arbitrator shall direct; and either of the said Companies, or any such other Company as aforesaid, who shall refuse or neglect to perform, observe, and conform to any Decision given or Regulation made by any such Arbitrator in the Premises, shall forfeit and pay to such Person or Company as the Arbitrator shall determine any Sum not exceeding Fifty Pounds for every such Offence, and Twenty Pounds for every Day during which such Offence shall continue.

Terms of such Use.

45. In exercising the Powers herein-before granted it shall not be lawful for the Company, or any other Company lawfully using their Railway, unless with the Consent in Writing of the *Watford and Rickmansworth* Railway Company, to take up at any Station of the same last-mentioned Company upon any Portion of their Railway any Passengers, Parcels, Animals, Goods, or Minerals, and to deliver the same at another Station of the same Company; and if the Company or any such other Company violate this Enactment they shall for every such Violation pay to the Company to whom the Portion of Railway belongs Fifty Pounds by way of Penalty.

For protecting Local Traffic.

[Local.]

28 B

46. It

Rickmansworth, Amersham, and Chesham Railway Act, 1862.

Power to enter into Traffic Agreements with London and North-western and Watford and Rickmansworth Companies.

46. It shall be lawful for the Company, the *London and North-western* Railway Company, and the *Watford and Rickmansworth* Railway Company, from Time to Time to enter into and make such Agreements as shall be deemed expedient for and with reference to the Interchange and forwarding of Traffic passing to or from the Railways of the Company from or to the *Watford and Rickmansworth* Railway, and also with reference to the Rates, Tolls, or Charges to be charged by or between the said Companies respectively for or in respect of any Traffic, and the Division and Apportionment between the said Companies respectively of such Rates, Tolls, and Charges, and such Contracts and Agreements from Time to Time to alter and vary as Occasion may require, and also for all or any of the Purposes aforesaid to make and execute all such Deeds, Contracts, Instruments, and Assurances as may be deemed requisite or expedient for giving to the Matters and Premises aforesaid full Effect.

Power to enter into Working Agreements.

47. It shall be lawful for the Company and the *London and North-western* Railway Company from Time to Time to enter into and make Agreements for and with reference to the working of the Traffic upon the Railways by this Act authorized, or any Part thereof, with the Engines and Carriages of the *London and North-western* Railway Company.

During the Continuance of any such Agreement the Railways of the Companies to be considered as One continuous Line.

48. Provided always, that during the Continuance of any such Agreement for working Traffic the Railways of the Company and of the *London and North-western* Railway Company shall for the Purpose of calculating the Tolls payable thereon be deemed One continuous Line of Railway, and where Traffic shall be conveyed thereon for a less Distance than Three Miles the same shall only be charged once as for Three Miles, and no other Short-distance Charge shall be made for the Conveyance of Passengers, Animals, Goods, or other Matters or Things on the said Railways or either of them; and during the Continuance of any Contract for working the Traffic of the Railways by this Act authorized with the Engines and Carriages of the *London and North-western* Railway Company the Provisions of this Act with respect to Tolls, Rates, and Charges shall be read and construed as if the *London and North-western* Railway Company had been in every Instance written or printed instead of the Words "the Company."

Agreement to be approved by Board of Trade, &c.

49. Any such Traffic or Working Agreement as is herein-before authorized may be and continue for such Period as may be agreed on, but no such Agreement shall have any Operation until the same shall have been approved of by the Board of Trade, neither shall the same in any Manner alter, affect, increase, or diminish any of the Tolls, Rates, or Charges which the said Companies Parties thereto shall for the Time being be respectively authorized and entitled to demand and receive from

Rickmansworth, Amersham, and Chesham Railway Act, 1862.

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 any such Agreement as aforesaid without being satisfied that the same has been duly assented to by Shareholders of the Companies Parties thereto respectively in Special Meeting assembled for that Purpose, and holding at least Three Fifths of the Capital of the Company represented at such Meeting, personally or by Proxy, such Shareholders being qualified to vote thereat in right of such Capital: Provided also, that at the End of the First or any subsequent Period of Ten Years after the Date of any such Agreement, or of any Modification of any such Agreement, the Board of Trade may require the Companies who are Parties thereto to revise the said Agreement accordingly, and the said Board shall have Power to modify the same in such Manner as the Board may think necessary, and to declare such Modification to be Part of such Agreement, and the said Agreement shall be read and take effect accordingly.

50. All Meetings of the said Companies called to consider any such Agreement as aforesaid shall be called by Advertisements inserted for Two successive Weeks in a Newspaper published in *London*, 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 so called as aforesaid 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.

Meetings,
how to be
convened.

51. For the Purposes of any such Agreement the Companies may from Time to Time (if they think fit) appoint such Joint Committees composed of such Number of their Directors respectively as they think fit, and may regulate the Proceedings of such Joint Committees, and may delegate to and confer on such Joint Committees all such Powers for carrying into effect such Agreements, or any of the Objects or Purposes thereof, as the Companies respectively think fit.

Joint Com-
mittees for
Purposes of
Traffic.

52. Every such Joint Committee shall have and may exercise the Powers so from Time to Time delegated to and conferred on them in like Manner as the same might be had and exercised by each of the Companies respectively or their respective Directors.

Powers of
Joint Com-
mittees.

53. If any Difference shall arise between the Companies or between their respective Representatives upon any such Joint Committee respecting

As to Settle-
ment of
Disputes by
Arbitration.

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respecting any of the Objects and Purposes of any Agreement, or any other Matter whatsoever arising out of such Agreement or out of the Provisions of this Act, not herein-before especially provided for, such Difference shall from Time to Time be referred to Arbitration in the Manner prescribed by "The Railways Clauses Consolidation Act, 1845," for the Settlement of Disputes by Arbitration: Provided always, that it shall be lawful for the Companies in the first instance to agree on the Appointment of a single Arbitrator or Umpire, whose Award shall be binding on them.

Agreements may be renewed with Approval of the Board of Trade.

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

Agreement inoperative until approved by the Board of Trade.

Tolls may be taken by the London and North-western Company subject to Working Agreement.

Deposit Money not to be repaid until Line

54. At the Expiration of the said Agreement the said Companies, with the Sanction of an Extraordinary Meeting of their Shareholders respectively convened with special Notice of the Object, given by a Majority at each such Meeting of the Holders of Three Fifths of the Capital represented thereat respectively personally or by Proxy, may enter into a further Agreement for a further Term for all or any of the Purposes aforesaid, subject to the Approval of the Board of Trade: 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 inserted once in each of Three successive Weeks in some Newspaper published or circulating in each County in which any Part of the Railway 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 or binding until the same shall have been approved by the Board of Trade, who shall not approve the same unless they shall be satisfied that the same has been duly assented to by the Shareholders of the Companies Parties thereto in manner before provided.

55. So long as the *London and North-western* Railway Company, under the Provisions of this Act, work the Traffic on the Railway hereby authorized, Tolls and Charges not exceeding such as are authorized by this Act may be demanded and taken by the said Company for the Use of the said Railway in accordance with the Terms and Stipulations of any such Contract; and such Tolls and Charges, or a proportionate Part thereof, shall be paid over to the Company, or be retained by the *London and North-western* Company for their own Use and Benefit, subject to such Deductions, Payments, or Liabilities as may be provided in any such Contract.

56. 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, the Sum of Seven thousand two hundred Pounds, being
Eight

Rickmansworth, Amersham, and Chesham Railway Act, 1862.

Eight Pounds *per Centum* upon the Amount of the Estimate of the Expense of the said Railways, has been deposited with the Court of Chancery 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 herein-after mentioned, be paid or transferred to or on the Application of the Person or Persons, or the Majority of the Persons, named in the Warrant or Order issued in pursuance of the said Act, or the Survivors or Survivor of them, unless the Company shall, previously to the Expiration of the Period limited by this Act for the Completion of the Railway, either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the Company have paid up One Half 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 said Railway for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the said Sum of Money deposited as aforesaid, and the Interest and Dividends thereof, shall, immediately from and after the Expiration of the said Period, be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be deposited 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 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 Lords Commissioners of Her Majesty's Treasury,) conditioned for 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 the Completion of the said Railway, either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee] that the Company have paid One Half of the Amount of the said Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital, and if such Bond shall have been deposited with the said Solicitor to the said Lords Commissioners, then such Sum of Money, and the Interest or Dividends thereof, shall be transferred and 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,

opened, or
Half the
Capital paid
up and
expended,
except on
Execution of
Bond, &c.

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or the Survivors or Survivor of them, and it shall not be necessary to produce any Certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding; and the Monies to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Money, and the Interest or Dividends thereof, would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitor to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Lords of the said Committee that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

Railways
not exempt
from Provi-
sions of
present and
future
General
Acts.

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

Expenses of
Acts.

58. The Expenses, Costs, and Charges of obtaining and passing of this Act, and incidental and preparatory thereto, shall be paid by the Company.

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