



ANNO VICESIMO OCTAVO & VICESIMO NONO

# VICTORIÆ REGINÆ.

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## *Cap. cccxvii.*

An Act to authorize the Construction of a Railway  
from *Watchet* to *Minehead* in the County of  
*Somerset.* [5th July 1865.]

**W**HEREAS the Railway herein-after described would be of great public and local Advantage, and the Persons herein-after named are willing, with others, at their own Expense to construct the same, and it is expedient that they should be incorporated for that Purpose: And whereas Plans and Sections showing the Line and Levels of the Railway, and also a Book of Reference containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and Occupiers of the Land which may be required for the Purposes thereof, have been deposited with the Clerk of the Peace for the County of *Somerset*: And whereas it is also expedient that the Powers herein-after contained should be granted to the *West Somerset Mineral*, the *Bristol and Exeter*, and the *West Somerset Railway Companies*, with respect to the Undertaking hereby authorized; but the Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent  
[*Local.*] 56 T Majesty,

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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 :

Short Title.     **1.** This Act may be cited for any Purpose as “The *Minehead Railway Act, 1865.*”

8 & 9 Vict.  
cc. 16., 18.,  
& 20.,  
22 & 23 Vict.  
c. 59.,  
23 & 24 Vict.  
c. 106., and  
26 & 27 Vict.  
cc. 92. & 118.  
incor-  
porated.

**2.** “The Companies Clauses Consolidation Act, 1845,” “The Companies Clauses Act, 1863,” “The Lands Clauses Consolidation Act, 1845,” “The Lands Clauses Consolidation Acts Amendment Act, 1860,” “The Railways Clauses Consolidation Act, 1845,” “The Railway Companies Arbitration Act, 1859,” and “The Railways Clauses Act, 1863,” shall, so far as not expressly varied by this Act, be incorporated with and form Part of this Act.

Same Mean-  
ing to  
Words, &c.  
in incorpo-  
rated Acts  
as in this  
Act.

**3.** The several Words and Expressions to which by the Acts incorporated with this Act Meanings are assigned shall have in this Act the same respective Meanings, unless there be in the Subject or Context something repugnant to or inconsistent with such Construction ; and the Expression “Superior Courts” or “Court of competent Jurisdiction,” or any other like Expression in this Act, shall be read and have Effect as if the Debt or Demand with respect to which the Expression is used were a common Simple Contract Debt, and not a Debt or Demand created by Statute.

Subscribers  
incorporated.

**4.** *George Fownes Luttrell, Lawrence Walker, and Thomas Abraham,* and all other Persons and Corporations who have already subscribed or who shall hereafter subscribe to the Undertaking, their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Railway and Works hereby authorized, and such Company shall be incorporated under the Name of the “*Minehead Railway Company*” (in this Act called “the Company”), and under 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 incorporated Acts contained.

Capital.

**5.** The Capital of the Company shall be Seventy thousand Pounds, divided into Seven thousand Shares of Ten Pounds each.

Calls.

**6.** Two Pounds *per* Share shall be the greatest Amount of a Call, and Two Months at the least shall be the Interval between successive Calls, and Three Fifths of the Amount of a Share shall be the utmost aggregate Amount of the Calls to be made in any One Year upon any Share.

**7.** It

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7. It shall not be lawful for the Company to issue any Share, nor shall any Share vest in the Person accepting the same, unless and until a Sum not being less than One Fifth Part of the Amount of such Share shall have been paid up in respect thereof.

Shares not to issue until One Fifth paid up.

8. The Company may from Time to Time borrow on Mortgage any Sums not exceeding in the aggregate Twenty-three thousand three hundred Pounds, but no Part thereof shall be borrowed until the whole of the said Capital of Seventy thousand Pounds shall have been subscribed for, and One Half thereof shall have been paid up, and the Company shall have proved to the Justice, who is to certify under the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that all the Capital which the Company are by this Act authorized to raise by the Creation of Shares has been subscribed for *bonâ fide*, and that Half of such Capital has been paid up, and that all the Shares are held by Subscribers or their Assigns, and for which such Subscribers or their Assigns are legally liable (of which Proof having been given the Certificate of the Justice under that Section shall be sufficient Evidence).

Power to borrow on Mortgage.

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

Application of Money raised under Act.

10. The Mortgagees of the Company may 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 Five thousand Pounds in the whole.

Arrears to be enforced by Appointment of a Receiver.

11. The Company may enter upon, take, and use such of the Lands delineated in the Plans and described in the Book of Reference deposited as aforesaid as may be required by them for any of the Purposes of this Act, or they may by Agreement purchase, take, and use any Rights, Easements, or Privileges in or affecting those Lands or any of them, without taking any other Estate or Interest therein, and the Terms and Conditions on which the Company take or use any Land of the *West Somerset* Mineral Railway Company may be such Terms and Conditions as the Two Companies mutually agree on: Provided always, that unless the Two Companies otherwise agree, the Company shall, in taking or using any Land of the *West Somerset* Mineral Railway Company, leave or provide for that Company sufficient Land for a double Line of Rails, including the existing single Line wherever the Lines of the Two Companies run parallel to each other.

Power to acquire Lands.

12. The

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First and  
other Meet-  
ings.

**12.** The First Ordinary Meeting of the Company shall be held within Six Months after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held in the Months of *February* or *March* and *August* or *September* in every Year.

Number of  
Directors.

**13.** The Number of the Directors shall be Five: Provided always, that the Company from Time to Time may vary the Number of Directors, so that the Number be not more than Five nor less than Three.

Qualification  
of Directors.

**14.** The Qualification of a Director shall be the Possession in his own Right of Shares in the Undertaking of the aggregate nominal Value of Three hundred Pounds.

Quorum of  
Directors.

**15.** The Quorum of a Meeting of Directors shall be Three.

First Direc-  
tors.

**16.** *George Fownes Luttrell, Lawrence Walker, and Thomas Abraham*, together with such One other Person as they or such of them as are for the Time being in Office shall nominate in this Behalf, shall be the First Directors of the Company, and shall continue in Office until the First Ordinary Meeting of the Company 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 a new Body of 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: Provided always, that the Acts and Proceedings of the Directors previous to such Nomination shall not be invalidated by reason of their Number being less than Five.

Subsequent  
Election of  
Directors.

**17.** At the First Ordinary Meeting of the Company to be held in every subsequent Year the Shareholders present personally or by proxy shall elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions in "The Companies Clauses Consolidation Act, 1845," and in this Act 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," or by this Act, or either of them.

Limiting  
Period for  
Completion  
of Railway.

**18.** The Railway shall be completed within Four Years from the passing of this Act, and upon the Expiration of that Period the Powers by this Act granted to the Company for executing the same,  
or

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or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

19. 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. Powers for compulsory Purchases limited.

20. The Quantity of Land near or adjoining the Railway which the Company may purchase by Agreement for the extraordinary Purposes mentioned in "The Railway Clauses Consolidation Act, 1845," shall not exceed Three Acres. Lands for extraordinary Purposes.

21. Subject to the Provisions of this Act and the Acts incorporated herewith, the Company may make and maintain the Railway and Works in the Line, Situation, and Levels delineated on the Plans and Sections deposited as aforesaid, together with all proper Stations, Sidings, Roads, Approaches, Works, and Conveniences connected therewith; (that is to say,) Power to construct Works according to deposited Plans.

A Railway commencing by a Junction with the existing Line of the *West Somerset* Railway near the Town of *Watchet* in the Parish of *Saint Decumans* in the County of *Somerset* in a Field or Parcel of Land in the said Parish of *Saint Decumans* numbered Sixty-three in the Parliamentary Plans of the *West Somerset* Railway deposited in the Month of *November* One thousand eight hundred and fifty-nine, and terminating in the Parish of *Minehead* in the said County at the South-western End of the Pier or Quay of the Harbour of *Minehead*, and such Railway may be upon the Broad Gauge.

22. Subject to the Provisions of this Act, the Company may carry the Railway with a single Line of Railway so long as the Railway consists of a single Line of Railway, and with not more than a double Line of Railway if the Railway shall consist of more than a single Line of Railway, across and on the Level of the public Roads numbered as herein-after mentioned on the deposited Plans; (that is to say,) Level Crossings.

Number on Plan.	Parish.	Description of Road.
50	Carhampton - -	Public.
12	Minehead - -	Public.

23. As regards the Roads next herein-after mentioned, the Company may make those Roads respectively, when altered for the Purposes of this Act, of any Inclinations not steeper than the Regulating Inclinations of certain Roads.

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respective Inclinations herein-after mentioned in connexion with those Roads ; (that is to say,)

Number of Road on deposited Plans.	Parish.	Description of Road.	Intended Inclination.
13	Saint Decuman's	Turnpike -	1 in 10 on one Side and level on the other.
83	Old Cleeve -	Public - -	1 in 11 on one Side and level on the other.
95	Old Cleeve -	Public - -	1 in 15 on one Side and level on the other.
10	Carhampton -	Turnpike -	1 in 20 on the North Side of the Railway and level on the Southern Side thereof.

Security for Completion of Railway within Time limited.

**24.** 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 Six thousand two hundred and twenty-two Pounds Four Shillings and Eightpence Consolidated Bank Annuities, being a Sum equal to *Eight per Centum* on Seventy thousand Pounds, the Amount of the Estimate of the Railway by this Act authorized, has been deposited with the Court of Chancery in *England* in respect to the Application to Parliament for this Act: Therefore, notwithstanding anything contained in the said recited Act, the said Sum so deposited as aforesaid, in respect of the Application for this Act, or the Interest or Dividends thereof, 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 of them, unless the Company shall, previously to the Expiration of the Period limited by this Act for Completion of the Railway, 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 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 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 said Sum so deposited as aforesaid, and the Interest and Dividends thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*: Provided that at

any

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any Time after the passing of this Act if a Bond in twice the Amount of the said Sum so deposited as aforesaid shall have been executed by the Company, with One or more Surety or Sureties, (such Bond to be prepared to the Satisfaction of, and such Surety and 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 a Sum equal to the said Sum so deposited as aforesaid if the Company shall not within the Time limited for the Completion of the Railways 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 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 the said Sum so deposited as aforesaid, and the Interest and 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 as aforesaid, or the Survivors or Survivor of them, and it shall not be necessary to produce a 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 so deposited as aforesaid would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the Solicitor to the said Lords Commissioners 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 Fact so certified.

**25.** The Company may demand and take in respect of the Use of Tolls. the Railway any Toll not exceeding the following; that is to say,

For every Passenger conveyed in a First-class Carriage by any Train, Twopence a Mile; and if conveyed in or upon any Carriage belonging to the Company, an additional Halfpenny a Mile: Tolls for Passengers.

For every Passenger conveyed in a Second-class Carriage by any Train, One Penny Halfpenny a Mile; and if conveyed in or upon any Carriage belonging to the Company, an additional Halfpenny a Mile:

For every Passenger conveyed in a Third-class Carriage by any Train, One Penny a Mile; and if conveyed in or upon any Carriage belonging to the Company, an additional Halfpenny a Mile.

And

*The Minehead Railway Act, 1865.*For Cattle,  
Goods, &c.

And with respect to Animals and Goods, as follows :

For every Horse, Mule, and other Beast of Draught or Burden, Threepence a Mile; and if conveyed in or upon any Carriage belonging to the Company, an additional One Penny a Mile :

For Cattle, One Penny Halfpenny each a Mile; and if conveyed in or upon any Carriage belonging to the Company, an additional Halfpenny each a Mile :

For Calves, Pigs, Sheep, and small Animals, One Penny each a Mile; and if conveyed in or upon any Carriage belonging to the Company, an additional Farthing each a Mile :

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, Fourpence a Mile; and One Penny a Mile for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage weighs :

Class 1. For all Dung, Compost, and all Sorts of Manure, Lime, Limestone, and all undressed Materials for the Repair of public Roads, Charcoal, Pig Iron, Stones for building, pitching, and paving, Bricks, Tiles, Slates, Clay, Sand, Ironstone, and Iron Ore, and Salt, and all Coal, Slack, Cannel, Coke, Culm, and Cinders, One Penny Farthing a Ton a Mile; and if conveyed in or upon Carriages belonging to the Company, an additional Farthing a Ton a Mile :

Class 2. For Sheet Iron, Hoop Iron, Bar Iron, and all other Descriptions of Wrought Iron, and Tin, and Tinplates, Twopence a Ton a Mile; and if conveyed in or upon Carriages belonging to the Company, an additional Halfpenny a Ton a Mile :

Class 3. For Sugar, Corn, and other Grain, Malt, Flour, Hides, Dyewoods, Earthenware, Timber, Pitwood, Cordwood, Staves, Deals, Nails, Anvils, Vices, and Chains, Twopence Halfpenny a Ton a Mile; and if conveyed in or upon Carriages belonging to the Company, an additional Halfpenny a Ton a Mile :

Class 4. For Cotton and other Wools, Drugs, manufactured Goods, Manchester Packs, and Metals, except Iron and Tin, Threepence a Ton a Mile; and if conveyed in or upon Carriages belonging to the Company, an additional Halfpenny a Ton a Mile :

Class 5. For Fish, Household Furniture, Hats, Shoes, Toys, and all other Things, Fourpence a Ton a Mile; and if conveyed in or upon Carriages belonging to the Company, an additional One Halfpenny a Ton a Mile.

Regulations  
as to Tolls.

**26.** The following Provisions apply to the fixing of the Tolls; (that is to say,)

For



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For Persons, Animals, Minerals, or Things conveyed on the Railway for a less Distance than Four Miles, the Company may demand and receive Tolls as for Four Miles :

For a Fraction of a Mile beyond Four Miles, or beyond any greater Number of Miles, the Company may demand Tolls for the Fraction in proportion to the Number of Quarters of a Mile contained therein, and if there be a Fraction of a Quarter of a Mile the Fraction shall be deemed a Quarter of a Mile :

For a Fraction of a Ton the Company may demand Toll according to the Number of Quarters of a Ton in the Fraction, and if there be a Fraction of a Quarter of a Ton the 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.

**27.** Subject to the Provisions of this Act, the Tolls which the Company may demand for the Use of Engines for propelling Carriages on the Railway shall not exceed One Halfpenny a Mile for every Passenger or Animal, or for every Ton of Goods, in addition to the several other Tolls by this Act authorized.

Tolls for  
propelling  
Power.

**28.** The maximum Rate of Charge to be made by the Company for the Conveyance of Passengers along the Railway, including the Tolls for the User of the Railway and of Carriages, and of locomotive Power, and every other Expense incidental to such Conveyance, shall not exceed the following Sums, which the Company are by this Act empowered to demand and take ; (that is to say,)

Maximum  
Rate of  
Charges for  
Passengers.

For every Passenger conveyed in a First-class Carriage by any Train, Threepence a Mile :

For every Passenger conveyed in a Second-class Carriage by any Train, Twopence a Mile :

For every Passenger conveyed in a Third-class Carriage by any Train, One Penny a Mile.

**29.** The maximum Rate of Charge to be made by the Company for the Conveyance of Animals and Goods on the Railway, including the Tolls for the User of the Railway and Waggons or Trucks, and locomotive Power, and every Expense incidental to such Conveyance, except a reasonable Sum for the loading, covering, and unloading of

Maximum  
Rate of  
Charges for  
Cattle and  
Goods.

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Goods

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Goods at any Terminal Station, and for Delivery and Collection, and any other Services incidental to the Business or Duty of a Carrier, where any such Services are performed by the Company, shall not exceed the following Sums, which the Company are by this Act empowered to demand and take; (that is to say,)

For every Horse, Mule, and other Beast of Draught or Burthen, Fourpence a Mile:

For Cattle, Twopence Farthing each a Mile:

For Calves, Pigs, Sheep, and other small Animals, One Penny Halfpenny each a Mile:

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, Fivepence a Mile, and One Penny a Mile for every additional Quarter of a Ton which any such Carriage weighs:

For all Articles in Class 1, One Penny a Ton a Mile:

For all Articles in Class 2, Twopence a Ton a Mile:

For all Articles in Class 3, Threepence a Ton a Mile:

For all Articles in Class 4, Threepence Halfpenny a Ton a Mile:

For all Articles in Class 5, Fourpence Halfpenny a Ton a Mile.

Regulations  
as to maxi-  
mum Rates.

**30.** The following Regulations apply to such maximum Rates:

For a Fraction of a Mile beyond Four Miles or beyond any greater Number of Miles the Company may demand and take Tolls on Animals and Goods for such Fraction in proportion to the Number of Quarters of a Mile contained therein, and if there be a Fraction of a Quarter of a Mile such Fraction shall be deemed a Quarter of a Mile; and with respect to Passengers, every Fraction of a Mile beyond an integral Number of Miles shall be deemed a Mile:

For a Portion of a Ton the Company may demand and take 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.

Tolls for  
small Parcels  
and single  
Articles of

**31.** With respect to small Packages and single Articles of great Weight, notwithstanding the Rate of Tolls by this Act prescribed the Company

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Company may demand and take any Tolls not exceeding the following ; great Weight.  
(that is to say,)

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

For any Parcel not exceeding Seven Pounds in Weight, Three-pence :

For any Parcel exceeding Seven and not exceeding Fourteen Pounds in Weight, Fivepence :

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

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

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 think fit :

Provided always, that Articles sent in large aggregate Quantities, although made up as 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 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 and does not exceed Eight Tons, the Company may demand and take any Sum they think fit not exceeding Sixpence a Ton a Mile :

For the Carriage of any single Article the Weight of which with the Carriage exceeds Eight Tons, the Company may demand and take any Sum they think fit.

**32.** This Act or anything therein contained shall not prevent the Company from taking any increased Charges over and above the Charges by this Act limited for the Conveyance of Animals or Things of any Description by Agreement with the Owners or Persons in charge thereof, either in respect of the Conveyance thereof, except small Parcels by Passenger Trains, or by reason of any special Service performed by the Company in relation thereto. Company may take increased Charges by way of Agreement.

**33.** The Company shall not be bound or compelled to carry or convey on the Railway by this Act authorized any Dung, Compost, Manure, or other noisome or offensive Matter. Company not compelled to carry Manure, &c.

**34.** The Company and the *West Somerset* Mineral Railway Company, the *Bristol and Exeter* Railway Company, and the *West Somerset* Railway Company, or any or either of such last-mentioned Companies respectively, may from Time to Time enter into and carry into Power to enter into Traffic Arrangements.

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into effect Contracts with respect to the following Purposes or any of them, and all incidental Matters; (that is to say,)

The Maintenance, Repair, and Management by the Companies or Company so entering into such Contract with the Company for the Construction by the Company of all or any Part of the Railway of the Company, and of the Works and Conveniences belonging thereto or connected therewith, and the Cost and Expenses and Compensation in respect of the same:

The Use and Working of all or any Part of the Railway of the Company, and the Collection, Conveyance, and Delivery by the Companies or Company so entering into such Contract with the Company of the whole or any Part of the Traffic upon the Railway, and the Supply of any Rolling or Working Stock and Servants required for such Purposes, and the Costs and Expenses of such Working, Management, Maintenance, and Repair:

The fixing, collecting, taking, apportioning, and levying of the Tolls, Rates, Charges, Receipts, and Revenues, whether local or through, levied, taken, or arising upon, and the Division between the Company and the Company or Companies so contracting as aforesaid, of the Receipts arising from the Traffic upon the Railways of the Company and the contracting Companies or Company, or any Parts thereof, and with or without any Rent or other Consideration to be paid by the Company or the contracting Companies or Company to the other of them by virtue of the Contract:

And any such Contract may be made for the same Period of Time with reference to all the Purposes of the Contract, or for different Periods with reference to different Purposes.

Tolls during  
Contracts.

**35.** During the Continuance of any Contract or Agreement which may be entered into under the Authority of this Act, the Railway of the Company and the Railways of the Companies or Company Parties to such Agreement shall, for the Purposes of Tolls and Charges, be considered as One Railway; and in estimating the Amount of Tolls and Charges in respect of Traffic conveyed partly on the Railway and partly on the Railways of the Company or Companies contracting as aforesaid for a less Distance than Four Miles, Tolls and Charges may only be charged as for Four Miles; and in respect of Passengers, for each Mile or Fraction of a Mile beyond Four Miles, Tolls and Charges as for One Mile only; and in respect of Animals, Minerals, and Goods, for every Quarter of a Mile or Fraction of a Quarter of a Mile beyond Four Miles, Tolls and Charges as for a Quarter of a Mile only; and no other Charge in respect of short Distances traversed on the Railway or Railways, save such as herein-before mentioned in respect to Four Miles, shall be made for the Conveyance of Passengers, Animals, and Goods, or other Matters, partly on the  
Railway

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Railway of the Company and partly on the Railway of the Company or Companies contracting as aforesaid.

**36.** Nothing in this Act contained shall lessen or invalidate the Right to make Contracts which the Company may derive from "The Railways Clauses Consolidation Act, 1845," and "The General Pier and Harbour Act, 1861," or from the general Law.

Saving existing Right to contract.

**37.** Nothing contained in this Act or in any of the Acts herein referred to shall authorize the Company to take, use, or in any Manner interfere with any Land, Soil, Tenements, or Hereditaments, or any Rights of whatsoever Nature belonging to or enjoyed or exerciseable by the Queen's most Excellent Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Forests and Land Revenues, or One of them, on behalf of Her Majesty first had and obtained for that Purpose (which Consent such Commissioners are hereby respectively authorized to give); and nothing in the said Act or Acts contained shall divest, take away, prejudice, diminish, or alter any Estate, Right, Privilege, Power, or Authority now or from Time to Time vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors.

Saving Rights of the Crown.

**38.** The Company shall not, out of any Money by this Act authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, pay Interest or Dividends to any Shareholder on the Amount of Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that 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 on Calls not to be paid out of Capital.

**39.** The Company shall not, out of any Money by this Act authorized to be raised for the Purposes of this Act, 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 to authorize the Company to construct any Railway, or to execute any other Work or Undertaking.

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

**40.** Nothing herein contained shall be deemed or construed to exempt the Railways or the Company from the Provisions 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

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

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

Expenses  
of Act.

41. The Costs, Charges, and Expenses of and attending the applying for and passing of this Act, and preliminary or incident thereto, shall be paid by the Company.

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LONDON :

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