



ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

Cap. cccxviii.

An Act for making Railways in *Wiltshire* from the *London and South-western Railway* to the *Berks and Hants Railway* at *Pewsey* and *Woodborough*; and for other Purposes. [5th July 1865.]

WHEREAS the Construction of the Railways herein-after mentioned in the County of *Wilts* would be of public and local Advantage: And whereas it is expedient that the Persons herein-after named, with others, should be incorporated into a Company for the Purpose of carrying such Undertaking into execution: And whereas it is expedient that the Company so to be incorporated, and all Companies and Persons lawfully working and using the Railways by this Act authorized, or any Part thereof, should be authorized to run over, work, and use the Portion herein-after in that Behalf mentioned of the *London and South-western Railway*: And whereas it is expedient that such Provision should be made as is herein-after contained for facilitating and ensuring the Transmission, Interchange, and Accommodation of Traffic between, from, to, at, and over the Railways by this Act authorized and the *London and South-western Railway*: And whereas it is expedient that the Company so to be incorporated and the Companies herein-after in that Behalf mentioned should be empowered to enter into and carry into effect Working and

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other

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other Arrangements as herein-after provided: And whereas Plans and Sections of the Railways and Works by this Act authorized showing the Lines and Levels thereof, and a Book of Reference containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands in and through which the same are intended to be made, have been deposited with the Clerk of the Peace for the County of *Wilts*, which Plans, Sections, and Book of Reference are herein-after referred to as the deposited Plans, Sections, and Book of Reference respectively: And whereas the several Objects 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 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,)

Short Title. **1.** This Act may be cited for any Purpose as "*Wiltshire Railway Act, 1865.*"

8 & 9 Vict.
cc. 16., 18.,
& 20.,
23 & 24 Vict.
c. 106., and
26 & 27 Vict.
cc. 92. & 118.
incorporated.

2. "The Companies Clauses Consolidation Act, 1845," Part I. (relating to Cancellation and Surrender of Shares) of "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," and Part I. (relating to Construction of a Railway) and Part III. (relating to Working Agreements) of "The Railways Clauses Act, 1863," save so far as any of the Clauses and Provisions thereof respectively are expressly excepted or varied by this Act, are incorporated with this Act.

Interpre-
tation of
Terms.;

3. In construing the Acts and Parts of Acts incorporated herewith in connexion with this Act the Term "Superior Courts" includes any Court of competent Jurisdiction as in this Act defined, and in this Act the Expression "Court of competent Jurisdiction," or any other like Expression, 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, and the Word "Traffic" has the Meaning assigned to that Word in and by "The Railway and Canal Traffic Act, 1854."

Same Mean-
ings of
Words in
this Act as
in incor-
porated
Acts.

4. The several other Words and Expressions to which by the Acts incorporated or in part incorporated with this Act Meanings are assigned have in this Act the same respective Meanings, unless there be in the Subject or Context something repugnant to or inconsistent with such Construction.

5. Sir

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5. Sir *Edmund Antrobus* Baronet, *Edmund Antrobus*, *Henry Danby Seymour*, Sir *Michael Edward Hicks Beach* Baronet, *William Wither Bramston Beach*, and *Thomas Pain*, and all other Persons and Corporations who have already subscribed or hereafter shall subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, are hereby united into a Company for the Purpose of making and maintaining the Railways herein-after authorized, with proper Works and Conveniences connected therewith, according to the Provisions of this Act and of the Acts and Parts of Acts incorporated herewith, and for other the Purposes hereby and by those Acts and Parts of Acts authorized, and for such Purposes shall form One Body Corporate by the Name of "The *Wiltshire* Railway Company," with perpetual Succession and a Common Seal, and shall have Power to purchase, take, hold, and dispose of Lands and other Property for the Purposes of the Undertaking within the Restrictions herein and in the said Acts and Parts of Acts contained. Subscribers incorporated.
6. The Capital of the Company shall be Two hundred and forty thousand Pounds. Capital.
7. The Capital shall be divided into Twelve thousand Shares, and the Amount of each Share shall be Twenty Pounds. Number and Amount of Shares.
8. Five Pounds shall be the greatest Amount of a Call, and Three Months at the least shall be the Interval between successive Calls, and not more than Three Fourths of a Share shall be called up in any One Year. Calls.
9. 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.
10. If and whenever the Company resolve not to issue the whole of any Shares previously created, they may cancel the unissued Shares to which such Resolution applies. Power to Company to cancel unissued new Shares.
11. The Company may borrow on Mortgage any Sum not exceeding Eighty thousand Pounds, but no Part of that Sum shall be borrowed until the whole of the said Capital of Two hundred and forty thousand Pounds shall have been *bonâ fide* subscribed and issued, and One Half thereof shall have been actually paid up, nor until the Company shall have proved to the Satisfaction of the Justice who is to certify under the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," (before he so certifies,) that the whole of the said Capital has been subscribed for *bonâ fide* and issued, Power to borrow on Mortgage.

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issued, and One Half thereof paid up, and that not less than One Fifth of the Amount of each Share has been paid on Issue of the same, and that such Shares are held by Subscribers or their Assigns, and that such Subscribers or their Assigns are legally liable for the same (of which Facts the Certificate of such Justice under that Section shall be sufficient Evidence).

Arrears may be enforced by Appointment of a Receiver.

12. The Mortgagees of the Company may enforce Payment of Arrears of Principal and Interest due on their Mortgages by the Appointment of a Receiver, and in order to authorize the Appointment of a Receiver in the event of the Principal Money or Interest due on such Mortgages not being duly paid, the Amount owing to the Mortgagees by whom the Application for a Receiver shall be made shall not be less than Twenty-five thousand Pounds in the whole.

As to Money payable to Persons under Disability.

13. If any Money be payable to any Shareholder being a Minor, Idiot, Lunatic, or *non compos mentis*, the Receipt of the Guardian of such Minor, or of the Committee of such Idiot, Lunatic, or Person *non compos mentis*, shall be a sufficient Discharge to the Company for the same.

Application of Monies.

14. All Monies raised under the Powers of this Act by Shares or by borrowing shall be applied in carrying out the Purposes of this Act, and for no other Purpose.

First Ordinary Meeting.

15. The First Ordinary Meeting of the Company shall be held within Six Months after the passing of this Act.

Number and Qualification of Directors.

16. The Number of the Directors, unless and until reduced as herein-after provided, shall be Nine, and the Qualification of a Director shall be the Possession in his own Right of Shares in the Undertaking of the aggregate nominal Value of Five hundred Pounds.

Power to reduce Number of Directors.

17. The Company may by the Vote of an Ordinary or Extraordinary Meeting from Time to Time reduce the Number of Directors for the Time being, but so that such Number shall at no Time be less than Seven, and the Company may also on each such Reduction determine which Director or Directors shall retire, and the future Order of Rotation in which the reduced Number of Directors shall go out of Office.

Quorum of Directors.

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

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19. Sir *Edmund Antrobus* Baronet, *Edmund Antrobus*, *Henry Danby Seymour*, Sir *Michael Edward Hicks Beach* Baronet, *William Wither Bramston Beach*, and *Thomas Pain*, and such Three other Persons as they, or the Survivors, or the Majority of the Persons above named, or the Survivors of them, shall nominate in this Behalf, shall be the First Directors of the Company: Provided always, that the Acts and Proceedings of the Directors previously to such Nomination shall not be invalidated or prejudiced by reason of their Number being less than Nine.

First Direc-
tors.

20. The First Directors shall continue in Office until the First Ordinary Meeting of the Company, and at such Meeting the Shareholders present personally or by proxy may either continue in Office the First Directors, 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 First Directors being eligible as Members of such new Body.

Election of
Directors at
First Ordinary Meet-
ing.

21. At the First Ordinary Meeting of the Company to be held in the Year One thousand eight hundred and sixty-six, and at the First Ordinary Meeting in every subsequent Year, One Third of the Directors (to be determined as in "The Companies Clauses Consolidation Act, 1845," is provided) shall go out of Office, and the Shareholders present personally or by proxy shall, agreeably to the Provisions of that Act in that Behalf, elect Persons to supply the Places of the Directors then retiring from Office; 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 that Act.

Subsequent
Election of
Directors.

22. Subject to the Provisions and Powers of Deviation in this Act and the incorporated Acts and Parts of Acts contained, the Company may make and maintain the Railways and Works by this Act authorized in the Lines and upon the Lands delineated on the deposited Plans and described in the deposited Book of Reference, and according to the Levels defined on the deposited Sections, and may enter upon, take, and use such of those Lands as may be required for that Purpose.

Power to
construct
Works.

23. The Railways and Works by this Act authorized comprise the following:

Description
of Works.

First, a Railway (No. 1) commencing in the Parish of *Idmiston* in the County of *Wilts* by a Junction with the *London and South-western* Railway, and terminating in the Parish of *Pewsey* in the same County:

Secondly, a Railway (No. 4) commencing in the Parish of *Pewsey* in the County of *Wilts* by a Junction with Railway (No. 1),
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and terminating in the same Parish at or near the *Pewsey* Station of the *Berks and Hants* Railway:

Thirdly, a Railway (No. 5) commencing in the Parish of *Upavon* in the County of *Wilts* by a Junction with Railway (No. 1), and terminating in the Parish of *Beaching Stoke* in the same County at or near the *Woodborough* Station of the *Berks and Hants* Railway.

Inclination
of certain
Roads.

24. The Company may make the Roads next herein-after specified, when altered for the Purposes of this Act, of any Inclinations not steeper than the Inclinations herein-after mentioned in connexion with these Roads respectively; (to wit,)

Railway.	No. of Road on deposited Plans.	Parish or Place in which the Road is shown on those Plans.	Description of Road.	Proposed Inclination.
No. 1	4a 23 10	Amesbury -	Public Road -	1 in 15.
		Durrington -	Public Road -	1 in 15½.
		Enford -	Public Road -	1 in 17.
No. 5	7 27	Upavon -	Turnpike Road	1 in 16 on the one Side, and level on the other.
		North Newnton -	Turnpike Road	

Dimensions
of Bridges.

25. The Company may make the Arches of the Bridges for carrying the Railway over the Roads next herein-after mentioned of any Height and Span not less than the respective Heights and Spans herein-after mentioned in connexion with those Roads respectively; (to wit,)

Railway.	Number of Road on deposited Plan.	Parish or Place in which Road is shown on those Plans.	Description of Road.	Height in Feet.	Span in Feet.
No. 1	13 12 21 13 1	Idmiston -	Turnpike Road -	16	30
		Amesbury -	Turnpike Road -	16	30
		Durrington -	Turnpike Road -	16	30
		Figheledean -	Public Road -	15	20
		Enford -	Turnpike Road -	16	30

As to Junction with London and South-western Railway.

26. The Communication between the Railway No. 1 and the Railway of the *London and South-western* Railway Company (herein called the *South-western* Company), and all Openings in the Rails of that Railway, and all Works at or near the Junction hereby authorized with that Railway which may be made for the Reception, Accommodation, and Delivery of the Traffic of the Company, whether on the Land of the Company or on the Land of the *South-western*

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western Company, shall be made by the *South-western* Company at the sole Expense of the Company, and, except only as far as the Company and the *South-western* Company otherwise agree, or according to the Terms and Conditions from Time to Time agreed on between them, the same shall be thereafter maintained and kept in good Repair by the *South-western* Company at the Expense of the Company; and all such Communications, Openings, and Works shall be made and maintained in such Manner and by such Means only as shall not in anywise injure or prejudice the Railway of the *South-western* Railway Company, or the Works or Property thereof, or the free and uninterrupted Use thereof by the *South-western* Company or Interference with the Traffic thereon: Provided always, that, unless the Company and the *South-western* Company otherwise agree, Railway No. 1 shall not commence by a Junction with the Railway of the *South-western* Company at the Point shown on the deposited Plans, but shall commence at a Point within the Limits of Deviation thereon to be approved by the *South-western* Company, and near to the Back of the Passenger Platform of the *Porton* Station on their Railway, and shall continue thence in a Direction parallel to the Railway of the *South-western* Company until it joins the Centre Line of the Railway No. 1 shown on the deposited Plans; and between the Railway No. 1 thus constructed and the Railway of the *South-western* Company there shall be a convenient Junction in the Direction of *Salisbury*, so that Traffic may pass directly to and from Railway No. 1 from and to the Railway of the *South-western* Company; and any Difference which may arise between the Company and the *South-western* Company in carrying this Enactment into effect shall be referred to and determined by an Engineer to be appointed on the Application of either Company by the Board of Trade.

27. The Powers of the Company for the compulsory Purchase of Land 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.

28. The Company may purchase by Agreement, and not compulsorily, for extraordinary Purposes as defined in "The Railways Clauses Consolidation Act, 1845," any Quantity of Land not exceeding Five Acres. Lands for extraordinary Purposes.

29. The Railways and Works shall be completed within Five Years from the passing of this Act, and on the Expiration of that Period the Powers by this Act granted to the Company for executing the Railways and Works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Railways and Works as shall then be completed. Period for Completion of Works.

30. And

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Security for
Completion
of Railways
within Time
limited.

30. 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 Fifty thousand five hundred Pounds Stock in the Three Pounds *per Centum* Consolidated Bank Annuities, purchased for the Price or Sum of Forty-four thousand nine hundred and four Pounds, has been transferred into the Name of the Accountant General of the Court of Chancery in *England*: And whereas the said Sum of Forty-four thousand nine hundred and four Pounds is Eight *per Centum* upon the Amount of the Estimate of Expense of the intended Railways comprised in this Act as introduced into Parliament: And whereas during the Progress of this Act through Parliament certain Portions of the Lines of Railway originally comprised therein have been omitted therefrom: And whereas the Expense of the Railways and Works by this Act authorized is estimated at the Sum of Two hundred and twenty-one thousand nine hundred Pounds, and Eight *per Centum* upon that Sum amounts to Seventeen thousand seven hundred and fifty-two Pounds, and the Sum of Nineteen thousand nine hundred and sixty-five Pounds Stock as aforesaid is equivalent to the said Sum of Seventeen thousand seven hundred and fifty-two Pounds at the Price at which the said Sum of Fifty thousand five hundred Pounds Stock was originally purchased as aforesaid: Therefore, notwithstanding anything contained in the said recited Act, the Sum of Nineteen thousand nine hundred and sixty-five Pounds Stock, Part of the said Sum of Fifty thousand five hundred Pounds Stock so transferred as aforesaid in respect of the Application for this Act, or the Interest or Dividends of that Sum, 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 Completion of the Railways, either open the same 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 Railways for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Board of Trade, the said Sum of Nineteen thousand nine hundred and sixty-five Pounds Stock 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

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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 Seventeen thousand seven hundred and fifty-two 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 a Sum equal to the said Sum of Seventeen thousand seven hundred and fifty-two Pounds if the Company shall not, within the Time limited for the Completion of the Railways, either open the same 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 the Railways 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 of Nineteen thousand nine hundred and sixty-five Pounds Stock, and the Interest or Dividends thereof, shall be paid or 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, or the Executors or Administrators of such Survivor, 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 so deposited, 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 Board of Trade that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

31. On the Application of the Persons named in the Warrant or Order by which the Transfer of the said Sum of Fifty thousand five hundred Pounds Stock as aforesaid was directed to be made, or of the Survivor of such Persons, or of the Executors or Administrators of such Survivor, by Petition in a summary Way, the High Court of Chancery may and shall order that the Sum of Thirty thousand five hundred and thirty-five Pounds Stock, Balance of the said Sum of Fifty thousand five hundred Pounds Stock as aforesaid, after deducting therefrom the said Sum of Nineteen thousand nine hundred and sixty-five Pounds Stock, and the Interest and Dividends thereof, be

Release of
Balance of
Stock trans-
ferred.

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paid

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paid to the Parties or Party so applying, or to any other Person or Persons whom they or he may appoint in that Behalf.

Tolls.

32. The Company may demand upon or in respect of the Railways by this Act authorized any Tolls not exceeding the following; (to wit,)

Tonnage on Articles of Merchandise.

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

Class 1. 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, Slates, Clay, and Sand, *per Ton per Mile* not exceeding for the Use of the Railway One Penny; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Halfpenny :

Class 2. For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Timber, Staves, Deal, Iron, and all other Metals, Cotton and other Wools, manufactured Goods, and all other Wares, Merchandise, Articles, Matters, or Things (except as herein-before and herein-after mentioned), *per Ton per Mile* not exceeding for the Use of the Railway Twopence; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Penny :

Class 3. 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 for the Use of the Railway Threepence; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Penny :

Class 4. 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 for the Use of the Railway 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 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 for the Use of the Railway One Penny.

Tolls for Animals, &c.

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

Class 5. 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 Carriage, *per Mile* not exceeding for the Use of the Railway

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Railway One Penny Halfpenny; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Penny:

Class 6. For every Calf or Pig conveyed in or upon any Carriage, *per* Mile not exceeding for the Use of the Railway One Halfpenny; and if conveyed in any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Halfpenny:

Class 7. For every Sheep, Lamb, or other small Animal conveyed in or upon any Carriage, *per* Mile not exceeding for the Use of the Railway One Halfpenny; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Farthing.

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

For every Person conveyed in or upon any Carriage, *per* Mile not exceeding for the Use of the Railway Twopence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Halfpenny.

33. For the Use of any Engine provided by the Company for drawing or propelling Carriages on the Railway the Company may demand any Toll not exceeding One Penny *per* Mile for each Passenger, and for each Ton of Goods or other Articles, in addition to the other Tolls by this Act authorized to be taken. Tolls for locomotive Power.

34. The maximum Rates of Charge to be made by the Company for the Conveyance of Passengers 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; (to wit,) Maximum Rates of Charge for Passengers.

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 *per* Mile.

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

36. Every Passenger travelling upon the Railways may take with him his ordinary Luggage, not exceeding One hundred and twenty Pounds Passengers Luggage.

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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
Charges for
Goods and
Animals.

37. The maximum Rate of Charge to be made by the Company for the Conveyance of Animals and Goods respectively included in the Classes before mentioned, including the Tolls for the Use of the Railways and of Carriages and for locomotive Power, and every other Expense incidental to such Conveyance, (except a reasonable Sum for loading, covering, and unloading Goods at any Terminal Station of such Goods, and for Delivery and Collection, and any other Services incidental to the Business or Duty of a Carrier, where such Services or any of them are or is performed by the Company,) shall not exceed the Amounts following; (to wit,)

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

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

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

For any Carriage mentioned under Class 4, 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 every Horse, Mule, Ass, or other Beast of Draught or Burden, not exceeding Fourpence *per Mile*, and for every other Animal mentioned under Class 5, not exceeding Threepence *per Mile* :

For every Animal mentioned under Class 6, not exceeding One Penny Halfpenny *per Mile* :

For every Animal mentioned under Class 7, not exceeding One Penny *per Mile*.

Regulation
as to Tolls.

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

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

For a Fraction of a Mile beyond Four 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

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For a Fraction of a Ton the Company may demand Tolls and Charges 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.

39. 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 single
Articles of
great
Weight.

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

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

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

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

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

And for Parcels exceeding Fifty-six Pounds in Weight but not exceeding Five Hundredweight 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 for the Use of the Railways Sixpence *per Ton per Mile* ; and if more than One Carriage or Truck be employed in the Conveyance of such Article, an additional Sum *per Ton per Mile* not exceeding One Penny in respect of each Carriage or Truck beyond the first so employed :

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.

*Wiltshire Railway Act, 1865.*Terminal
Station.

40. No Station is to be considered a Terminal Station in regard to any Goods conveyed on the Railways which have not been received thereat direct from the Consignor of such Traffic, or are not directed to be delivered thereat to the Consignee.

Company
may take
increased
Charges by
Agreement.

41. 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.

Power to use
Parts of
other Rail-
ways.

42. In order to facilitate the passing to its Destination of Traffic received at the Stations on the Railways of the *South-western* Company respectively situate at *Milford* on the Eastward and at *Fisherton* on the Westward of the City of *Salisbury*, and requiring to pass from those Stations respectively to the Railways of the Company, and the passing to its Destination of Traffic requiring to pass from the Railways of the Company to those Stations respectively, and the Interchange of Traffic with the *South-western* Company in those respective Stations, the Company may run over, work, and use with their Engines and Carriages, and for the Purposes of Traffic of every Description requiring so to pass, but not for any other Purpose, so much of the Lines of Railway, Stations, Roads, Platforms, Water, Water Engines, Sidings, Machinery, Works, and Conveniences of the *South-western* Company as lies between the Point where Railway No. 1 will join the *London and South-western* Railway and the said respective Stations at *Milford* and at *Fisherton*, including those Stations; and as regards Traffic conveyed by them the Company may demand and take the same Tolls and Charges upon and in respect of the said several Portions of Railway and Stations as they would be entitled to take if such Portions of Railway and Stations were Part of the Railways by this Act authorized.

Terms of
such User.

43. The Terms, Conditions, and Regulations to be observed and fulfilled, and the Tolls, Charges, Rent, and other Consideration to be paid by the Company for and in respect of the Use of the said Portions of Railway and Stations, shall be such as are from Time to Time agreed upon between the Companies interested, or as, failing Agreement, may be determined by an Arbitrator to be appointed by the Board of Trade, upon the Application of either or any of the Companies interested; and the Costs of the Arbitration shall be in his Discretion, and the Decisions of such Arbitrator shall be final and binding on all Parties.

44. In

Wiltshire Railway Act, 1865.

44. In order to facilitate the Transmission of Traffic passing or intended to pass to or from any Station or Place upon the Railways of the Company to or from the Railways or any Part of the Railways of the *South-western* Company, and *vice versâ*, and to provide against any undue Interruption or Delay in the Passage of such Traffic to its Destination, and for a proper and mutual Interchange of Rolling Stock for the Accommodation of such Traffic, and to regulate their respective Rights with regard to such Traffic, the Company and any Company from Time to Time working the Railways or any Part of the Railways of the Company by virtue of this Act on the one Side, and the *South-western* Company on the other Side, shall (upon and from the Expiration of One Month after Notice in Writing to put this Clause into operation shall have been given by the Company or the *South-western* Company to the other of them) be bound by and shall perform, observe, and conform to the following Stipulations and Provisions; *viz.*,

Facilitating
Transmis-
sion of
Traffic over
certain
Lines.

First. The Companies shall, upon such Notice being given, book and invoice through over their respective Railways all such Traffic as aforesaid:

Second. Such Traffic shall be carried on without Change of Carriage, Waggon, or Truck, except in Cases in which from the small Amount of Traffic to be forwarded such Change is reasonable, and except in Cases where the Traffic Managers of the Companies interested may otherwise agree:

Third. Each Company shall for and in respect of all such Traffic, and for all Purposes of this Clause, at all Times afford to and for the other Company and the Public all needful Accommodations, Facilities, and Conveniences at, on, and over their respective Railways and the Stations thereon by their respective Trains, and by Through Booking, Through Rates, Through Waggons, Trucks, and Carriages, and by mutual Interchange of Rolling Stock, and shall at all Times and in all respects conduct, forward, carry on, and accommodate all such Traffic as aforesaid on equal Terms with and as if it were their own proper Traffic, and without Preference in favour of their own Lines:

Fourth. The Rates and Charges for such Traffic shall be divided by actual Mileage (after deducting Government Duty and such Terminal Charges on Goods and Passengers as may be agreed upon between the said Companies, or as may, in default of Agreement, be determined by Arbitration in manner provided by the "Railway Companies Arbitration Act, 1859"), and out of such Rates and Charges each Company shall receive their full Mileage Proportion of the whole Distance which the Traffic passing over their Railway shall have actually traversed, and the Company shall monthly account with each other on this Basis:

Fifth.

Wiltshire Railway Act, 1865.

Fifth. The Rates and Charges for all such Traffic as aforesaid shall, unless previously agreed upon between the Companies interested, be determined by Arbitration in manner provided by the "Railway Companies Arbitration Act, 1859," and whether the Scales of Rates and Charges from Time to Time in force shall have been fixed by Agreement or by Arbitration, either of the Companies may at Intervals of not less than Six Months, by Notice in Writing to the other of them, require the said Scales of Rates and Charges to be revised, and if for One Month thereafter a revised Scale is not agreed upon between them the Question of such Revision and (if such Revision be determined upon) the revised Scale to be adopted shall be settled by Arbitration in manner last aforesaid :

Sixth. The Terms on which the Interchange of Rolling Stock between the Companies shall be made shall be those adopted by the Railway Clearing House.

Working
Arrange-
ments
between
Company
and other
Companies.

45. The Company and the *London and South-western* and the *Midland* Railway Companies, or either of them, from Time to Time may make and carry into effect Contracts and Arrangements with respect to all or any of the following Purposes and all incidental Matters ; (to wit,)

The Maintenance, working, and using by any or either of the contracting Companies of the Railways and Works of the other or others of them, or any Part thereof :

The Regulation, Management, Collection, Transmission, and Delivery by the contracting Companies, or any or either of them, of the whole or any Part of the Traffic upon the Railways and Works of the other or others of them, or any Part thereof, and the Supply and Maintenance of Rolling and Working Stock and Plant for such Purposes, and the Employment, Remuneration, and Dismissal of Officers and Servants, and the fixing, Collection, Payment, Division, Appropriation, and Distribution of the Tolls and other Income and Profits of the Railways and Works of the other or others of them, or any Part thereof :

And any such Contract or Arrangement 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 partly
on Railway
and partly
on another
Company's
Railway.

46. Where, under this Act, any Passengers, Goods, Minerals, Animals, or Things are conveyed by any Company partly on the Railways by this Act authorized and partly on any other Railway worked over by such Company for a Distance less in the whole than Four Miles, such Company may demand and take Tolls, Fares, Rates, and

Wiltshire Railway Act, 1865.

and Charges not exceeding the maximum Tolls, Fares, Rates, and Charges as for Four Miles only; and for a Fraction of a Mile beyond Four Miles such Company may, with respect to Goods, Minerals, and Animals, demand Tolls 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 Four Miles shall be deemed a Mile; and no other Short-distance Charge shall be made for the Conveyance of Passengers, Minerals, Animals, or Goods conveyed as aforesaid than the Charge in this Behalf herein authorized.

47. If, under the Provisions of this Act or of "The Railways Tolls may be
Clauses Consolidation Act, 1845," or any Agreement authorized by taken by
this Act, the Company agree with any other Company for the Use by other Com-
any such other Company of the Railways, then and in such Case panies sub-
during such Agreement Tolls and Charges, not exceeding such as ject to
are authorized by this Act, may be demanded and taken by such Working
other Company upon or in respect of the Railways in accordance with Agreement.
the Terms and Stipulations of such Agreement, and such Tolls and
Charges or any agreed proportionate Part thereof shall be paid over
to the Company, or be retained by such other Company for their own
Use or Benefit, subject to such Deductions, Payments, or Liabilities
as may be provided for in such Agreement.

48. The Company shall not, out of any Money by this Act Interest not
authorized to be raised by Calls in respect of Shares, or by the to be paid
Exercise of any Power of borrowing, pay Interest or Dividends to any on Calls.
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 contained shall be deemed to
prevent the Company from paying 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 Com-
panies Clauses Consolidation Act, 1845," in that Behalf contained.

49. It shall not be lawful for the Company, out of any Money by Deposits for
this Act authorized to be raised, to pay or deposit any Sum of Money future Bills
which, by any Standing Order of either House of Parliament now in not to be
force or hereafter to be in force, may be required to be deposited in paid out of
respect of any Application to Parliament for the Purpose of obtaining Company's
any Act authorizing the Company to construct any other Railway, Capital.
or to execute any other Work or Undertaking.

50. Nothing herein contained shall be deemed or construed to Railways not
exempt the Railways from the Provisions of the General Acts relating exempt from
[Local.] 57 D to Provisions

Wiltshire Railway Act, 1865.

of present
and future
General
Acts.

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 the present or any future Session of Parliament, or from any future Revision or Alteration, under the Authority of Parliament, of the Tolls for small Parcels, and the maximum Rates of Fares and Charges, by this Act authorized.

Expenses of
Act.

51. All the Costs, Charges, and Expenses of and attending the passing of this Act, and preliminary or incidental thereto, shall be paid by the Company.

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