

[36 & 37 VICT.]

*Staines and West Drayton
Railway Act, 1873.*

[Ch. cxxviii.]



CHAPTER cxxviii.

An Act for making a Railway from the London and South-western Railway at Staines to the Great Western Railway at West Drayton ; and for other purposes. [7th July 1873.]

A.D. 1873.
—

WHEREAS the making of the railways herein-after described would be attended with public and local advantage :

And whereas the persons in this Act named, with others, are willing, at their own expense, to construct the railways, and it is expedient that powers should be conferred on them for that purpose :

And whereas plans and sections showing the lines and levels of the railways authorised by this Act, and also books of reference containing the names of the owners and lessees, or reputed owners and lessees, and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act, were duly deposited with the clerks of the peace for the counties of Middlesex and Buckingham respectively, and are herein-after respectively referred to as the deposited plans, sections, and books of reference :

And whereas it is expedient to authorise the agreements herein-after mentioned :

And whereas the 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 :

1. This Act may be cited as the "Staines and West Drayton Railway Act, 1873." Short title.

2. "The Companies Clauses Consolidation Act, 1845," Part I. (relating to cancellation and surrender of shares) and Part III. Provisions of Acts herein named incorporated.
[Local.-128.] A 1

A.D. 1873. (relating to debenture stock) of "The Companies Clauses Act, 1863," "The Lands Clauses Consolidation Acts, 1845, 1860, and 1869," "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," are (except where expressly varied by this Act) incorporated with and form part of this Act.

Interpreta-
tion of terms.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings, unless there be something in the subject or context repugnant to such construction; the expression "the Company" means the Company incorporated by this Act; the expressions "the railway" and "the undertaking" mean respectively the railways and the undertaking by this Act authorised; and the expression "superior courts" or "court of competent jurisdiction," or any other like expression in this Act or any Act wholly or partially incorporated herewith, shall be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt, and not a debt or demand created by statute.

Company
incorporated.

4. Lieutenant-Colonel Charles Myers de Longueville, William Grimwade, John Frederick Robinson, and all other persons and corporations who have already subscribed to or shall hereafter become proprietors in the undertaking, and their executors, administrators, successors, and assigns respectively, shall be and are hereby united into a Company for the purpose of making and maintaining the railway, and for other the purposes of this Act, and for those purposes shall be and are hereby incorporated by the name of the "Staines and West Drayton Railway Company," and by that name shall be a body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes of this Act.

Power to
make rail-
ways accord-
ing to depo-
sited plans.

5. Subject to the provisions of this Act, the Company may make and maintain, in the line and according to the levels shown on the deposited plans and sections, the railways herein-after described, with all proper stations, sidings, approaches, works, and conveniences connected therewith, and may enter upon, take, and use such of the lands delineated on the said plans and described in the deposited books of reference as may be required for that purpose. The railways herein-before referred to and authorised by this Act are:

1. A railway 2 miles 4 furlongs and 4.60 chains in length, commencing by a junction with the Great Western Railway in the

A.D. 1873.

parish of Hillingdon in the county of Middlesex, one hundred and fifty-four yards or thereabouts west of the thirteen and a quarter mile post on that railway from London, and terminating on the north side of the road known as the Bath Road, at Colnbrook in the parish of Stanwell in the county of Middlesex, about 400 yards east of the Punch Bowl Inn; and

2. A railway 2 miles 6 furlongs and 100 chains in length, commencing by a junction with Railway Number 1 at the termination thereof before described, and terminating by a junction with the Windsor branch of the London and South-western Railway, at a point on Staines Moor in the parish of Staines in the county of Middlesex, where such branch railway passes underneath a bridge forty-three chains or thereabouts, measured along the line of railway, north-west of the railway bridge over the main London road in Staines.

6. Notwithstanding anything herein or in the incorporated Acts contained, it shall not be lawful for the Company, nor any person acting under or in the execution of this Act, to enter upon, occupy, or use, either permanently or temporarily, any of the lands, works, or property of the Great Western Railway Company, or in any manner to alter, vary, or interfere with the Great Western Railway or works, without the consent of the Great Western Railway Company under their common seal, save only for the purpose of effecting the junction and communication by this Act authorised.

Not to take lands of or to interfere with the railway of the Great Western Company except for the purpose of the junction.

7. Notwithstanding anything herein or in the incorporated Acts contained, it shall not be lawful for the Company, or any person acting under or in the execution of this Act, to enter upon, occupy, or use, either permanently or temporarily, any of the lands, works, or property of the London and South-western Railway Company, or in any manner to alter, vary, or interfere with the London and South-western Railway or works, without the consent of the London and South-western Railway Company under their common seal, save only for the purpose of effecting the junction and communication by this Act authorised, and such junction and communication shall be made at such point and in such manner and mode as the London and South-western Railway Company shall determine.

Lands of London and South-western Railway Company not to be taken without consent, except for the purpose of effecting junction.

8. The capital of the Company shall be forty-eight thousand pounds in four thousand eight hundred shares of ten pounds each.

Capital.

9. The Company shall not issue any share created under the authority of this Act, nor shall any such share vest in the person accepting the same, unless and until a sum not being less than one fifth of the amount of such share is paid in respect thereof.

Shares not to issue till one fifth paid up.

A.D. 1873.

Calls.

10. One fifth of the amount of a share shall be the greatest amount of a call, and three months at least shall be the interval between successive calls, and four fifths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share.

Receipt
clause in
case of per-
sons not sui
juris.

Power to
borrow on
mortgage.

11. If any money is payable to a shareholder being a minor, idiot, or lunatic, the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

12. The Company may from time to time borrow on mortgage any sum not exceeding in the whole sixteen thousand pounds, but no part thereof shall be borrowed until the whole capital of forty-eight thousand pounds is issued and accepted, and one half thereof is paid up, and the Company 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 the whole of such capital has been issued and accepted, and that one half thereof has been paid up, and that not less than one fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such capital was issued bonâ fide, and is held by the persons or corporations to whom the same was issued, or their executors, administrators, successors, or assigns, and that such persons or corporations, their executors, administrators, successors, or assigns, are legally liable for the same; and upon production to such justice of the books of the Company, and of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

Arrears may
be enforced,
by appoint-
ment of a
receiver.

13. The mortgagees of the Company may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages by the appointment of a receiver. In order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than two thousand pounds in the whole.

Debenture
stock.

14. The Company may create and issue debenture stock, subject to the provisions of Part III. of "The Companies Clauses Act, 1863;" but, notwithstanding anything therein contained, the interest of all debenture stock at any time created and issued by the Company shall rank pari passu with the interest of all mortgages at any time granted by the Company, and shall have priority over all principal moneys secured by such mortgages.

- 15.** All moneys raised under this Act, whether by shares, debenture stock, or borrowing, shall be applied for the purposes of this Act only. A.D. 1873.
Application of moneys.
- 16.** The first ordinary meeting of the Company shall be held within nine months after the passing of this Act, and the quorum for general meetings, whether ordinary or extraordinary, shall be seven shareholders, holding together not less than three thousand pounds in the capital of the Company. First ordinary meeting, and quorum.
- 17.** The number of directors shall be three. Number of directors.
- 18.** The qualification of a director shall be the possession in his own right of not less than twenty shares. Qualification of directors.
- 19.** The quorum of a meeting of directors shall be two. Quorum.
- 20.** Lieutenant-Colonel Charles Myers de Longueville, William Grimwade, and John Frederick Robinson shall be the first directors of the Company, and shall continue in office until the first ordinary meeting held after the passing of this Act. At that meeting the shareholders present in person or by proxy may either continue in office the directors appointed by this Act, or any of them, or may elect a new body of directors, or directors to supply the place of those not continued in office, the directors appointed by this Act being, if qualified, eligible for re-election; and at the first ordinary meeting to be held in every year after the first ordinary meeting the shareholders present in person 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," 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 same Act. First directors.

Election of directors.
- 21.** The quantity of land to be taken by the Company by agreement for the extraordinary purposes mentioned in "The Railways Clauses Consolidation Act, 1845," shall not exceed one acre. Land for extraordinary purposes.
- 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 from the passing of this Act. Powers for compulsory purchases limited.
- 23.** Subject to the provisions of "The Railways Clauses Consolidation Act, 1845," and in Part I. (relating to the construction of a railway) of "The Railways Clauses Act, 1863," contained in reference to the crossing of roads on the level, the Company may, in the construction of the railway, carry the same with a single line only, whilst the railway shall consist of a single line, and afterwards

A.D. 1873.

with a double line only, across and on the level of the road next herein-after mentioned ; (that is to say,)

Number on deposited Plan.	Parish.	Description of Road.
7 } 7a }	Stanwell - - -	Public.

Width of
certain
roadway.

24. The Company may make the roadway over the bridge by which the following road will be carried over the railway of such width between the fences thereof as the Company think fit, not being less than the width herein-after mentioned in connexion therewith ; (that is to say,)

No. on Plan.	Parish.	Description of Road.	Width of Roadway.

RAILWAY No. 2.

26	Stanwell - - -	Public - - -	20 feet.
----	----------------	--------------	----------

Gauge of
railways.

25. The railways by this Act authorised shall be made and maintained exclusively on the gauge of four feet eight and a half inches.

As to com-
munication
with the
London
and South-
western
Railway.

26. The communication between the Railway No. 2 by this Act authorised and the Windsor branch of the London and South-western Railway (herein-after called the Windsor line), and all openings in the rails of the Windsor line, shall be made only at such point or points thereon as the London and South-western Railway Company approve, and all such communications and openings, and all sidings, side lines, and works at or near the junction hereby authorised with the Windsor line, 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 London and South-western Railway Company, shall be made by that Company at the sole expense of the Company, and, except only so far as the Company and the London and South-western Railway Company otherwise agree, or according to the terms and conditions from time to time agreed on between them, the same shall be for ever thereafter maintained and kept in good repair by the London and South-western Railway 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 Windsor line or the works or property of the London and South-western Railway Company, or interfere with the traffic on the Windsor line, or the free and uninterrupted use thereof by that Company. A.D. 1873.

27. The London and South-western Railway Company from time to time may erect such signals and conveniences incident thereto, and appoint and remove such watchmen, switchmen, or other persons as that Company deem necessary for the prevention of danger to or interference with the traffic at and near the junction between the Railway No. 2 and the Windsor line, and the working and management of the junction and of such signals and conveniences, whether on lands of the London and South-western Railway Company or on land of the Company, shall be under the exclusive management and regulation of the London and South-western Railway Company; and all the expense of making and maintaining the junction and such signals and conveniences, and the wages of such watchmen, switchmen, and other persons, and all incidental current expenses, shall be repaid by the Company to the London and South-western Railway Company, as regards the expense of erection at the end of the current half year in which the same is incurred, and as regards all such other expenses and wages at the end of every half year, and in default of such repayment the amount of such expenses and wages may be recovered from the Company by the London and South-western Railway Company in any court of competent jurisdiction. London and South-western Railway Company may erect signals, &c.

28. No land belonging to the London and South-western Railway Company shall be taken by the Company without the consent in writing of the London and South-western Railway Company under their common seal first had and obtained: Provided always, that the Company may purchase and take from the London and South-western Railway Company, and that Company shall, if so required by the Company, grant in perpetuity to the Company, an easement or right of using, for the purposes of the intended junction of the Railway No. 2 with the Windsor line, and for the purpose of the works and conveniences necessary in connexion with the said junction, such parts of the lands of the London and South-western Railway Company as are necessary for those purposes. Land of the London and South-western Railway Company not to be taken without consent.

29. Except as is by this Act expressly provided, this Act or anything therein contained shall not take away, lessen, alter, or prejudice any of the rights, privileges, powers, or authorities of the London and South-western Railway Company. Saving rights of the London and South-western Railway Company

A.D. 1873.

Accommoda-
tion works
on the land
of Chris-
topher
Tower,
Esquire.

30. The Company shall construct the railway and works hereby authorised upon and near the lands of Christopher Tower, Esquire, subject to the provisions herein-after specified; that is to say,

1. The railway, where it passes through the lands of Christopher Tower, Esquire, shall be constructed with proper and sufficient side drains on each side of the railway, of a depth not exceeding that of the river Colne, and with sufficient and effective outlets at the southern end thereof, and with all proper lateral drainage:
2. At the points where the Railway No. 1 will cross the river Colne, and also Bigley or the county ditch, the span of the arches or viaducts shall be equal at least to that of the existing arches of the Great Western Railway over the same river and ditch respectively, and shall be constructed so as to give the greatest practicable headway under the line as authorised, with openings at least twelve feet wide, with flat tops, shall be left on each side, and proper ways through such openings shall be constructed and gravelled: Provided that nothing herein contained shall prevent the Company, if they think fit, from diverting the said county ditch into the river Colne at any point below the weir, so as to render the bridge across the same unnecessary:
3. The present footway from the West Drayton Station of the Great Western Railway to Thorney Fishery shall be provided for; such footway to be made by the side of the embankment of the Railway No. 1, and to be carried under such railway through one of the twelve-feet openings herein-before mentioned:
4. A private footway for the said Christopher Tower shall be constructed by the Company from the Thorney Road on one side of the railway northward to the nearest convenient point on the lands of the said Christopher Tower:
5. Three flat girder bridges across that branch of the Colne on the said Christopher Tower's property which lies within the limits of deviation, and on the south side of the Thorney Mill Road, shall be constructed effectively by the Company, at three points to be selected by the said Christopher Tower, with the approval of Mr. J. W. Grover, the Company's engineer; such bridges to be twelve feet in width, and with sufficient headway and waterway and proper approaches:
6. The Company shall construct, as part of the works to be made by them, a siding for the accommodation of three trucks at a time on the property of the said Christopher Tower, at a point

to be selected by the said Christopher Tower, with the approval of J. W. Grover. A.D. 1873.

31. Persons empowered by "The Lands Clauses Consolidation Act, 1845," to sell and convey or release lands may, if they think fit, subject to the provisions of that Act and of "The Lands Clauses Consolidation Acts Amendment Act, 1860," and of this Act, grant to the Company any easement, right, or privilege, not being an easement of water, required for the purposes of this Act, in, over, or affecting any such lands; and the provisions of the said Acts with respect to lands and rentcharges, so far as the same are applicable in this behalf, shall extend and apply to such grants and to such easements, rights, and privileges as aforesaid respectively.

Power to
take ease-
ments, &c.
by agree-
ment.

32. Whereas, pursuant to the standing orders of both Houses of Parliament, and to an Act of the ninth year of the reign of Her present Majesty, chapter twenty, a sum of two thousand six hundred pounds new three per centum annuities, being five per centum upon the amount of the estimate in respect of the railway, has been transferred to the account of the Paymaster General on behalf of the Court of Chancery in England in respect of the application to Parliament for this Act: Be it enacted, that, notwithstanding anything contained in the said Act, the said annuities shall not be transferred to or on the application of the person or persons, or the majority of persons, named in the warrant or order issued in pursuance of the said Act, or the survivors or survivor of them, unless the Company shall, previously to the expiration of the period limited by this Act for completion of the railway, either open the railway for the public conveyance of passengers, or prove to the satisfaction of the Board of Trade that the Company have paid up one half of the amount of the capital by this Act authorised to be raised by means of shares, and have expended for the purposes of this Act a sum equal in amount to such one half of the said capital; and if the said period shall expire before the Company shall either have opened the railway for the public conveyance of passengers, or have given such proof as aforesaid to the satisfaction of the Board of Trade, the said annuities shall be applied in the manner herein-after specified; and the certificate of the Board of Trade that such proof has been given to their satisfaction as aforesaid shall be sufficient evidence of the fact so certified, and it shall not be necessary to produce any certificate of this Act having passed, anything in the above-mentioned Act to the contrary notwithstanding.

Deposit
money not
to be repaid
until line
opened or
half the
capital paid
up and ex-
pended.

33. The said annuities shall be applicable, and after due notice in the "London Gazette" shall be applied, towards compensating

Application
of deposit.

A.D. 1873.

any landowners or other persons whose property may have been interfered with or otherwise rendered less valuable by the commencement, construction, or abandonment of the railway, or any portion thereof, or who may have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act, and for which injury or loss no compensation or inadequate compensation shall have been paid, and shall be distributed in satisfaction of such compensation as aforesaid, in such manner and in such proportions as to the Court of Chancery in England may seem fit; and if no such compensation shall be payable, or if a portion of the said annuities shall have been found sufficient to satisfy all just claims in respect of such compensation, then the said annuities, or such portion thereof as may not be required as aforesaid, shall either be forfeited to Her Majesty, and accordingly be transferred to or for the account of Her Majesty's Exchequer, in such manner as the Court of Chancery in England thinks fit to order, on the application of the Solicitor of Her Majesty's Treasury, and shall be carried to and form part of the Consolidated Fund of the United Kingdom, or, in the discretion of the Court, if the Company is insolvent and has been ordered to be wound up, or a receiver has been appointed, shall wholly or in part be transferred to such receiver, or the liquidator or liquidators of the Company, or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof: Provided that until the said annuities have been retransferred, or have become otherwise applicable as herein-before mentioned, any interest or dividends accruing thereon shall from time to time, and as often as the same shall become payable, be paid to or on the application of the person or persons, or the majority of the persons, named in such warrant or order as aforesaid, or the survivors or survivor of them.

Period for
completion
of works.

34. If the railway is not completed within five years from the passing of this Act, then on the expiration of that period the powers by this Act granted to the Company for making and completing the railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as is then completed.

Tolls for
passengers
and animals.

35. The Company may demand and take in respect of the use of the railway any tolls not exceeding the following; (that is to say,) In respect of passengers and animals conveyed on the railway:

For every person twopence per mile; and if conveyed in or upon a carriage belonging to the Company, an additional sum of one penny per mile:

Class 1. For every horse, mule, or other beast of draught or burden, threepence per mile; and if conveyed in or upon

a carriage belonging to the Company, an additional sum per mile not exceeding one penny : A.D. 1873.

Class 2. For every ox, cow, bull, or neat cattle, twopence per head per mile ; and if conveyed in or upon a carriage belonging to the Company, an additional sum per mile not exceeding one penny :

Class 3. For every calf, pig, sheep, lamb, and other small animal, three farthings per mile ; and if conveyed in or upon a carriage belonging to the Company, an additional sum per mile not exceeding one farthing.

In respect of goods conveyed upon the railway :

Tolls for
goods.

Class 4. For all coals, culm, cinders, cannel, iron stone, iron ore, limestone, chalk, sand, slag, and clay (except fire-clay), dung, compost, and all sorts of manure, and all undressed materials for the repair of public roads or highways, per ton per mile one penny farthing ; and if conveyed in a carriage belonging to the Company, an additional sum per ton per mile of one halfpenny :

Class 5. For all coke, charcoal, pig iron, bar iron, rod iron, sheet iron, hoop iron, plates of iron, wrought iron, heavy iron castings, railway chairs, slabs, billets, and rolled iron, lime, bricks, tiles, slates, salt, fire-clay, and stone, per ton per mile one penny halfpenny ; and if conveyed in a carriage belonging to the Company, an additional sum per ton per mile of one halfpenny :

Class 6. For all sugar, grain, corn, flour, hides, dyewoods, earthenware, timber, staves, deals, and metals (except iron), nails, anvils, vices, and chains, and for light iron castings, per ton per mile twopence halfpenny ; and if conveyed in a carriage belonging to the Company, an additional sum per ton per mile of one penny :

Class 7. For cotton and other wools, drugs, and manufactured goods, and all other wares, merchandise, fish, articles, matters, or things, per ton per mile threepence ; and if conveyed in a carriage belonging to the Company, an additional sum per ton per mile of one penny :

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, conveyed on a truck or platform belonging to the Company, sixpence per mile ; and a sum of one penny halfpenny per mile for every additional quarter of a ton, or fractional part of a quarter of a ton, which any such carriage may weigh.

A.D. 1873.

Tolls for
propelling
power.

36. The toll which the Company may demand for the use of engines for propelling carriages on the railway shall not exceed one penny per mile for each passenger or animal, or for each ton of goods, in addition to the several other tolls or sums by this Act authorised to be taken.

Regulations
as to tolls.

37. The following provisions and regulations shall apply to the fixing of all tolls and charges payable under this Act; (that is to say,)

For all passengers, animals, or goods conveyed on the railway 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 tolls and charges on animals and goods for such fraction in proportion to the numbers 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 in respect of passengers, every fraction of a mile beyond an integral number of miles shall be deemed a mile :

For a fraction of a ton the Company may demand tolls 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
great weight.

38. With respect to small parcels not exceeding five hundred pounds in weight, and single articles of great weight, notwithstanding anything in this Act, the Company may demand and take any tolls not exceeding the following; (that is to say,)

For the carriage of small parcels on the railway :

For any parcel not exceeding seven pounds in weight, three-pence ;

For any parcel not exceeding fourteen pounds in weight, five-pence ;

For any parcel not exceeding twenty-eight pounds in weight, sevenpence ;

For any parcel not exceeding fifty-six pounds in weight, nine-pence ;

And for any parcel exceeding fifty-six pounds but not exceeding five hundred pounds in weight, the Company may demand any sum which they may think fit: A.D. 1873.

Provided always, that articles sent in large aggregate quantities, although made up in separate parcels, such as bags of sugar, coffee, meal, and the like, shall not be deemed small parcels, but that term shall apply only to single parcels in separate packages.

For the carriage of single articles of great weight on the railway:

For the carriage of any one boiler, cylinder, or single piece of machinery, or single piece of timber or stone, or other single article, the weight of which, including the carriage, shall exceed four tons but shall not exceed eight tons, the Company may demand such sum as they think fit, not exceeding sixpence per ton per mile:

For the carriage of any one boiler, cylinder, or single piece of machinery, or single piece of timber or 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.

39. The maximum rate of charge to be made by the Company for the conveyance of passengers upon the railway, including the tolls for the use of the railway, and for carriages and locomotive power, and every other expense incidental to such conveyance, shall not exceed the following; (that is to say,) Maximum rates 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 halfpenny per mile.

40. The maximum rate of charge to be made by the Company for the conveyance of animals and goods (except such small parcels and single articles of great weight as aforesaid) on the railway, including the tolls for the use of the railway, and for waggons or trucks and locomotive power, and for every other expense incidental to the conveyance (except a reasonable charge for loading and unloading goods at any terminal station in respect of such goods, and for delivery and collection, and any other service incidental to the business or duty of a carrier, where any such service is performed by the Company), shall not exceed the following sums; (that is to say,) Maximum rates for animals and goods.

A.D. 1873.

For every animal in Class 1, fourpence per mile;
 For every animal in Class 2, threepence per mile;
 For every animal in Class 3, one penny per mile;
 For everything in Class 4, one penny halfpenny per ton per mile;
 For everything in Class 5, twopence per ton per mile;
 For everything in Class 6, threepence per ton per mile;
 For everything in Class 7, fourpence per ton per mile;
 And for every carriage, of whatever description, not being a carriage adapted and used for travelling on a railway, and weighing more than one ton, carried or conveyed on a truck or platform, per mile sixpence; and if weighing more than one ton, one penny halfpenny for every additional quarter of a ton or fractional part of a ton which such carriage may weigh.

Passengers
luggage.

41. Every passenger travelling upon the railway 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.

Terminal
station.

42. No station shall be considered a terminal station in regard to any goods conveyed on the railway unless such goods have been received thereat direct from the consignor, or are directed to be delivered thereat to the consignee.

Restrictions
as to charges
not to apply
to special
trains.

43. The restrictions as to the charges to be made for passengers shall not extend to any special train run upon the railway, in respect of which the Company may make such charges as they think fit, but shall apply only to the ordinary and express trains appointed from time to time by the Company for the conveyance of passengers and goods upon the railway.

Company
may take
increased
charges by
agreement.

44. Nothing in this Act shall prevent the Company from taking any increased charges, over and above the charges by this Act limited, for the conveyance of animals or goods of any description, by agreement with the owners or persons in charge thereof, either by reason of any special service performed by the Company in relation thereto, or in respect to the conveyance of animals or goods (other than small parcels) by passenger trains.

Power to
enter into
working
agreements
with London
and South-

45. The Company on the one hand, and the London and South-western Railway Company and the Great Western Railway Company respectively on the other hand, may, subject to the provisions of Part III. of "The Railways Clauses Act, 1863," from time to time

enter into agreements with respect to the following purposes or any of them ; (that is to say,) A.D. 1873.

The working, use, management, and maintenance of the railway of the Company, or any part thereof, and of the works connected therewith ; western and Great Western Railway Companies.

The supply of rolling stock and machinery and of officers and servants for the conduct of the traffic thereof ;

The facilitating, forwarding, conveyance, transmission, accommodation, and interchange of the traffic of the contracting companies ; and

The division and apportionment of the receipts arising therefrom.

46. During the continuance of any agreement to be entered into under the provisions of this Act for the working or use of the railway by the London and South-western Railway Company and the Great Western Railway Company, or one of them, the railways of the Company and of the said other companies shall, for the purposes of the short-distance 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 railway of the said other companies for a less distance than four miles, tolls and charges may only be charged as for four miles ; and in respect of passengers, for every mile or fraction of a mile beyond four miles, tolls and charges as for one mile only ; and in respect of animals 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 short-distance charge shall be made for the conveyance of passengers, animals, or goods partly on the railway and partly on the railways of the said other companies, or either of them. Tolls on traffic conveyed partly on the railway and partly on London and South-western and Great Western Railways.

47. The Company shall not, out of any money by this Act authorised to be raised, pay interest or dividend to any shareholder on the amount of the calls made in respect of the shares held by him ; but nothing in this Act shall prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with "The Companies Clauses Consolidation Act, 1845." Interest not to be paid on calls paid up.

48. The Company shall not, out of any money by this Act authorised to be raised, pay or deposit any sum which, by any standing order of either House of Parliament now or hereafter in force, may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act authorising the Company to construct any other railway, or to execute any other work or undertaking. Deposits for future Bills not to be paid out of capital.

A.D. 1873.

Railway not
exempt from
provisions of
present and
future
general Acts.

49. Nothing in this Act contained shall exempt the railway from the provisions of any general Act relating to railways, or the better and 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 or alteration, under the authority of Parliament, of the maximum rates of fares and charges or of the rates for small parcels authorised by this Act.

Expenses of
Act.

50. All costs, charges, and expenses of and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Company.

LONDON : Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1873.