

# THE LEOMINSTER AND BROMYARD RAILWAY ACT, 1874.

## ARRANGEMENT OF SECTIONS.

	SECTION
Preamble.	
Short title ... ..	1
Incorporation of General Acts ... ..	2
Interpretation... ..	3
Company incorporated ... ..	4
Power to make railway ... ..	5
Lands of Worcester, Bromyard and Leominster Railway Company, or of Great Western and London and North Western Railway Companies, not to be taken except for certain work ... ..	6
As to Junctions with the Worcester, Bromyard and Leominster Railway and Shrewsbury and Hereford Railway ... ..	7
Saving Rights of Worcester Bromyard and Leominster Railway Company and Great Western and London and North Western Railway Companies	8
Capital ... ..	9
Shares not to be issued until one fifth paid ... ..	10
Calls ... ..	11
Receipt clause in case of persons not sui juris ... ..	12
Power to borrow ... ..	13
For appointment of a receiver ... ..	14
Debenture stock ... ..	15
Application of moneys ... ..	16
First ordinary meeting ... ..	17
Number of directors ... ..	18
Qualification of directors ... ..	19
Quorum of directors ... ..	20
First directors ; election of directors ... ..	21

Lands for extraordinary purposes	...	...	...	...	22
Period for compulsory purchase of lands	...	...	...	...	23
Inclination of roads	...	...	...	...	24
Height and spans of bridges	...	...	...	...	25
Widths of certain roadways	...	...	...	...	26
Power to take easements, &c., by agreement	...	...	...	...	27
Deposit money not to be repaid until line opened, or half the capital paid up	...	...	...	...	28
and expended	...	...	...	...	29
Application of deposit	...	...	...	...	30
Period for completion of works	...	...	...	...	31
Tolls for passengers	...	...	...	...	32
Tolls for goods...	...	...	...	...	33
Tolls for propelling power	...	...	...	...	34
Regulations as to tolls; short distances; fractional parts of a mile; fractional parts of a ton; general weight; weight of stone and timber	...	...	...	...	35
Tolls for small parcels and articles of great weight...	...	...	...	...	36
Maximum rates for passengers	...	...	...	...	37
Maximum rates for animals and goods	...	...	...	...	38
Passengers' luggage	...	...	...	...	39
Terminal station	...	...	...	...	40
Foregoing charges not to apply to special trains	...	...	...	...	41
Company may take increased charges by agreement	...	...	...	...	42
Working and traffic arrangements with Worcester, Bromyard and Leominster Railway Company, and other Companies	...	...	...	...	43
Tolls on traffic conveyed partly on the railway of the Company and partly on the railway of the two Companies...	...	...	...	...	44
Interest not to be paid on calls paid up...	...	...	...	...	45
Deposits for future bills not to be paid out of capital	...	...	...	...	46
Provision as to General Railway Acts	...	...	...	...	47
Costs of Acts	...	...	...	...	48

AN  
A C T  
TO

Incorporate a Company for making a Railway  
from the Shrewsbury and Hereford Railway  
at Leominster to join the Worcester Brom-  
yard and Leominster Railway at Bromyard,  
and for other purposes.

(ROYAL ASSENT, 30TH JULY, 1874.)

**W**HEREAS the making of the Railways hereinafter described  
from the Shrewsbury and Hereford Railway at Leominster to  
join the authorised Worcester, Bromyard and Leominster Railway at  
Bromyard, would be of public and local advantage:

- 5 And whereas the persons in this Act named with others are  
willing at their own expense to construct the Railway, and are  
desirous of being incorporated into a Company for the purpose:

And whereas it is expedient that the Company incorporated by  
this Act, in this Act referred to as the Company, and the Great

Western Railway Company (in this Act called "The Great Western Company"), should be empowered to enter into working and other agreements as hereinafter in that behalf expressed :

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 Clerk of the Peace for the county of Hereford, and are hereinafter respectively referred to as the deposited plans, sections, and books of reference :

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 :—

Short title.

**1.** This Act may be cited as "The Leominster and Bromyard Railway Act, 1874."

20

Incorporation of General Acts.

**2.** The "Railways Clauses Consolidation Act, 1845," "The Companies Clauses Consolidation Act, 1845," and Part I. (relating to cancellation and surrender of Shares), and Part III. (relating to Debenture Stock) of "The Companies Clauses Act, 1863," "The Lands Clauses Consolidation Acts 1845, 1860 and 1869," 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.

Interpretation.

**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

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subject or context repugnant to such construction; the expressions "the Railway" and "the undertaking" mean respectively the Railway and the undertaking by this Act authorised; and for the purposes of this Act 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.

- 10      4. The Right Honourable Lord Bateman, Josiah Newman, Thomas Bristow Stallard, John Hungerford Arkwright, John Clowes, 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,  
15 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 Leominster and Bromyard 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  
20 dispose of lands and other property for the purposes of this Act.

Company  
incorpor-  
ated.

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 hereinafter described,  
25 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 hereinbefore referred to and authorised by this Act  
30 are:—

Power to  
make rail-  
way.

- 35      A. Railway (No. 1.)—Eleven miles one furlong and seven chains in length, commencing in the township or chapelry of Ivington, in the parish of Leominster, at a point in a field five hundred and twenty-eight yards, or thereabouts, measured in a south-easterly direction from the south side of the bridge which carries the Shrewsbury and Hereford Railway over the River Arrow, and which field was

formerly called the Big Meadow, but is now called the Ryse, and terminating in the township of Linton, in the parish of Bromyard, by a junction with the railway of the Worcester, Bromyard and Leominster Railway Company authorised by the Worcester, Bromyard and Leominster Railway Act, 1873, and at the termination of the last-named railway in a field at or near the turnpike road leading from Bromyard to Stourport, and which field is known as Pigeonhouse Meadow. 5

A Railway (No. 2.)—One mile one chain and seventy links in length, commencing by a junction with Railway (No. 1) at the commencement thereof, in the township or chapelry of Ivington, in the Parish of Leominster, and terminating in the Parish of Leominster by a junction with the Shrewsbury and Hereford Railway, at a point thereon three hundred and ninety-six yards or thereabouts, measured in a southerly direction, from the south end of the abutments of the bridge, carrying the turnpike road leading from Leominster to Bromyard over that railway. 15

Lands of Worcester, Bromyard and Leominster Railway Company, or of Great Western and London and North Western Railway Companies not to be taken except for certain work.

6. Nothing in this Act contained shall extend or be deemed or construed to extend or authorize or enable the Company to take, enter upon, or use either temporarily or permanently any of the lands of the Worcester Bromyard and Leominster Railway Company, or, as the case may be, of the Great Western and London and North Western Railway Companies, or to alter, vary, or interfere with the railway of the Worcester Bromyard and Leominster Railway Company, or with the Shrewsbury and Hereford Railway of the Great Western and London and North Western Railway Companies, or any of the works of the Worcester Bromyard and Leominster Railway, or of the Shrewsbury and Hereford Railway, further or otherwise than is necessary for the construction of the respective junctions by this Act authorized with those railways respectively, without the consent in writing in every instance for that purpose, first had and obtained of as respects the Worcester Bromyard and Leominster Railway, or any of the land and works connected therewith of the Worcester Bromyard and Leominster Railway Company under their common seal, or as respects the Shrewsbury and Hereford Railway, or any of the land or works connected therewith of the Great Western and London and North Western 20 25 30 35

Railway Companies under their respective common seals, and with respect to any lands of the Worcester Bromyard and Leominster Railway Company, or of the Great Western and London and North Western Railway Companies, as the case may be, which the Company are by this Act authorized to use, enter upon, or interfere with, the Company shall not purchase and take the same, but they may purchase and take, and the Worcester Bromyard and Leominster Railway Company, or as the case may be, the Great Western and London and North Western Railway Companies shall sell or grant accordingly an easement or right of using the same in perpetuity for the purposes of this Act.

7. The junction of Railway No. 1 by this Act authorized with the Worcester Bromyard and Leominster Railway shall be made only at such point as shall be agreed upon between the Engineers for the time being of the Worcester Bromyard and Leominster Railway Company and the Great Western Railway Company, and the Engineer for the time being of the Railways by this Act authorised and the junction of Railway No. 2 with the Shrewsbury and Hereford Railway shall be made only at such point as shall be agreed upon between the Engineer for the time being of that Railway and the Engineer for the time being of the Railways by this Act authorized.

As to junctions with the Worcester, Bromyard and Leominster Railway and Shrewsbury and Hereford Railway.

8. Nothing in this Act contained shall extend to, prejudice, diminish, alter, or take away any of the rights, privileges, powers, or authorities of the Worcester Bromyard and Leominster Railway Company or of the Great Western and London and North Western Railway Companies, except as is expressly enacted by this Act.

Saving rights of Worcester, Bromyard and Leominster Railway Company and Great Western and London and North Western Railway Companies.

9. The Capital of the Company shall be two hundred and ten thousand pounds, in twenty-one thousand shares of ten pounds each.

Capital.

10. The Company shall not issue any share created under the authority of this Act, nor shall any such share vest in the person or Corporation 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 be issued until one-fifth paid.

11. 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

Calls.

between successive calls, and three-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  
persons not  
sui juris.

12. If any money is payable to a shareholder being a minor, idiot or lunatic, the receipt or the guardian or committee of his estate shall be a sufficient discharge to the Company. 5

Power to  
borrow.

13. The Company may from time to time borrow on mortgage any sum not exceeding in the whole seventy thousand pounds, but no part thereof shall be borrowed until the whole capital of two hundred and ten 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 bona 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 this 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. 10 15 20 25

For appoint-  
ment of a  
receiver.

14. 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 seven thousand pounds in the whole. 30

Debenture  
stock.

15. 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 35



*The Leominster and Bromyard Railway Act, 1874.*

time granted by the Company, and shall have priority over all principal moneys secured by such mortgages.

16. All moneys raised under this Act whether by shares, debenture stock, or borrowing, shall be applied for the purposes of this Act only. Application of moneys.

17. The first Ordinary Meeting of the Company shall be held within six months after the passing of this Act. First ordinary meeting.

18. The number of directors shall be six, but the Company may from time to time reduce the number, provided that the number be not less than three. Number of directors.

19. The qualification of a Director shall be the possession in his own right of not less than twenty-five shares. Qualification of directors.

20. The quorum of a meeting of directors shall be three, but in case the number of directors shall be reduced to three, the quorum shall be two. Quorum of directors.

21. The Right Honourable Lord Bateman, John Hungerford Arkwright, John Clowes, Josiah Newman, Thomas Bristow Stallard, and one other person to be nominated by them or the majority of them, and consenting to such nomination, 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 nominated as aforesaid, or any of them, or may elect a new body of directors or director 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 (subject to the power hereinbefore contained for reducing the number of directors) 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 died or resigned, shall continue to be directors until others are elected in their stead, in manner provided by the same Act.

Lands for  
extra-  
ordinary  
purposes.

22. 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 five acres.

Period for  
compulsory  
purchase of  
lands.

23. 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. 5

Inclination  
of roads.

24. In altering for the purposes of this Act the roads next hereinafter mentioned the Company may make the same of any inclinations not steeper than the inclinations hereinafter mentioned in connection therewith respectively (that is to say) :— 10

RAILWAY No. 1.

No. on deposited plan.	Parish.	Description of Road.	Intended inclination.	
18	Docklow - -	Public - -	1 in 15 on one side, and 1 in 20 on the other.	15
83	Bromyard - -	Turnpike - -	1 in 9 on one side, and level on the other.	

Height and  
spans of  
bridges.

25. The Company may make the arches of the bridges for carrying the railway over the roads next hereinafter mentioned, of any heights and spans not less than the heights and spans hereinafter mentioned in connection therewith respectively, (that is to say)—

RAILWAY No. 1.

No. on deposited Plan.	Parish.	Description of Road.	Height.	Span.	
9	Stoke Prior -	Public - -	15 feet	20 feet	25
25	Stoke Prior -	Public - -	15 feet	20 feet	
13	Hatfield - -	Bridle road -	15 feet	15 feet	30
3A	Bredenbury	Public road -	15 feet	15 feet	
52	Bromyard -	Turnpike - -	15 feet	25 feet	

26. The Company may make the roadway over the bridges, by which the following roads will be carried over the railway, of such width between the fences thereof as the Company think fit, not being less than the respective widths hereinafter mentioned in connection therewith respectively ; (that is to say)—

No. on Plan.	Parish.	Description of Roadway.	Width of Roadway.
42	Stoke Prior	Public	15 feet
{ 11	Humber	Turnpike	20 feet
{ 58	Stoke Prior		
18	Docklow	Public	15 feet
43	Docklow	Public	12 feet
20	Wackton	Public	12 feet
83	Bromyard	Turnpike	20 feet

27. 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 rent charges, 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.

28. 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 seven thousand seven hundred and ninety-nine pounds nine shillings Consolidated Three per Cent. annuities, equal to seven thousand one hundred and fifty-six pounds, being five per cent. upon the amount of the estimate in respect of

the railway, has been transferred to 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 sum so transferred as aforesaid, in respect of the application for this Act shall not be paid or transferred to or on the application of the person or persons or the majority of the persons named in the warrant or order issued in pursuance of the said Act or the survivors or survivor of them, unless the Company shall previously to the expiration of the period limited by this Act for completion of the railway, either open the railway for the public conveyance of passengers, or prove to the satisfaction of the Board of Trade, that the Company have paid up one half of the amount of the capital by this Act authorized to be raised by means of shares, and have expended for the purposes of this Act a sum equal in amount to such one-half of the said capital; and if 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 stock transferred as aforesaid shall be applied in the manner hereinafter 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 any thing in the above mentioned Act to the contrary notwithstanding

Application  
of deposit.

29. The said stock transferred as aforesaid shall be applicable, and, after due notice in the "London Gazette," shall be applied towards compensating 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 stock shall have been found sufficient to satisfy all just claims in respect of such compensation, then the said sum of money or

such portion thereof as may not be required as aforesaid shall either be forfeited to Her Majesty, and accordingly be paid or 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  
5 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  
10 appointed, shall wholly or in part be paid or transferred to such receiver or to 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 stock  
15 has been repaid to the depositors or has become otherwise applicable as hereinbefore 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.

30. If the Railway is not completed within five years from the  
20 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. Period for completion of works.

31. The Company may demand and take in respect of the use  
25 of the Railway any tolls not exceeding the following (that is to say): Tolls for passengers.

In respect of passengers and animals conveyed on the Railway :

30 For any person conveyed in or upon any carriage per mile two pence ; and if conveyed in or upon any carriage belonging to the Company an additional sum per mile of not exceeding one half-penny.

35 For every horse, mule, ass or other beast of draught or burden per mile three pence ; and if conveyed in or upon any carriage belonging to the Company an additional sum per mile of not exceeding one penny.

14      *The Leominster and Bromyard Railway Act, 1874.*

For every ox, cow, bull or head of neat cattle conveyed in or upon any carriage per mile two pence ; and if conveyed in or upon any carriage belonging to the Company an additional sum per mile of not exceeding one penny.

For every calf, pig, sheep, lamb or other small animal conveyed 5  
in or upon any carriage, per mile one half-penny ; and if conveyed in or upon any carriage belonging to the Company an additional sum per mile of not exceeding one farthing.

Tolls for  
goods.

32. In respect of goods conveyed on the Railway : 10

For all dung, compost and all sorts of manure, lime and limestone, and all undressed materials for the repair of public roads or highways, per ton per mile one penny ; and if conveyed in carriages belonging to the Company an additional sum per ton per mile of not exceeding one half-penny. 15

For all coals, coke, culm, charcoal and cinders, all stones for building, pitching and paving, all bricks, tiles, slates, clay, ironstone and iron-ore and pig-iron, per ton per mile one penny half-penny ; and if conveyed in carriages belonging to the Company an additional sum per ton per mile of 20  
not exceeding one half-penny.

For all sheet-iron, hoop-iron, bar-iron, rod-iron, and all similar descriptions of wrought iron, two pence ; and if conveyed in carriages belonging to the Company an additional sum per ton per mile of not exceeding one half-penny. 25

For all sugar, grain, corn, flour, hides, dyewoods, earthenware, timber, staves and deals, metals (except iron), nails, anvils, vices and chains, per ton per mile three pence ; and if conveyed in carriages belonging to the Company an additional sum per ton per mile of not exceeding three farthings. 30

For all cotton, wool, drugs, manufactured goods and articles of merchandise not included under any other head, per ton per mile three pence half-penny ; and if conveyed in carriages belonging to the Company an additional sum per ton per mile of not exceeding one penny. 35

5 For fish, feathers, canes, cochineal, household furniture, hats, shoes, toys and all articles, matters, and things, of a similar character per ton per mile four pence; and if conveyed in carriages belonging to the Company, an additional sum per ton per mile of not exceeding one penny half-penny.

10 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, per mile six pence; and a sum of one penny half penny per mile for every additional quarter of a ton or fractional part of a quarter of a ton which any such carriage may weigh.

15 For every carriage of whatever description adapted and used for travelling on a railway when not in use for the conveyance of traffic per mile three pence.

20 **33.** The toll which the Company may demand for the use of engines for propelling carriages on the railway shall not exceed one half 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. Tolls for propelling power.

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

25 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. Short distances.

30 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 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 in respect of passengers every fraction of a mile beyond an integral number of miles shall be deemed a mile. Fractional parts of a mile.

**Fractional  
parts of a  
ton.**

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.

**General weight.**

With respect to all articles, except stone and timber, the weight shall be determined according to the usual avoirdupois weight.

Weight of  
stone and  
timber,

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 10 ton weight and so in proportion for any smaller quantity.

**Tolls for  
small  
parcels and  
articles of  
great  
weight.**

**35.** 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 exceeding seven pounds, but not exceeding  
fourteen pounds in weight, five pence. 20

For any parcel exceeding fourteen pounds, but not exceeding twenty-eight pounds in weight, seven pence.

**For any parcel exceeding twenty-eight pounds, but not exceeding fifty-six pounds in weight, nine pence.**

For any parcel exceeding fifty-six pounds, but not exceeding one hundred and twelve pounds in weight, one shilling and six pence. 25

For any parcel exceeding one hundred and twelve pounds, but not exceeding two hundred and twenty-four pounds in weight, three shillings. 30

For parcels exceeding two hundred and twenty-four pounds, 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 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.

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

10 For the carriage of any one boiler, cylinder, or single piece of machinery, or single piece of timber or stone, or any 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, from time to time, may think fit, not exceeding six pence per ton per mile.

15 For the carriage of any single piece of timber, stone, machinery or other single article, the weight of which, with the carriage shall exceed eight tons, or which, on account of the length thereof, may require more than one carriage, the Company may demand such sum as they may think fit.

20 **36.** 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.

25 For every passenger conveyed in a first class carriage the sum of three pence per mile ;

For every passenger conveyed in a second class carriage the sum of two pence per mile :

For every passenger conveyed in a third class carriage the sum of one penny halfpenny per mile.

30 **37.** 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 un- Maximum rates for animals and goods.

18      *The Leominster and Bromyard Railway Act, 1874.*

loading 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) :

5

For every horse or other beast of draught or burden the sum of four pence per mile :

For every ox, cow, bull or head of neat cattle the sum of two pence halfpenny per mile :

For every calf, pig, sheep or other small animal one penny half- 10  
penny per mile :

For every carriage six pence per mile :

For all coals and other articles hereinbefore classed therewith per ton per mile, one penny halfpenny :

For all dung and other articles hereinbefore classed therewith 15  
per ton per mile, two pence :

For all sheet-iron and other articles hereinbefore classed there-  
with per ton per mile, two pence halfpenny :

For all sugar and other articles hereinbefore classed therewith  
per ton per mile, three pence : 20

For all cotton and other articles hereinbefore classed therewith  
per ton per mile, four pence :

For fish and all other articles hereinbefore classed therewith  
per ton per mile, five pence :

Passengers'  
luggage.

38. Every passenger travelling upon the railway may take with 25  
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 car-  
riage thereof. 30

Terminal  
station.

39. 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.

40. 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.

Foregoing charges not to apply to special trains.

41. 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.

Company may take increased charges by agreement.

42. The Company and the Great Western Railway Company, subject to the provisions of Part III. of "The Railway Clauses Act, 1863," as amended by the Regulation of Railways Act, 1873, may from time to time enter into agreements with respect to the following purposes, or any of them (that is to say):

Working and traffic arrangements with Great Western Railway Company.

20 The working, use, management and maintenance by the contracting Company of their respective railways and works, or of any part or parts thereof respectively.

The supply of rolling-stock and machinery, and the employment of officers and servants for the conduct and management of traffic.

25 The payments to be made and the conditions to be performed with respect to the matters aforesaid.

30 The interchange, accommodation or conveyance of traffic coming from, or destined for, or passing over the undertaking of the contracting Company; and the fixing, collecting, division and appropriation of the revenues arising from the traffic upon the railways of the contracting Company.

43. During the continuance of any agreement to be entered into under the provisions of this Act for the working of the railway by the Great Western Company, the railways of the Company and

Tolls on traffic conveyed partly on

the railway  
of the Com-  
pany and  
partly on  
the railway  
of the Grea  
Western  
Railway  
Company.

of the Great Western Company, 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 of the Company, and partly on the railway of the Great Western Company, 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 charges shall be made for the conveyance of passengers, animals or goods, partly on the railway of the Company and partly on the railway of the Great Western Company. 5 10

Interest  
not to be  
paid on  
calls paid  
up.

**44.** 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 in conformity with the Companies Clauses Consolidation Act, 1845. 15 20

Deposits  
for future  
bills not to  
be paid out  
of capital.

**45.** 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. 25

Provision as  
to General  
Railway  
Acts.

**46.** Nothing in this Act contained shall exempt the Company or 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. 30 35

Costs of  
Act.

**47.** 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.

1874

THE LEOMINSTER AND BROMYARD  
RAILWAY ACT, 1874.

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A C T

To incorporate a Company for making a  
Railway from the Shrewsbury and Here-  
ford Railway at Leominster, to join the  
Worcester Bromyard and Leominster  
Railway, at Bromyard and for other  
purposes.

(ROYAL ASSENT, 30TH JULY, 1874.)

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37 & 38 VICT. SESSION 1874.

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R. D. GREEN PRICE,  
*Presteign,* } SOLICITORS.  
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*Leominster,* }

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