

The Newport Railway Act, 1866.

Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Short Title. 1. This Act may be cited for all Purposes as "The Newport Railway Act, 1866."

8 & 9 Vict. cc. 17, 19, and 33., 23 & 24 Vict. c. 106., and 26 & 27 Vict. cc. 92. & 118. incorporated. 2. "The Companies Clauses Consolidation (*Scotland*) Act, 1845," "The Lands Clauses Consolidation (*Scotland*) Act, 1845," "The Railways Clauses Consolidation (*Scotland*) Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," Parts I. and III. of "The Companies Clauses Act, 1863," and Part I. of "The Railways Clauses Act, 1863," are (except where expressly varied by this Act) incorporated with and form Part of this Act.

Interpretation of Terms. 3. In this Act the several Words and Expressions to which Meanings are assigned by the Acts wholly or partially incorporated herewith shall have the same respective Meanings, unless there be something in the Subject or Context repugnant to such Construction; the Expression "the Company" shall mean the Company incorporated by this Act; the Expression "the Railway," "the Railways," or "the Undertaking" shall mean the Railways or Undertaking by this Act authorized, or any Part thereof.

Company incorporated. 4. *John Berry, William Heriot Maitland Dougal, Harry Walker, Peter Christie, James Hendry Thoms*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Railway, and for other the Purposes of this Act, and for those Purposes shall be incorporated by the Name of "The Newport 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 Railway according to deposited 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, 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 authorized by this Act are :

1. A Railway Two Miles Five Furlongs and Two hundred and two Yards in Length (herein-after called Railway No. 1), wholly in the County of *Fife*, commencing in the Parish of *Ferry Port on Craig* by a Junction with the *North British* (late

The Newport Railway Act, 1866.

(late *Edinburgh, Perth, and Dundee*) Railway at the Terminus thereof at *Ferry Port on Craig*, and terminating in the Parish of *Forgan* at a Point Two hundred and forty-seven Yards or thereabouts North-eastward from the North-east Corner of *Tayfield House*, and Three hundred and ninety-three Yards or thereabouts South-eastward from the principal Entrance Door of the *Newport Inn* :

2. A Railway Two Miles Two Furlongs and One hundred and twenty Yards in Length (herein-after called Railway No. 2), wholly situate in the Parish of *Forgan* and County of *Fife*, commencing at a Point herein-before described as the Termination of Railway No. 1, and terminating at a Point One hundred and ninety Yards or thereabouts Southwards from the South-east Corner of *Wormit Steading*, and One thousand one hundred and sixty-four Yards or thereabouts North-westward from the North-west Corner of *Newton Farm Steading* :
3. A Railway One Mile and One hundred and thirty Yards in Length (herein-after called Railway No. 3), wholly situate in the Parish of *Forgan* and County of *Fife*, and the Bed or Soil of the River or Firth of *Tay* adjacent thereto, and commencing at a Point Three hundred Yards or thereabouts Southward of the Seaward End of the Pier at *Woodhaven*, and Two hundred and seventy Yards or thereabouts South-eastward of the Eastern Side of the Turnpike Gate at *Woodhaven* aforesaid, and terminating in the Bed or Soil of the River or Firth of *Tay* at a Point Two hundred and Seventy-three Yards or thereabouts from the Seaward End of a Rock called the *Long Craig*, and Seven hundred and Thirty-three Yards or thereabouts North-westward from the South-east Corner of *Wormit Steading*.

6. The Capital of the Company shall be Ninety-six thousand Pounds, in Nine thousand six hundred Shares of Ten Pounds each. Capital.

7. The Company shall not issue any Share created under the Authority of this Act, nor shall any 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 shall have been paid in respect thereof. Shares not to issue until One Fifth paid up.

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

9. The

The Newport Railway Act, 1866.

Power to
borrow on
Mortgage.

9. The Company may from Time to Time borrow on Mortgage any Sum not exceeding in the whole Thirty-two thousand Pounds, but no Part thereof shall be borrowed until the whole Capital of Ninety-six thousand Pounds is subscribed for, issued, and accepted, and One Half thereof is paid up, and the Company have proved to the Sheriff who is to certify, under the Forty-second Section of "The Companies Clauses Consolidation (*Scotland*) Act, 1845," before he so certifies, that the whole of the 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 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 Subscribers or their Assigns, and that such Subscribers or their Assigns are legally liable for the same; and upon Production to such Sheriff 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 Certificate shall be sufficient Evidence thereof.

Arrears may
be enforced
by appoint-
ment of a
Judicial
Factor.

10. The Mortgagees of the Company may enforce Payment of Arrears of Principal and Interest due on their Mortgages by the Appointment of a Judicial Factor, and in order to authorize the Appointment of a Judicial Factor the Amount owing to the Mortgagees by whom the Application for a Judicial Factor shall be made shall not be less than Four thousand Pounds in the whole.

Debenture
Stock.

11. The Company may create and issue Debenture Stock.

Monies bor-
rowed on
Mortgage to
have Priority.

12. All Monies to be borrowed on Mortgage under this Act from the Time when the said Monies shall be advanced, and the Interest for the Time being due thereon, shall have Priority against the Company and the Property from Time to Time of the Company over all other Claims on account of any Debts incurred or to be incurred, or Engagements entered into or to be entered into, by them: Provided always, that such Priority shall not prejudice or affect any Claim, Right, or Remedy against the Company or their Property in respect of any Feu Duty or Ground Annual payable by them in pursuance of the Provisions of "The Lands Clauses Consolidation (*Scotland*) Act, 1845," or "The Lands Clauses Consolidation Acts Amendment Act, 1860," nor shall anything herein-before contained prejudice or affect the Lien of any Vendor for the unpaid Purchase Money of any Land taken by the Company for the Purposes of the Railway.

Application
of Monies.

13. All Monies raised under this Act, whether by Shares, Debenture Stock, or borrowing, shall be applied for the Purposes of this Act only.

14. The

The Newport Railway Act, 1866.

14. The First Ordinary Meeting of the Company shall be held within Three Months after the passing of this Act. First Ordinary Meeting.
15. The Number of Directors shall be Five; but it shall be lawful for the Company from Time to Time to reduce the Number, provided that the Number be not less than Four. Number of Directors.
16. The Qualification of a Director shall be the Possession in his own Right of not less than Twenty Shares. Qualification of Directors.
17. The Quorum of a Meeting of Directors shall be Three. Quorum.
18. *John Berry, William Heriot Maitland Dougal, Harry Walker, Peter Christie, and James Hendry Thoms* 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 (subject to the Power herein-before contained for reducing the Number of Directors) elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions in "The Companies Clauses Consolidation (*Scotland*) Act, 1845," contained, and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead in manner provided by the same Act. First Directors.
Election of Directors.
19. The Quantity of Land to be taken by the Company for the extraordinary Purposes mentioned in "The Railways Clauses Consolidation (*Scotland*) Act, 1845," shall not exceed Two Acres. Lands for extraordinary Purposes.
20. 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.
21. The Railway shall be completed within Four 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 Railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed. Period for Completion of Works.

The Newport Railway Act, 1866.

Power to
stop up cer-
tain Roads
or Streets.

22. It shall be lawful for the Company in the Construction of the Railway to stop up the after-mentioned Roads or Streets numbered on the Plans deposited as aforesaid, as follows; (that is to say,)

Railway.	Number on Plan.	Parish.	Description of Road.
Railway No. 1 -	16	Ferry Port on Craig	- Street.
	$\frac{1}{1}$	Ferry Port on Craig	- Road.
	24	Ferry Port on Craig	- Street.
	45	Ferry Port on Craig	- Lane.
	21	Ferry Port on Craig	- Lane or Road.
	92	Ferry Port on Craig	- Road.
	152, 152	Ferry Port on Craig	- Road.
	153	Ferry Port on Craig	- Road.
	162	Ferry Port on Craig	- Footpath.
	164	Ferry Port on Craig	- Footpath.
Railway No. 2 -	168	Ferry Port on Craig	- Footpath.
	195	Ferry Port on Craig	- Road.
	66	Forgan - -	-

Inclination
of Roads.

23. In altering for the Purposes of this Act the Roads next herein-after mentioned, the Company may make the same of any Inclinations not steeper than the Inclinations herein-after mentioned in connexion therewith respectively; (that is to say,)

Railway.	No. on deposited Plan.	Parish.	Description of Road.	Intended Inclination.
Railway No. 2 -	72	Forgan -	Turnpike -	Level on one Side, 1 in 9 on the other.
Railway No. 3 -	72	Forgan -	Turnpike -	Level on one Side, 1 in 9 on the other.

Height and
Span of
Bridges.

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

Railway.	No. on deposited Plan.	Parish.	Description of Road.	Height.	Span.
Railway No. 2 -	72	Forgan -	Turnpike -	14 Ft. 6 In.	20 Feet.
Railway No. 3 -	72	Forgan -	Turnpike -	14 Ft. 6 In.	20 Feet.
Railway No. 3 -	84	Forgan -	Turnpike -	15 Feet -	25 Feet.

For Protec-
tion of Tay-
field Den.

25. In constructing Railway No. 2 the Company shall carry the same over and across *Tayfield Den*, belonging to *John Berry of Tayfield*,

The Newport Railway Act, 1866.

Tayfield, between the Points marked Two Furlongs and Three Furlongs on the deposited Plans and Sections, by an Arch or Arches according to a Plan to be submitted to and approved of by *John Dick Peddie*, Architect, *Edinburgh*, whom failing, by *Charles George Hood Kinnear*, Architect, *Edinburgh*, previous to commencing the Construction of the Portion of the said Railway over and across the said Den.

26. 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 Seven thousand six hundred and eighty Pounds, being Eight *per Centum* on Ninety-five thousand three hundred and eighty-four Pounds, the Amount of the Estimate of the Expense of the Railway by this Act authorized, has been deposited in the Names of *John Berry*, *William Heriot Maitland Dougal*, and *Harry Walker* (being Subscribers to the Undertaking), in Bank and in the Name and with the Privity of the Queen's Remembrancer of the Court of Exchequer in *Scotland* in respect of the Application to Parliament for this Act: Therefore, notwithstanding anything contained in the said recited Act, the said Sum so deposited as aforesaid, or the Interest or Dividends thereof, shall not, except upon the Execution and Deposit of such Bond as herein-after mentioned, be paid or transferred to or on the Application of the Person or Persons, or the Majority of the Persons, named in the Warrant or Order issued in pursuance of the said Act, or the Survivors or Survivor of them, unless the Company shall, previously to the Expiration of the Period limited by this Act for the Completion of the Railway, either open the Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the Company have paid up One Half of the 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 Lords of the said Committee, the Sum so deposited as aforesaid, and the Interest and Dividends thereof, shall, immediately from and after the Expiration of the said Period, be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name it shall then be deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*: Provided that at any Time after the passing of this Act if a Bond in twice the Amount of the

Deposit
Money not
to be repaid
until Line
opened or
Half the
Capital paid
up and exp-
ended,
except on
Execution of
Bond, &c.

Sum

The Newport Railway Act, 1866.

Sum so deposited shall have been executed by the Company, with One or more Surety or Sureties (such Bond to be prepared to the Satisfaction of, and such Surety or Sureties to be approved by, the Solicitor to the Lords Commissioners of Her Majesty's Treasury), conditioned for the Payment to Her Majesty, Her Heirs or Successors, of the Sum so deposited if the Company shall not, within the Time limited for the Completion of the Railway, either open the Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee 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 such Bond shall have been deposited with the Solicitor to the said Lords Commissioners, then such Sum of Money, and the Interest or Dividends thereof, shall 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, and it shall not be necessary to produce any Certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding; and the Monies to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Money, and the Interest or Dividends thereof, would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitor to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Lords of the said Committee that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

Tolls. 27. The Company may demand and take in respect of the Use of the Railway any Tolls not exceeding the following; (that is to say,)

Tolls for
Passengers
and Animals.

In respect of Passengers and Animals conveyed in Carriages on the Railway, as follows:

For any Person conveyed in or upon any such Carriage, *per* Mile any Sum not exceeding Twopence; and if conveyed in or upon any Carriage provided by the Company, an additional Sum *per* Mile not exceeding One Penny:

For every Horse, Mule, Ass, or other Beast of Draught or Burden, and for every Ox, Cow, Bull, or Head of Neat Cattle conveyed in or upon any such Carriage, *per* Mile not exceeding Twopence; and if conveyed in or upon any Carriage provided by the Company, an additional Sum *per* Mile not exceeding Threepence:

For every Calf, Pig, Sheep, Lamb, or other small Animal conveyed in or upon any such Carriage, not exceeding One Penny *per* Mile;

The Newport Railway Act, 1866.

Mile; and if conveyed in or upon any Carriage provided by the Company, an additional Sum *per Mile* not exceeding One Penny Halfpenny.

In respect of Goods conveyed on the Railway, as follows:

Tonnage for
Articles of
Merchandise.

For all Coals, Cinders, 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* not exceeding Twopence; and if conveyed by Carriages provided by the Company, an additional Sum *per Ton per Mile* not exceeding One Penny;

For all Coke, Culm, Charcoal, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandise, *per Ton per Mile* not exceeding Twopence Halfpenny; and if conveyed in Carriages provided by the Company, an additional Sum *per Ton per Mile* not exceeding One Penny;

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* not exceeding Threepence; and if conveyed in Carriages provided by the Company, an additional Sum *per Ton per Mile* not exceeding One Penny Halfpenny;

For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, or Things, *per Ton per Mile* not exceeding Fourpence; and if conveyed in Carriages provided by the Company, an additional Sum *per Ton per Mile* not exceeding Twopence;

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, carried or conveyed on a Truck or Platform provided by the Company, *per Mile* not exceeding Sixpence; and a further Sum of One Penny Halfpenny for every additional Quarter of a Ton, or fractional Part of a Quarter of a Ton, which any such Carriage may weigh.

28. 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 authorized to be taken.

Tolls for
propelling
Power.

*The Newport Railway Act, 1866.*Regulations
as to Tolls.

29. 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 entire 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 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 :

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.

30. With respect to small Parcels not exceeding Five hundred Pounds in Weight, and single Articles of great Weight, notwithstanding the Rates prescribed by 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, as follows :

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

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

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

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

And for any Parcel exceeding Fifty-six Pounds in Weight 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,

The Newport Railway Act, 1866.

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:

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 be Four Tons or more, but shall not exceed Eight Tons, the Company may demand such Sum as they think fit, not exceeding Twelve Pence *per Ton per Mile*:

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, the Company may demand such Sum as they think fit.

31. 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*.

32. The maximum Rate of Charge to be made by the Company for the Conveyance of Animals and Goods on the Railway, including the Tolls for the 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.

For every Horse, Mule, Ass, or other Beast of Draught or Burden, Fivepence *per Mile*:

For One Ox, Cow, Bull, or Head of Neat Cattle, Twopence *per Mile*:

For every Calf, Pig, Sheep, Lamb, or other small Animal, Three Farthings *per Mile*:

For every Carriage not weighing more than One Ton, Sixpence *per Mile*; and a further Sum of One Penny Halfpenny for every

The Newport Railway Act, 1866.

every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh:
 For Coals and other Articles herein-before classed therewith, One Penny Halfpenny *per Ton per Mile* :
 For Coke and other Articles herein-before classed therewith, Twopence *per Ton per Mile* :
 For Sugar and other Articles herein-before classed therewith, *per Ton per Mile* Threepence :
 For Cotton and other Goods and Articles herein-before classed therewith, *per Ton per Mile* Fourpence.

Passengers
Luggage.

33. 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.

34. 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.

35. 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.

36. 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.

Tolls on
Traffic con-
veyed partly
on the Rail-
way and
partly on the
Railway of
the North
British Rail-
way Com-
pany.

37. During the Continuance of any Agreement to be entered into for the Use of the Railway by the *North British* Railway Company, the Railways of the Company and of the *North British* Railway 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 such Traffic conveyed partly on the Railway and partly on the Railway of the *North British* Railway Company for a less
Distance

The Newport Railway Act, 1866.

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 Railway of the *North British Railway Company*.

38. The Company shall not, out of any Money by this Act authorized to be raised by Calls or by borrowing, pay Interest or Dividend to any Shareholder on the Amount of the Calls made in respect of the Shares held by him: Provided always, that this Act shall not 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 (*Scotland*) Act, 1845."

Interest not to be paid on Calls paid up.

39. The Company shall not, out of any Money by this Act authorized 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 authorizing 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.

40. Nothing contained in this Act, or in any of the Acts herein referred to, shall authorize the said Company to take, use, or in any Manner interfere with any Land or Hereditaments, or any Rights of whatsoever Description, belonging to the Queen's most Excellent Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, on behalf of Her Majesty first had and obtained for that Purpose (which Consent such Commissioners are hereby respectively authorized to give), neither shall anything in the said Act or Acts contained extend to take away, prejudice, diminish, or alter any of the Estates, Rights, Privileges, Powers, or Authorities vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors.

Saving Rights of the Crown.

41. Nothing herein contained shall be deemed or construed to exempt the Railway by this Act authorized to be made 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

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

The Newport Railway Act, 1866.

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, authorized by this Act.

Expenses of
Act.

42. 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. 1866.