



ANNO VICESIMO SEPTIMO & VICESIMO OCTAVO

VICTORIÆ REGINÆ.

Cap. clxx.

An Act for making a Railway from the *Cornwall*
Railway to *Bodmin*. [14th July 1864.]

WHEREAS the making of a Railway from the *Cornwall* Railway to the Town of *Bodmin* in the County of *Cornwall* will be of public and local Advantage: And whereas a Plan and Section of the said Railway showing the Lines and Levels thereof, with a Book of Reference to the Plan containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and of the Occupiers of the Lands through which the said Railway will pass, have been deposited with the Clerk of the Peace for the County of *Cornwall*: And whereas the Persons herein-after named, with others, are willing at their own Expense to carry the said Undertaking into execution: And whereas it is expedient that the Company hereby incorporated and the *Cornwall* Railway Company should be empowered to enter into such Arrangements as are herein-after mentioned with respect to the Railway and Works by this Act authorized to be
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constructed: And whereas the Objects aforesaid cannot be accomplished without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

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

1. "The Companies Clauses Consolidation Act, 1845," Part I. of "The Companies Clauses Act, 1863," "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Act Amendment Act, 1860," "The Railways Clauses Consolidation Act, 1845," and Parts I. and III. of "The Railways Clauses Act, 1863," (save so far as any of the Sections and Provisions of those Acts and Parts respectively are expressly excepted or varied by this Act,) are incorporated with and form Part of this Act.

Short Title.

2. In citing this Act for any Purpose whatever it shall be sufficient to use the Expression "The *Bodmin* Railway Act, 1864."

Interpreta-
tion of
Terms.

3. Where in this Act the Words "the Company" occur the same means the Company incorporated by this Act, and where the Word "Undertaking" occurs the same includes the Railway, Stations, Works, and Conveniences connected therewith by this Act authorized to be made.

Same Mean-
ing to Words
in this Act
as in incor-
porated Acts.

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

Subscribers
incorporated.

5. *Edmund Gilbert Hamley, Thomas Frederick Hill Alms*, 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 Undertaking hereby authorized, and such Company shall be incorporated by the Name of "The *Bodmin* Railway Company," and by that

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that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have Power to purchase and hold Lands for the Purposes of the said Undertaking within the Restrictions herein and in the incorporated Acts contained.

6. The Capital of the Company shall be Thirty-six thousand Pounds, and shall be divided into One thousand eight hundred Shares of Twenty Pounds each. Capital.

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

8. Two Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and Three Months at the least shall be the Interval between successive Calls, and Three Fourths of the Amount of a Share shall be the utmost aggregate Amount of Calls to be made in any One Year upon any Share. Calls.

9. The Company may borrow for the Purposes of constructing the Railway hereby authorized on Mortgage any Sums not exceeding in the whole the Sum of Twelve thousand Pounds, but no Part of such Sum shall be borrowed until the whole of the said Capital or Sum of Thirty-six thousand Pounds shall have been subscribed for *bonâ fide*, and One Half thereof shall have been actually paid up, and until the Company shall have proved to the Justice who is to certify under the Provisions contained in the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that all such Capital has been subscribed for *bonâ fide*, and that every Share is held by Subscribers or their Assigns, and for which such Subscribers or their Assigns are legally liable, and that all the Shares are issued, and Twenty *per Centum* at least paid up on each separate Share. Power to borrow on Mortgage.

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

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Application
of Capital.

11. The Monies by this Act authorized to be raised, whether by Shares or Mortgage, shall be applied only in carrying into execution the Objects and Purposes of this Act.

Interest not
to be paid
on Calls
paid up.

12. The Company shall not, out of any Money by this Act authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, pay Interest or Dividend to any Shareholders on the Amount of Calls made in respect of the Shares held by them in the Capital of the Company: Provided always, that the Company may pay to any Shareholder such Interest on Money advanced by him beyond the Amount of Calls actually made as shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

Deposit for
future Bills
not to be
paid out of
Company's
Capital.

13. It shall not be lawful for the Company, out of any Money by this Act authorized to be raised for the Purposes of such Act, to pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament now in force or hereafter to be 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.

First and
other Meet-
ings.

14. The First Ordinary Meeting of the Company shall be held within Six Calendar Months next after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held in the Months of *April* and *October* in every Year.

Number and
Qualification
of Directors.

15. Subject to the Provisions herein contained for reducing the Number of Directors, the Number of Directors shall be Six, and the Qualification of a Director shall be the Possession in his own Right of Ten Shares in the Undertaking.

Power to
reduce the
Number of
Directors.

16. It shall be lawful for the Company from Time to Time to reduce the Number of Directors, provided that the Number be not less than Three.

First Di-
rectors to
continue in
Office until
First Meet-
ing after
passing of
Act.

17. The Directors appointed by this Act shall continue in Office until the First Ordinary Meeting to be held after the passing of this Act, and at such Meeting the Shareholders present, personally or by proxy, may either continue in Office the Directors appointed by this Act, or any Number of them, or may elect a new Body of Directors or Directors to supply the Places of those not continued in Office, the
Directors

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Directors appointed by this Act being eligible as Members of such new Body ; and at the First Ordinary Meeting to be held in every Year thereafter the Shareholders present, personally or by proxy, shall elect Persons to supply the Places of the Directors then retiring from Office agreeably to the Provisions in "The Companies Clauses Consolidation Act, 1845," and in this Act contained ; and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead in manner provided by "The Companies Clauses Consolidation Act, 1845," and by this Act, or either of them.

18. *Edmund Gilbert Hamley, Thomas Frederick Hill Alms, Robert Edyvean, John Hichens, John Crang, and George Pentire Parkyn* shall be the First Directors of the Company. First Directors.

19. The Quorum of a Meeting of Directors shall be Three whilst the Number of Directors is Six, and Two when the Number of Directors shall be reduced to Three. Quorum.

20. The Quorum of any Committee of Directors shall be Two. Quorum of Committees.

21. The Newspaper in which Advertisements relating to the Affairs of the Company are to be inserted shall be some Newspaper published in the County of *Cornwall*. Newspaper for Advertisements.

22. Subject to the Provisions of this Act and of the Acts incorporated herewith, the Company from Time to Time may make the several Works by this Act authorized in the Lines and according to the Levels respectively shown on the deposited Plans and Sections, and in and upon the Lands delineated on those Plans, and described in the deposited Books of Reference: Provided that in constructing the Railway the Company shall not, without the previous Consent in Writing of the Owner for the Time being of the Mansion House known as *Glynn* in the Parish of *Saint Winnow*, in any Manner injuriously affect as a Screen nor lower the Embankment planted with Trees numbered 4 in the said Parish, nor erect any Building of any kind whatever except Platforms between the Point of Junction with the *Cornwall* Railway, as shown on the deposited Plan, and the Point where the Railway crosses the River, nor add to the Buildings of the *Cornwall* Railway Company at the said Junction of the Railway with the *Cornwall* Railway, nor (except so far as may be necessary for avoiding injurious Interference with

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the said Embankment) deviate from the centre Line shown on the deposited Plans for Ten Chains from the said Junction.

Works for
Protection
of Glynn
House.

23. The Company in constructing their Railway near the Point of Junction with the *Cornwall* Railway shall for the Length of Five Chains Westward of the Western Extremity of the present Screen Embankment make their Embankment sufficiently wide to allow a level Surface of the clear Width of Fifteen Feet on the North-east Side of the Line of Rails for planting with ornamental Trees and Shrubs, and they shall soil, sow, and plant such Surface, as well as the North-eastern Slope of the Embankment, with ornamental Trees and Shrubs, and they shall keep the same soiled, sown, and planted as aforesaid to the Satisfaction of the Owner for the Time being of the said Mansion House.

Reference to
Board of
Trade.

24. If any Dispute or Difference shall arise between the Company and the Owner of the said Mansion House as to any of the Works to be done or omitted to be done as aforesaid, the same shall be referred to Arbitration under "The Companies Clauses Consolidation Act, 1845."

Works au-
thorized.

25. The several Works by this Act authorized comprise the following Railway and Works, with all proper Stations, Sidings, Bridges, Roads, Approaches, or Communications, and other incidental Works and Conveniences; (that is to say,)

A Railway commencing in the Parish of *Saint Winnow* in the County of *Cornwall* by a Junction with the *Cornwall* Railway at or near to the *Bodmin Road* Station of that Railway, and terminating in the Borough and Parish of *Bodmin* in the County of *Cornwall* in a Field belonging to *John Marshall*, in the Occupation of *William Oliver*, adjoining the Turnpike Road leading from *Bodmin* to *Lostwithiel*.

Gauge of
Railway.

26. The Railway shall be constructed, maintained, and worked upon the Broad Gauge.

Inclination
of Road.

27. As regards the Road herein-after mentioned the Company may make that Road when altered of any Inclination not steeper than the Inclination following; namely,

No. on Plan.	Parish.	Description of Road.	Rate of Inclination.
65	Bodmin -	Public - - -	1 in 10 and 1 in 15

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- 28.** The Quantity of Land to be purchased by Agreement by the Company for the extraordinary Purposes mentioned in the said Railway Clauses Consolidation Act shall not exceed Two Acres. Lands for extraordinary Purposes.
- 29.** The Powers of the Company for the compulsory Purchase of Lands shall not be exercised after the Expiration of Two Years from the passing of this Act. Powers for compulsory Purchases limited.
- 30.** If the Railway be not completed within Three Years from the passing of this Act, then on the Expiration of such 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 of the Railway as shall then be completed. Period for Completion of Works.
- 31.** The Company on the one hand, and the *Cornwall* Railway Company on the other hand, may from Time to Time enter into Contracts or Arrangements with respect to the following Purposes, or any of them; (that is to say,) the Maintenance and Management of the Railway or any Part thereof, and of the Works connected therewith respectively or any of them; the Use and Working of the Railway or of any Part thereof, and the Conveyance of Traffic thereon; the fixing, collecting, and Apportionment of the Tolls, Rates, Charges, Receipts, and Revenues levied, taken, or arising in respect of Traffic. Power to enter into Traffic Arrangements.
- 32.** During the Continuance of any such Agreement, Tolls and Charges not exceeding those authorized by this Act may be levied and taken by the Company working the Railway; and in estimating the Tolls and Charges to be paid in respect of Articles or Persons conveyed over any Part of the Railway of the *Cornwall* Company, the Distance traversed shall be reckoned continuously on such Railway as if the Railway and the *Cornwall* Railway were 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 *Cornwall* Railway for a less Distance than Three Miles, Tolls and Charges may only be charged as for Three Miles, and such Charge shall be deemed the Short-distance Charge, and for each Mile or Fraction of a Mile beyond Three Miles as for One Mile only for Passengers, and for each Quarter of a Mile or Fraction thereof as for a Quarter of a Mile for Animals, Minerals, and Goods, and no other Short-distance Charge save such as is herein-before mentioned shall be made in respect of the said Railways or either of them. Railways to be deemed continuous.

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Tolls.

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

Tolls for
Passengers
and Animals.

With respect to the Conveyance of Passengers :

Class 1. For every Person conveyed in a First-class Carriage, *per* Mile Threepence :

Class 2. For every Person conveyed in a Second-class Carriage, *per* Mile Twopence :

Class 3. For every Person conveyed in a Third-class Carriage, *per* Mile One Penny.

With respect to the Conveyance of Animals :

Class 4. For every Horse, Mule, Ass, or other Beast of Draught or Burden conveyed in or upon any Carriage, *per* Mile Twopence :

Class 5. For every Ox, Cow, Bull, or Neat Cattle conveyed in or upon any Carriage, *per* Mile Twopence :

Class 6. For every Calf, Pig, Sheep or Lamb, or other small Animal conveyed in or upon any Carriage, *per* Mile One Penny.

With respect to the Conveyance of Goods :

Class 7. For all Coals, Coke, Culm, Slack, Cannel, Cinders, Lime, Limestone, Sand, Clay (except Fireclay), Chalk, Dung, Compost, and all Sorts of common Manure, and all undressed Materials for the Repair of Highways, Clay, Ironstone, and Iron Ore, *per* Ton *per* Mile One Penny Halfpenny :

Class 8. For all Pig Iron, Bar Iron, and all other similar Descriptions of Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandise, undressed Stones for building, pitching, and paving, Bricks, Tiles, common Slates, Fireclay, Charcoal, Bats, Copper, Tin, Lead, and other Ores, *per* Ton *per* Mile Twopence :

Class 9. For all Sugar, Grain, Corn, Flour, Potatoes, Guano, and artificial Manures, Hides dried or salted, Dyewoods, Timber, Staves, and Deals, Metals (except Iron), tinned Plates, Nails, Anvils, Vices, Hoop Iron, Sheet Iron, and Chains, *per* Ton *per* Mile Threepence :

Class 10. For Lace, Furs, Silk, Drapery, Millinery, China, Glass, Cotton, Wool, manufactured Goods, Drugs, and all other Wares, Merchandise, Fish, Articles, Matters, or Things, *per* Ton *per* Mile Fourpence.

With respect to the Conveyance of Carriages :

Class 11. For every Carriage of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and
not

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not weighing more than One Ton, carried or conveyed on a Truck or Platform belonging to the Company, if having more than Two Wheels, *per* Mile Fourpence ; and if having only Two Wheels, *per* Mile Threepence ; and for every additional Quarter of a Ton up to Four Tons which any such Carriage weighs, One Penny *per* Mile in addition if such Carriage have more than Two Wheels, and Three Farthings *per* Mile in addition if the same have only Two Wheels.

34. For Carriages, Trucks, and Platforms supplied by the Company, the Company may (in addition to the other Tolls by this Act authorized) demand or take for or in respect of Goods, Articles, Matters or Things, Persons or Animals, comprised in either of the Classes herein-before specified, any Tolls not exceeding the Tolls next herein-after mentioned in connexion with the Class in which such Goods, Articles, Matters or Things, Persons or Animals, are respectively comprised ; (to wit,)

Tolls for
Carriages,
&c.

For Class 1, for each Person, *per* Mile One Penny :

For Class 2, for each Person, *per* Mile One Halfpenny :

For Class 3, for each Person, *per* Mile One Halfpenny :

For Class 4, for each Animal, *per* Mile One Penny :

For Class 5, for each Animal, *per* Mile One Halfpenny :

For Class 6, for each Animal, *per* Mile One Halfpenny :

For Class 7, *per* Ton *per* Mile One Halfpenny :

For Class 8, *per* Ton *per* Mile One Halfpenny :

For Class 9, *per* Ton *per* Mile Three Farthings :

For Class 10, *per* Ton *per* Mile One Penny :

For Class 11, for each Carriage, *per* Mile One Penny.

35. With respect to Locomotive Engines and other moving Power supplied by the Company, the Company may demand and take, in addition to the other Tolls by this Act authorized, any Tolls not exceeding One Penny *per* Mile for each Passenger or Animal, or for each Ton of Goods or other Articles.

Tolls for
propelling
Power.

36. The maximum Rate of Charges to be made by the Company for the Conveyance of Passengers, including the Tolls for the Use of the Railway and of Carriages, and for locomotive Power, and every other Expense incidental to such Conveyance, shall not exceed the following Sums ; (that is to say,)

Maximum
Charges for
Passengers.

For every Passenger conveyed in a First-class Carriage, Threepence *per* Mile :

For every Passenger conveyed in a Second-class Carriage, Twopence *per* Mile :

For every Passenger conveyed in a Third-class Carriage, One Penny Halfpenny *per* Mile.

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Maximum
Charges for
Goods and
Animals.

37. The maximum Rate of Charge to be made by the Company for the Conveyance of Goods and Animals, including the Tolls for the Use of the Railway and Waggon or Trucks and locomotive Power, and every Expense incidental to such Conveyance, except a reasonable Sum for loading, covering, and unloading of Goods at any Terminal Station of such Goods, and for Delivery and Collection, and any other Services incidental to the Business or Duty of a Carrier, where such Services or any of them are or is performed by the Company, shall not exceed the following Sums; (that is to say,)

Class 4. For each Animal, Fourpence *per Mile* :

Class 5. For each Animal, Threepence *per Mile* :

Class 6. For every Calf or Pig, Twopence *per Mile* ; and for every other small Animal, One Penny *per Mile* :

Class 7. One Penny Halfpenny *per Ton per Mile* :

Class 8. Twopence *per Ton per Mile* :

Class 9. Threepence *per Ton per Mile* :

Class 10. Fourpence *per Ton per Mile* :

Class 11. For every Carriage, if having more than Two Wheels and not weighing more than One Ton and a Half, Fivepence, and One Penny Halfpenny for every additional Quarter of a Ton ; and if having only Two Wheels, Fourpence *per Mile*, and One Penny for every additional Quarter of a Ton.

Tolls for
separate
Weights.

38. Provided also, That when a separate Waggon or Truck shall be retained by One Person for the Conveyance only of Cattle or Sheep belonging to him or under his Charge, the Aggregate of the Tolls to be paid for such Waggon or Truck capable of containing Six Oxen or Twenty-five Sheep shall not exceed Ninepence *per Mile*.

Regulations
as to Tolls.

39. The following Regulations are applicable to the fixing of the Tolls; (that is to say,)

For Passengers, Animals, or Things conveyed on the Railway for a less Distance than Three Miles the Company may demand Tolls, Fares, and Rates as for Three Miles :

For a Fraction of a Mile beyond Three Miles, or beyond any greater Number of Miles, the Company may demand Tolls, Fares, and Rates for Passengers as for One Mile, and for Animals and Things according to the Number of Quarters of a Mile, the Fraction of a Quarter of a Mile being reckoned as a Quarter of a Mile :

For a Fraction of a Ton the Company may demand Tolls and Rates according to the Number of Quarters of a Ton in the Fraction, and if there be a Fraction of a Quarter of a Ton the Fraction shall be deemed a Quarter of a Ton :

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With respect to all Articles except Stone and Timber, the Weight shall be determined according to the usual Avoirdupois Weight :

General 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 on in proportion for any smaller Quantity.

Weight of Stone and Timber.

40. With respect to small Packages and single Articles of great Weight, notwithstanding the Rates prescribed by this Act, the Company may demand and take the Rates following; (that is to say,)

Rate for small Parcels and single Articles of great Weight.

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

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

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

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

For any Parcel exceeding Fifty-six Pounds and not exceeding Five hundred Pounds in Weight the Company may demand any Sum which they may think fit :

Provided that Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but that Term applies only to single Parcels in separate Packages :

For the Carriage of any single Thing the Weight of which including the Carriage exceeds Four Tons, but does not exceed Eight Tons, the Company may demand and take any Sum not exceeding Sixpence *per Ton per Mile* :

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

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

Terminal Station.

42. Every Passenger travelling by 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

Passengers Luggage.

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for Third-class Passengers, without any Charge being made for the Carriage thereof.

Restriction
as to Charges
not to apply
to Special
Trains.

43. The Restrictions as to the Charges to be made for Passengers do not extend to any Special Train that is required to run on the Railway, but apply only to the Ordinary and Express Trains from Time to Time appointed by the Company for the Conveyance of Passengers, Animals, and Things on the Railway.

Company
may take
increased
Charges by
Agreement.

44. Nothing in this Act contained shall prevent the Company from taking any increased Charges, over and above the Charges by this Act limited, for the Conveyance of Goods of any Description, by Agreement with the Owners of or Persons in charge of the Goods, either with respect to the Conveyance thereof, except small Parcels, by Passenger Trains, or by reason of any special Service performed by the Company in relation thereto.

Deposit in
Court of
Chancery to
be forfeited
to the Crown
on a certain
Event.

45. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth and Tenth Years of Her present Majesty, Chapter Twenty, a Sum of Two thousand eight hundred and eighty Pounds, being Eight *per Centum* upon the Amount of the estimated Expense of the Railway authorized by this Act, has been deposited with the Court of Chancery pursuant to the same Act: Be it enacted, That notwithstanding anything contained in the last-recited Act, the said Sum of Two thousand eight hundred and eighty Pounds so deposited as aforesaid in respect of the Application for this Act, or the Interest or Dividends of such Sum of Money, shall not, except upon the Execution and Deposit of such Bond as herein-after mentioned, be paid or transferred to or on 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 hereby authorized to be made, either open the said 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 said 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 said Sum of Money deposited as aforesaid, and the Interest and Dividends thereof, shall

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shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*: Provided that at any Time after the passing of this Act if a Bond in twice the Amount of the said Sum of Two thousand eight hundred and eighty Pounds shall have been executed by the Company, with One or more Sureties, (such Bond to be prepared to the Satisfaction of, and such Surety or Sureties to be approved by, the Solicitor to the Lords Commissioners of Her Majesty's Treasury,) conditioned for Payment to Her Majesty, Her Heirs and Successors, of the said Sum of Two thousand eight hundred and eighty Pounds if the Company shall not, within the Time limited for the Completion of the said Railway, either open the said 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 said Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital, and if such Bond shall have been deposited with the said Solicitor to the said Lords Commissioners, then such Sum of Money, and the Interest and 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.

46. Nothing herein contained shall be deemed or construed to exempt the Railway from the Provisions of any General Act relating to Railways, or to 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 and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act, or of the Rates for small Parcels.

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

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47. All

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Expenses of
Act.

47. All the Costs, Charges, and Expenses of applying for, obtaining, and passing this Act, or preparatory or incident thereto, shall be paid by the Company.

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1864.