



ANNO VICESIMO SEPTIMO & VICESIMO OCTAVO

VICTORIÆ REGINÆ.

Cap. cxcvii.

An Act for making a Railway from *Helston* to *Penryn* in the County of *Cornwall*; and for other Purposes. [14th July 1864.]

WHEREAS the Construction of a Railway from the Borough of *Helston* to the *Cornwall* Railway at *Penryn* in the Parish of *Saint Gluvias* in the County of *Cornwall* would be of public and local Advantage: And whereas the Persons herein-after named, together with other Persons, are willing to construct the said Railway, and it is expedient they should be incorporated into a Company for the Purpose of carrying such Undertaking into execution: And whereas it is expedient that the Company so to be incorporated and the *Cornwall* Railway Company should be empowered to make and carry into effect such Arrangements as are herein-after provided with respect to the Railway and Works by this Act authorized to be constructed: And whereas the several Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

[*Local.*]

31 *E*

1. "The

The Helston and Penryn Junction Railway Act, 1864.

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

1. "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," and "The Railways Clauses Consolidation Act, 1845," and Part I., relating to "Construction of a Railway," and Part III., relating to "Working Agreements," of "The Railways Clauses Act, 1863," shall be incorporated with and form Part of this Act; and in construing these Acts in connexion with this Act, and in construing this Act, the Expressions "Superior Courts" and "Courts of competent Jurisdiction," or any other like Expression in this Act, 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.

Short Title.

2. This Act may be cited for any Purpose as "The *Helston and Penryn Junction Railway Act, 1864.*"

Incorporation of
Company.

3. *John Saint Aubyn Esquire, John Jope Rogers Esquire, Shadwell Morley Grylls, John Kendall, Alfred Jenkin,* 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 Works herein-after described, with proper Works and Conveniences in connexion therewith, according to the Provisions of this Act, and for other the Purposes herein and in the said incorporated Acts mentioned, and for the Purposes aforesaid shall be incorporated by the Name of "*The Helston and Penryn Junction Railway Company,*" and by 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 Undertaking, subject to the Restrictions herein and in the said incorporated Acts contained.

Capital.

4. The Capital of the Company shall be One hundred and twenty thousand Pounds, and shall be divided into Six thousand Shares of the Amount of Twenty Pounds each.

Shares not
to issue until
One Fifth
paid up.

5. It shall not be lawful for the Company to issue any Shares, 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.

Calls.

6. One Fourth of the Share shall be the greatest Amount of any One Call which the Company may make on any Share created by them under the Powers of this Act, and Three Fourths of the Share shall be the utmost aggregate Amount of Calls made in any One
Year

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Year upon any Share, and Two Months at least shall be the Interval between successive Calls.

7. It shall be lawful for the Company to borrow on Mortgage any Sum not exceeding in the whole Forty thousand Pounds; but no Part of such Sum shall be borrowed until the whole of the said Capital or Sum of One hundred and twenty thousand Pounds shall have been subscribed for, 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 Fortieth Section of "The Companies Clauses Consolidation Act, 1845," (before he so certifies) that the whole of the said Capital of One hundred and twenty thousand Pounds has been subscribed for *bonâ fide* and issued, and that not less than One Fifth of the Amount of each Share has been paid on Issue of the same, and that such Shares are held by Subscribers or their Assigns, and that such Subscribers or their Assigns are legally liable for the same (of which Proof having been given the Certificate of such Justice under that Section shall be sufficient Evidence).

Power to borrow on Mortgage.

8. It shall be lawful for the Mortgagees of the Company to enforce the Payment of the Arrears of Principal and Interest due on any such Mortgages by the Appointment of a Receiver; and in order to authorize the Appointment of a Receiver, in the event of the Principal Money due on such Mortgages not being duly paid, the Amount owing to the Mortgagees by whom the Application for a Receiver shall be made shall not be less than Three thousand Pounds in the whole.

Arrears may be enforced by Appointment of a Receiver.

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

Application of Monies.

10. It shall not be lawful for the Company, 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, to pay Interest or Dividend to any Shareholder on the Amount of Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein contained shall be deemed to prevent the Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of Calls actually made as shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

Interest or Dividend not to be paid on Calls paid up.

11. It shall not be lawful for the Company, out of any Money by this Act authorized to be raised, to pay or deposit any Sum of Money

Deposits for future Bills not to be paid out of

*The Helston and Penryn Junction Railway Act, 1864.*Company's
Capital.

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 execute any other Work or Undertaking.

First
Ordinary
Meeting.

12. The First Ordinary Meeting of the Company shall be held within Three Months next after the passing of this Act.

Newspapers.

13. The Newspaper for Advertisements shall be any Newspaper published in the County of *Cornwall*.

Number and
Qualification
of Directors.

14. The Number of Directors of the Company shall be Five, and the Qualification of a Director shall be the Possession in his own Right of Shares or Stock in the Undertaking of the aggregate nominal Value of Five hundred Pounds.

Quorum of
Directors.

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

First
Directors.

16. *Thomas James Agar Robartes Esquire, John Saint Aubyn Esquire, John Jope Rogers Esquire, Shadwell Morley Grylls and John Kendall Esquires*, shall be the First Directors of the Company and shall continue in Office until the First Ordinary Meeting of the Company.

Provisions
for Directors
retiring and
future
Elections.

17. At the First Ordinary Meeting of the Company the Shareholders present, personally or by proxy, may either continue in Office the First Directors, or any of them, or may elect a new Body of Directors, or Director to supply the Places of those not continued in Office, the First Directors being eligible for Re-election; and at the First Ordinary Meeting to be held in the Year One thousand eight hundred and sixty-five, and at the First Ordinary Meeting in every subsequent Year, 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 of "The Companies Clauses Consolidation Act, 1845," in that Behalf; and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having resigned, shall continue Directors until others are elected in their Stead, as in that Act mentioned.

Power to
make Rail-
ways and
Works
according to
deposited
Plans.

18. Whereas Plans and Sections of the proposed Railway and Works showing the Lines and Levels thereof, and also a Book of Reference thereto containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and of the Occupiers of the Lands through which the same are intended to pass, or which may be required for the Purposes of the Undertaking, have been deposited with the Clerk of the Peace for the County of *Cornwall*: Therefore,

subject

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subject to the Provisions and Powers of Deviation in this Act and the incorporated Acts contained, the Company may make and maintain the Railway herein-after described and the Works connected therewith in the Line and upon the Lands delineated upon the said Plans, and described in the said Book of Reference, and according to the Levels described in the said Sections, and may enter upon, take, and use such of the said Lands as shall be deemed necessary for the Purposes thereof.

19. The Railway and Works by this Act authorized are as follows : Lines of Railway.

A Railway to commence in the Parish and Borough of *Helston* in the County of *Cornwall*, and to terminate by a Junction with the *Cornwall* Railway in the Borough of *Penryn* and Parish of *Saint Gluvias* in the County of *Cornwall*.

20. The Company may make the Inclination of the Ascent and Descent of the following Road shown on the deposited Plans as follows ; (to wit,) Inclination of Road.

No. on Plan.	Parish.	Description of Road.	Intended Inclination of Road.
108	Wendron - -	Parish - -	1 in 15 on North Side, level on the South.

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

22. The Powers of the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing of this Act. Powers for compulsory Purchases limited.

23. Upon the Expiration of Five Years from the passing of this Act all the Powers hereby granted to the Company for making the Railway and Works hereby authorized, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the same as shall then be completed. Time for Exercise of other Powers limited.

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

25. 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, Security for Completion of Railway

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within Time
limited.

present Majesty, Chapter Twenty, Exchequer Bills to the Amount of Nine thousand six hundred Pounds, being Eight *per Centum* upon One hundred and twenty thousand Pounds, the estimated Expense of the Railway authorized by this Act, have been deposited with 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 recited Act, the said Exchequer Bills so deposited as aforesaid in respect of the Application for this Act, 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 by this Act limited for the 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 that 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 Exchequer Bills so deposited as aforesaid, and the Interest or Dividends thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and 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 Nine thousand six hundred Pounds 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 Payment to Her Majesty, Her Heirs or Successors, of the said Sum of Nine thousand six hundred Pounds if the Company shall not within the Period by this Act limited for the 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 such Bond shall have been deposited with the said Solicitor to the

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the said Lords Commissioners, then the said Exchequer Bills so deposited, 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, or the Executors or Administrators of such Survivor, and it shall not be necessary to produce any Certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding; and the Monies to be recovered upon such Bond shall be dealt with in like Manner as the said Exchequer Bills, and the Interest or Dividends thereof, would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitor to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Board of Trade that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

26. It shall be lawful for the Company to demand upon or in respect of the Railway any Tolls not exceeding the following; (that is to say,) Tolls.

1. In respect of the Tonnage of all Articles conveyed upon the Railway or any Part thereof, as follows: Tonnage on Articles of Merchandise.

For all Dung, Compost, and all Sorts of Manure, Lime and Limestone, Ore, Wood, Clay, Sand, Coals, Culm, Coke, Charcoal, and Cinders, and all undressed Materials for the Repair of public Roads or Highways, *per Ton per Mile* not exceeding One Penny; and if conveyed by Carriages belonging to the Company an additional Sum *per Ton per Mile* not exceeding One Halfpenny:

For all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, Copper Ore, Tin Ore, Manganese, and all other Ores and Minerals, 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 One Penny Halfpenny; and if conveyed in Carriages belonging to the Company an additional Sum *per Ton per Mile* not exceeding One Halfpenny:

For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber and Deals, Copper, Tin, Lead, and other Metals (except Iron), Nails, Anvils, Vices, and Chains, *per Ton per Mile* Two-pence; and if conveyed in Carriages belonging to the Company an additional Sum *per Ton per Mile* not exceeding Three Farthings:

For all Cottons and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, or Things, *per*

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per Ton per Mile not exceeding Twopence ; and if conveyed in Carriages belonging to the Company an additional Sum *per Ton per Mile* not exceeding One Penny :

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

Tolls for
Passengers
and Cattle.

2. In respect of Passengers and Animals conveyed in Carriages upon the Railway, as follows :

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

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

For every Calf or Pig, *per Mile* not exceeding One Penny ; and for every Sheep or Lamb, or other small Animal, *per Mile* not exceeding Three Farthings ; and if conveyed in or upon any Carriage belonging to the Company an additional Sum *per Mile* not exceeding One Farthing.

Regulations
as to Tolls.

27. The following Provisions and Regulations shall be applicable to the fixing of such Tolls ; (that is to say,)

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

For a Fraction of a Mile beyond Four Miles or beyond any greater Number of Miles the Company may demand Tolls and Charges for Passengers as for One Mile ; and for Animals, Minerals, and Goods, according to the Number of Quarters of a Mile in the Fraction, a Fraction of a Quarter of a Mile being deemed a Quarter of a Mile :

For a Fraction of a Ton the Company may demand Toll 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

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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.

28. With respect to small Packages and single Articles of great Weight, the Company, notwithstanding the Rates of Tolls prescribed by this Act, may lawfully demand Tolls not exceeding the following; (that is to say,) Tolls for small Parcels and Articles of great Weight.

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

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

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

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

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

And for Parcels exceeding Fifty-six Pounds in Weight but not exceeding Five 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 of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Terms shall apply only to single Parcels in separate Packages:

For the Carriage of any One Boiler, Cylinder, Bob, or single Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Carriage, shall exceed Four Tons but shall not exceed Eight Tons, the Company may demand such Sum as they think fit, not exceeding Sixpence *per Ton per Mile*:

For the Carriage of any 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.

29. 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 or other Articles in addition to the several other Tolls or Sums by this Act authorized to be taken. Tolls for propelling Power.

30. The maximum Rate of Charge to be made by the Company for the Conveyance of Passengers upon the said Railway, including the Tolls for the Use of the Railway, and of Carriages, and for Maximum Rate of Charge for Passengers.
[Local.] 31 G locomotive

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ocomotive Power, and every other Expense incidental to such Conveyance, shall not exceed the following Sums :

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 Farthing *per* Mile.

Maximum
Charges for
Cattle,
Goods, &c.

31. With respect to the Conveyance of Horses, Cattle, Carriages, and Goods, the maximum Rates of Charge to be made by the Company, 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 :

For every Horse or other Beast of Draught or Burden before classed with Horses, the Sum of Fourpence *per* Mile :

For Cattle, the Sum of Twopence *per* Head *per* Mile :

For every Calf, One Penny *per* Mile :

For Sheep, Pigs, and small Animals, Three Farthings each *per* Mile :

For every Carriage, the Sum of Sixpence *per* Mile :

For Manure and other Articles herein-before classed therewith, the Sum of One Penny Halfpenny *per* Ton *per* Mile :

For Stone, Ores, Minerals, and other Articles herein-before classed therewith, the Sum of Twopence *per* Ton *per* Mile :

For Sugar and other Articles herein-before classed therewith, the Sum of Threepence *per* Ton *per* Mile :

For Cotton and other Goods and Articles herein-before classed therewith, the Sum of Fourpence *per* Ton *per* Mile :

Provided that no Station is to be considered a Terminal Station in regard to any 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.

Restrictions
as to Charges
not to apply
to Special
Trains.

32. Provided always, That the Restriction as to the Charges to be made for Passengers shall not extend to any Special or Extra Train, but shall apply only to the Ordinary Trains appointed, or to be appointed from Time to Time by the Company.

Company
may take
increased
Charges by
Agreement.

33. Provided further, That nothing herein contained shall be held to prevent the Company from taking any increased Charge over and above the Charges herein-before limited for the Conveyance of Goods of any Description by Agreement with the Owners of or Persons in charge

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charge of such Goods, either in respect of the Conveyance thereof, except small Parcels, by Passenger Trains, or by reason of any other special Service performed by the Company in relation thereto.

34. 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. Passengers
Luggage.

35. The Company and the *Cornwall* Railway Company may from Time to Time enter into and carry into effect Contracts with respect to the following Purposes, or any of them, and all incidental Matters; (that is to say,) Power to
enter into
Traffic
Arrange-
ments.

The Maintenance, Repair, and Management by the *Cornwall* Railway Company of all or any Part of the Railway of the Company, and of the Works and Conveniences belonging thereto or connected therewith:

The Use and working of all or any Part of the Railway of the Company, and the Collection, Conveyance, and Delivery by the *Cornwall* Railway Company of the whole or any Part of the Traffic upon the Railway, and the Supply of any Rolling or Working Stock and Servants required for such Purposes, and the Costs and Expenses of such working, Management, Maintenance, and Repairs:

The fixing, collecting, taking, Apportionment, and levying of the Tolls, Rates, Charges, Receipts, and Revenues levied, taken, or arising upon, and the Division between the Contracting Companies of the Receipts arising from the Traffic upon the Railway or any Part thereof, subject to any Deduction to be made therefrom, or any Rent or other Consideration to be paid by either of the Contracting Companies to the other of them by virtue of the Contract:

And any such Contract may be made for the same Period of Time with reference to all the Purposes of the Contract, or for different Periods with reference to different Purposes.

36. During the Continuance of any Contract or Agreement which may be entered into under the Authority of this Act, the Railways of the Companies Parties to such Agreement 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 and partly on the Railway of the *Cornwall* Railway 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 each Mile or Fraction of a Mile beyond Four Miles, Tolls during
Contracts.
Tolls

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Tolls and Charges as for One Mile only ; and in respect of Animals, Minerals, 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 Charge in respect of short Distances traversed on the Railway or Railways shall be made for the Conveyance of Passengers, Animals, and Goods, or other Matters partly on the Railway and partly on the Railway of the *Cornwall Railway Company*.

Saving
Rights of
the Duchy
of Cornwall.

37. Nothing contained in this Act, or in any Act or Acts incorporated herewith or herein mentioned or referred to, shall extend to authorize the Company to take, use, enter upon, or interfere with any Land, Soil, or Water, or any Rights in respect thereof, belonging to Her Majesty, Her Heirs or Successors, in right of the Duchy of *Cornwall*, without the Consent in Writing of some Two or more of such of the regular Officers of the said Duchy, or of such other Persons as may be duly authorized under the Provisions of "The Duchy of *Cornwall* Management Act, 1863," Section 39, to exercise all or any of the Rights, Powers, Privileges, and Authorities by the said Act made exerciseable, or otherwise for the Time being exerciseable, in relation to the said Duchy or belonging to the Duke of *Cornwall* for the Time being, without the Consent of such Duke, testified in Writing under the Seal of the Duchy of *Cornwall*, first had and obtained for that Purpose, or to take away, diminish, alter, prejudice, or affect any Property, Rights, Profits, Privileges, Powers, or Authorities vested in or enjoyed by Her Majesty, Her Heirs or Successors, in right of the Duchy of *Cornwall*, or in or by the Duke of *Cornwall* for the Time being.

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

38. Nothing herein contained shall be deemed or construed to exempt the Railways from the Provisions of any General Act relating to Railways, or to the better or more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during the present or any future Session of Parliament, or from any future Revision or Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges or of the Tolls for small Parcels authorized by this Act.

Expenses of
Act.

39. The Costs, Charges, and Expenses of obtaining and passing this Act, and in any way preparatory or incidental thereto, shall be paid by the Company.

LONDON:

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