ANNO VICESIMO SEPTIMO & VICESIMO OCTAVO

VICTORIÆ REGINÆ.

****

Cap. cclxxxiii.

An Act to authorize the Construction of a Railway from *Alford* to *Mablethorpe* in the County of *Lincoln*; and for other Purposes.

[29th *July* 1864.]

WHEREAS the Construction of a Railway from the *East Lincolnshire* Railway near the *Alford* Station of that Railway in the Parish of *Alford* to *Mablethorpe*, both in the County of *Lincoln*, 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 that 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 *Great Northern* 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,)

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

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 those 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 *Alford and Mablethorpe* Railway Act, 1864."

Incorporation of Company.

3. *John Everitt*, *Archibald Park*, *Edmund Reeves*, *Thomas Smith*, 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 Railways 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 *Alford and Mablethorpe* 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 Sixty thousand Pounds, and shall be divided into Six thousand Shares of the Amount of Ten Pounds each.

Shares not to issue until One Fifth paid up.

5. 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.

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

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

Power to borrow on Mortgage.

7. It shall be lawful for the Company to borrow on Mortgage any Sum not exceeding in the whole Twenty thousand Pounds, but no Part of such Sum shall be borrowed until the whole of the said Capital or Sum of Sixty 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 Sixty 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 the 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.

Arrears may be enforced by Appointment of a Receiver.

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 Two thousand Pounds in the whole.

Application of Monies.

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.

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

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.

11. It

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

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 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 Six Months next after the passing of this Act.

Newspaper for Advertisements.

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

Number and Qualification of Directors.

14. The Number of Directors of the Company shall be Four, 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 Two hundred Pounds.

Quorum of Directors.

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

First Directors.

16. *John Everitt*, *Archibald Park*, *Edmund Reeves*, and *Thomas Smith* 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 continue in Office the First Directors, or any of them, or may elect a new Body of Directors, or Directors to act either in the room of or along with such of the First Directors as may be so re-elected, 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 those 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 Railway, &c. 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

required for the Purposes of the Undertaking, have been deposited with the Clerk of the Peace for the Parts of *Lindsey*, County of *Lincoln*: Therefore, 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 on the said Sections, and may enter upon, take, and use such of the said Lands as shall be deemed necessary for the Purposes thereof.

Lines of Railway.

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

A Railway commencing by a Junction with the *East Lincolnshire* Railway at the *Alford* Station of that Railway in the Parish of *Alford*, County of *Lincoln*, Parts of *Lindsay*, and terminating adjacent to the Sea Beach in the Parish of *Mablethorpe Saint Mary* in the said County of *Lincoln*, Parts of *Lindsay*, near a Cluster of Houses known as and called "*Gibraltar*."

Certain Roads may be crossed on the Level.

20. Subject to the Provisions in this Act and in "The Railways Clauses Consolidation Act, 1845," and "The Railways Clauses Act, 1863," contained, in reference to the Crossings of Roads on the Level, it shall be lawful for the Company to carry the Railway by this Act authorized on the Level across the Roads numbered on the said deposited Plans as follows; (that is to say,)

No. on Plan.	Parish.	Description of Road.
3	Rigsby-cum-Ailby - - -	Public.
5	Beesby - - -	Public.
1	Mablethorpe Saint Mary - - -	Public.
6	Mablethorpe Saint Mary - - -	Public.

but not more than a single Line of Railway shall be laid down at any such level Crossings so long as that Railway consists of a single Line of Railway, and in no Case shall more than a double Line of Railway be laid down on any such level Crossing.

As to Height of Arch.

21. In carrying the Railway over the Road numbered on the deposited Plans 32 in the Parish of *Mablethorpe Saint Mary* the Company may make the Arch for carrying the Railway over that Road of such Height as they think fit, not being less than the Height of Twelve Feet for the whole Width thereof.

Proper Openings to be left in Viaduct or Embankment within the Jurisdiction of the Commissioners of Sewers for the County of Lincoln.

22. And whereas the Railway is intended to be carried over the Marshes, Levels, and Lands within the Jurisdiction of the Commissioners of Sewers for the County of *Lincoln* in the several Parishes of *Maltby-le-Marsh*, *Beesby*, *Saleby-cum-Thoresthorpe*, *Hannah-cum-Hagnaby*, *Markby*, *Trusthorpe*, and *Mablethorpe Saint Mary*, and it is expedient to provide against Injury being occasioned thereby to the said Marshes, Levels, and Lands by the Obstruction of Waters in the Sewers, Drains, and Watercourses crossed by the said Railway: Therefore in that Part of the Railway which is intended to be carried over the said Marshes, Levels, or Lands, and in the Embankment or Viaduct by which the said Railway shall be carried over the same, the Company shall make, leave, and construct, and shall at all Times hereafter at their own Expense maintain and leave in perfect Condition and Repair, such and so many Bridges and Culverts, Arches, and Openings over all Common Sewers, Drains, and Watercourses, over such Marshes, Levels, and Lands, within the Jurisdiction of the said Commissioners, and of such Height and Width and in such Position, as shall, to the reasonable Satisfaction of the Surveyor for the Time being of the said Commissioners, be sufficient to prevent any Impediment being made or caused by the said Railway, Viaduct, or Embankment to the Water flowing down any such Sewer, Drain, or Watercourse, or over any such Marshes, Levels, and Lands, or the Lands adjoining thereto.

New Works when made to be under the Jurisdiction of the Commissioners.

23. All new Sewers, Drains, Watercourses, Bridges, Culverts, Arches, Walls, Banks, Sluices, Works, and Defences to be made and completed as aforesaid, or at any Time hereafter, by the Company or by the said Commissioners of Sewers over or on the said Marshes, Levels, and Lands, when so made and completed, shall be and remain thereafter for ever under the Jurisdiction and Control, and within the View and Management, of the said Commissioners for all Intents and Purposes whatsoever.

Railway not to be constructed within 10 Feet of the Woldgrift Drain.

24. And whereas the said Railway may be carried for a great Part of its Course close to and on the Bank of a large Main Drain, called or known as the *Woldgrift Drain*: And whereas it is essential that sufficient Space be left between the Railway and the said Drain for the Purpose of throwing out from Time to Time the Cleansing and Refuse of One Half of the said Drain, and of affording all necessary and proper Facilities for the Removal of the said Cleansings, Refuse, or Spoil Banks when so thrown out: Therefore the Company shall not make or construct the said Railway within Ten Feet at the least from the said Drain measured from the Foot of the Viaduct or Embankment of the said Railway to the Edge of the said Drain throughout all its Course by the Side thereof; and the said Company shall, under

under a Penalty of Twenty Pounds *per* Day, at their own Expense, at all Times when the Cleansings or Refuse of the said Drains shall be so thrown out, upon receiving Three Days Notice in Writing from the said Commissioners, remove and carry away such Cleansings and Refuse, and in default thereof the Commissioners may remove and carry away the same, and may recover the Costs and Expenses of such Removal, and the Cost and Expenses of recovering the same together with such Penalty as aforesaid, and Costs, by Proceedings in any Court of competent Jurisdiction.

Penalty for not removing Refuse after Notice.

25. And whereas it is proposed to construct a Portion of the said Railway on the Property of the said Commissioners in Sea Bank in the Parish of *Mablethorpe Saint Mary*: Therefore, so far as the Railway interferes with the said Sea Bank, the Company shall at all Times maintain and keep in good and substantial Repair the said Sea Bank, of the same Height and Strength, and in all Particulars to the reasonable Satisfaction of the Surveyor for the Time being of the said Commissioners, and in case of any Reparation to the same being from Time to Time required the Company shall, within Ten Days after Notice in Writing from the Commissioners to the Company, proceed to execute, to the reasonable Satisfaction of the Surveyor of the Commissioners for the Time being, all such Works and Repairs as may be necessary, and in default thereof the Commissioners may from Time to Time enter upon the said Sea Bank and Premises of the Company, and may execute all such necessary Works and Repairs, and may recover the Costs and Expenses thereof, and the Costs of recovering the same, together with such Penalty as next herein-after mentioned, in any Court of competent Jurisdiction.

Company to keep the Sea Bank at Mablethorpe in repair.

26. If the Company fail to execute such Works and Repairs as aforesaid they shall, in addition to the Costs and Expense of the Execution by the Commissioners of such Works and Repairs, for every such Failure or Omission forfeit and pay to the said Commissioners a Sum not exceeding Fifty Pounds for every Day or Part of a Day during which any such Failure or Omission shall continue.

Penalty for not repairing after Notice.

27. Except as is herein expressly provided, nothing in this Act contained shall be deemed or construed to extend to prejudice, diminish, alter, abridge, or take away any of the Jurisdictions, Rights, Powers, or Authorities vested in the Commissioners of Sewers for the County of *Lincoln*, under whose Jurisdiction or Control the Marshes, Levels, and Lands through which the Railway may pass, and all the Jurisdictions, Rights, Powers, and Authorities vested in them shall be as good, valid, and effectual to all Intents and Purposes as if this Act had not been passed.

Saving Rights of the Commissioners of Sewers for the County of Lincoln.

28. The

Lands for extraordinary Purposes.

28. 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 One Acre.

Powers for compulsory Purchases limited.

29. 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 Two Years from the passing of this Act.

Limiting Time for Exercise of other Powers.

30. Upon the Expiration of Four 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.

Security for Completion of Railway within Time limited.

31. 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 Five thousand three hundred Pounds Stock in the Three Pounds *per Centum* Consolidated Bank Annuities, being equal to a Sum of Four thousand eight hundred and nine Pounds Fifteen Shillings, has been transferred into the Name of the Accountant General of the Court of Chancery in *England* pursuant to the same Act in respect of the Application to Parliament for this Act: And whereas Eight *per Centum* of Sixty thousand Pounds, the estimated Expense of the Railway authorized by this Act, amounts to Four thousand eight hundred Pounds: Be it enacted, That, notwithstanding anything contained in the said recited Act, the said Sum of Stock so transferred as aforesaid in respect of the Application for this Act, or the Interest and Dividends of that Sum, 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 Sum of Stock so transferred as aforesaid, and the Interest and Dividends thereof, shall, immediately from and after the Expiration

of

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 Four thousand eight 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 Four thousand eight 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 said Lords Commissioners, then such Sum of Stock so transferred as aforesaid, 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 Sum of Stock, and the Interest and 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.

Tolls.

32. The Company may demand and take for the Use of the Railway, and for the Supply of Carriages, Waggons, or Trucks, any Tolls not exceeding the following; (that is to say,)

For Passengers.

First, in respect of Passengers conveyed upon the Railway or any Part thereof (as follows):

For every Person, Twopence *per* Mile; and if conveyed in or upon a Carriage belonging to the Company, an additional Sum of One Penny *per* Mile.

For Animals.

Secondly, in respect of Animals conveyed upon the Railway or any Part thereof (as follows):

Class 1. For every Horse, Mule, or other Beast of Draught or Burden, Threepence *per* Mile; and if conveyed in or upon a Carriage belonging to the Company, an additional Sum of One Penny *per* Mile:

Class 2. For every Ox, Cow, Bull, or Neat Cattle, Twopence *per* Head *per* Mile; and if conveyed in or upon a Carriage belonging to the Company, an additional Sum of One Penny *per* Mile:

Class 3. For every Calf, Pig, Sheep, Lamb, and other small Animal, One Penny each *per* Mile; and if conveyed in or upon a Carriage belonging to the Company, an additional Sum of One Halfpenny *per* Mile.

Tonnage on Articles of Merchandise.

Thirdly, in respect of Goods and other Things conveyed upon the Railway or any Part thereof (as follows):

Class 4. For all Coals, Coke, Culm, Cannel, Ironstone, Iron Ore, Pig Iron, Bar Iron, Rod Iron, Sheet Iron, Hoop Iron, Plates of Iron, Slabs, Billets, and Rolled Iron, Limestone, Chalk, Lime, Bricks, Salt, Sand, Fire-clay, Cinders, Slag, Stone, Dung, Compost, and all Sorts of Manure, and all undressed Materials for the Repair of public Roads or Highways, Charcoal, Stones for building, pitching, and paving, Tiles, Slates, and Clay, and for Wrought Iron, and for heavy Iron Castings, including Railway Chairs, *per* Ton *per* Mile One Penny; and if conveyed in a Carriage belonging to the Company, an additional Sum *per* Ton *per* Mile of One Halfpenny:

Class 5. For all Sugar, Grain, Corn, Flour, Hides, Dyewood, Earthenware, Timber, Staves, Deals, and Metals (except Iron), Nails, Anvils, Vices, and Chains, and for light Iron Castings, *per* Ton *per* Mile Twopence; and if conveyed in a Carriage belonging to the Company, an additional Sum *per* Ton *per* Mile of One Penny:

Class 6. For Cotton and other Wools, Drugs, and manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, or Things, *per* Ton *per* Mile Threepence; and if conveyed in a Carriage belonging to the Company, an additional Sum *per* Ton *per* Mile of One Penny:

For every Carriage of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, if conveyed on a Truck or Platform belonging to the Company, Sixpence *per* Mile:

And a like 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.

33. The

Tolls for propelling Power.

33. The Company may demand for the Use of Engines for propelling Carriages on the Railway any Sum not exceeding One Penny *per* Mile for each Passenger or Animal, or for each Ton of Goods or other Articles.

Maximum Rates of Charge.

34. The maximum Rates of Charge to be made by the Company for the Conveyance of Passengers along the Railway, 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,)

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 Farthing *per* Mile:

For Animals and Goods.

And the maximum Rates of Charges to be made by the Company for the Conveyance of Animals and Goods, including the Tolls for the Use of the Railway and Waggons or Trucks, and for locomotive Power, and every other 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 Duty or Business 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,

For every Animal in Class 1, Fourpence *per* Mile:

For every Animal in Class 2, Threepence *per* Mile:

For every Animal in Class 3, One Penny Halfpenny *per* Mile:

For everything in Class 4, One Penny Halfpenny *per* Ton *per* Mile:

For everything in Class 5, Threepence *per* Ton *per* Mile:

For everything in Class 6, Fourpence *per* Ton *per* Mile:

And for every Carriage of whatever Description, not being a Carriage adapted and used for travelling on a Railway, carried or conveyed on a Truck or Platform, *per* Mile Sixpence.

Regulations as to the Tolls.

35. The following Provisions and Regulations shall be applicable to the fixing of such Tolls and Charges; (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 on Animals, Minerals, and Merchandise for such Fraction in proportion to the Number of Quarters of a Mile contained therein, and if there be a Fraction

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 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 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, and so in proportion for any smaller Quantity:

No Station shall 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.

Tolls for small Parcels and single Articles of great Weight.

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

For the Carriage on the Railway or any Part thereof of any Parcel not exceeding Seven Pounds in Weight, Threepence:

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

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

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

And for the Carriage of any Parcel exceeding Fifty-six Pounds but not exceeding Five hundred Pounds in Weight the Company may demand any Sum which they think fit: Provided always, that Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages:

For the Carriage of any One Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Carriage, shall exceed Four Tons, but shall not exceed Eight Tons, the Company may demand such Sums as they may 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.

Passengers Luggage.

37. 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.

Company may take increased Charges by Agreement.

38. Provided always, 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 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.

Restriction as to Charges not to apply to Special Trains.

39. Provided also, That the Restriction as to the Charges to be made for Passengers shall not extend to any Special Train that may be required upon the Railway, but shall apply only to the Ordinary and Express Trains appointed or to be appointed from Time to Time by the Company for the Conveyance of Passengers and Goods upon the Railway.

Power to enter into Traffic Arrangements.

40. The Company and the *Great Northern* 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,)

The Maintenance, Repair, and Management by the *Great Northern* 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 *Great Northern* 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, apportioning, 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 Deductions 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.

Tolls during Contracts.

41. 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 *Great Northern* 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 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, save such as herein-before mentioned in respect to Four Miles, 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 *Great Northern* Railway Company.

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

42. 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 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.

Saving Rights of the Crown.

43. 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, Soil, Tenements, or Hereditaments, or any Rights of whatsoever Nature, belonging to or enjoyed or exerciseable by 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

respectively authorized to give), neither shall anything in the said Act or Acts contained divest, take away, prejudice, diminish, or alter any Estate, Right, Privilege, Power, or Authority vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors.

Expenses of Act.

44. 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:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1864.