ANNO NONO & DECIMO

VICTORIÆ REGINÆ.

****

Cap. cccxlv.

An Act to amend the *Cambridge* Improvement Acts, and to exempt the *Eastern Counties* Railway Company from certain Tolls thereby imposed.

[3d *August* 1846.]

WHEREAS by virtue of Two several Acts of Parliament passed respectively in the Session of Parliament held in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, and of another Act passed in the Session of Parliament held in the First and Second Years of the Reign of Queen *Victoria*, and of another Act passed in the Session of Parliament held in the Fourth Year of the Reign of Her present Majesty, and of another Act passed in the Session of Parliament held in the Sixth Year of the Reign of Her said present Majesty, and of another Act passed in the Session of Parliament held in the Seventh Year of the Reign of Her said present Majesty, and of Two other Acts respectively passed in the Session of Parliament held in the Seventh and Eighth Years of the Reign of Her said Majesty, a Railway has been made from *Shoreditch* to *Cambridge*, and other Railways are now projected in connexion with such Railway, and in extension thereof: And whereas an Act was passed in the Twenty-eighth Year of the Reign of His Majesty King *George* the Third, intituled *An* 28 G. 3. c. 64.

Act for the better paving, cleansing, and lighting the Town of Cambridge, *for removing and preventing Obstructions and Annoyances, and for widening the Streets, Lanes, and Passages within the said Town;* and another Act was passed in the Thirty-fourth Year of the Reign of His said Majesty King *George* the Third, 34G.3.c.104. intituled *An Act to amend and enlarge the Powers of an Act passed in the Twenty-eighth Year of the Reign of His present Majesty, intituled 'An Act for the better paving, cleansing, and lighting the 'Town of* Cambridge, *for removing and preventing Obstructions and 'Annoyances, and for widening the Streets, Lanes, and other Passages 'within the said Town:'* And whereas by the said Two last-recited Acts certain Tolls for and towards increasing the Fund for defraying the Charges of paving, cleansing, and lighting the said Town were imposed on all Stage Coaches, Diligences, loaded Waggons, Carts, Wains, and other Carriages, and also upon all Horses laden with any Goods, Wares, Merchandizes, or other Commodities, coming to or going from or out of the said Town of *Cambridge* and Precincts thereof: And whereas it is expedient that the said *Eastern Counties* Railway Company should pay a fixed annual Sum to the Commissioners for putting the said Acts into execution in lieu of the Tolls herein-after mentioned, and that upon Payment of such annual Sum the said Company should be exempted from such Tolls: 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, That from and after the passing of this Act no Tolls shall be demanded or taken under the Authority of the said Acts for or in respect of Locomotive Engines and Tenders, Trains, First, Second, or Third Class Carriages, Trucks, Waggons, Stage Coaches, Diligences, or other such public Carriages, Carts, Wains, or other such Carriages, Horses, Mares, Geldings, Colts, Fillies, Mules, Beasts of Burthen, Kine, Oxen, Swine or Sheep, Goods or Merchandize, or any other Thing in respect of the same, coming to or going from or out of the said Town of *Cambridge* and Precincts thereof upon or by Means of the said *Eastern Counties* Railway, or any Railway to be hereafter formed by the said *Eastern Counties* Railway Company, or which shall be purchased, leased, or hired by them before the same has been opened for Traffic.

Railway Company exempted from Tolls levied under recited Acts.

Annual Payment by the Railway Company to the Commissioners.

II. And be it enacted, That the said *Eastern Counties* Railway Company shall from and after the First Day of *April* One thousand eight hundred and forty-eight pay to the said Commissioners the yearly Sum of One thousand Pounds by Four equal quarterly Payments, on the First Day of *January*, the First Day of *April*, the First Day of *July*, and the First Day of *October* in each and every Year, the first of such quarterly Payments to be made on the First Day of *July* One thousand eight hundred and forty-eight; and that in default of Payment within Thirty Days after the same shall be due, the Commissioners may sue for any such quarterly Payment by Action of Debt in the Name of their Treasurer or Clerk for the Time being; and that no such Action shall abate or discontinue by the Resignation, Removal, or Death of any such Treasurer or Clerk.

III. And

Sums payable under this Act applicable to Purposes of recited Acts.

III. And be it enacted, That all Sums to be paid by the said Company to the said Commissioners under this Act shall be applied to the same Purposes as the Tolls imposed by the said Two last-recited Acts are therein directed to be applied.

For compensating the Lessee and staying certain Actions against the Company.

IV. And whereas the said Tolls imposed by the said recited Acts of the Twenty-eighth and Thirty-fourth Years of the Reign of His late Majesty King *George* the Third have been leased by the Commissioners for putting the said last-mentioned Acts into execution to *William Herring Smith* of *Cambridge*, Brewer, for the Term of Three Years from the First Day of *April* One thousand eight hundred and forty-five: And whereas certain Actions are now pending in Her Majesty's Court of Queen's Bench, and in the Court of Pleas for the Borough of *Cambridge*, wherein the said *William Herring Smith* is Plaintiff and the said Company are Defendants, and it is advisable to compensate the said *William Herring Smith*, and to stay all further Proceedings in such Actions; be it therefore enacted, That the said Company shall upon the passing of this Act pay to the said *William Herring Smith* his Costs and Charges in the said Actions, to be taxed by the proper Officers of the said Courts respectively, and also the further Sum of Four thousand one hundred and fifty Pounds in satisfaction of his Claim upon the said Company, and as Compensation for the Injury he will sustain by the passing of this Act, and that upon such Payment being made all further Proceedings in such Actions shall be stayed: Provided always, that the said Company shall be entitled to set off against the Sum payable to the said *William Herring Smith* under this Act all Sums paid to him by the said Company under a certain Rule or Order of the said Court of Pleas made on the Sixteenth Day of *June* last.

Recovery of Penalties.

V. And be it enacted, That the Penalties and Forfeitures imposed by the said recited Act of the Thirty-fourth Year of the Reign of King *George* the Third, for the levying and recovering whereof no particular Directions are therein contained, shall be levied and recovered in the same Manner as if the same had been imposed by the said recited Act of the Twenty-eighth Year of the Reign of King *George* the Third; and that the said Two last-mentioned Acts and this Act shall be considered as One Act, and that in all legal and other Proceedings it shall be sufficient to designate the same as "The *Cambridge* Improvement Acts."

Expences of Act.

VI. And be it enacted, That all the Costs, Charges, and Expences attending the passing of this Act shall be defrayed by the *Eastern Counties* Railway Company out of the first Monies which shall come to their Hands after the passing thereof.

Public Act.

VII. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

LONDON: Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1846.