ANNO VICESIMO SEPTIMO & VICESIMO OCTAVO

VICTORIÆ REGINÆ.

****

Cap. cxxii.

An Act to authorize the making of a Railway from the *Great Eastern* Railway to *North Walsham* in the County of *Norfolk;* and for other Purposes.

[23d *June* 1864.]

WHEREAS the making of a Railway to connect the Town of *North Walsham* in the County of *Norfolk* with the *Great Eastern* Railway at or near *Norwich* would be of great public and local Advantage: And whereas the Persons herein-after named, with others, are willing to carry the Undertaking into effect: And whereas a Plan and Section of the 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 said County of *Norfolk:* And whereas it is expedient that the *Great Eastern* Railway Company should be authorized to enter into the Arrangements herein-after contained with respect to the working

and Management of the Railway, and also that they should have Power to subscribe thereto, but the several Purposes and 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:

Short Title.

1. This Act may be cited for any Purpose as "The *East Norfolk* Railway Act, 1864."

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

2. "The Companies Clauses Consolidation Act, 1845," and Part I. (relating to Cancellation and Surrender of Shares) of "The Companies Clauses Act, 1863," so far as respects the Capital of the Company, "The Lands Clauses Consolidation Act, 1845," "The Railways Clauses Consolidation Act, 1845," and Part I. (relating to the Construction of a Railway), and Part III. (relating to Working Agreements), of "The Railways Clauses Act, 1863," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," shall be incorporated with and form Part of this Act.

Interpretation of Terms.

3. In this Act, and in the Acts or Parts of Acts incorporated herewith, the Words "the Company" shall mean the Company incorporated by this Act; and the Words "the Undertaking" or "the Railway" shall mean the Railway and the Works connected therewith by this Act authorized to be constructed; and the Words "Superior Courts" or "Court of competent Jurisdiction," or any other like Expression, shall be read and have Effect as if the Debt or Demand with respect to which the Words are used were a common simple Contract Debt and not a Debt or Demand created by Statute, unless there be something in the Subject or Context of this Act repugnant to such Construction.

Subscribers incorporated.

4. The Right Honourable Lord *Suffield*, the Right Honourable *John* Lord *Wodehouse*, Sir *Jacob Henry Preston* Baronet, *Robert Blake Humfrey*, and *Edward Leathes* 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 Purposes of the Undertaking, and such Company shall be incorporated by the Name of "The *East Norfolk* 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 within the Restrictions herein

herein and in the said Acts contained, and their Undertaking shall be called "The *East Norfolk* Railway."

Capital.

5. The Capital of the Company shall be Eighty-eight thousand Pounds, and shall be divided into Eight thousand eight hundred Shares of Ten Pounds each; and no Share shall be issued by the Company or shall vest in the Person accepting the same until not less than Twenty *per Centum* on the nominal Amount thereof shall have been paid thereon.

Calls.

6. Two Pounds Ten Shillings *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 that may be made in any One Year upon any Share.

Power to borrow on Mortgage.

7. The Company may borrow on Mortgage any Sums not exceeding in the whole the Sum of Twenty-nine thousand three hundred Pounds; but no Part of such Sum shall be borrowed until the whole of the said Capital or Sum of Eighty-eight thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up, and until they shall prove 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 Shares for the whole of the said Capital of Eighty-eight thousand Pounds have been issued and accepted *bonâ fide*, and that not less than Twenty *per Centum* had been paid up on account of each separate Share before or at the Time of the Issue or Acceptance thereof, and that such Shares were taken *bonâ fide*, and are held by the Subscribers or their Assigns, and that such Subscribers or their Assigns are legally liable for the same, of which Facts the Certificate of such Justice under that Section shall be sufficient Evidence.

Arrears may be enforced by Appointment of a Receiver.

8. The Mortgagees of the Company may enforce the Payment of the Arrears of Principal and Interest due on their Mortgages by the Appointment of a Receiver, and the Amount to authorize a Requisition for a Receiver shall be not less than Three thousand Pounds.

First Ordinary Meeting.

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

Application of Monies.

10. All Monies which the Company are by this Act authorized to raise shall be applied to the Purposes of the Undertaking authorized by this Act, and to no other Purpose.

11. The

Number and Qualification of Directors.

11. The Number of Directors shall be Nine, and the Qualification of a Director shall be the Possession in his own Right of Fifty Shares in the Undertaking.

First Directors.

Such Directors to continue in Office until First Meeting after passing of Act.

12. The Right Honourable Lord *Suffield*, the Right Honourable Lord *Wodehouse*, Sir *Jacob Henry Preston* Baronet, *William Henry Trafford*, *Robert Blake Humfrey*, *Edward Leathes*, *James Goodson*, *Henry Jervis White Jervis* M.P., and *Jonah Smith Wells* shall be the First Directors of the Company, and 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 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," or by this Act, or either of them.

Quorum.

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

Power to make Railway according to deposited Plans.

14. It shall be lawful for the Company, subject to the Provisions in this and the incorporated Acts contained, to make and maintain the Railway herein-after described, with all proper Works, Approaches, and Stations, in the Line and upon the Lands delineated upon the said Plan and described in the said Book of Reference, and according to the Levels described on the said Section, and the Company may enter upon, take, and use such of the said Lands as shall be necessary for such Purpose.

Description of Railway.

15. The Railway by this Act authorized to be constructed shall commence in the Parish of *Thorpe next Norwich* by a Junction with the *Norwich and Yarmouth* Line of the *Great Eastern* Railway, and shall terminate at *North Walsham*.

Power to cross certain Roads on the Level.

16. The Company may, in the Construction of the Railway by this Act authorized, carry the same across and on the Level of the several

several Roads which on the Plans deposited as aforesaid are respectively numbered as follows:

Number of Road on those Plans.	Parish or Place in which the Road is shown on those Plans.	Description of Road.
14	Great Plumstead - - -	Public Road.
23 and 1	Great Plumstead and Little Plumstead - -	Public Road.
7	Rackheath - - - -	Public Road.
9 and 1	Hoveton St. Peter and Tunstead - - -	Public Road.
8	Tunstead - - - -	Public Road.
18	Tunstead - - -	Public Road.
30	Tunstead - - - -	Public Road.
41	Tunstead - - - -	Public Road.
9	Sloley - - - -	Public Road.
24	Sloley - - - - -	Public Road.
10	Worstead - - - -	Public Road.
61	Worstead - - - -	Public Road.

Provided that while the Railway crossing either of those Roads consists of a single Line, not more than a single Line of Railway, and when such Railway consists of a double Line, not more than a double Line of Railway shall be laid by the Company across that Road.

For Protection of Turnpike Road.

17. It shall not be lawful for the Company to deviate from the Line of Railway between the Points marked Six Miles and Two Furlongs and Six Miles and Six Furlongs on the deposited Plans, so as to bring such Railway nearer to the Turnpike Road leading from *Wroxham* to *Hoveton St. John* than is shown by the Black centre Line of Railway delineated on the deposited Plans.

Mode of constructing Bridge over River Bure.

18. The Bridge for carrying the said Railway over the River *Bure* shall have a clear and uninterrupted navigable Waterway for Vessels of Forty Feet clear Span, and the Height or Headway or Distance between the Surface of the said River at ordinary High Water and the under Part of the said Bridge shall not in any Place be less than Fifteen Feet.

Powers for compulsory Purchases limited.

19. The Powers by this Act conferred for the compulsory Purchase of Lands shall not be exercised after the Expiration of Three Years from the passing of this Act.

Period for Completion of Railway.

20. The Railway shall be completed within Five Years from the passing of this Act, and on the Expiration of such Period the Powers by this Act granted to the Company for making the Railway, or otherwise

otherwise in relation thereto, shall cease to be exercised except as to so much of the Railway as shall then be completed.

Lands for extra-ordinary Purposes.

21. The Company may from Time to Time purchase by Agreement such Lands as they may require for any of the extraordinary Purposes specified in "The Railways Clauses Consolidation Act, 1845," in connexion with the Railway by this Act authorized, not exceeding Two Acres.

Money deposited in the Court of Chancery to be forfeited to the Crown in a certain Event.

22. And whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of Her present Majesty, Chapter Twenty, and under a Warrant or Order issued for that Purpose in pursuance of that Act, a Sum of Eight thousand eight hundred Pounds, being equal to Eight *per Centum* upon the Sum of One hundred and ten thousand Pounds, the Amount originally proposed as the Capital of the Company, has been deposited in the Court of Chancery pursuant to the said Act: And whereas Eight *per Centum* on Eighty-eight thousand Pounds, the Capital of the Company as fixed by this Act, is Seven thousand and forty Pounds: Therefore, if at any Time after the passing of this Act the Persons named in the said Warrant or Order, or the Survivors or Survivor of them, or the Majority of such Persons, or the Executors or Administrators of such Survivor, shall apply by Petition to the Court of Chancery for that Purpose, the said Court shall order the Sum of One thousand seven hundred and sixty Pounds, Part of the said Sum of Eight thousand eight hundred Pounds, and the Interest or Dividends which shall have accrued in respect of the said Sum of One thousand seven hundred and sixty Pounds, to be paid to the Parties or Party so applying, or to any other Person or Persons whom they or he may appoint in that Behalf, and the remaining Sum of Seven thousand and forty Pounds, and the Interest and Dividends thereof, shall be held and disposed of by the said Court, as by the said Act of the Ninth and Tenth Years of Her present Majesty is directed with reference to Sums of Money paid in pursuance of that Act, in all respects as if the said Sum of Seven thousand and forty Pounds had been the entire Sum named in the said Warrant or Order: Provided that, notwithstanding anything contained in the said recited Act, such Sum of Seven thousand and forty Pounds, or the Interest or Dividends of such 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 limited by this Act for Completion of the Railway, either open the Railway for the public Conveyance of Passengers, or prove to the Satisfaction

Satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if the said Period shall expire before the Company shall either have opened the Railway for public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, such Sum of Seven thousand and forty Pounds, and the Interest and Dividends thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name 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 such Sum of Seven thousand and forty Pounds as aforesaid 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 or Successors, of such Sum of Seven thousand and forty Pounds if the Company shall not within the Time limited for the Completion of the Railway either open the Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee that the Company have paid up One Half of the Amount of the 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 Seven thousand and forty Pounds, and the Interest or Dividends thereof, shall be paid to or on the Application of the Person or Persons, or the Majority of the Persons named in such Warrant or Order as aforesaid, or the Survivors or Survivor of them, and it shall not be necessary to produce any Certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding; and the Monies to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Seven thousand and forty Pounds, 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.

23. The

Tolls.

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

Tolls for Passengers.

In respect of Passengers conveyed in Carriages upon the Railway:

For every Person conveyed in or upon any Carriage for the Use of the Railway *per* Mile not exceeding Twopence; and if conveyed in or upon any Carriage provided by the Company an additional Sum *per* Mile not exceeding One Penny:

Tolls for Goods and Minerals.

In respect of Goods, Minerals, and Things, Carriages and Animals, as follows:

Class 1. For all Coal, Cannel, Culm, Coke, Slack, and Cinders, One Penny *per* Ton *per* Mile; and if conveyed in Carriages provided by the Company an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

Class 2. For all Dung, Compost, Bones loaded in Bulk, and all other Sorts of Manure, except as herein-after mentioned, Coprolites, Salt for Agricultural Purposes or for curing Fish, Lime, Limestone, and all undressed Materials for the Repair of public Roads, Charcoal, Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone, Iron Ore, and Iron not damageable, the Sum of One Penny *per* Ton *per* Mile; and if conveyed in Carriages provided by the Company an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

Class 3. For damageable Iron, Sheet, Rod, and Hoop Iron, and all other similar Descriptions of Wrought Iron, Salt for domestic Purposes, Pitch, Tar, Asphaltum, Ground Bones, Ground Coprolites, Guano, Timber Staves and Deals, One Penny Farthing *per* Ton *per* Mile; and if conveyed in Carriages provided by the Company an additional Sum *per* Ton *per* Mile not exceeding Three Farthings:

Class 4. For Sugar, Grain, Corn, Flour, Malt, Seeds, Soda, Oil Cake, Oil in Casks, Saltpetre, Ale and Beer in Casks, Hoofs, Horns, Bones, Rice, Tallow, Cheese, Butter in Casks, Potatoes, Bacon, Flax, Hops, Jute, Junk, Lead, Molasses, Rags, Turpentine in Casks, Vinegar in Casks, Leather, Wines and Spirits in Casks, Hides, Dyewoods, Paper, Manchester Packs, Earthenware, Metals, Hardware in Packages or Cases, Nails, Anvils, Vices, Chains, Cotton and other Wools, and manufactured Goods, the Sum of Twopence *per* Ton *per* Mile; and if conveyed in Carriages provided by the Company an additional Sum *per* Ton *per* Mile not exceeding One Penny:

Class 5. For Hay, Straw, Tea, Fish, Feathers, Canes, Cochineal, Furniture, Hats, Shoes, Silk, Glass, Music, Toys, and all other Articles, Matters, and Things, Threepence *per* Ton *per* Mile; and

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

Tolls for Carriages.

And for every Carriage of whatever Description, not being a Carriage adapted and used for travelling on a Railway, carried and conveyed on a Truck or Platform, for the Use of the Railway *per* Mile not exceeding, if such Carriage has more than Two Wheels and weighs not more than One Ton and a Half, Sixpence; if such Carriage has but Two Wheels and weighs not more than One Ton, Fourpence; and a further Sum not exceeding One Penny *per* Mile for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton up to Four Tons which any such Carriage may weigh:

Tolls for Animals.

In respect of Animals conveyed in Carriages upon the Railway:

For every Horse, Mule, Ass, or other Beast of Draught or Burden conveyed in or upon any Carriage, for the Use of the Railway *per* Mile not exceeding Fourpence; and if conveyed in or upon any Carriage provided by the Company an additional Sum *per* Mile not exceeding One Penny:

For every Ox, Cow, Bull, or Head of Neat Cattle conveyed in or upon any Carriage, for the Use of the Railway *per* Mile not exceeding One Penny Halfpenny; and if conveyed in or upon any Carriage provided by the Company an additional Sum *per* Mile not exceeding One Halfpenny:

For every Calf or Pig, Sheep, Lamb, or other small Animal conveyed in or upon any Carriage, for the Use of the Railway *per* Mile not exceeding One Halfpenny; and if conveyed in or upon any Carriage provided by the Company an additional Sum *per* Mile not exceeding One Farthing.

Tolls for propelling Power.

24. The Toll which the Company may demand for the Use of Engines for drawing or propelling Carriages on the Railway shall not exceed Three Farthings *per* Mile for each Passenger or Animal, or for each Ton of Goods or other Articles, in addition to the several other Tolls by this Act authorized to be taken.

Regulations as to Tolls.

25. The following Provisions and Regulations apply to the fixing of all the Tolls; (that is to say,)

For Persons, Animals, or Things conveyed on the Railway for a less Distance than Four Miles, the Company may demand and take Tolls as for Four Miles:

For a Fraction of a Mile the Company may demand and take Tolls for Passengers as for One Mile, and for Animals and Goods as for a Quarter of a Mile:

For a Fraction of a Ton the Company may demand and take Tolls 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:

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

With respect to Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Teak, Beech, or Ash, and Fifty Cubic Feet of any other Timber, shall be deemed One Ton Weight, and so in proportion for any smaller Quantity.

Tolls for small Parcels and single Articles of great Weight.

26. With respect to small Packages by Passenger Trains not exceeding Five hundred Pounds in Weight, and single Articles of great Weight, notwithstanding the Rates prescribed by this Act, the Company may demand and take any Tolls not exceeding the following; (that is to say,)

For any Parcel not exceeding Seven Pounds in Weight, Threepence:

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

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

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

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

For the Carriage of single Articles of great Weight:

For the Carriage of any single Article, the Weight of which, including the Carriage, exceeds Four Tons, but does not exceed Eight Tons, the Company may demand any Sum not exceeding Sixpence a Ton a Mile, and an additional Sum not exceeding One Penny a Ton *per* Mile for the Carriage conveying the same if belonging to the Company, and for the propelling Power:

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

Passengers' Luggage.

27. Every Passenger travelling upon the Railway may take with him his ordinary Luggage, not exceeding One hundred and twenty Pounds

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.

Maximum Rates for Passengers.

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

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.

Maximum Rates for Goods.

29. And with respect to the Conveyance of Goods, Minerals, and Things, Carriages and Animals, the Company may lawfully demand and receive as a maximum Rate of Carriage for the Conveyance thereof along the Railway, including the Tolls for the Use of the Railway and Waggons 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 Railway, 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, any Rates or Sums not exceeding the Rates or Sums following; (that is to say,)

For Coal, One Penny and One Eighth of a Penny a Ton a Mile:

For all other Goods in Class 1, One Penny Farthing a Ton a Mile:

For Goods in Class 2, One Penny Halfpenny a Ton a Mile:

For Goods in Class 3, Twopence a Ton a Mile:

For Goods in Class 4, Twopence Halfpenny a Ton a Mile:

For Goods in Class 5, Fourpence a Ton a Mile.

Carriages and Animals.

30. For every Carriage of whatever Description, not being a Carriage adapted and used for travelling on a Railway, carried and conveyed on a Truck or Platform, for the Use of the Railway *per* Mile not exceeding, if such Carriage weighs not more than One Ton, Sixpence; and a further Sum not exceeding One Penny *per* Mile for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton up to Four Tons which any such Carriage may weigh:

For every Horse, Mule, Ass, or other Beast of Draught or Burden, *per* Mile not exceeding Fourpence:

For every Ox, Cow, Bull, or Head of Neat Cattle, *per* Mile not exceeding Twopence:

For every Calf or Pig, *per* Mile not exceeding One Penny:
For every Sheep, Lamb, or other small Animal, *per* Mile not exceeding One Halfpenny.

Company may take increased Charges by Agreement.

31. Nothing herein contained shall be held to prevent the Company from taking any increased Charge over and above the Charges hereinbefore 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.

Power for Company and the Great Eastern Railway Company to agree for certain Purposes.

32. The Company and the *Great Eastern* Railway Company may from Time to Time enter into such Agreements as they may from Time to Time think fit with respect to all or any of the following Purposes; (that is to say,) the Maintenance and Management of the Railway or any Part thereof, and of the Works or any of them connected therewith; the Use and working of the Railway or any Part thereof; the Supply of Rolling Stock, and of Officers and Servants for the Conduct of the Traffic of the Railway; the Payments to be made and the Conditions to be performed with respect to such working, Use, Management, and Maintenance; the Regulation, Management, and Transmission of Traffic; the Division and Apportionment of the Revenues arising from such Traffic.

Short-distance Toll.

33. With respect to the Toll or Charge for Traffic conveyed on the Railways, or partly on the Railway and partly on the *Great Eastern* Railway, for a less Distance than Four Miles during the Time the Railway shall be worked by the *Great Eastern* Railway Company, that Company shall be entitled to charge as for Four Miles and no more; and it shall not be lawful for that Company to make a Short-distance Charge for any Traffic conveyed for a longer Distance than Four Miles, whether on the Railway only or partly on the Railway and partly on the *Great Eastern* Railway, and that Company may charge for each Fraction of a Mile beyond Four Miles as for One Mile in respect of Passengers, and for each Fraction of a Mile beyond Four Miles as for a Quarter of a Mile in respect of Animals, Minerals, and Goods.

Power to Great Eastern Railway Company to subscribe.

34. The *Great Eastern* Railway Company, with the Sanction of Three Fifths at least of the Votes of the Shareholders present, personally or by proxy, at some General Meeting of that Company specially convened with Notice of the Object of the Meeting, may subscribe for, take, and hold Shares or Stock in the Capital of the Company to any Extent not exceeding in the whole Twenty-nine thousand three hundred Pounds, and may apply in or towards such

such Subscription any Monies which may not be required for the Purposes authorized by any of the Acts relating to such Company.

Power to the Great Eastern Railway Company to raise Money by Shares or Stock.

35. The *Great Eastern* Railway Company may, with the Sanction of not less than Three Fifths of the Votes of their Shareholders present, personally or by proxy, at any Extraordinary Meeting convened with Notice of this Object, from Time to Time raise all or any Part of the Monies which may be required for the Purposes of their Subscription under this Act by the Creation of Shares or Stock in their Undertaking, and may (with the like Sanction) attach thereto any perpetual, terminable, fixed, variable, contingent, or absolute Preference or Priority of Interest or Dividend, not exceeding the Rate of Five Pounds *per Centum per Annum*, as to that Company shall seem fit, and such Shares or Stock shall in all respects not in this Act otherwise provided for be subject to the same Provisions as and be deemed Part of the General Capital of the *Great Eastern* Railway Company, and Part (II.) of "The Companies Clauses Act, 1863," (relating to additional Capital) shall extend and be applicable to all new Shares and Stock created by the *Great Eastern* Railway Company under the Authority of this Act.

Subscribing Company may appoint Persons to vote for them.

36. The *Great Eastern* Railway Company, on becoming and while continuing under the Powers of this Act Shareholders in the Undertaking, may from Time to Time appoint One of the Directors nominated by the *Great Eastern* Railway Company as herein-after provided (whether such Director shall hold Shares in the Company or not) to vote on their Behalf at any Meetings of the Company, and may from Time to Time revoke any such Appointment and appoint any other of such Directors on their Behalf: Provided always, that every such Appointment and Revocation shall be evidenced by an Instrument in Writing under the Hand of the Chairman for the Time being of the Directors of the *Great Eastern* Railway Company, which shall be delivered to the Company and kept with their Records, and shall be at all reasonable Times open to the Inspection and Transcription of all Persons interested.

Validity of such Instruments and Acts thereunder.

37. Until the contrary be shown, every Instrument purporting to be the Instrument of any such Appointment or Revocation, and under the Hand of the Chairman of the *Great Eastern* Railway Company, and without Proof of the Appointment or Removal or the Appointment or Revocation respectively having been duly authorized by the *Great Eastern* Railway Company, or of any other Matter, shall be Evidence of the Appointment or Revocation purporting to be thereby made: Provided always, that notwithstanding it be afterwards discovered that there was some Defect in the Appointment of a Person to vote on behalf of the *Great Eastern* Railway Company, all his

Votes on behalf of the *Great Eastern* Railway Company, and all Proceedings consequent thereon or relating thereto, shall be as valid as if such Person had been duly appointed.

Interest not to be paid on Calls paid up.

38. 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 the 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-before contained shall be deemed to prevent the Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

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

39. 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.

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

40. Nothing herein contained shall be deemed or construed to exempt the Railways or the Company 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 to be taken by the Company, or of the Rates for small Parcels.

Expenses of Act.

41. 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.

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