ANNO VICESIMO SEXTO & VICESIMO SEPTIMO

VICTORIÆ REGINÆ.

****

Cap. clxxv.

An Act to authorize the Construction of a Tramroad from the *South-eastern* Railway at *Hastings* to *Hastings* Harbour. [21st *July* 1863.]

WHEREAS by "The Pier and Harbour Orders Confirmation Act, 1862," (herein called "the Act of 1862,") the Provisional Order set out in the Schedule thereto, and described as "The *Hastings* Pier and Harbour Order, 1862," incorporating a Company under the Name of "The *Hastings* Pier and Harbour Company," and empowering the Company to construct, maintain, and regulate a Pier and Harbour at *Hastings* in the County of *Sussex*, was, with the Exception stated in the said Act, confirmed: And whereas the Company are authorized to raise Eighty thousand Pounds by Shares, and to borrow such Sums of Money as may be required for the Purposes of the said Works: And whereas the making of a Tramroad as herein-after described from the *South-eastern* Railway at *Hastings* in the County of *Sussex* to connect it with the said authorized Harbour would be attended with local and public Advantage: And whereas it is expedient that the *Hastings* Pier and Harbour Company should be empowered to construct the said Tramroad: And whereas a Plan and Section of the Tramroad showing the Line and Levels thereof, with a Book of Reference to the Plan containing the Names of the Owners and Lessees, or reputed 25 & 26 Vict. c. 51.

Owners and Lessees, and of the Occupiers of the Lands through which the said Tramroad will pass, have been deposited with the Clerk of the Peace for the said County: And whereas the estimated Cost of the said Tramroad is Thirty thousand Pounds: And whereas it is expedient that the *South-eastern* Railway Company should be authorized to enter into Arrangements with respect to the Working and Management of the Tramroad; but the Purposes 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:

8 & 9 Vict. cc. 18. & 20. and 23 & 24 Vict. c. 106. incorporated.

1. "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," and "The Railways Clauses Consolidation Act, 1845," shall, so far as the same may be applicable to the Undertaking authorized by this Act, be incorporated with and form Part of this Act; and wherever the Word "Railway" occurs in the said "Railways Clauses Consolidation Act, 1845," the same shall be read and construed as if the Word "Tramroad" had been used and inserted therein instead of the Word "Railway."

Interpretation of Terms.

2. In this Act the Words "the Company" shall mean the Company incorporated by the Act of 1862, and the Expression "Supreme Courts" or "Court of competent Jurisdiction," or any other like Expression in this Act, shall 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.

Alteration of Name.

3. From the passing of this Act the Name, Style, and Title of the Company shall, instead of "The *Hastings* Pier and Harbour Company," be "The *Hastings* Harbour Company," and by that Name the Company shall henceforth have and may exercise the Powers now vested in the *Hastings* Pier and Harbour Company, and the recited Act shall be read and interpreted as if wherever the Name of the *Hastings* Pier and Harbour Company, or any Reference to that Company, occurs the Name of the *Hastings* Harbour Company were substituted.

Power to make Tramroad according to deposited Plans.

4. It shall be lawful for the Company, subject to the Provisions in this and the incorporated Acts contained, to make and maintain the Tramroad herein-after described, with all proper Works, Approaches, and Stations, in the Line and upon the Lands delineated on 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 for the Purposes of this Act such of the said Lands as shall be necessary for such Purposes.

5. The

Describing Line of Tramroad.

5. The Tramroad (which will be wholly situate in *Sussex*) shall commence by a Junction, subject to the Provisions of this Act, with One of the Sidings of the *South-eastern* Railway in the Parish of the *Holy Trinity*, pass thence through or into the Parishes of *Saint Andrew*, *Saint Mary-in-the-Castle*, and *Saint Clement*, and terminate at the said authorized Harbour at *Hastings*.

Mode of effecting Communication with South-eastern Railway.

6. The Junction between the Tramroad hereby authorized and One of the Sidings of the *South-eastern* Railway shall be made with such Siding and at such Point thereon (within the Limits of Deviation shown upon the Plans deposited as in this Act mentioned) as the Engineer for the Time being of the *South-eastern* Railway Company may require, and at no other Point without the Consent in Writing of the *South-eastern* Railway Company under their Common Seal first had and obtained; and all Communications between the Tramroad hereby authorized and the Siding of the *South-eastern* Railway shall be effected in a substantial Manner by means of Connexion Rails and Points of the Construction and laid in the Manner which the Engineer for the Time being of the *South-eastern* Railway Company may from Time to Time approve and require, and shall be executed to his Satisfaction in all respects.

Expenses of Communication to be borne by the Company.

7. The Expenses of the Communication hereby authorized with the Siding of the *South-eastern* Railway, and of the necessary Openings in the Rails thereof, and of all the Works which may from Time to Time be requisite for effecting such Communications, and for altering, amending, repairing, and maintaining such Openings, Rails, and Points, and of regulating and adjusting the same, shall be borne and paid by the Company; and all such Communications, Openings, and Works shall be made and done, and shall also from Time to Time be altered, amended, repaired, and maintained, by the Company under the Direction and Superintendence and to the Satisfaction of the Engineer for the Time being of the *South-eastern* Railway Company, and in such Manner and Form and by such Ways and Means only as shall not in anywise prejudice or injure the *South-eastern* Railway, or impede or interfere with the free, uninterrupted, and safe Passage along the same.

Signals, &c. to be erected, &c., and Persons appointed by the South-eastern Railway Company to prevent Danger at Point of Junction.

8. The *South-eastern* Railway Company from Time to Time may erect, maintain, and alter such Signals and other Works and Conveniences, and appoint and remove such Watchmen, Pointsmen, Switchmen, or other Persons, as that Company deem necessary for the Prevention of Danger or Detention to or Interference with Traffic at and near the Junction between the Tramroad and the Siding of the *South-eastern* Railway; and the Working and Management of such Signals, Works, and Conveniences, and the Control and Direction of such Watchmen, Pointsmen, Switchmen, and other Servants, shall belong exclusively to the *South-eastern* Railway Company; and all the Costs and Expenses of erecting and maintaining such Signals, Works, and Conveniences, and the Wages of such Watchmen,

Watchmen, Pointsmen, Switchmen, and other Persons, and all incidental Expenses, shall at the End of every Half Year be repaid by the Company to the *South-eastern* Railway Company on Demand, and in default of such Repayment the Amount of such Costs, Expenses, and Wages may be recovered from the Company by the *South-eastern* Railway Company in any Court of competent Jurisdiction.

Company not to take Lands belonging to the South-eastern Company without Consent.

9. Nothing in this Act contained shall extend to or be deemed or construed to extend to authorize or enable the Company to take or enter upon or use, either permanently or temporarily, any of the Lands or Property belonging to the *South-eastern* Railway Company, or which that Company use or are authorized to acquire, or to alter, vary, or interfere with the *South-eastern* Railway, or any of the Works or Conveniences thereof, further or otherwise than is necessary for the proper and convenient Junction between the said Siding and the Tramroad hereby authorized, without the Consent in Writing in every Instance for that Purpose first had and obtained of the *South-eastern* Railway Company under their Common Seal.

Company to acquire only Easements in Land of the South-eastern Company.

10. With respect to any Land or Property of the *South-eastern* Company, or which they are authorized to acquire as aforesaid, and which the Company are by this Act from Time to Time authorized to use, enter upon, or interfere with, the Company shall not purchase and take the same, but the Company may purchase and take, and the *South-eastern* Railway Company may and shall sell and grant accordingly, an Easement or Right of using the same for the Purposes for which but for this Enactment the Company might purchase and take the same.

Saving Rights of the South-eastern Company.

11. Provided always, That, except as is by this Act expressly provided, this Act or anything therein contained shall not take away, diminish, alter, or interfere with or prejudice any of the Rights, Powers, Privileges, or Authorities of the *South-eastern* Railway Company.

Provision for preventing Deviation of certain Works without Consent of Board of Trade.

12. Where the Tramroad extends on to the Sea Shore at *Hastings* the Tramroad and other Works shall not deviate Seawards from the continuous centre Line of the Railway marked on the Plan deposited at the Board of Trade, even within the Limits of Deviation marked on that Plan, without the previous Consent of the Board of Trade (signified in Writing under the Hand of a Secretary or Assistant Secretary of the Board), or otherwise than in such Manner as may be mentioned in any such Consent: If any Deviation is made contrary to the Provisions of the present Section the Board of Trade may abate and remove the same or any Part thereof, and restore the Site thereof to its former Condition, at the Expense of the Company, and the Amount of such Expense shall be a Debt due from the Company to the Crown, and be recoverable accordingly with Costs, or may be recovered with Costs as a Penalty is or may be recoverable from the Company.

13. If

Works affecting tidal Waters abandoned may be removed by Board of Trade at Expense of Company.

13. If any Work to be constructed by the Company in, under, over, through, or across any tidal Water or River, or if any Portion of any Work which affects or may affect any such Water or River or Access thereto, shall be abandoned or suffered to fall into Disuse or Decay, the Board of Trade may abate and remove the same, or any Part thereof, and restore the Site thereof to its former Condition, at the Expense of the Company, and the Amount of such Expense shall be a Debt due from the Company to the Crown, and be recoverable accordingly with Costs, or may be recovered with Costs as a Penalty is or may be recoverable from the Company.

Lands for extraordinary Purposes.

14. The Quantity of Land to be taken by the Company adjoining or near to the Railway for the extraordinary Purposes mentioned in "The Railway Clauses Consolidation Act, 1845," shall not exceed Five Acres.

Powers for compulsory Purchases limited.

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

Period for completion of Works.

16. The Tramroad shall be completed within Three 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 Tramroad, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Tramroad as shall then be completed.

Limits of Harbour.

17. The Limits within which "The *Hastings* Pier and Harbour Order, 1862," shall be put in force shall comprise and include the Borough of *Hastings*.

Company may apply their Funds towards Purposes of Act.

18. It shall be lawful for the Company to apply towards the Purposes of this Act any of the Monies which they are already authorized to raise, and which may not be required by them for the Purposes of their Undertaking.

Company may cancel forfeited Shares.

19. Where any Share in the Company shall be declared forfeited, and the Forfeiture is confirmed by a General Meeting in accordance with the Provisions in that Behalf of "The Companies Clauses Consolidation Act, 1845," and if the Directors be unable to sell the Share for a Sum equal to the Arrears of Calls and Interest and Expenses due in respect thereof, the Company may at any General Meeting resolve that the Share instead of being sold be cancelled, and the Share thereupon shall be cancelled accordingly; and a Declaration in Writing made by some credible Person before a Justice, stating that a Sum of Money sufficient to pay the Arrears of Calls and Interest and Expenses in respect of the Share could not be obtained for the same at the Time of the cancelling, shall be Evidence of the Fact therein stated.

Defining Conditions of Forfeiture and cancelling.

Company may accept Surrender of Shares.

20. The Directors may accept from the Holders of any Shares forfeited or liable to become forfeited Surrenders of such Shares upon such Terms and Conditions as may be authorized by any Ordinary or Extraordinary Meeting of the Company specially convened for that Purpose, but no Money shall be paid by the Company or the Directors to any such Holder for or in consideration of any such Surrender.

Merger of such Shares, and Power to issue new Shares instead of those cancelled or surrendered.

21. All Shares so cancelled or surrendered shall merge in the Capital Stock of the Company, and thereupon all Right and Interest of the former Proprietors of such Shares therein shall cease and be absolutely extinguished; and the Company may, by the Order of an Extraordinary Meeting duly convened with Notice of the Object, from Time to Time, instead of any Shares which may have been so cancelled or surrendered as aforesaid, create and issue new Shares of an aggregate Amount not greater than the aggregate Sum remaining due on the said cancelled or surrendered Shares.

Power to Company to raise additional Capital by new Shares.

22. The Company may from Time to Time raise (in addition to the Sums of Money which they are already authorized to raise) any further Sums, not exceeding in the whole Thirty thousand Pounds, by the Creation of new Shares in their Undertaking of such Amounts as will allow the same to be conveniently apportioned or disposed of according to the Resolution of any Ordinary or Extraordinary Meeting of the Company, and may from Time to Time, but subject to the Provisions of this Act, fix the Amounts and Times of Payment of the Calls on Shares created under the Powers of this Act, and dispose of such Shares on such Terms and Conditions, not being less than the nominal Amount, as may be so resolved upon.

Limit of Amount and Number of Calls.

23. The Amount of any One Call to be made upon the Shares created under the Powers of this Act shall not exceed One Fourth of the Amount of such Shares, and there shall be an Interval of Two Months at least between every Two successive Calls, and not more than Three Fourths of the Amount of each Share shall be called up in any One Year.

Dividends of new Shareholders.

24. Every Person who becomes entitled to any Share under the Powers of this Act shall in respect of the same be a Shareholder in the Company, and (except as otherwise provided by or under the Powers of this Act) shall be entitled to a Dividend with the other Shareholders proportioned to the Amount for the Time being paid up on such Shares.

Qualifications, &c. for new Shares.

25. Except as by or under the Powers of this Act otherwise provided, all such Shares shall, in proportion to the Amount for the Time being paid up thereon, confer upon the respective Holders thereof the same Qualifications, Rights of voting, and other Privileges as may be possessed by the Proprietors of the ordinary Shares in the Company.

26. The

Power to borrow on Mortgage.

26. The Company may from Time to Time under the Powers of this Act borrow on Mortgage any additional Sum of Money not exceeding Ten thousand Pounds, but no Part of that Sum shall be borrowed until the whole of the additional Capital by this Act authorized to be raised by new Shares is *bonâ fide* subscribed for or taken, and One Half thereof is paid up, and until the Company shall prove to the Justice who is to certify under the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that all such additional Capital has been subscribed for or taken *bonâ fide*, and is held by the Subscribers or their Assigns, and that such Subscribers and 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.

Existing Mortgages to have Priority.

27. All Mortgages granted by the Company before the passing of this Act, and which shall be subsisting at the Time of the passing thereof, shall during the Continuance of such Mortgages have Priority over any Mortgages to be created by virtue of this Act.

Application of Sums raised under this Act.

28. All and every Part of the Monies which the Company are by this Act authorized to raise by new Shares or Mortgage shall be applied only to the Purposes authorized by this Act and the recited Act.

Interest not to be paid on Calls paid up.

29. It shall not be lawful for the Company, out of any Money by this Act or the recited 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.

Tolls.

30. It shall be lawful for the Company to demand and receive any Tolls for the Use of the Tramroad not exceeding the following; (that is to say,)

Tolls for Passengers or Cattle.

1. In respect of Passengers and Animals conveyed upon the Tramroad, as follows:

For every Person carried in or upon any Carriage, the Sum of Sixpence; and if conveyed in or upon Carriages belonging to the Company, an additional Sum of Twopence:

For every Horse, Mule, or other Beast of Draught or Burden, Sixpence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum of Twopence:

For Cattle, the Sum of Sixpence *per* Head; and if conveyed in Carriages belonging to the Company, an additional Sum of Twopence:

For

For Calves, Pigs, Sheep, and small Animals, Threepence each; and if conveyed in Carriages belonging to the Company, an additional Sum of One Penny:

Tonnage on Articles of Merchandise.

2. In respect of the Tonnage of all Articles conveyed upon the Tramroad, or any Part thereof, as follows:

For all Coals, Coke, Culm, Cannel, Ironstone, Iron Ore, Pig Iron, Bar Iron, Rod Iron, Sheet Iron, Hoop Iron, Plates of Iron, Slabs, Bullets, and Rolled Iron, Limestone, Chalk, Lime, Bricks, Salt, Sand, Fireclay, Cinders, Slag, and Stone, *per* Ton Eightpence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton of Twopence:

For all 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 (except Fireclay), and for Wrought Iron not otherwise specifically classed herein, and for heavy Iron Castings, including Railway Chairs, *per* Ton Eightpence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton of Twopence:

For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, Deals, and Metals (except Iron), Nails, Anvils, Vices, and Chains, and for light Iron Castings, *per* Ton Tenpence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton of Twopence:

For Cotton and other Wools, Drugs, and manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, or Things, *per* Ton Tenpence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton of Twopence:

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, One Shilling:

And a like Sum of Threepence for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh.

Locomotives not to be used.

31. No Locomotive Engine or Carriage propelled by Steam or by atmospheric Agency or drawn by Ropes in connexion with a Stationary Engine shall be used on the Tramroad.

Maximum Rate of Speed.

32. The maximum Rate of Speed at which any Carriages shall be drawn on the Tramroad shall not exceed Ten Miles an Hour.

Toll for Use of Animal Power.

33. The Toll which the Company may demand for the Use of Horses or other Animal Power provided by the Company shall not exceed the Sum of Fourpence 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 for the Use of the Tramroad.

34. The

Maximum Rates of Charges.

34. The maximum Rate of Charge to be made by the Company for the Conveyance of Passengers along the Tramroad, including the Tolls for the Use of the Tramroad, and of Carriages, and for motive Power, and every other Expense incidental to such Conveyance as aforesaid, shall not exceed the following Sums; (that is to say,)

For every Passenger conveyed in a First-class Carriage, One Shilling:

For every Passenger conveyed in a Second-class Carriage, Ninepence:

For every Passenger conveyed in a Third-class Carriage, Threepence.

For Cattle, Goods, &c.

35. And with respect to the Conveyance of Goods, the maximum Rates of Charges to be made by the Company for the Conveyance thereof along the Tramroad, including the Tolls for the Use of the Tramroad and Waggons or Trucks and motive Power, and every Expense incidental to such Conveyance and for Delivery and Collection, and any other Services incidental to the Business or Duty of a Carrier, when 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 Horse, Mule, and other Beast of Draught or Burden, One Shilling;

For Cattle, Ninepence *per* Head;

For every Calf, Pig, Sheep, and other small Animal, Fourpence;

For all Coal, Coke, Ironstone, and other Articles herein-before classed therewith, Ninepence *per* Ton;

For all Dung, Compost, and other Articles herein-before classed therewith, Ninepence *per* Ton;

For all Sugar, Grain, and other Articles herein-before classed therewith, One Shilling *per* Ton;

For all Cotton and other Articles herein-before classed therewith, One Shilling *per* Ton;

And for every Carriage of whatever Description, not being a Carriage adapted and used for travelling on a Tramroad, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, Two Shillings, and Sixpence for every additional Quarter of a Ton which such Carriage may weigh.

Regulations as to the Tolls.

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

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.

Tolls for small Parcels and Articles of great Weight.

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

For the Carriage on the Tramroad, 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 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.

Passengers Luggage.

38. Every Passenger travelling upon the Tramroad 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.

39. 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)

Parcels) by Passenger Trains, or by reason of any other special Service performed by the Company in relation thereto.

Company may contract with the South-eastern Railway Company as to working and Use of Tramroad.

40. It shall be lawful for the Company on the one hand, and the *South-eastern* Railway Company on the other hand, from Time to Time to enter into Contracts and Agreements for and in respect of the Working, Maintenance, Management, and Use of the Tramroad, and for and in respect of the Interchange of Traffic, and the Collection, Division, and Appropriation of the Tolls, Rates, and Charges in respect thereof, and any Matter incidental thereto.

Contract subject to Approval of Board of Trade.

41. Provided always, That any such Contract or Agreement shall not be valid and binding unless and until approved of by the Board of Trade, who shall not approve thereof without being satisfied that it has been duly assented to by the Shareholders of the respective Companies in Extraordinary Meeting assembled for the Purpose as herein-after provided.

Sanction of Extraordinary Meetings to Traffic Arrangements.

42. Any such Contract or Agreement shall not be valid unless the Sanction of an Extraordinary Meeting of each of the said Companies shall have been or shall be given thereto by a Majority at each such Meeting of Holders of Three Fifths of the Capital represented thereat respectively, personally or by proxy.

Traffic Arrangements not to affect Tolls, &c.

43. Provided also, That any such Contract or Agreement shall not in any Manner increase, diminish, alter, or affect any of the Tolls, Rates, or Charges which the respective Companies are from Time to Time respectively authorized to demand or receive from any Person not Party to the Contract or Agreement, but all such other Persons shall, notwithstanding any such Contract or Agreement, be entitled to use the Tramroad to which the Contract or Agreement relates upon the same Terms and Conditions, and on Payment of the same Tolls, Rates, and Charges as if the Contract or Agreement were not entered into.

During Agreement Traffic on both Lines not to be subject to Short-distance Clause on both Lines.

44. In estimating the Tolls or Charges to be paid during the Continuance in force of any such Agreement as aforesaid in respect of Articles or Persons conveyed for short Distances partly upon the *South-eastern* Railway and partly upon the Tramroad by this Act authorized, the Tramroad shall be considered as Part of the *South-eastern* Railway.

Meetings how to be convened.

45. Every such Meeting of the Company or of the *South-eastern* Railway Company shall be called by Advertisement inserted for Two successive Weeks in a Morning Newspaper published in *London* and in some Newspaper of the County in which the principal Office of the Company convening such Meeting is situate, the last of which Advertisements

Advertisements shall be published not less than Seven Days before such Meeting.

Board of Trade may modify Agreements.

46. Provided always, That it shall be lawful for the Board of Trade, if they think fit, on the Expiration of every Ten Years from the Commencement of any such Agreement, or on the Expiration of Ten Years from the Period when any Revision thereof shall be made by them, to cause the same to be revised, and the Board of Trade shall have Power to declare any Modification required by that Board Part of such Agreement, and thenceforth such Agreement shall be construed and take effect accordingly.

Agreement may be renewed with Approval of Board of Trade.

47. At the Expiration of any such Contract or Agreement the Company and the *South-eastern* Railway Company, subject to the Approval of the Board of Trade, may enter into a further Contract or Agreement for all or any of the Purposes aforesaid: Provided that before such Companies shall enter into any such further Contract or Agreement as aforesaid they shall give Notice of their Intention to enter into such Contract or Agreement by Advertisement, in a Form to be approved of by the Board of Trade, inserted once in each of Three successive Weeks in some Newspaper published or circulated in the Town of *Hastings* or the County of *Sussex;* and every such Notice shall set forth within what Time and in what Manner any Company or Person aggrieved by such proposed Contract or Agreement, and desiring to object thereto, may bring such Objection before the Board of Trade; and no such Contract or Agreement shall be valid at Law or in Equity until the same shall have been approved of by the Board of Trade.

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

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

Short Title. Expenses of Act.

49. This Act may be cited for all Purposes as "The *Hastings* Harbour Act, 1863," and all the Costs, Charges, and Expenses of and incidental to the obtaining of this Act and preparatory thereto shall be paid by the Company.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1863.