ANNO VICESIMO QUINTO & VICESIMO SEXTO

VICTORIÆ REGINÆ.

Cap. clxxiii.

An Act for making a Railway from *Kettering* to *Thrapstone* in the County of *Northampton*, and for other Purposes. [29th *July* 1862.]

WHEREAS the Construction of a Railway from the *Leicester and Hitchin* Railway of the *Midland* Railway Company in the Parish of *Kettering* and County of *Northampton* to *Thrapstone* in the same County would be of public and local Advantage: And whereas it is expedient that the Persons herein-after named, together with other Persons, should be incorporated into a Company for the Purposes of the Undertaking: And whereas it is expedient that the Company so to be incorporated and the *Midland* Railway Company should be empowered to make and carry into effect Working Arrangements (as 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,)

1. "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts 8 & 9 Vict. cc. 16. 18. & 20. and

23 & 24 Vict. c. 106. incorporated.

Construction of Terms.

Acts Amendment Act, 1860," and "The Railways Clauses Consolidation Act, 1845," 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 Term "Superior Courts" and the Term "Courts of competent Jurisdiction" respectively include County and other Courts having by Law Cognizance of the Action.

Short Title.

2. This Act may be cited for any Purpose as "*Kettering and Thrapstone* Railway Act, 1862."

Incorporation of Company.

3. *Henry Potter Burt*, *Samuel Ridley*, and *Hew Dalrymple*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Railway and Works herein-after described, with proper Works and Conveniences in connexion therewith, according to the Provisions of this Act, and for other the Purposes herein and in the said incorporated Acts mentioned, and for the Purposes aforesaid shall be incorporated by the Name of "The *Kettering and Thrapstone* 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 Eighty thousand Pounds, and shall be divided into Eight thousand Shares of the Amount of Ten Pounds each.

Calls.

5. One Fourth of the Share shall be the greatest Amount of any One Call which the Company may make on any Share created by them under the Powers of this Act, and Three Fourths of the Share shall be the utmost aggregate Amount of Calls made in any One Year upon any Share, and Two Months at least shall be the Interval between successive Calls.

Power to borrow Money.

6. It shall be lawful for the Company to borrow on Mortgage any Sum not exceeding in the whole Twenty-six thousand six hundred Pounds, but no Part of such Sum shall be borrowed until the whole of the said Capital or Sum of Eighty 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 Consolidation Act, 1845," (before he so certifies,) that the whole of the said Capital of Eighty thousand Pounds has been subscribed for *bonâ fide*, and is held by the Subscribers or their Assigns, and that such Subscribers or their Assigns are legally liable

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.

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

Application of Monies.

8. 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.

9. 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.

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

10. 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.

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

Number and Qualification of Directors.

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

Quorum of Directors.

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

First Directors.

14. *Henry Potter Burt*, *Samuel Ridley*, and *Hew Dalrymple*, and any Two other duly qualified Persons nominated in this Behalf by the before-named

named Persons, or by the Survivors of them, or by a Majority of the before-named Persons or of the Survivors of them, shall be the First Directors of the Company, and shall continue in Office until the First Ordinary Meeting of the Company in the Year One thousand eight hundred and sixty-three: Provided always, that the Acts and Proceedings of the Directors for the Time being previous to such Nomination shall not be invalidated or prejudiced by reason of the Number of Directors being less than Five.

Provision for Directors retiring and future Elections.

15. At the First Ordinary Meeting to be held in the Year One thousand eight hundred and sixty-three the Shareholders present, personally or by Proxy, may either continue in Office the First Directors or any of them, or may elect a new Body of Directors, or Directors to supply the Places of those not continued in Office, and additional Directors, if necessary, to make up the Number of Five, 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-four, and at the First Ordinary Meeting in every subsequent Year, the Shareholders present, personally or by Proxy, shall elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions of "The Companies Clauses Consolidation Act, 1845," in that Behalf; and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having resigned, shall continue Directors until others are elected in their Stead as in that Act mentioned.

Power to make Railway and Works according to deposited Plans.

16. Whereas Plans and Sections of the proposed Railway and Works showing the Line and Levels thereof, and also a Book of Reference thereto containing the Names of the Owners and Lessees or reputed Owners and Lessees and of the Occupiers of the Lands through which the same are intended to pass, or which may be required for the Purposes of the Undertaking, have been deposited with the Clerk of the Peace for the County of *Northampton:* 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 in the said Sections, and may enter upon, take, and use such of the said Lands as shall be deemed necessary for the Purposes thereof.

Line of Railway.

17. The Railway shall commence in the Parish of *Kettering* in the County of *Northampton* by a Junction with the *Leicester and Hitchin* Railway of the *Midland* Railway Company, and shall terminate in the Parish of *Thrapstone* in the County of *Northampton* in a Field abutting on the West Side of the *Northampton and Peterborough* Railway of the *London and North-western* Railway Company.

18. Not-

Power to alter Engineering Works.

18. Notwithstanding anything in "The Railways Clauses Consolidation Act, 1845," contained, the Company in the Construction of the Railway may deviate from the Line and Levels of any Arches, Tunnels, or Viaducts described in the deposited Plans or Sections, so as the Deviations be made within the Limits of Deviation shown on those Plans, and subject to the Limitations contained in the Eleventh, Twelfth, and Fifteenth Sections of that Act, and so as the Nature of the Work as described be not altered, and they may also substitute any other Engineering Work not shown on those Plans or Sections instead of a Tunnel, Viaduct, Arch or Arches, as shown thereon, provided that every such Substitution be authorized by a Certificate of the Board of Trade; and the said Board is hereby empowered to grant such Certificates, provided it shall appear to them upon due Inquiry that the Company has acted in the Matter with good Faith, and that the Owners, Lessees, and Occupiers of the Land in which the Substitution is intended to be made consent thereto, and also that the Safety and Convenience of the Public will not be diminished thereby: Provided that nothing herein contained shall take away or affect any of the Powers given to the Company or to the Board of Trade by the Eleventh, Twelfth, Fourteenth, or Fifteenth Sections of "The Railways Clauses Consolidation Act, 1845."

Provision for Approach Road at Islip.

19. If the Company make a Station in the Field numbered on the deposited Plans 28 in the Parish of *Islip*, then the Company may and shall make the Approach Road through that Field to connect that Station with the Turnpike Road adjoining that Field as near as may be to the River *Nene* there so as to avoid (as far as conveniently may be) Injury to that Field by Severance.

Company may stop up Road numbered 25, Cranford St. John.

20. The Company may stop up the Road numbered on the deposited Plans Twenty-five in the Parish of *Cranford Saint John*, and may fence off the same at and from the Sides of the Railway, and thenceforth all Rights of Way over or along the Portion of Road so stopped up (except for Foot Passengers) are hereby extinguished: Provided always, that the Company shall maintain a convenient Crossing over the Railway on the Level for Foot Passengers on the Site of that Portion of Road, with good and sufficient Gates or Stiles for the same on each Side of the Railway.

Mode of effecting Communication with Midland Railway.

21. The Communications between the Railway hereby authorized and the *Midland* 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 *Midland* Railway Company may from Time to Time approve and require, and shall be executed to his Satisfaction in all respects; and in case of any Difference arising as to the Mode of effecting such Communication, the same shall

be determined, at the Cost of the Company, by a Referee to be appointed by the Board of Trade, on the Application of either Company.

Expenses of Communications to be borne by the Company.

22. The Expenses of the Communications hereby authorized with the *Midland* Railway, and of the necessary Openings in the Rails thereof, and of all other Works which may from Time to Time be requisite for effecting, altering, amending, repairing, and maintaining such 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 *Midland* Railway Company, and in such Manner and Form and by such Ways and Means only as shall not in anywise prejudice or injure the *Midland* Railway, or impede or interfere with the free, uninterrupted, and safe Passage along the same.

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

23. The *Midland* 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 Railway and the *Midland* Railway; and the working and Management of such Signals, Works, and Conveniences, and the Control and Direction of such Watchmen, Pointsmen, Switchmen, and other Persons, shall belong exclusively to the *Midland* Railway Company; and all the Costs and Expenses of erecting and maintaining such Signals, Works, and Conveniences, and the Wages of such Watchmen, Pointsmen, Switchmen, and other Persons, shall at the End of every Half Year be repaid by the Company to the *Midland* 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 *Midland* Railway Company in any Court of competent Jurisdiction.

Company to acquire only Easements in Lands of the Midland Railway Company.

24. With respect to any Land of the *Midland* Railway Company 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 *Midland* 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; and it shall not be lawful for the Company to take, enter upon, or use, either permanently or temporarily, any of the Lands belonging to the *Midland* Railway Company, or to alter, vary, or interfere with the *Midland* Railway or any of the Works thereof, further or otherwise than is necessary for hee proper and convenient Junction between their said Railway and the

Railway

Railway hereby authorized, without the Consent in every Instance for that Purpose first had and obtained of the *Midland* Railway Company under their Common Seal.

Saving Rights of the Midland Railway Company.

25. Provided always, That, except as is by this Act expressly provided, this Act or anything herein contained shall not take away, diminish, alter, or prejudice any of the Rights, Powers, Privileges, or Authorities of the *Midland* Railway Company.

Saving Rights of other Companies.

26. Nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, or Powers of the *London and North-western* Railway Company otherwise than is herein expressly provided.

Company not to take Lord Lyveden's Land, without Consent.

27. Notwithstanding anything in this Act or any of the Acts incorporated with this Act contained, it shall not be lawful for the Company to enter upon, take, or use any Land belonging to the Right Honourable *Robert Vernon Vernon* Baron *Lyveden* without his previous Consent in Writing in that Behalf.

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 Three Acres.

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 Three 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. 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, a Sum of Five thousand eight hundred and ninety-eight Pounds One Shilling and Eightpence Stock in the Three Pounds *per Centum* Consolidated Bank Annuities, purchased for the Sum of Five thousand six hundred Pounds, being Eight *per Centum* upon the Bmount of the Estimate of the Expense of the Railway authorized by this Act, has been transferred into the Name of the Accountant General of the Court of Chancery in *England* in respect to the Application to Parliament for this Act: Therefore, 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 Dividends of that Sum, shall

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 Dividends thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*: Provided that at any Time after the passing of this Act if a Bond in twice the Amount of the said Sum of Five thousand six hundred Pounds 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 of the Lords Commissioners of Her Majesty's Treasury,) conditioned for Payment to Her Majesty, Her Heirs or Successors, of the Sum of Five thousand six hundred Pounds if the Company shall not, within the Period by this Act limited for the Completion of the Railway, either open the Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Board of Trade that the Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital, and if such Bond shall have been deposited with the said Solicitor to the said Lords Commissioners, then such Sum of Stock so transferred as aforesaid, and the Dividends thereof, shall be transferred 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 so transferred as aforesaid, and the Dividends thereof, would have been dealt with under this Act if such Bond had not been executed and deposited

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.

Power to take Tolls.

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

Tonnage on Goods, &c.

In respect of the Tonnage of all Articles conveyed thereon or upon any Part thereof, and included in the following Classes:

Class 1. For all Compost, Dung, and all Sorts of Manure, Lime and Limestone, and Salt, and all undressed Materials for the Repair of public Roads or Highways, not exceeding, for the Use of the Railway, 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 Coals, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all other Stones, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandise, not exceeding, for the Use of the Railway, One Penny Halfpenny *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 all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, not exceeding, for the Use of the Railway, Twopence *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 all Cotton and other Wools, Drugs, manufactured Goods, and other Wares, Merchandise, Fish, Articles, Matters, or Things, not exceeding, for the Use of the Railway, Threepence *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 every Carriage, of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, not exceeding, for the Use of the Railway, Fourpence *per* Mile; and if any such Carriage be conveyed on a Truck or Platform provided by the Company, an additional Sum *per* Mile not exceeding Twopence; and for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton beyond One Ton which any such Carriage may weigh, an additional Sum of One Penny Halfpenny:

In respect of Animals conveyed in Carriages upon the Railway, as follows:

Class 6. For every Horse and Ass and other Beast of Draught or Burden conveyed in or upon any such Carriage, not exceeding, for the Use of the Railway, Threepence *per* Mile; and if conveyed in or upon any Carriage provided by the Company, an additional Sum *per* Mile not exceeding One Penny:

Class 7. For every Ox, Cow, Bull, or Head of Neat Cattle conveyed in or upon any Carriage, not exceeding, for the Use of the Railway, Twopence *per* Mile; and if conveyed in or upon any Carriage provided by the Company, an additional Sum *per* Mile not exceeding One Halfpenny:

Class 8. For every Calf or Pig conveyed in or upon any Carriage, not exceeding, for the Use of the Railway, One Halfpenny *per* Mile; and if conveyed in or upon any Carriage provided by the Company, an additional Sum *per* Mile not exceeding One Farthing:

Class 9. For every Sheep, Lamb, or other small Animal conveyed in or upon any Carriage, not exceeding, for the Use of the Railway, One Farthing *per* Mile; and if conveyed in or upon any Carriage provided by the Company, an additional Sum *per* Mile not exceeding One Farthing:

In respect of Passengers conveyed in Carriages upon the Railway, as follows:

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

Tolls for propelling Power.

33. For the Use of any Engine provided by the Company for drawing or propelling Carriages on the Railway the Company may demand any Toll not exceeding One Penny *per* Mile for each Passenger or Animal, or for each Ton of Goods or other Articles, in addition to the several other Tolls by this Act authorized to be taken.

Regulations respecting Tolls.

34. The following Provisions and Regulations shall be applicable to the fixing of the Tolls and maximum Rates of Charge; (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:

With respect to Passengers, any Fraction of a Mile beyond Four Miles or beyond any greater Number of Miles shall be deemed One Mile:

For a Fraction of a Mile beyond Four Miles or beyond any greater Number of Miles the Company may, in respect of Animals and Goods, demand Tolls and Charges in proportion to the Number of Quarters of a Mile contained in such Fraction, and for this Purpose

Purpose a Fraction of a Quarter of a Mile shall be deemed a Quarter of a Mile:

For a Fraction of a Ton the Company may demand Toll according to the Number of Quarters of a Ton in such Fraction, and for this Purpose a Fraction of a Quarter of a Ton 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 Weights.

35. 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 Tolls not exceeding the Tolls following; (that is to say,)

For Parcels not exceeding Seven Pounds in Weight, any Sum not exceeding Threepence:

For Parcels exceeding Seven Pounds and not exceeding Fourteen Pounds, any Sum not exceeding Fivepence:

For Parcels exceeding Fourteen Pounds and not exceeding Twenty-eight Pounds, any Sum not exceeding Sevenpence:

For Parcels exceeding Twenty-eight Pounds and not exceeding Fifty-six Pounds, any Sum not exceeding Ninepence:

For Parcels exceeding Fifty-six Pounds and less than Five Hundredweight 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 any Sum not exceeding, for the Use of the Railway, Sixpence *per* Ton *per* Mile:

For the Carriage of any One Boiler, Cylinder, or single Piece of Machinery, or single Piece of Stone, Timber, or other single Article, the Weight of which, with the Carriage, shall exceed Eight Tons, the Company may demand such Sum as they shall think fit.

Passengers Luggage.

36. 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

for Second-class Passengers, and Sixty Pounds in Weight for Third-class Passengers, without any Charge being made for the Carriage thereof.

Maximum Tolls for Passengers.

37. 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 such Conveyance, shall not exceed the following Sums:

For every Passenger conveyed in a First-class Carriage, the Sum of Threepence *per* Mile:

For every Passenger conveyed in a Second-class Carriage, the Sum of Twopence *per* Mile:

For every Passenger conveyed in a Third-class Carriage, the Sum of One Penny Halfpenny *per* Mile:

Maximum Tolls for Goods.

38. The maximum Rates of Charge to be made by the Company for the Conveyance of Animals and Goods, Articles, Matters, and Things, including the Tolls for the Use of the Railway, and of Carriages, and for locomotive Power, and every other Expense incidental to such Conveyance (except a reasonable Sum for loading, covering, and unloading Goods at any Terminal Station of such Goods, and for Delivery and Collection, and any other Services incidental to the Business or Duty of a Carrier, where such Services or any of them are or is performed by the Company), shall not exceed the Amounts herein-after limited; (that is to say,)

For Matters comprised in Class 1. not exceeding One Penny Farthing *per* Ton *per* Mile:

For Matters comprised in Class 2. not exceeding Twopence *per* Ton *per* Mile:

For Matters comprised in Class 3. not exceeding Threepence *per* Ton *per* Mile:

For Matters comprised in Class 4. not exceeding Fourpence *per* Ton *per* Mile:

For any Carriage comprised in Class 5., not weighing more than One Ton, not exceeding Sixpence *per* Mile; and if weighing more than One Ton, not exceeding Sixpence *per* Mile for the First Ton, and One Penny Halfpenny *per* Mile for every Quarter of a Ton or fractional Part of a Quarter of a Ton beyond the first Ton:

For every Animal comprised in Class 6. not exceeding Fourpence *per* Mile:

For every Animal comprised in Class 7. not exceeding Threepence *per* Mile:

For every Animal comprised in Class 8. not exceeding One Penny Halfpenny *per* Mile:

For every Animal comprised in Class 9. not exceeding One Penny *per* Mile.

39. No

Terminal Station defined.

39. No Station is to be considered a Terminal Station in regard to any Goods conveyed on the Railway which have not been received thereat direct from the Consigner of such Traffic, or are not directed to be delivered thereat to the Consignee.

Special Trains.

40. The Restrictions as to the Charge to be made for Passengers shall not extend to any Special Train that may be required to be run 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 take extra Tolls by Agreement.

41. This Act or anything herein contained shall not prevent the Company from taking, over and above the Charges by this Act limited, any increased Charges for the Conveyance of Goods of any Description, by Agreement with the Owners or Persons in charge of such Goods, either by reason of any special Service performed by the Company in relation thereto, or in respect to the Conveyance of any Goods (other than small Parcels) by Passenger Trains.

Power to enter into Traffic Arrangements.

42. The Company and the *Midland* 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 Mode and Place of effecting the Junction and Communication between the *Leicester and Hitchin* Railway and the Railway by this Act authorized, and the Cost and Expenses thereof and of the Works connected therewith, the Erection and Maintenance of such Signals, Works, and Conveniences, and Employment of such Watchmen, Switchmen, and Persons as aforesaid, and the Payment of the Expenses, Wages, Costs, and Charges thereof or connected therewith:

The Maintenance and Repair, Management, Use, and working by the *Midland* Railway Company of all or any Part of the Railway of the Company, and of the Works and Conveniences belonging thereto:

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

The fixing, Collection, taking, and levying of the Tolls, Rates, and Charges 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.

Agreements to be approved by Board of Trade.

43. No such Contract (save only so far as it might be entered into under the Provisions of "The Railways Clauses Consolidation Act, 1845," incorporated with this Act, or any other General Statute or Law from Time to Time in force, and applicable to the contracting Companies respectively,) shall have any Operation until the same shall have been approved of by the Board of Trade; and no such Contract shall in any Manner alter, affect, increase, or diminish any of the Tolls, Rates, or Charges which those Companies shall for the Time being be respectively authorized and entitled to demand and receive from any Person or from any other Company, but all other Persons and Companies shall, notwithstanding any such Contract, be entitled to the Use and Benefit of the Railways to which the same Contract may relate, upon the same Terms and Conditions, and on Payment of the same Tolls, Rates, and Charges, as they would have been in case no such Contract and Arrangement had been entered into.

Not to affect Persons not Parties thereto.

Assent of Shareholders.

44. The Board of Trade shall not approve any such Contract as aforesaid until it has been duly assented to by Three Fifths of the Votes of the Shareholders of each Company, Party thereto respectively, at Special Meetings convened with Notice of this Object of the Meeting.

Meeting how to be convened.

45. Such Meeting shall be called by Advertisement inserted once in each of 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 by whom or on whose Behalf such Advertisement is inserted is situate, the last of which Advertisements shall be published not less than Seven Days before such Meeting, and also by Circular addressed to each Shareholder entitled to vote at Meetings of such Company, to be served in the Manner prescribed by "The Companies Clauses Consolidation Act, 1845," with respect to Notices requiring to be served by the Company upon the Shareholders.

Agreements between Companies may be revised by Board of Trade.

46. Provided always, That at the Expiration of the first or any subsequent Period of Ten Years from the making of any such Contract for which the Approval of the Board of Trade is required as aforesaid, or of any Revision of any such Contract, it shall be lawful for the Board of Trade, if they are of opinion that any of the Terms or Conditions of the Contract are prejudicial to the public Interests, to cause the same to be revised, and the Board of Trade shall have Power to declare any Modification required by that Board to be Part of such Contract, and thenceforth such Contract shall be construed and take effect with the Modification accordingly.

47. The

Notice of Revision.

47. The Company previously to the Expiration of each such decennial Period shall give such Notice as the Board of Trade shall prescribe that that Board has such Power, and is about to enter upon such Revision, and will entertain Complaints with a view to the Removal of any Evil resulting from any such Contract.

During Contracts Mileage Rates only to be taken on new Line.

48. During any such Contract the Provisions of this Act authorizing Tolls and Charges as for Four Miles on the Railway by this Act authorized shall not extend or apply to Traffic passing on the same Journey also over any Part of any Railway of the *Midland* Railway Company, but in respect of the Passage of such Traffic over the Railway by this Act authorized only the Tolls and Charges *per* Mile and Terminal Charges by this Act authorized shall be taken, and the Provisions as to Fractions of Miles shall apply thereto, although the Distance traversed on the Railway by this Act authorized may be less than Four Miles.

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

49. 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.

Expenses of Act.

50. The Costs and Expenses of obtaining and passing this Act, and 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. 1862.