ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

****

Cap. ccxlix.

An Act for authorizing the Construction of a Railway from the *Great Eastern* Railway at *Mellis* to *Eye* in the County of *Suffolk*; and for other Purposes. [5th *July* 1865.]

WHEREAS the making of a Railway from the *Great Eastern* Railway at *Mellis* to *Eye* in the County of *Suffolk* would be of great public and local Advantage: And whereas the Persons herein-after named, with others, are willing at their own Expense to carry such Undertaking into execution, but the same 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 the present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

1. In citing this Act for any Purpose it shall be sufficient to use the Expression " The *Mellis and Eye* Railway Act, 1865." Short Title.

2. " The Companies Clauses Consolidation Act, 1845," " The Lands Clauses Consolidation Act, 1845," " The Lands Clauses Consolidation Acts Amendment Act, 1860," " The Railways Clauses Consolidation Act, 1845," Parts 1 and 3 of " The Railways Clauses Act, 1863," and Part 1 of " The Companies Clauses Act, 8 & 9 Vict. cc. 16., 18., & 20., 23 & 24 Vict. c. 106., and 26 & 27 Vict. cc. 92. & 118. incorporated.

1863," shall, so far as the same are not expressly varied by or inconsistent with the Provisions of this Act, be incorporated with and form Part of this Act.

Same Meanings to Words in this Act as in incorporated Acts.

3. The several Words and Expressions to which by the Acts incorporated with this Act Meanings are assigned shall have in this Act the same respective Meanings, unless excluded by the Subject or Context.

Subscribers incorporated.

4. Sir *Edward Clarence Kerrison* Baronet, the Right Honourable *John Henniker Major* Lord *Henniker*, *Edgar Chenery*, *Benjamin Cotton Etheridge*, and all other the Persons and Corporations who have already subscribed or may hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, are by this Act united into a Company for the Purpose of making and maintaining the Railway herein-after described, with proper Works and Conveniences in connexion therewith; and for the Purposes of this Act, and for such Purposes as aforesaid, are incorporated by the Name of "The *Mellis and Eye* Railway Company," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have Power to purchase, take, hold, and dispose of Lands and Hereditaments for the Purposes of the Undertaking, subject to the Restrictions herein and in the incorporated Acts contained.

Capital.

5. The Capital of the Company shall be Fifteen thousand Pounds, and the Number of Shares into which the said Capital shall be divided shall be Fifteen hundred, and the Amount of each Share shall be Ten Pounds; and it shall not be lawful for the Company to issue, nor shall any Share vest in the Person accepting the same, unless and until a Sum not being less than One Fifth of the Amount of such Share shall have been paid up in respect thereof.

Calls.

6. Two Pounds shall be the greatest Amount of a Call, and Three Months at least shall be the Interval between successive Calls, and the aggregate Amount of all Calls made in any One Year shall not exceed Three Fourths of the nominal Amount of a Share.

Power to borrow on Mortgage.

7. The Company from Time to Time may borrow on Mortgage any Sums not exceeding in the whole Five thousand Pounds, but no Part thereof shall be borrowed until the whole of the Capital of Fifteen thousand Pounds is subscribed for *bonâ fide*, and One Half Part is paid up, and the Company have proved to the Justice who is to certify under the 40th Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the whole of the Capital is subscribed for or taken, and that the Shares for all such Capital are issued, and One Half Part of such Capital has been paid up, and that not less than Twenty *per Centum* has been paid on account of each separate Share before or at the Issue thereof, and that they are *bonâ fide*

fide held by the Subscribers or their Assigns, and for which such Subscribers or their Assigns are legally liable, of which Proof having been given the Certificate of the Justice under that Section shall be sufficient Evidence: Provided always, that all and every Part of the Money raised under this Act, whether by Share or Mortgage, shall be applied only to the Purposes authorized by this Act.

Arrears may be enforced by Appointment of a Receiver.

8. The Mortgagees may enforce the Payment of the Arrears of Principal and Interest due on any Mortgage by the Appointment of a Receiver, and in order to authorize the Appointment of such Receiver in the event of the Principal Monies due on any such Mortgage not being duly paid, the Amount owing to the Mortgagees by whom Application for such Receiver shall be made shall not be less than Five hundred Pounds in the whole.

First and other Ordinary Meetings.

9. The First Ordinary Meeting of the Company shall be held within Six Months of the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held half-yearly in the Months of *February* and *August* in every Year.

Number and Qualification of Directors.

10. The Number of Directors of the Company shall be Six, and the Qualification of each Director shall be the Possession in his own Right of Ten Shares in the Undertaking.

Quorum of Directors.

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

First Directors.

12. Sir *Edward Clarence Kerrison* Baronet, the Right Honourable *John Henniker Major* Lord *Henniker*, *Edgar Chenery*, *Benjamin Cotton Etheridge*, the Honourable *John Major Henniker Major*, and *Robert Chase* shall be First Directors of the Company.

Election of Directors.

13. The Directors appointed by this Act shall continue in Office until the First Ordinary Meeting held after the passing of this Act, and at that Meeting the Shareholders present personally or by proxy may either continue in Office the Directors appointed by this Act, or any of them, or the Meeting may elect a new Body of Directors, or so many Directors as are required to supply the Place of those not continued in Office, the Directors appointed by this Act being if qualified eligible for Re-election; 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, agreeable to the Provisions of "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."

Newspaper for Advertisements.

14. The Newspaper for Advertisements shall be any Newspaper published in the County of *Suffolk*.

15. The

Lands for extraordinary Purposes.

15. The Company may purchase by Agreement for extraordinary Purposes any Quantity of Land not exceeding in the whole Four Acres.

Powers for compulsory Purchases limited.

16. The Powers of the Company for the compulsory Purchase of Lands under this Act shall not be exercised after the Expiration of Two Years from the passing of this Act.

Period for Completion of Works.

17. The Railway shall be completed within Three Years from the passing of this Act, and on the Expiration of that Period the Powers by this Act granted to the Company for executing the Railway and Works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Railway and Works as is then completed.

Powers to make the Railway, &c. according to deposited Plans.

18. Whereas Plans and Sections of the Railway and Works showing the Line and Levels thereof respectively, and also a Book of Reference containing the Names of the Owners, Lessees, and Occupiers of the Land through which the same are intended to pass or be made, have been deposited with the Clerk of the Peace for the County of *Suffolk*: Therefore, subject to the Provisions of this Act, the Company may make and maintain the Railway and Works in the Line and upon the Lands delineated on those Plans and described in that Book of Reference, and according to the Levels described in those Sections, and may enter upon, take, and use such of those Lands as shall be necessary for that Purpose.

Railway and Works.

19. The Railway and Works by this Act authorized are the following; to wit,

First, a Railway situate wholly in the County of *Suffolk*, commencing in the Parish of *Mellis* by a Junction with the *Great Eastern* Railway near the Goods Warehouse of the *Mellis* Station of that Railway, and terminating in the Parish of *Eye* at or near *Magdalen Street* in that Parish.

Level Crossings.

20. Subject to the Provisions of this Act, the Company may carry the Railway, with not more than One Line of Railway so long as the Railway is a single Line, and with not more than Two Lines of Rails when the Railway is a double Line, across and on the Level of the Roads numbered on the Plans deposited for the Purposes of this Act, as follows; that is to say,

No. on Plan.	Parish.	Description of Road.
9	Yaxley - - -	Public Highway.
66	" - - -	Public Highway.
1	Eye - - -	

Not to erect Coke Ovens, &c.

21. The Company shall not at any Time hereafter erect any Coke Ovens or other manufacturing Works of any Description along that Portion

Portion of the Line which passes through the *Yaxley Hall* Estate, as the same is now constituted, without the Consent of the Owner thereof.

Accommodation Works for Mr. Welch.

22. That in carrying the Railway through the Property of *Patrick Robert Welch*, his Heirs or Assigns, the Company shall provide a Communication across the Railway where it crosses the Road or Site of Road numbered 52 on the deposited Plans, where the Company shall construct a Bridge over the said Railway of the Width of 20 Feet, if the said Railway shall be in a Cutting, but if the said Railway shall be on an Embankment they shall construct a Bridge of 20 Feet wide and 12 Feet high, and shall also construct a Bridge over the Railway 10 Feet in Width, where it crosses the Occupation Road numbered 58 on the same Plans; and in case of Difference Reference to be made to an Arbitrator, at the Expense of the Company, to be appointed by the Board of Trade.

Money deposited in the Bank of England to remain there until Railway opens, or certain Proofs given.

23. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of Her present Majesty, Chapter 20, a Sum of One thousand and eighty-two Pounds Two Shillings and Ninepence new Three Pounds *per Centum* Annuities, equal in Value to the Sum of Nine hundred and Sixty Pounds, has been transferred into the Name and with the Privity of the Accountant General of the Court of Chancery in *England* pursuant to the said Act, and with respect to the Application for this Act, being Eight *per Cent.* on Twelve thousand Pounds, the Amount of the Estimate of the Expenses of the Railway authorized by this Act: Be it enacted, That notwithstanding anything contained in the said recited Act, the said Sums so transferred as aforesaid in respect of the Application for this Act, or the Interest or Dividends of such Sums of Money, 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 named in the Warrant or Order issued in pursuance of the said Act, or the Survivors or Survivor of them, unless the Company shall, previous to the Expiration of the Period limited by this Act for the Completion of the Railway hereby authorized to be made, either open the Railway for the public Conveyance of Passengers, or prove to the 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 Period shall expire before the Company shall have opened the Railway for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the Stock so transferred as aforesaid, 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 or transferred by the Officer or Person in whose

whose Name they shall 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 if at any Time after the passing of this Act a Bond in twice the Amount of the said Sum of Nine hundred and sixty Pounds shall have been executed by the said 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 to Her Majesty's Treasury,) conditioned for the Payment to Her Majesty, Her Heirs and Successors, of the said Sum, 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 be deposited with the said Solicitor to the said Lords Commissioners, then such Sum of Money, 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 Survivor or Survivors 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 Money, 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 Fact so certified.

Tolls.

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

In respect of Passengers 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.

For Goods, &c.

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

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, or Hoop Iron, and all other similar Description 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 carried in Carriages provided by the Company, an additional Sum *per* Ton *per* Mile not exceeding Three Farthings:

Class 4. For Sugar, Grain, 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, Cottons, 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 if conveyed in Carriages provided by the Company, an additional Sum *per* Ton *per* Mile not exceeding One Penny:

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.

In respect of Animals conveyed upon the Carriages upon the Railway: For Animals

For every Horse, Mule, Ass, or other Beast of Draught or Burthen conveyed in or upon any Carriage, for the Use of the Railway *per* Mile not exceeding Threepence; 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 other 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:

The Toll which the Company may demand for the Use of the 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.

Maximum Rates for Passengers.

25. The maximum Rate of Charges 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 Carriage 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 a 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 a Mile.

Restriction as to Charges not to apply to Special Trains.

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

Passengers Luggage.

27. Every Passenger travelling upon the Railway may take with him his ordinary Luggage, not exceeding One hundred and twenty Pounds in Weight for First-class Passengers, One hundred Pounds in Weight for Second-class Passengers, and Sixty Pounds in Weight for Third-class Passengers, without any Charge being made for the Carriage thereof.

Maximum Rates for Goods.

28. 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 Service incidental to the Business or Duty of a Carrier, when such Services,

or

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 Part of a Penny a Ton a Mile:

For all other Goods in Class 1, One Penny Farthing *per* 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:

For any Carriage of every Description not being a Carriage adapted and used for travelling on a Railway, carried on a Truck or Platform, *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 every such Carriage may weigh:

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

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.

Regulation as to Tolls.

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

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

For a Fraction of a Mile the Company may demand and take Toll for Passengers as for One Mile, and for Animals and Goods in proportion to the Number of Quarters of a Mile contained in the Fraction, and if there be a Fraction of a Quarter of a Mile such Fraction shall be deemed 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:

General Weight.

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 every 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.

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

For the Carriage of small Parcels not exceeding Seven Pounds in Weight, Threepence, whatsoever the Distance:

For the Carriage of small Parcels exceeding Seven but not exceeding Fourteen Pounds in Weight, Fivepence, whatsoever the Distance:

For every Parcel exceeding Fourteen Pounds but not exceeding Twenty-eight Pounds in Weight, Sevenpence, whatsoever the Distance:

For every Parcel exceeding Twenty-eight Pounds but not exceeding Fifty-six Pounds in Weight, Ninepence, whatsoever the Distance:

For Parcels exceeding Fifty-six Pounds and not exceeding One Hundredweight, Two Shillings, and the Company may demand any Sum not exceeding Ninepence for every Hundredweight beyond One Hundredweight, up to Five Hundredweight:

Provided always, that Articles sent in large aggregate Quantities 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 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 if conveyed in a Carriage belonging to the Company, an additional Sum not exceeding Twopence a Ton a Mile; and if propelled by an Engine belonging to the Company, or drawn by Horse or other Motive Power, an additional Sum not exceeding Three Farthings a Ton a Mile:

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

As to Stations to be considered Terminal Stations.

31. 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 Consignor of such Traffic, or are not directed to be delivered thereat to the Consignee.

Company may take increased Charges by Agreement.

32. This Act, or anything herein contained, shall not prevent the Company from taking any increased Charges over and above the Charges by this Act limited 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 and Station Arrangements.

33. The Company on the one hand and the *Great Eastern* Railway Company on the other hand may from Time to Time enter into and carry into effect, and from Time to Time alter, rescind, or renew any Contracts with respect to the following Purposes or any of them, and all Matters incidental thereto; (that is to say,)

The

The Maintenance, Management, and Working by the *Great Eastern* Railway Company of all or any Part of the Railway of the Company, and of all or any of the Stations, Works, and Conveniences belonging to the Company, and the Costs and Expenses thereof:

The Collection, Regulation, Management, Interchange, Protection, Transmission, and Delivery by the *Great Eastern* Railway Company of the whole or any Part of the Traffic upon the Railway or any Part of the Railway of the Company:

The Division and Apportionment of such Traffic between the contracting Companies:

The Supply, Maintenance, and Use of any Rolling or Working Stock or Plant required for such Purposes, and the Employment of Officers and Servants:

The Collection and fixing of the Tolls, Rates, and Charges to be levied or taken in respect of the Traffic conveyed over the Railway of the Company, or any Part thereof, not exceeding the maximum Tolls, Rates, and Charges authorized by this Act:

The Division, Appropriation, Apportionment, and Distribution of the Tolls and other Receipts arising from the Traffic of 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 such Contract:

The Rent and other Payments and Allowances, periodical or otherwise, to be paid or allowed by either of the contracting Companies to the other of them, and the Appropriation thereof.

Saving the Rights of the Great Eastern Company.

34. Nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, or Powers of the *Great Eastern* Railway Company, otherwise than is herein expressly provided for.

During Continuance of Contract, Railway of contracting Companies to be considered Part of Railway.

35. During the Continuance of any Contract entered into under the Authority of this Act, in estimating the Amount of Tolls or Charges in respect of Traffic conveyed partly on the Railway and partly on the *Great Eastern* Railway for a less Distance than Three Miles, Tolls and Charges may only be charged as for Three Miles; and in respect of Passengers, for each Mile or Fraction of a Mile beyond Three Miles, Tolls and Charges as for One Mile only; and in respect of Animals, Minerals, and Goods, for every Quarter of a Mile or Fraction of a Quarter of a Mile beyond Three Miles, Tolls and Charges as for a Quarter of a Mile only; and no other Short-distance Charge than for Three Miles shall be made for the Conveyance of Passengers, Animals, Minerals, and Goods or other Matters partly on the Railway and partly on the *Great Eastern* Railway.

Provision for Arbitration.

36. All Matters in difference between the Company and the *Great Eastern* Railway Company as to the Construction or Effect of the preceding

preceding Enactments, or the Performance or Observance or Non-performance of any of the Provisions thereof, shall, as and when the same arise, be referred to and determined by Arbitration in the Manner provided by "The Railway Companies Arbitration Act, 1859," and as if the Two Companies had agreed to refer the same for Arbitration in accordance with that Act, and the Arbitrators or (as the Case may be) the Arbitrators and Umpire, shall be at liberty to make Awards from Time to Time on any Part of the Matters referred to him or them.

Interest not to be paid on Calls paid up.

37. The Company shall not, out of any Money by this Act authorized to be raised by Calls in respect of the Shares, or by the Exercise of any Power of borrowing, 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 this Act shall not 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 of "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

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

38. The Company shall not, out of any Money by this Act authorized to be raised, 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 to 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 Undertakings.

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

39. This Act or anything herein contained shall not 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 this 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.

40. The Costs and Expenses of obtaining and passing this Act, or 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. 1865.