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tions deposited as in the said Act mentioned: And whereas by the "*Midland* Railways Extension to *Hitchin*, *Northampton*, and *Huntingdon* Railway (*Wellingborough* Deviations) Act, 1848," the said *Midland* Railway Company were authorized to abandon the Formation of Part of the Line of Railway, and of Two of the Branch Railways, by the said recited Act authorized, and to substitute another Line of Railway and Branches in lieu thereof: And whereas since the passing of the said Acts the *Great Northern* Railway has been completed and opened to the Public, but the Line of Railway and Branches authorized by the said Acts have not been made, and it is expedient that the said Acts should be repealed, and that such Provisions thereof as are necessary to be retained should, with such Alterations as are expedient and proper, be re-enacted in this Act, and that the said *Midland* Railway Company should be authorized to abandon the Formation of the said Railway and Branches according to the Direction and Levels thereof as defined on the Plans and Sections referred to in the said Acts, or such Part of the same as may differ in Direction or Levels from the Line or Levels defined on the Plans deposited as herein-after mentioned, and to make a Railway from the *Midland* Railway near *Leicester*, to join the said *Great Northern* Railway near *Hitchin* in the County of *Herts*, with a Branch in the Parish of *Wellingborough* in the County of *Northampton*, to connect the said proposed Railway with the *Northampton and Peterborough* Branch of the *London and North-western* Railway, and Two Approach Roads in the said last-mentioned Parish, according to the Line and Levels defined on such last-mentioned Plans and Sections: And whereas the Plans and Sections lastly herein-before referred to, and defining the Line and Levels of the said proposed Railway, Branch Railway, and Approach Roads, together with Books of Reference to the said Plans, containing the Names of the reputed Owners and Lessees and of the Occupiers of the Lands which may be required to be taken for the Purposes of the said Works, have been deposited with the respective Clerks of the Peace of the Counties of *Leicester*, *Northampton*, *Bedford*, and *Hertford*: And whereas it is also expedient that the said *Midland* Railway Company should have Power to lay down Rails on a Portion of the *Rugby and Stamford* Branch of the *London and North-western* Railway, in the Parish of *Great Bowden* in the County of *Leicester*, to the Extent defined on the last-mentioned Plans; but for the Purposes aforesaid the Authority of Parliament is necessary: 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 of the Commons, in this present Parliament assembled, and by the Authority of the same, in manner following; (that is to say,)

I. That

Repeal of former Acts.

I. That from and after the passing of this Act the recited Acts, (that is to say,) "The *Midland* Railways Extension to *Hitchin*, *Northampton*, and *Huntingdon* Railway Act, 1847," and "The *Midland* Railways Extension to *Hitchin*, *Northampton*, and *Huntingdon* Railway (*Wellingborough* Deviations) Act, 1848," shall be and the same are accordingly hereby repealed: Provided always, that the Repeal of the said Acts shall not affect the Title of the Company to any Lands which they may have purchased under the Authority of the first-recited Act for the Purposes of their Station at *Leicester* by that Act authorized to be enlarged, nor deprive them of any Rights or Powers with reference to that Station which they would have possessed or might have exercised if this Act had not been passed.

Saving Rights of Owners, &c. to Compensation for Entry to survey and take Levels.

II. That nothing in this Act contained shall prejudice or affect the Right of the Owner or Occupier of any Lands which the Company were empowered to purchase under the Provisions of the said Acts, or either of them, to receive from the Company Compensation for any Damage occasioned by the Entry of the Company upon such Lands for the Purpose of surveying and taking Levels, and of probing or boring to ascertain the Nature of the Soil, or of setting out the Line of the Railway pursuant to the Provisions for that Purpose in "The Lands Clauses Consolidation Act, 1845," contained, but the Company shall not be liable to make Compensation in any of the Cases aforesaid unless the Claim for such Compensation shall have been made within Six Months from the passing of this Act.

Compensation to be made where Contracts entered into or Notice given.

III. That in any Case where before the passing of this Act any Contract has been entered into or Notice given by the Company for purchasing any Lands which they were by the recited Acts or either of them empowered to purchase, the Company shall make to the Owners or Occupiers of and other Persons interested in such Lands full Compensation for all Injury or Damage sustained by such Owners, Occupiers, and other Parties by reason of such Purchase not being completed pursuant to such Contract or Notice, and the Amount and Application of such Compensation shall be determined in the Manner provided by "The Lands Clauses Consolidation Act, 1845," for determining the Amount and Application of the Compensation to be paid for the Lands taken under the Provisions thereof.

Power to raise additional Capital.

IV. That, notwithstanding the Repeal of the first-recited Act, it shall be lawful for the Company to raise, for the Purposes of this Act, on the Credit of their Undertaking and the Revenue arising thereon, either by creating new Shares or by borrowing on Mortgage, or by both of those Means, any Sum or Sums of Money not exceeding in the whole the Sum of Nine hundred thousand Pounds: Provided always, that all and every Part of the Money so to be raised shall be applied only

only to the Purposes of this Act, and that no Part of the said Money shall be raised except for the Purposes of this Act; and that if the Company shall, under the Provisions herein-after contained, apply to the Purposes of the Undertaking under this Act any Part of the Funds or Capital which may be raised by them under the Provisions of "The *Midland* Railway Capital Act, 1851," it shall not be lawful for them to raise any greater Portion of the said Sum of Nine hundred thousand Pounds than will remain after deducting therefrom the Sum so applied to the said Undertaking out of the Funds or Capital raised by virtue of "The *Midland* Railway Capital Act, 1851."

Limitation as to borrowing.

V. Provided always, That it shall not be lawful for the Company to borrow on Mortgage under the Authority of this Act any greater Sum than Three hundred thousand Pounds, or any Sum or Sums of Money which, together with such Sums as may be due and owing by the Company on Mortgage of their Undertaking at the Time of the borrowing such Sum or Sums of Money, would amount to more than One Third of the Capital in the Company in Shares or Stock; and it shall not be lawful for the Company to borrow the Money hereby authorized to be raised by Mortgage, unless and until Six hundred thousand Pounds of the Capital which the Company are by this Act authorized to raise shall have been subscribed for in Shares and shall have been actually paid up: Provided also, that if any new Shares shall be created by virtue of this Act, such Shares shall entitle the Holders thereof to such Rights and Privileges only as may be determined on in reference thereto before the Creation thereof by any General Meeting of the Company.

Former Mortgages to have Priority.

VI. Provided always, That all Mortgages granted by the Company before the passing of this Act, and which shall be in force at the Time of the passing of this Act, shall during the Continuance thereof have Priority over all Mortgages to be created by virtue of this Act.

Power to attach a Preference to new Shares.

VII. That it shall be lawful for the Company, with the Authority of a Majority of not less than Three Fifths of the Shareholders present, personally or by Proxy, at a General Meeting of the Company specially convened for the Purpose, to grant and secure in respect of any new Shares which they may create under the Powers of this Act for the Purposes of the Undertaking under this Act, such Preference Dividend or Interest, at any Rate not exceeding Four Pounds Ten Shillings for the Hundred Pounds by the Year, as they may think fitting or expedient: Provided always, that it shall not be lawful for the Company to pay any Interest or Dividend on any such new Shares after the Expiration of Five Years from the passing of this Act, unless and until the Railway shall be open for the Purposes of public Traffic.

VIII. Pro-

Existing Securities to have Priority.

VIII. Provided always, That this Act or anything therein contained shall not prejudice or affect any Preference or Priority in the Payment of Interest or Dividend on any Shares or Stock in the Company created or issued by the Company before the passing of this Act, or confirmed by any Act, or otherwise lawfully subsisting at the Time of the passing of this Act, or any Dividend on any *Midland* Mortgage Preference Shares, or any Payment in respect of any *Midland* Annuities.

Extending Provisions of 8 & 9 Vict. cc. 18. 20. & 16. to this Act.

IX. That "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," and the several Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the Distribution of the Capital of the Company into Shares, and with respect to the Transfer and Transmission of Shares, and with respect to the Payment of Subscriptions and the Means of enforcing the Payment of Calls, and with respect to the borrowing of Money by the Company on Mortgage or Bond, and with respect to the Conversion of borrowed Money into Capital, shall be incorporated with and form Part of this Act, except so far as the said Provisions or any of them may be expressly varied by this Act.

Power to apply Capital.

X. That the Undertaking by this Act authorized shall be in substitution for the Undertaking authorized by the said Two first-recited Acts, and shall form Part of the Undertaking of the *Midland* Railway Company; and it shall be lawful for the said Company to apply towards the carrying the same into effect any Funds or Capital, not exceeding in Amount the said Sum of Nine hundred thousand Pounds, which may be at their Disposal, or which they may be authorized to raise under the Powers of "The *Midland* Railway Capital Act, 1851."

Power to make Railways, ApproachRoads, and other Works.

XI. That it shall be lawful for the Company, in lieu of and in substitution for the Railway, Branch Railways, and Approach Roads by the said recited Acts authorized, to make and maintain the Railway, Branch Railway, and Works herein-after more particularly described, together with all proper Works and Conveniences connected therewith, except as herein-after mentioned, according to the Lines and Levels defined on the Plans and Sections deposited with the said several Clerks of the Peace for the Counties of *Leicester*, *Northampton*, *Bedford*, and *Hertford* respectively, as herein-before mentioned; (that is to say,)

A Railway commencing by a Junction with the *Midland* Railway near *Leicester* in the Parish of *Great Wigston* in the County of *Leicester*, and at a Distance of Half a Mile, or thereabouts, North of the *Wigston* Station on the said Railway, and terminating by a Junction with the Line of the *Great Northern* Railway at

at or near the *Hitchin* Station of that Railway, in the Parish of *Hitchin* in the County of *Herts*:

A Branch Railway diverging out of the said intended Main Line of Railway in the Parish of *Wellingborough* in the County of *Northampton*, and terminating by a Junction with the *Northampton and Peterborough* Branch of the *London and Northwestern* Railway, near the *Wellingborough* Station on the said Branch in the Parish of *Irchester*:

Also, Two Roads of Approach in the said Parish of *Wellingborough*, One thereof from *Sheep Street* in the Town of *Wellingborough* to the Station of the said intended Railway in the last-mentioned Parish; and the other thereof from *Cheese Lane* in the said Town, to join the said first-mentioned intended Road of Approach.

Bedford, Ampthill, and Woburn Turnpike Road to be diverted in a Direction different from that shown on the Plans deposited as aforesaid.

XII. Whereas the *Bedford, Ampthill, and Woburn* Turnpike Road, numbered on the Plans deposited as aforesaid 14, in the Parish of *Saint Mary Bedford*, is shown thereon as intended to be diverted through the Properties numbered respectively 10, 11, 12, 12 a, and 13, in the said Parish on the said Plans, and as intended to be carried into the public Carriage Road numbered on the said Plans 8 in the said Parish: And whereas the Trustees of the said Road, and all other Parties interested, are desirous that the said Turnpike Road should be diverted in a Direction different from that shown upon the Plans deposited as aforesaid: And whereas a Plan showing the Manner in which it is now proposed to divert the said Turnpike Road was, in the Month of *April* in the Year One thousand eight hundred and fifty-three, deposited with the Clerk of the Peace for the County of *Bedford*: Be it therefore enacted, That in the Construction of the Railway the Company may divert the said *Bedford, Ampthill, and Woburn* Turnpike Road in the Direction and Manner and to the Extent shown on the said Plan deposited in the Month of *April* in the Year One thousand eight hundred and fifty-three, but in no other Manner; and it shall be lawful for the Company to enter upon, take, and use such of the Lands delineated on the Plan deposited in the Month of *April* One thousand eight hundred and fifty-three as may be necessary for diverting the said Turnpike Road.

Power to effect a Junction with the Great Northern Railway, and to lay down Rails on a Portion of the Rugby and Stamford Line, &c.

XIII. That it shall also be lawful for the Company to make and maintain all such Works as may be necessary for joining the said proposed Railway and Branch Railway, or either of them, and the Rails thereof, with the Line and Rails of the *Great Northern* Railway and of the *Rugby and Stamford* and *Northampton and Peterborough* Branches of the *London and North-western* Railway; and also to lay down additional Rails in the Parish of *Great Bowden* in the County of *Leicester*, on the Line of the said *Rugby and Stamford* Branch Railway,

Railway, and to alter the same to the Extent and in manner defined upon the Plans and Sections deposited as herein-before mentioned.

As to Communication with the London and North-western Railway.

XIV. That the Railway hereby authorized to communicate with the *Bedford and Bletchley* Branch, the *Northampton and Peterborough* Branch, and the *Rugby and Stamford* Branch of the *London and North-western* Railway, shall communicate with such Branch Railways, and diverge from the last-mentioned Branch Railway at the respective Points where, according to the Plan deposited as in this Act mentioned, such Railway appears to communicate therewith and diverge therefrom, and at no other Points or Point, without the Consent in Writing of the *London and North-western* Railway Company under their Common Seal first had and obtained; and that all Communications between the said Railway hereby authorized and the said *Bedford and Bletchley* Branch, the said *Northampton and Peterborough* Branch, and the said *Rugby and Stamford* Branch of the *London and North-western* Railway, shall be effected in a substantial and workmanlike Manner, by means of Connexion Rails and Points, of the Construction and laid in the Manner most approved from Time to Time, and to the entire Satisfaction of the Engineer for the Time being of the said *London and North-western* Railway Company.

Communications with the London and North-western Railway to be made at the Expense of the Midland Railway Company.

XV. That the Expense of the Communications hereby authorized with the *Bedford and Bletchley* Branch, the *Northampton and Peterborough* Branch, and the *Rugby and Stamford* Branch of the *London and North-western* Railway respectively, and of all necessary Openings in the Rails thereof respectively, 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, and also the Bridges and other Works necessary for carrying the said Railway hereby authorized over the said *Northampton and Peterborough* Branch Railway, and also of keeping the same in repair, shall be borne and paid by the *Midland* Railway Company; and that all such Communications, Openings, Crossings, Bridges, and other Works shall not only be in the first instance made and done, but shall also from Time to Time be altered, amended, repaired, and maintained, to the reasonable Satisfaction of the Engineer for the Time being of the said *London and North-western* Railway Company on each Occasion, and in such Manner and Form and by such Ways and Means as shall not in anywise prejudice or injure the said Branch Railways of the *London and North-western* Railway Company, or any or either of them, or impede, obstruct, or interfere with the free, uninterrupted, and safe Passage along the same Branch Railways or any of them.

XVI. That

Company not to take the Land of the London and North-western Railway Company or interfere with their Railway or Works.

XVI. That, notwithstanding anything in this Act contained, it shall not be lawful for the *Midland* Railway Company, or for any other Company, or for any other Person acting under or in execution of this Act, or for any other Purpose, either permanently or temporarily to enter upon, take, or use any of the Railways, Land, or Property belonging to the said *London and North-western* Railway Company, or which they have Power to take under their Acts of Parliament, or in any Manner to alter, vary, or interfere with the said *London and North-western* Railway, or any of the Works appertaining thereto, save only for the Purpose of effecting the several Crossings of such Branch Railways and the Junctions therewith and Divergence therefrom respectively by this Act authorized.

Regulating the crossing of certain Railways on the Level.

XVII. And whereas the Railway hereby authorized to be made is intended to cross the said *Bedford and Bletchley* Branch, and the Branch Railway from the *Bedford* Station to the River *Ouse* belonging to the *London and North-western* Railway Company, on the Level of the same Branches respectively; and it is expedient that due Provision should be made for preventing all Danger or Inconvenience, and all Interruption in the Traffic on the said Branch Railways respectively, owing to such Mode of crossing thereof: Be it therefore enacted, That it shall not be lawful for the *Midland* Railway Company, or for any Person using their Railway, to cross either of the said Branch Railways respectively with any Engines or Carriages, excepting at such Speed and under such Byelaws and Regulations as the *London and North-western* Railway Company shall from Time to Time determine; and if any Engines or Carriages employed on the said Railway hereby authorized shall cross either of the said Branch Railways otherwise than as the said *London and North-western* Railway Company shall have so authorized as aforesaid, the said *Midland* Railway Company shall be liable for each such Default to a Penalty of Fifty Pounds, payable to the *London and North-western* Railway Company: Provided always, that if any Dispute shall arise between the said Companies as to the Propriety or Expediency of any such Byelaws or Regulations as aforesaid, or as to the Construction thereof, such Dispute shall at the Requisition of either Company be determined, at the Costs of the Company, by the Board of Trade, or by an Arbitrator to be appointed by that Board.

Precautions against Danger to Railways crossed on the Level.

XVIII. That the *Midland* Railway Company shall not in any Manner interfere with the said Branch Railways so proposed to be crossed on the Level, or any of the Lands or Works belonging thereto, except only according to such Plans and in such Manner as shall be previously approved of in Writing by the Engineer for the Time being of the *London and North-western* Railway Company; and all Works in

in connexion with the said Branch Railways so proposed to be crossed on the Level shall be constructed, completed, and maintained at the Expense of the *Midland* Railway Company, under the Superintendence and Direction of the said last-mentioned Engineer, and in such Manner as not in any Manner to endanger or interfere with the Security of the said Branch Railways respectively, or to impede, obstruct, or interfere with the free, uninterrupted, and safe Passage along the same; and it shall be lawful for the said *London and North-western* Railway Company from Time to Time to require all such Precautions to be taken by the said *Midland* Railway Company, and all such Works to be constructed by them, and at their Expense, and for ever thereafter to be maintained by them, as may seem to the Engineer of the said *London and North-western* Railway Company expedient for protecting the said Branch Railways from Injury, or the Traffic thereon from Interruption, and the *Midland* Railway Company shall be bound and are hereby required from Time to Time to adopt such Precautions and construct such Works.

Damage to be made good, and a Penalty for interrupting Traffic on Branch Railways.

XIX. That if by reason of any of the Works or Proceedings of the *Midland* Railway Company the said *Rugby and Stamford* Branch, the *Northampton and Peterborough* Branch, or the *Bedford and Bletchley* Branch of the *London and North-western* Railway, or any of the Works connected therewith respectively, shall from Time to Time be injured or damaged, such Injury or Damage shall be forthwith from Time to Time made good by the said *Midland* Railway Company, at their own Expense; or in the event of their failing so to do, then the said *London and North-western* Railway Company may from Time to Time make good such Injury or Damage, and recover the Expense thereof against the said *Midland* Railway Company; and if any Interruption shall be occasioned to the Traffic of any of the said Branch Railways by reason of any of the Operations of the said *Midland* Railway Company, the said Company shall from Time to Time pay the said *London and North-western* Railway Company the Sum of Fifty Pounds *per* Day, by way of Penalty, for every Day during which such Interruption shall continue, and shall in addition repay to such last-mentioned Company all Costs and Expenses to which they may be put by reason of such Interruption, as well as full Compensation for the Inconvenience sustained by them by reason of such Interruption.

Saving Rights of the London and North-western Railway Company.

XX. That nothing in this Act contained shall prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, Franchises, or Authorities of or vested in or belonging to the said *London and North-western* Railway Company; but all their Rights, Privileges, Powers, Franchises, and Authorities under their several Acts of Parliament, and otherwise, are hereby expressly saved and reserved, not

only as against and with respect to the said *Midland* Railway Company, but also as against and with respect to all other Companies and Persons whomsoever.

Communications with Great Northern Railway to be made under the Direction of the Engineer of that Railway.

XXI. That the Communications between the Railways hereby authorized to be made and the *Great Northern* Railway, and all such Openings in the Ledges or Flanches of that Railway as may be necessary or convenient for effecting such Communications, shall be made under the Direction and Superintendence of the Engineer for the Time being of the *Great Northern* Railway Company; and in case of any Difference arising between the Engineer of the Company and the Engineer of the *Great Northern* Railway Company as to the Mode of effecting such Communications, then the same shall be determined by a Referee, to be appointed on the Application of either Company by the Board of Trade.

Not to take Lands or interfere with the Works of the Great Northern Railway Company without Consent.

XXII. That nothing in this Act contained shall extend or be deemed or construed to extend to authorize or enable the Company to take or enter upon any of the Lands belonging to the *Great Northern* Railway Company, or to alter, vary, or interfere with the said *Great Northern* Railway, or any of the Works thereof, further or otherwise than is necessary for the Construction of their Line and the convenient Junction and Intercommunication between the *Great Northern* Railway and the Railways hereby authorized, without the Consent in Writing of the *Great Northern* Railway Company in every Instance for that Purpose first had and obtained.

Saving the Rights of the Great Northern Railway Company.

XXIII. That nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, or Powers of the *Great Northern* Railway Company, otherwise than is herein expressly provided.

Trains to meet the Great Northern Railway Trains.

XXIV. That the Company shall provide a reasonable Number of Trains daily to meet the Trains of the *Great Northern* Railway, and to convey the Goods and Passenger Traffic to and from the last-named Railway to and from the Railway hereby authorized and the Towns and Places thereupon; and if any Dispute shall arise as to the Number of such Trains, or the Nature and Extent of the Accommodation afforded, or the Hours at which the Trains should start or arrive, or the Rates and Fares charged for Goods or Passengers, such Dispute shall be decided by the Board of Trade.

Board of Trade to regulate Manner in which other Railways are to

XXV. That it shall be lawful for the Board of Trade from Time to Time to make such Regulations as shall to them seem fitting or expedient, as to the Manner in which any crossing by the Railway of any other Railway upon the Level thereof shall be effected, and as to the

the Speed at which Trains of the Company shall cross any other Railway upon the Level thereof, and as to the stopping of such Trains, and the Erection and Employment of Signals, at or near any such Point of crossing, and the Company shall be bound to abide by any such Regulation; and until Regulations for the Purposes aforesaid shall have been made by the Board of Trade, no Engines or Carriages of the Company shall pass or be propelled across any other Railway upon the Level thereof.

be crossed on a Level, and the Speed at which Trains are to cross the same.

XXVI. That it shall be lawful for the Company to enter upon, take, and use such of the Lands delineated on the said Plans deposited as aforesaid, and described in the Books of Reference deposited therewith, as they may deem necessary for the Purpose of making, upholding, maintaining, and using the Railway, Branch Railway, Approaches, and Works by this Act authorized.

Power for Company to take Lands for Purposes of the Railway and Works.

XXVII. That in constructing the Railway over and on each Side of the River *Nene*, in the Parishes of *Irchester* and *Wellingborough*, as shown on the deposited Plan of the Branch Railway marked (C) to (D) on such Plans, the Company shall and they are hereby required to carry the Railway upon a Viaduct, so as to leave a clear Opening for the Passage of the Waters of the River and of the Flood Waters of not less in the whole than Two hundred and sixty Feet, measured at Right Angles to the Course or Direction of the Stream of the River; and the Company, in constructing the Bridge over the River at the Point aforesaid, shall provide a clear navigable Waterway of not less than Forty Feet, exclusive of Towing-paths, which shall be not less than Seven Feet in Width, and the Height from the Surface of the existing Towing-path to the under Side of the Bridge shall be not less than Ten Feet; and in constructing the Works over and on each Side of the River *Ise*, in the Parishes of *Irthlingborough* and *Wellingborough*, for the Purposes of the Main Line of Railway in the said Parishes, the Company shall and they are hereby required to carry the Railway upon a Viaduct, so as to leave a clear Opening at and adjoining such Crossing for the Passage of the Waters of the River and of the Flood Waters of not less in the whole than Ninety Feet, exclusive of the Stream numbered 1 in the Parish of *Irthlingborough* on the said Plans, the said Space of Ninety Feet to be measured at Right Angles to the Course or Direction of the Stream of such River, and the said Viaduct shall be so constructed as not to impede the Flow of Water to the Mill to which the said Stream numbered 1 belongs; and in constructing the Railway over and on each Side of the said River *Nene*, in the Parishes of *Irthlingborough* and *Irchester*, shown on the deposited Plans between the Marks denoting the Seventh and Eighth Furlongs of the Thirty-second Mile, the Company shall and they are hereby required to carry the Railway upon a Viaduct, so as to leave a clear Opening

Regulating Heights of Bridges over the Rivers Nene and Ise.

Opening for the Passage of the Waters of the River and of the Flood Waters of not less in the whole than Three hundred and fifty Feet, measured at Right Angles to the Course or Direction of the Stream of the River; and the Company in constructing the Viaduct aforesaid shall provide a clear navigable Waterway of not less than Forty Feet, exclusive of Towing-paths, which shall be of not less than Seven Feet in Width, and the Height from the Surface of the existing Towing-path to the under Side of such Bridge shall be not less than Ten Feet; and the Company shall deepen and widen the said River *Nene* under each of the Viaducts to be constructed over the said River, and for a Distance of Twenty-five Yards on each Side of the Centre Line such Viaducts respectively, such Width to be at least Forty Feet exclusive of Slopes, of not less than One Foot and a Half horizontal to One Foot vertical, and the Depth to be not less than the Depths shown on the deposited Sections of "The *Nene Valley* Drainage and Navigation Improvement Act, 1852," as the intended Bottom of such River; and where any Piles or other Works are necessarily placed on the Bed of the River, in the Formation of the respective navigable Openings and Works incidental thereto, the Waterway of each of the Rivers shall be made equal under and near the said Railway for the Passage of Water to a clear Channel of the Width of Forty Feet at Bottom, with Slopes of One Foot and a Half horizontal to One Foot vertical, but no more than One Pier shall be placed in the Bed of the River at each Crossing of the River *Nene*; and the Company shall construct a Towing-path of Gravel or of equally good Materials of the Width of Seven Feet along the Bank of those Parts of the River so to be deepened and widened to the Extent aforesaid, and proper Guiding Piles and other Works shall be placed in such Manner as the *Nene Valley* Drainage and Navigation Improvement Commissioners may require; and the Company shall for ever thereafter maintain and keep in repair the several Bridges, Viaducts, Towing-paths, Banks, Guiding Piles, and other Works connected with the said Railway to be so constructed, made, and provided by the Company; and no temporary Bridge shall be made over the Rivers *Nene* and *Ise*, except so as to leave a clear Waterway of at least Forty Feet and a Height of Ten Feet: Provided always, that the Company shall not construct the Branch shown on the deposited Plans, and marked thereon as from (E) to (F).

The Company to make good all Injury occasioned by the Works of the Railway to the Navigation.

XXVIII. That if at any Time after the Railway shall have been completed, any Injury or Damage shall be occasioned or arise to the several Rivers, within the Jurisdiction aforesaid or without the said Jurisdiction, through and along which the Waters thereof pass to the Outfall at Sea, or to the Navigation thereof, or to the Banks or Towing-paths thereof, from the Formation of any Bridge, Embankments, Ditches, Culverts, or other Works of the Railway, which may not have been foreseen or provided for by this Act, the Company shall make good

good and repair such Injury or Damage immediately after the Discovery thereof, and also make full Compensation to any Party or Public Body aggrieved by such Injury or Damage, and shall also execute such Works for the Prevention of any future Injury as shall be deemed necessary, so far as relates to any Works belonging to or the Property of the said *Nene Valley* Drainage and Navigation Improvement Commissioners, by the Engineers of the said *Nene Valley* Drainage and Navigation Improvement Commissioners and of the Company, or by an Umpire appointed by them; and so far as relates to any Works belonging to or the Property of any other Body or Party, by Two Referees to be appointed for that Purpose, One to be appointed by the Railway Company and the other by the respective Body or Party interested, or by an Umpire to be appointed by such Two Referees, such Works to be executed within such Time and in such Manner as shall be fixed and specified by such Engineer, Referees, or Umpire respectively; and such Damage and Compensation shall be payable to and receivable by the Parties respectively aggrieved by all or any of the Ways or Means by which any Damage or Compensation is made recoverable by the said incorporated Acts, and that the Costs of the said Engineer and Reference shall in either Case be in the Discretion of the Arbitrators or Umpire.

Railway Company to keep certain Parts of Towing-paths in repair.

XXIX. That the Railway Company shall and they are hereby required at their own Expense for ever hereafter to maintain and keep in perfect Repair such Parts of the several Barrier and other Banks and Towing-paths for the Space or Distance of not less than Twenty-five Yards on each Side of the Railway, measured from the Centre Line thereof, by the Sides of the said navigable or other Rivers, Cuts, Canals, Drains, and Watercourses within the Jurisdiction of the incorporated Commissioners aforesaid, as shall be altered or interfered with by the Company, and the Expense for ever hereafter of repairing, amending, and maintaining the same for the Space or Distance above mentioned shall be borne and paid by the Company.

Where Railway shall affect the Course of present Towing-paths Company to alter the Course of such Towing-paths in a convenient Manner.

XXX. That where in the making or constructing of the Railway it shall be necessary to alter the Course of any of the Towing-paths (if any) of the said navigable Rivers, Canals, Cuts, Drains, and Watercourses used for Navigation, within or without the Jurisdiction aforesaid, the Company shall and they are hereby required to make such Alteration in a proper, convenient, and efficient Manner, and so as not to impede the Navigation of any of the said Rivers, Canals, Cuts, Drains, and Watercourses, and that the Navigation and Passage of Waters through the same, or the Passage of the said Roadways, shall not, during the Construction of the Railway or for the Repairs thereof when made, be hindered, impeded, or obstructed for a longer Period than shall be absolutely necessary for making, executing, erecting,

erecting, or repairing any of the several Works necessary for the Construction or Repair of the Railway.

General Direction as to crossing Drains.

XXXI. That, except as aforesaid, and except the Side Drains of the *Northampton and Peterborough* Railway, all existing Rivers, Drains, and Watercourses now under the Jurisdiction and Management of the said incorporated Commissioners affected by the Railway shall be crossed by Bridges of a single Span each, of full and ample Dimensions.

Railway Company to repair Works.

XXXII. That the Company shall from Time to Time and at all Times hereafter well and sufficiently and substantially repair, uphold, maintain, and support all Works constructed by the Company for the Purposes of the Railway, within or without the Jurisdiction aforesaid, in any way affecting the Drainage or Navigation or Efficiency of the Works of the said incorporated Commissioners.

Works to be executed under the Superintendence of an Engineer.

XXXIII. That the Details and Mode of constructing the several Bridges and other Works herein directed to be executed, protecting the Interests of the *Nene Valley* Drainage and Navigation Improvement Commissioners, together with all necessary and contingent Works, whether temporary or permanent, and as well those which are as those which are not specifically mentioned, but which are necessarily consequent upon or fairly implied by the several Stipulations and Conditions herein provided for, shall be carried out upon Drawings and Specifications to be submitted to and approved of by the Engineer for the Time being of the said incorporated Commissioners previously to the Commencement of the Works, and shall be commenced, carried on, and completed to the reasonable Satisfaction of such Engineer, and so that no Obstruction or Interruption shall be caused to the Boats or Barges passing along the said River *Nene*, or to the Horses hauling the same, nor to Drainage by such River; and the reasonable Costs of such Engineer shall be borne by the Company; and in case any Dispute shall arise between the Engineers of the said Company and of the Commissioners as to the said Drawings and Specifications, and as to the carrying on and Completion of the Works, the same shall be settled by Arbitration in manner provided by "The Railway Clauses Consolidation Act, 1845."

Lands taken by the Railway Company to remain liable to the Drainage Taxes.

XXXIV. That any Land which may be required to be taken or used by the said Railway Company, which at the Time of passing of this Act shall, under or by virtue of any Act of Parliament, be subject to any Drainage Taxes or Drainage Charges now or hereafter to be imposed on the said Lands under or by virtue of such Act, or any Act that may hereafter be passed for amending such Act, shall remain subject to the same Taxes and Charges in the same Manner but not to any greater Extent than if this Act had not passed, or if such Lands had

had not been taken or used by the said Railway Company; and such Taxes and Charges, and any Penalties that may be incurred for Non-payment thereof, shall be recoverable not only by Distress and Sale of any Goods and Chattels belonging to the said Railway Company, but also by and under the Powers and Provisions of any Act of Parliament under which the same Lands have been or shall be assessed, rated, taxed, or charged.

Railway Company to provide Means to remove Ice during Floods.

XXXV. That the Railway Company shall, at all Times when the Occasion may arise, take all necessary Measures for removing any Drift Ice that may be found at or against any of the Works of the Railway Company in any of the said navigable or other Rivers or Water-courses, within or without the Jurisdiction aforesaid, and which shall obstruct the Flow of Water, so as to effectually prevent any Ice accumulating or remaining at or against any of the said Railway Works or Bridges; and if the Railway Company shall not break and effectually remove the Ice, or if any Drift Ice shall accumulate against any of the said Works of the Railway Company, the Agents or Workmen of the said incorporated Commissioners, or of any other public Body interested in the said navigable or other Rivers, and having Control over the same, may proceed to take Measures for removing such Ice, and may recover the Amount of any Costs or Charges so incurred by Neglect of the Company in such and the like Manner as is directed for the summary Recovery of Penalties and Costs in the said incorporated Acts.

Saving Rights of the incorporated Commissioners in the Execution of their Works.

XXXVI. That, except as by this Act expressly authorized, nothing herein contained shall extend to prejudice, alter, lessen, control, or take away, or be deemed or construed to prejudice, alter, lessen, control, or take away, any of the Rights, Powers, or Authorities now vested in or enjoyed by the said incorporated Commissioners for deepening, widening, varying, altering, or diverting any existing Rivers, Drains, or Watercourses used for the Drainage of any Lands liable to be taxed under "The *Nene Valley* Drainage and Navigation Improvement Act, 1852," or to prejudice, lessen, prevent, or restrain the making of new Cuts, Rivers, Drains, or Watercourses by such Act authorized to be made for improving the Drainage or Navigation thereof; but that all such Rights, Powers, and Authorities of the said incorporated Commissioners, and all other Rights, Powers, and Authorities of such Commissioners, shall remain in as full Force to all Intents and Purposes as if this Act had not been passed: Provided always, that in so widening, deepening, varying, altering, or diverting the existing Rivers, Drains, and Watercourses, or making any such new Cuts, Rivers, Drains, or Watercourses as aforesaid, nothing shall be done to impede or interfere with the Use of the Railway or the Traffic thereupon.

XXXVII. That

Railway Company to raise Works and prevent Injury.

XXXVII. That if any Person or Body, at any Time after the Railway Company or any Person employed or authorized by them shall have begun to carry this Act into execution, shall sustain any Damage or Injury in his or their Lands, Tenements, or Hereditaments, by or in consequence of any lowering of the Banks of any of the said Rivers, Drains, or Watercourses within the Jurisdiction of the said incorporated Commissioners, by reason of any Works done by the Company, or from any Soakage through the new Banks that may be required or substituted by them, then and in such Case, upon due Notice of such Damage or Injury being given as aforesaid, the Company shall and they are hereby required to raise the Banks, and to effectually to stop any Soakage and prevent such Injury.

Penalty on Company for Non-repair of Banks, &c.

XXXVIII. That if the Company shall neglect or refuse to raise the Banks, or to stop the Soakage, or prevent such Injury as last aforesaid, for the Space of Fourteen Days after Notice requiring them to do so, they shall be subject to a Penalty not being less than Five Pounds for every Hour during which the same or any similar or like Obstruction, or such Damage or Injury thereby occasioned, shall at any Time occur, remain, or happen after the Expiration of the Fourteen Days, which Penalty may be recovered against the Company by the said incorporated Commissioners in such and the like Manner as is directed for the summary Recovery of Penalties and Costs in the Acts incorporated in "The *Nene Valley* Drainage and Navigation Improvement Act, 1852."

Level Crossings.

XXXIX. That, subject to the Provisions in this Act and in the "Railways Clauses Consolidation Act, 1845," contained, it shall be lawful for the Company in the Construction of the said Railway to carry the same across and upon the Level of the several Turnpike and public Carriage Roads numbered on the Plans deposited as aforesaid as follows; (that is to say,)

In the Parish of *Wigston Magna*, the Road numbered 11:
In the Parish of *Great Bowden*, the Road numbered 49:
In the Parish of *Little Bowden*, the Road numbered 24:
In the Parish of *Isham*, the Road numbered 3:
In the Parish of *Little Harrowden*, the Road numbered 6:
In the Parish of *Great Harrowden*, the Road numbered 5:
In the Parish of *St. Paul Bedford*, the Road numbered 18:
In the Parish of *Henlow*, the Road numbered 9:
In the Parish of *Ickleford*, the Roads numbered 34 and 45 respectively.

Station or Lodge to be erected at

XL. That for the greater Convenience and Security of the Public, the Company shall erect and permanently maintain either a Station or Lodge

Points of crossing.

Lodge at the Points where the said Railway crosses the before-mentioned Roads on the Level; and the Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Roads on the Level, or with regard to the Speed at which Trains shall pass such Roads, as may from Time to Time be made by the Board of Trade; and if the Company shall fail to erect or at all Times maintain any such Station or Lodge, or appoint a proper Person to watch or superintend the Crossing at such Point or Station, or to observe or abide by any such Rule or Regulation as aforesaid, they shall for every such Offence be liable to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred.

Board of Trade may require Bridges in lieu of level Crossings.

XLI. That it shall be lawful for the Board of Trade, if it shall appear to them to be necessary for the Public Safety, at any Time hereafter to require the Company, within such Time as the said Board shall direct, and at the Expense of the Company, to carry any or either of the said Roads either over or under the Railway by means of a Bridge or Arch, in lieu of crossing the same on a Level, or to execute such other Works as under the Circumstances of the Case shall appear to the said Board to be best adapted for removing or diminishing the Danger arising from such level Crossing; but where any such Road shall be so carried either under or over the Railway, it shall not be necessary for the Company to erect or maintain any Station or Lodge at the Point where such Road may be crossed, or to appoint any Person to watch or superintend the Crossing thereat, nor shall they be liable to any of the aforesaid Penalties for Failure so to do.

Commissioners of Woods, &c. empowered, with Consent of the Vicar, to convey on behalf of Her Majesty Part of the Glebe Lands of Sharnbrook Vicarage to the Company in Fee.

XLII. Whereas the Queen's most Excellent Majesty in right of Her Crown is seised of or entitled to the Advowson and Right of Patronage and Presentation to the Vicarage of *Sharnbrook* in the County of *Bedford* and Diocese of *Ely*, and certain Parts of the Glebe belonging to the said Vicarage are intended to be purchased or taken by the said Company for the Purpose of making the said Railway: Be it enacted, That it shall be lawful for the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or either of them, and they and he are and is hereby authorized and empowered, with the Consent of the Vicar for the Time being of the said Living, to contract and agree with the said Company for the absolute Sale in Fee Simple of the whole or any Part of such Portion of the Glebe Lands of the said Vicarage of *Sharnbrook* as the said Company are by this Act authorized to purchase or take, at or for such Price or Consideration in Money, and upon such Terms and Conditions, as shall be settled and agreed upon between the said Com-

missioners for the Time being, or One of them, with such Consent as aforesaid, and the said Company; and upon Payment of such Price or Consideration, by any Deed or Writing under the Hands and Seals of the said Commissioners for the Time being, and of the said Vicar for the Time being, (in which Deed or Writing the full and true Consideration shall be expressed and set forth, and such Deed shall be duly stamped with the full and proper Stamp Duty in respect of such Consideration,) to convey such Part of the said Glebe Lands as shall be so purchased, and the Fee Simple and Inheritance thereof, to the said Company for the Purposes of this Act, which said Deed or Writing being enrolled in the Office of Land Revenue Records and Inrolments, and registered in the Registry of the Diocese in which the said Vicarage is situate, shall be effectual to vest in the said Company the Lands therein or thereby expressed to be conveyed, any Act or Law to the contrary notwithstanding; and the Purchase or Consideration Money expressed in such Conveyance shall, before the Execution thereof by the said Commissioners and Vicar for the Time being, be invested by and at the Expense of the said Company in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or Three and a Half *per Centum* Annuities, or Two and a Half *per Centum* Annuities, in the Name or Names of the Governors of the Bounty of Queen *Anne* for the Augmentation of the Maintenance of the Poor Clergy; and until such Annuities shall be sold for the Purposes herein-after mentioned, the said Governors shall and they are hereby required from Time to Time to pay the Dividends, Interest, or annual Proceeds thereof to the Vicar for the Time being of the said Vicarage, according to the Rules, Orders, and Regulations of the said Governors in that Behalf with respect to the general Funds at their Disposal.

Purchase Money to be invested in Bank Annuities in the Names of the Governors of Queen Anne's Bounty.

Empowering Governors of Queen Anne's Bounty to lay out Purchase Money in Purchase of other Lands.

XLIII. That it shall be lawful for the said Governors of the Bounty of Queen *Anne* for the Augmentation of the Maintenance of the Poor Clergy, and they are hereby authorized and empowered, if the said Governors shall think fit, at the Request in Writing of the Vicar for the Time being of the said Living, and to whom any such Dividends shall be payable, to sell the whole or any Portion of the said Bank Annuities, and to apply the Monies arising therefrom in the Purchase of other Lands convenient to be held as Part and Parcel of the said Living; and the said Governors shall cause such Lands, when so purchased, to be well and effectually conveyed to and vested in the Vicar for the Time being of the said Living, and his Successors, to be held by him and them as Part and Parcel of the said Living for ever.

Commissioners of Woods em-

XLIV. That it shall be lawful for the said Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or One of them, and they

they and he are and is hereby authorized and empowered, if they or he shall think fit, with the Consent of the Vicar for the Time being of the said Living, to exchange the whole or any Part of such Portion of the said Glebe Lands as the Company are by this Act authorized to purchase or take (which may not have been sold to them under the Provisions of this Act) for other Lands, Tenements, or Hereditaments belonging to or to be conveyed by the Direction of the said Company; and it shall be lawful for the said Commissioners, or either of them, together with the said Vicar, to concur in carrying such Exchange into effect under the Powers now or hereafter to be vested in the Inclosure Commissioners for *England* and *Wales*, or in such other Mode as may be deemed expedient, provided that the Lands, Tenements, or Hereditaments to be given in Exchange by the Company, or by their Direction, shall be conveyed or assured to the Vicar of the said Vicarage for the Time being and his Successors; and upon the said Lands, Tenements, or Hereditaments being so conveyed or assured to the said Vicar and his Successors, the same shall be annexed to and form Part of the Glebe of the said Vicarage, and the Rents, Issues, and Profits thereof shall thenceforth be received by the Vicar of the said Vicarage for the Time being.

powered to exchange such Glebe Lands.

XLV. That the Company shall and they are hereby required at their own Costs and Charges to make and construct such convenient Communications across, over, or under the said Railway, where it shall be carried through or over the Glebe or other Lands of or belonging to the said Living, as shall in the Judgment of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues be necessary for the convenient Enjoyment and Occupation of the said Living by the Vicar thereof for the Time being, or other Lands belonging thereto, and such Communications, when so made, shall at all Times be kept in good Order and Repair, by and at the Expense of the Company: Provided always, that the Mode of making and constructing such Communications, the Materials to be used in and about the same, and all Particulars relating thereto, shall be settled and determined by the Engineer for the Time being of the said Commissioners, and by the Engineer for the Time being of the said Company; and in the event of their differing in Opinion in regard thereto, then by some Third Person to be appointed by such Two Engineers, whose Decision in the Matters referred to him shall be binding on all Parties.

Communications to be made.

XLVI. That nothing whatsoever contained in this Act, or in any of the Acts herein referred to, shall extend to authorize the Company to purchase, take, use, or otherwise interfere with any Part of the said Glebe Land, or any Land, Soil, Tenements, or Hereditaments, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown,

Provision as to the Rights of the Crown.

Crown, without the Consent in Writing of the Commissioners or Commissioner for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, first had and obtained for that Purpose, and which such Commissioners or Commissioner are and is hereby authorized and empowered to give; or to divest, prejudice, diminish, alter, or take away any of the Estates, Rights, Privileges, Powers, or Authorities which now are or hereafter may be vested in or enjoyed by Her Majesty, Her Heirs or Successors.

Relating to Purchase of Freemen's Common, Bedford.

XLVII. Whereas the Mayor, Aldermen, and Burgesses of the Borough of *Bedford* are seised of or entitled to an Allotment of Pasture Land in the Parish of *Saint Paul* in the same Borough, containing Eighteen Acres Two Roods and Twenty Perches, or thereabouts, called the *Freemen's Common*, in trust for the resident Freemen of the said Borough, Part whereof is intended to be taken by the Company for the Purposes of the Railway; and it is of great Importance to the said Freemen to be enabled to obtain Commonage in Extent, Convenience, and Value equal at least to their present Commonable Rights over and in the said Allotment, being the only Land over or in which they have any Commonable Lands: Be it enacted, That it shall be lawful for the said Mayor, Aldermen, and Burgesses, and their Successors, and they are hereby authorized and empowered, to contract and agree with the Company for the absolute Sale in Fee Simple of such Part of the said *Freemen's Common* as shall be required to be taken and used by the Company for the Purposes of the Railway, and for the Extinction of all commonable and other Rights in or over the same, at or for such Price, with such Compensation, and upon such Terms and Conditions as shall be settled and agreed upon between the said Mayor, Aldermen, and Burgesses as Trustees as aforesaid, with the Consent of a Committee of Parties entitled to commonable or other Rights over or in the said *Freemen's Common*, to be appointed in manner provided by "The Lands Clauses Consolidation Act, 1845," and on Payment of such Price and Compensation, by any Deed under the Common Seal of the said Mayor, Aldermen, and Burgesses, to convey such Parts of the said *Freemen's Common* and the Fee Simple and Inheritance thereof to the Company for the Purposes of this Act, which said Deed shall be effectual to vest in the Company the Lands therein expressed to be conveyed, freed and discharged from all commonable and other Rights; and the Price and Compensation shall, before the Execution of such Deed under Seal as aforesaid, be paid to the said Committee in manner provided by "The Lands Clauses Consolidation Act, 1845," and the Receipt of such Committee or of any Three of them for such Price and Compensation Monies shall be an effectual Discharge for the same; and such Monies shall be applied in the Purchase of other Lands convenient for the Purposes of a Common for the Use of the resident Freemen of the said Borough, to

For Re-investment of Purchase and Compensation Monies.

to be conveyed and assured to the said Mayor, Aldermen, and Burgesses, and their Successors, upon and for the like Uses, Trusts, and Purposes as the said Allotment now stands vested or settled; and until the Money can be so applied it may be invested by the said Committee in the Purchase of Three *per Centum* Consolidated or Three *per Centum* Reduced Annuities, or other Government Securities, and the Interest, Dividends, and annual Proceeds thereof paid to the Treasurer of the Borough of *Bedford* for the Time being, to be by him carried to the Credit of the *Freemen's Common* Account, and applied to such Purposes as the yearly Proceeds and Income of the said Common are now applicable: Provided always, that all the Costs, Charges, and Expenses to be incurred by or on behalf of the said Mayor, Aldermen, and Burgesses, and Committee for the Time being, in ascertaining and agreeing the Amount of such Price or Compensation, and of every Contract, Conveyance, and Assurance to be made as aforesaid, and of the Re-investment of such Price and Compensation, or the Government Securities purchased therewith, in the Purchase of other Lands, and all reasonable Costs, Charges, and Expenses incident to the Premises, shall be borne and paid by the Company.

Land for extraordinary Purposes.

XLVIII. That it shall be lawful for the Company to purchase and hold Fifty Acres of Land for extraordinary Purposes connected with the said Undertaking.

Limiting Time for Completion of Railway and Works.

XLIX. That the Powers of the Company for making the Railways and other Works by this Act authorized shall not be exercised after the Expiration of Five Years from the passing of this Act.

After Five Years no Dividend payable unless Railway opened for Traffic.

L. That after the Expiration of Five Years from the passing of this Act it shall not be lawful for the Company to pay any Dividend upon any Shares in the Capital of the Company (not being Shares upon which any fixed or guaranteed Dividend may be payable) unless and until the Railway shall be opened for the Purposes of public Traffic.

Tonnage on Articles of Merchandise.

LI. And with respect to the Tolls to be levied for the Use of the Railways, be it enacted, That the Company may lawfully demand any Tolls not exceeding the following; (that is to say,)

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

For all Dung, Compost, and all Sorts of Manure, Lime and Limestone, and Salt, and all undressed Materials for the Repair of public Roads or Highways, and for all Coals, *per* Ton *per* Mile not exceeding One Penny; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

For all Grain, Corn, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, Sheet Iron, and all similar Descriptions of Wrought Iron and Iron Castings not manufactured in Utensils or other Articles of Merchandise, *per* Ton *per* Mile not exceeding One Penny Halfpenny; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

For all Sugar, Flour, Hides, Dye-woods, Earthenware, Timber, Staves, and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per* Ton *per* Mile Twopence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandise, Articles, Matters, or Things, *per* Ton *per* Mile not exceeding Threepence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

And for every Carriage of whatever Description, having more than Two Wheels, and 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, *per* Mile not exceeding Fourpence; and if conveyed on a Truck or Platform not belonging to the Company, an additional Sum *per* Mile not exceeding Twopence; and a Sum of Fourpence *per* Mile for every additional Quarter of a Ton or fractional Part of a Ton which any such Carriage may weigh:

Tolls for Passengers or Cattle.

2. In respect of Passengers and Animals conveyed in Carriages upon the Railway, as follows:

For every Person conveyed in or upon any such Carriage, *per* Mile not exceeding Twopence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Penny:

For every Horse, Mule, Ass, or other Beast of Draught or Burden (except Oxen or other Neat Cattle), *per* Mile not exceeding Threepence Halfpenny; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Halfpenny:

For every Ox, Cow, Bull, or Neat Cattle conveyed in or upon any such Carriage, *per* Mile not exceeding Three Halfpence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Halfpenny:

For every Calf or Pig conveyed in or upon any such Carriage, *per* Mile not exceeding One Halfpenny; and if conveyed in or upon any

any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Halfpenny:

For every Sheep, Lamb, or other small Animal conveyed in or upon any such Carriage, *per* Mile not exceeding One Farthing; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Farthing.

Tolls for locomotive Power.

LII. That the Company may demand Tolls for the Use of Engines propelling Carriages on the Railway, 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 or Sums by this Act authorized to be taken, unless the said Passengers, Animals, or Goods are sent by a Special Train, in which Case the Company may charge any reasonable Sum in their Discretion beyond the Tolls and Charges herein limited.

Regulations as to the Tolls.

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

For Articles or Persons conveyed on the Railway for a less Distance than Six Miles, the Company may demand, in addition to the Tolls and Charges for Conveyance, a reasonable Charge for the Expense of loading and unloading:

For a Fraction of a Mile beyond Six Miles or beyond any greater Number of Miles, the Company may demand Tolls for such Fraction in proportion to the Number of Quarters of a Mile contained therein, 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 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, Beach, 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 great Weights.

LIV. And with respect to small Packages, and single Articles of great Weight, be it enacted, That the Company may lawfully demand the Tolls following; (that is to say,)

For the Carriage of small Parcels on the Railway, or any Part thereof as follows:

For any Parcel not exceeding Seven Pounds in Weight, Sixpence;

For

For any Parcel exceeding Seven Pounds in Weight but not exceeding Fourteen Pounds in Weight, One Shilling;

For any Parcel exceeding Fourteen Pounds in Weight but not exceeding Twenty-eight Pounds in Weight, Two Shillings;

For any Parcel exceeding Twenty-eight Pounds in Weight but not exceeding Fifty-six Pounds in Weight, Three Shillings;

And for any Parcel exceeding Fifty-six Pounds in Weight and not exceeding Five hundred Pounds in Weight, the Company may demand any Sum which they may think fit: Provided always, that Parcels sent in large aggregate Quantities, though made up of several 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, Bob, 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 from Time to Time may 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.

Maximum Charges. Passengers.

LV. That the maximum Rate 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; (that is to say,)

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

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

For every Passenger conveyed in a Third-class Carriage, *per* Mile One Penny.

Maximum Charges. Cattle and Goods.

LVI. That with respect to the Conveyance of Horses, Cattle, Carriages, and Goods, the maximum Rate of Charge to be made by the Company, including the Tolls for the Use of the Railway, and Waggons or Trucks, and locomotive Power, and all other Charges incidental to such Conveyance (except a reasonable Charge for the Expense of loading and unloading, where such Service is performed by the Company,) shall not exceed the several Sums herein-after mentioned; (that is to say,)

For

For all Dung, Compost, and other Articles herein-before classed therewith, *per* Ton *per* Mile One Penny Farthing:

For all Grain, and other Articles herein-before classed with Grain, *per* Ton *per* Mile One Penny Three Farthings:

For all Sugar, and other Articles herein-before classed with Sugar, *per* Ton *per* Mile Twopence Halfpenny:

For all Cotton, and other Articles herein-before classed with Cotton, *per* Ton *per* Mile Fourpence:

For every Carriage, of whatever Description, having more than Two Wheels, and not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton and a Half, *per* Mile Fivepence; and if having only Two Wheels, *per* Mile Fourpence:

For every Horse, Mule, or Ass, *per* Mile Fivepence:

For every Ox, Cow, Bull, or Neat Cattle, *per* Mile Twopence:

For every Calf or Pig, *per* Mile Three Farthings:

For every Sheep, Lamb, or other small Animal, *per* Mile One Halfpenny.

Limiting Charge for Conveyance of Cattle and Sheep in certain Cases.

LVII. Provided always, That if any Person shall desire to hire or retain a separate Carriage or Truck for the Conveyance of Cattle or Sheep belonging to him, it shall not be lawful for the said Company to charge any greater Sum, including all the Charges aforesaid, than Sixpence *per* Mile for every Waggon or Truck capable of containing conveniently Six Beasts of an ordinary Size or Twenty-five Sheep.

Passengers Luggage.

LVIII. That every Passenger travelling on the Railways may take with him his ordinary Luggage, not exceeding One hundred and fifty Pounds in Weight for First-class Passengers, and One hundred Pounds in Weight for Second and Third Class Passengers, without any Charge being made for the Carriage thereof.

Power to increase and reduce Number of Directors.

LIX. That, subject to the Provisions of the Act (Local and Personal) Seventh and Eighth of *Victoria*, Chapter Eighteen, it shall be lawful for the Company from Time to Time, at any General Meeting thereof, to increase or reduce the Number of Directors, provided that the increased Number do not exceed Twenty, and that the reduced Number be not less than Fifteen: Provided always, that if the increased or reduced Number of Directors be some Number not divisible by Five, the Directors shall in each Case determine what Number of Directors, as nearly One Fifth as may be, shall go out of Office, so that the whole Number shall go out of Office in Five Years.

Deposits for future Bills not to be paid out of the

LX. That it shall not be lawful for the Company, out of any Money by any Act relating to the Company authorized to be raised for the Purposes of such Act or Acts, to pay or deposit any Sum of

Company's Capital.

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 Purposes of obtaining an Act authorizing the Company to construct any other Railway or execute any other Work or Undertaking.

Interest not to be paid on Calls paid up.

LXI. That it shall not be lawful for the Company, out of any Money by any Act relating to the Company 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 Shares held by him in the Capital authorized to be raised by any Act relating to the Company: 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.

Railway to be subject to the Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., 9 & 10 Vict. c. 57., and 14 & 15 Vict. c. 64.

LXII. Whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railway;* and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways;* and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops;* and another Act was passed in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways;* and another Act was passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act for regulating the Gauge of Railways;* and another Act was passed in the Session of Parliament held in the Fourteenth and Fifteenth Years of the Reign of Her present Majesty, intituled *An Act to repeal the Act for constituting Commissioners of Railways:* Be it enacted, That nothing in this Act contained shall be held to exempt the Railway by this Act authorized to be made, or the Company, from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect of the said Railway and Company, so far as the same shall be applicable thereto.

Provisions for future General Acts.

LXIII. That nothing in this Act contained shall be deemed or construed to exempt the Railway by this Act authorized to be made from the Provisions of any General Act relating to this Act, or of any General Act relating to Railways, or to the better

or

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 and Alteration, under the Authority of Parliament, of the maximum Rate of Fares and Charges, and of the Rates for small Parcels, authorized by this Act.

Saving Rights of the Crown and the Duchy of Lancaster.

LXIV. Provided always, and be it enacted, That nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by the Queen's most Excellent Majesty, Her Heirs and Successors, as well in right of Her Crown as in right of Her Duchy of *Lancaster*.

Short Title.

LXV. That in citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression the "*Midland* Railway (*Leicester* and *Hitchin*) Act, 1853."

Costs of Act.

LXVI. That all the Costs, Charges, and Expenses of and incident to the passing of this Act shall be paid by the *Midland* Railway Company.

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