ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

****

Cap. xcix.

An Act to enable the *Norfolk* Railway Company to extend their Railway to the Town of *Great Yarmouth*, and for other Purposes.

[2d *July* 1847.]

WHEREAS an Act was passed in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act for making a Railway from* Great Yarmouth *to* Norwich *in the County of* Norfolk, whereby a Company was incorporated called "The *Yarmouth and Norwich* Railway Company:" And whereas another Act was passed in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act for making a Railway from* Norwich *to* Brandon, *with a Branch to* Thetford, whereby a Company was incorporated called "The *Norwich and Brandon* Railway Company:" And whereas another Act was passed in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act for the Consolidation of the* Yarmouth and Norwich *and* Norwich and Brandon *Railway Companies, and for authorizing the Construction of certain Works at* Norwich *in connexion with the* Yarmouth and Norwich *Railway*, by which Act the said Companies were consolidated under the Name of "The *Norfolk* Railway Company," and the *Yarmouth and Norwich* and *Norwich and Brandon* Railways, and all

5 & 6 Vict. c. 82.

7 & 8 Vict. c. 15.

8 & 9 Vict. c. 41.

Branches thereof respectively, were vested in the said Companies, under the Name of "The *Norfolk* Railway:" And whereas the Provisions of the said recited Acts have been amended and enlarged by several subsequent Acts passed respectively in the Eighth and Ninth and Ninth and Tenth Years of the Reign of Her said present Majesty: And whereas it would be attended with great local and public Advantage if the Line of the said *Norfolk* Railway were extended from the present Terminus thereof in the Parish of *Runham* in the County of *Norfolk* to or into the Town of *Great Yarmouth*, and if Tramways were laid down to and along the Quays of *Great Yarmouth* in connexion with such extended Line of Railway: And whereas the *Norfolk* Railway Company are willing to execute such Works, but the Authority of Parliament is requisite for the Purpose: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Provisions of the "Lands Clauses Consolidation Act, 1845," and of the "Railways Clauses Consolidation Act, 1845," shall, so far as they are applicable and are not modified by this Act, or inconsistent with the Provisions thereof, be held to apply to the Railway and Works by this Act authorized to be made, and shall be read and construed as forming Part of this Act.

8 & 9 Vict. cc. 18. and 20. extended to this Act.

Powers of 8 & 9 Vict. c. 41. extended to this Act.

II. And be it enacted, That all the Provisions of the said recited Act relating to the *Norfolk* Railway (except such of them or such Parts thereof as are by this Act repealed, altered, or otherwise provided for, or are contrary to or inconsistent with the Provisions of the said "Lands Clauses Consolidation Act, 1845," or of the said "Railways Clauses Consolidation Act, 1845," as extended to this Act) shall extend to this Act, and to the several Works and Things hereby authorized to be made and done, and shall operate and be in force in reference thereto, as fully and effectually as if the same were repeated and re-enacted in this Act, and especially referred to the Object and Purposes thereof.

Short Title.

III. And be it enacted, That in citing this Act in other Acts of Parliament, and all legal Instruments and Pleadings, it shall be sufficient to use the Expression "The *Norfolk* Railway, *Yarmouth* Extension, Act, 1847."

Power to raise Money by Creation of new Shares.

IV. And whereas the estimated Expence of making the Works hereby authorized is Seventy-five thousand Pounds; be it enacted, That it shall be lawful for the said Company to raise for the Purposes of this Act the Sum of Seventy-five thousand Pounds by the Creation of new Shares, in addition to any Sums which they are already authorized to raise, upon such Terms and in such Manner as may be or may have been agreed upon at any General Meeting or Meetings of the Company specially convened for the Purpose, and the new Shares created by virtue of this Act shall be considered Part of the general Capital of the Company, and as such shall be subject to all the Provisions of the said recited Act whereby the *Norfolk* Railway Company were incorporated relating to such general Capital, except in so far

as such Provisions or any of them may be modified by or inconsistent with the Provisions next herein-after contained.

Power to borrow Money on Mortgage.

V. And be it enacted, That it shall be lawful for the Company to borrow such Sums of Money as shall from Time to Time be authorized to be borrowed by Order of a General Meeting of the Company, not exceeding in the whole One Third of the Amount of the Share Capital authorized to be raised under the Authority of this Act, and in addition to the Sum authorized to be borrowed by the said recited Acts, provided that the whole Amount of the Share Capital of the Company shall have been subscribed for, and One Half thereof paid up, and to secure the Repayment of the Sum so borrowed, with Interest, by Mortgage or Bond, in the same Manner and subject to the same Provisions as are by the said recited Act relating to the *Norfolk* Railway Company provided with respect to Money borrowed under the Authority of that Act.

Former Mortgages to have Priority.

VI. Provided always, and be it enacted, That all Mortgages granted by the Company, or for which they were liable 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 convert Loan into Capital.

VII. And be it enacted, That it shall be lawful for the Company, if they think fit, to raise the Sum by this Act authorized to be borrowed, or any Part thereof, by creating new Shares or Stock of the Company instead of borrowing the same, or having borrowed the same it shall be lawful for them to pay off such Loan or any Part thereof, if they so think fit, by creating new Shares or Stock of the Company in manner aforesaid; but no such Augmentation of Capital shall take place without the previous Order of a General Meeting specially convened for that Purpose.

Interest not to be paid on Calls paid up.

VIII. And be it enacted, That it shall not be lawful for the said Company, out of any Money by this Act or any other Act relating to the said Railway Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein-before contained shall be deemed to prevent the said 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 said recited Acts or any of them in that Behalf contained.

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

IX. And be it enacted, That it shall not be lawful for the said Company, out of any Money by this Act or any other Act relating to the said Railway Company authorized to be raised for the Purposes of such Act or Acts, to pay or deposit any Sum of Money which by any Standing Order of either House of Parliament now in force, or hereafter to be in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing

authorizing the said Company to construct any other Railway or execute any other Work or Undertaking.

Power to make Railway according to deposited Plans.

X. And whereas Plans and Sections of the said proposed Extension of the *Norfolk* Railway, and also of the proposed Tramway in connexion therewith, showing the Line and Levels thereof, and also Books of Reference to such Plans, containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers, of the Lands through which the same are intended to pass, have been deposited with the Clerk of the Peace for the County of *Norfolk*; be it enacted, That the same Railway, subject to the Powers of Deviation contained in the "Railways Clauses Consolidation Act," and the said Tramway, without any such Powers of Deviation or otherwise, (except as herein-after is provided) shall be laid down in the Line or Course and upon the Lands delineated on the said Plans, and according to the Levels defined on the said Sections, and the said Tramway shall be laid down by the said Company, at their own Expence in all Things, in such Manner as shall be directed and approved by the Commissioners for the Time being acting in execution of an Act of Parliament passed in the Fiftieth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for better paving, lighting, cleansing, and watching the Town of* Great Yarmouth *in the County of* Norfolk, *and for removing Nuisances and Annoyances therein, and for making other Improvements in the said Town*, and it shall be lawful for the said Company to enter upon, take, and use such of the Lands defined upon the said Plans and described in the said Books of Reference as shall be necessary for the Purposes aforesaid.

50 G. 3. c. 23.

Line of Railway and Tramway.

XI. And be it enacted, That the Railway in extension of the said *Norfolk* Railway shall commence by a Junction with the said *Norfolk* Railway at or near the present Terminus thereof in the Parish of *Runham* in the County of *Norfolk*, and shall pass through the several Parishes or Places following, that is to say, *Runham* and *Great Yarmouth* in the County of *Norfolk*, and shall terminate at or near a certain Building known by the Name of *Paget's Brewery*, situate in the said Parish of *Great Yarmouth*, and the said Tramway shall commence by a Junction with the said intended Railway at the Terminus thereof aforesaid, and shall pass along and on the Level of the Street, Road, or Highway leading from the North Quay to the South Quay, and along and on the Level of the said Quays in the Parish and Town of *Great Yarmouth*, to a certain Point upon such Quays opposite to *Friar's Lane* otherwise *South Street* in the said Parish and Town.

Power to alter Lines of Tramways with Consent of Commissioners.

XII. And be it enacted, That it shall be lawful for the said Company, with the Permission of the said Commissioners (to be first obtained), from Time to Time to alter the Line of such Tramways, and, with the like Permission of the said Commissioners, to select such others as the said Company and Commissioners may think the Parish and Town of *Great Yarmouth* aforesaid or the Safety of the Public shall require; and such Tramways shall be maintained, altered, and kept in complete Repair by the said Company, at their own Expence, in all things to the Satisfaction of the said Commissioners.

XIII. And

Power for Commissioners to take up Tramways for certain Purposes.

XIII. And be it enacted, That it shall be lawful for the said Commissioners acting in execution of the said Act of the Fiftieth Year of the Reign of King *George* the Third herein-before mentioned from Time to Time, upon reasonable Notice to the said Company, to take up, or authorize and empower any Corporation or Person to take up, any Part or Parts of the said Tramway to be made or laid down in the said Parish and Town of *Great Yarmouth*, for the Purpose of making, repairing, altering, or widening any of the Drains for the Sewerage of the same Parish and Town, or for cleansing, repairing, amending, and improving any Drain or Drains, or for laying any Gas or other Pipes or Mains whatsoever, for any other Purpose in anywise connected with the same Parish and Town, or the Interest or Convenience of the Public, the said Commissioners or such Corporation or Persons as aforesaid, at their or his own Expence, replacing the Part or Parts of the said Tramway for the Time being to be taken up in an effectual and proper Manner and with all reasonable Despatch.

Penalty for removing Tramways without Authority.

XIV. And be it enacted, That if any Corporation or Person, not having first obtained the Authority or Power of the said Commissioners acting under the said Act of Fiftieth *George* the Third herein-before mentioned, shall take up or remove for the Purposes aforesaid, or if any Corporation or Person shall wilfully damage or injure, the said Tramways or any Part thereof, they or he shall forfeit and pay a Sum not exceeding Ten Pounds for such Offence, in addition to the Amount of Damage done, which may be recovered and applied in manner directed by the "Railways Clauses Consolidation Act, 1845."

Power to use Tramways.

XV. And be it enacted, That it shall be lawful for the said Company and all Persons whomsoever, with their own proper Waggons, Trucks, or other Carriages, (such Waggons, Trucks, or Carriages being first approved as prescribed by "The Railways Clauses Consolidation Act, 1845,") to use the said Tramways, yet nevertheless no locomotive or other Engine shall be allowed to pass upon the said Tramway or any Part thereof, but, on the contrary, such Tramway shall be used, and the Waggons, Trucks, and Carriages thereon shall be propelled and conveyed, in such Manner and at such Times and under such Restrictions in all respects as the said Commissioners acting under the Act passed in the Fiftieth Year of the Reign of His Majesty King *George* the Third herein-before mentioned shall from Time to Time by any Bye Law, Rule, or Order to be made by them under the Authority of the said Act from Time to Time direct, such Restrictions to be based upon the Principle of rendering the Use of the said Tramway beneficial and advantageous to the said *Norfolk* Railway Company, and all Persons having a Right to use the same, to the utmost Extent such Tramway is capable of.

Power for the Commissioners to make Bye Laws for regulating Use of Tramway.

XVI. And be it enacted, That it shall be lawful for the said Commissioners acting under the said Act passed in the Fiftieth Year of the Reign of His late Majesty King *George* the Third, at any Meeting to be held in pursuance of and according to the Provisions of the same Act, to make such Bye Laws, Rules, or Orders for regulating the Use of the said Tramway as aforesaid, and for the preventing any Interruption in such Use, as the said Commissioners shall deem expedient, and

and from Time to Time to alter or annul such Bye Laws, Rules, or Orders, or any of them, and other or others make, as Circumstances may require, and to set down and affix what pecuniary Penalties or Forfeitures shall be incurred by any Person or Corporation acting contrary to or evading such Bye Laws, Rules, or Orders, or any of them, provided no such Penalty or Forfeiture shall exceed the Sum of Five Pounds for One Offence; and every Penalty or Forfeiture to be incurred as aforesaid shall and may be recovered and applied in manner directed by the Railways Clauses Consolidation Act, 1845: Provided always, that such Bye Laws be not repugnant to the Laws of *England*; provided also, that such Bye Laws shall be so framed as to allow the Justices before whom any Penalty imposed thereby may be sought to be recovered, to order the Whole or any Part of such Penalty to be recovered.

Bye Laws to be confirmed.

XVII. And be it enacted, That no such Bye Laws shall come into operation until the same shall be allowed by the Court of Quarter Sessions of the County of *Norfolk* or for the Borough of *Great Yarmouth*, and it shall be incumbent on the said Court, on the Request of the Commissioners, to examine into the Bye Laws which may be tendered to them for that Purpose, and to allow of or disallow the same or any of them as to such Court may seem meet: Provided always, that no such Bye Laws shall be confirmed unless Notice of the Intention to apply for a Confirmation of the same shall have been given in One or more Newspapers of the County of *Norfolk* Twenty-one Days at least before the Hearing of such Application; and any Party aggrieved by any such Bye Law, on giving Notice of the Nature of his Objection to the Commissioners Ten Days before the Hearing of such Application, may, by himself, his Attorney or his Agent, be heard thereon, but not so as to allow more than One Party to be heard upon the same Matter of Objection.

Copy of the proposed Bye Laws to be opened for Inspection.

XVIII. Provided always, and be it enacted, That for Twenty-one Days at least prior to any such Application for Confirmation of such Bye Laws a Copy of such proposed Bye Laws shall be kept at the principal Office of the Commissioners or of their Clerk, and it shall be lawful for all Persons, at all reasonable Times, to inspect such Copy without Fee or Reward, and to be furnished by the Commissioners with a Copy thereof or of any Part thereof on Payment of Ten-pence for every One hundred Words so to be copied.

Publication of Bye Laws.

XIX. And be it enacted, That a Copy of every such Bye Law shall be painted on Boards, and affixed in the Office of the Clerk of the Commissioners and at the Office of the Railway Company in *Yarmouth*, and such Boards shall be removed from Time to Time, and shall be open to Inspection without Fee or Reward, and in case the said Clerk shall not permit the same to be inspected at all reasonable Times he shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Bye Laws to be binding on all Parties.

XX. And be it enacted, That such Bye Law, when so confirmed, published, and affixed, shall be binding upon and be observed by all Parties, and shall be sufficient to justify all Persons acting under the same.

XXI. And

Proof of making Publication of Bye Laws.

XXI. And be it enacted, That the Production of a written or printed Copy of the Bye Laws, authenticated by the Signature of the Chairman of the Court which shall have approved of the same, shall be Evidence of the Existence and due making of such Bye Laws in all Cases of Prosecution under the same, without adducing Proof of such Signature; and with respect to the Proof of the Publication of any such Bye Laws it shall be sufficient to prove that a painted Board containing a Copy thereof was affixed and continued in manner by this Act directed, and in case of its afterwards being displaced or damaged, that such Board was replaced or restored as soon as conveniently might be, unless Proof be adduced by the Party complained against that such painted Board did not contain a Copy of such Bye Laws, or was not duly affixed or generally continued as directed by this Act.

Penalty for damaging Boards.

XXII. And be it enacted, That if any Person shall pull down or destroy, damage, or deface any Board fixed in any Office in pursuance of this Act for the Publication of the Bye Laws of the Commissioners, he shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, and every Person doing any such Damage shall also be liable to pay for or make good all Damage done and the Expences occasioned thereby.

Bridge to be built across the River Bure.

XXIII. And be it enacted, That in carrying the said Railway over the River *Bure* at *Great Yarmouth* aforesaid the said Company shall and they are hereby required at their own Expence to make, and for ever after to maintain and keep in repair, a good and sufficient Bridge to connect the Railway and Tramway in the Line or Course shown on the said Plan, without any Deviation, which said Bridge shall span the Width of the River at the Point of Intersection, so as to leave the present Waterway without Obstruction, and also leave Space on the East Side of the said River for a Towing Path of the Width of Eight Feet at the least, and the Height of the under Part of such Bridge above the Waterway of the said River shall not be less in Height than Eight Feet and Six Inches above the Level of ordinary High Tides; and such Bridge shall be used for the Purposes of the said Railway only, and for the Conveyance of its Traffic over the same.

Power to Lords of the Admiralty to order Bridge to be made to open.

XXIV. Provided always, and be it enacted, That it shall be lawful for the Lords Commissioners of the Admiralty, if at any Time hereafter they shall be of opinion that the public Interests require that the said last-mentioned Bridge should be made to open, so as to admit the Passage of Vessels through the same without striking their Masts, to give Notice to that Effect to the said Company; and the said Company shall and they are hereby required, within Twelve Months after the Receipt of such Notice, to make such Bridge an opening Bridge according to Plans to be approved by the said Lords Commissioners.

Certain Land belonging to A. T. Cory to be taken for Approaches to the Bridge.

XXV. And be it enacted, That the said Company shall be at liberty, for the Purpose of making Approaches to the said Bridge by this Act authorized to be made, to enter upon and make use of so much, not exceeding Half an Acre and Thirty-four Perches in the whole, of the Kitchen Garden adjoining the *Vauxhall Gardens* and Driftway

Driftway next the River *Bure*, belonging to *Alexander Turner Cory* Esquire, and numbered 6 on the Plans deposited as aforesaid, as shall be necessary for that Purpose; and the said Company shall not be required to purchase such Land or make any Compensation to the said *Alexander Turner Cory* in respect thereof; and the said Company shall not, for any other Purpose whatever, take or (except as aforesaid) enter upon or use any Land or Building belonging to the said *Alexander Turner Cory*, his Heirs and Assigns, without the Consent in Writing of the said *Alexander Turner Cory*, his Heirs or Assigns, first had and obtained; and the said Company, their Successors or Assigns, shall not erect or make, or permit or allow to be erected or made, any Inn, Public House, Hotel, Bowling Green, or other Place of Entertainment whatsoever, upon any Part of the said Kitchen Garden or Driftway or upon any Part of any Land which has been purchased or taken by the said Company of or from the said *Alexander Turner Cory*.

As to Removal of Toll Gate from Bridge over the Bure.

XXVI. And whereas by an Act passed in the Seventh and Eighth Years of the Reign of King *George* the Fourth, for erecting a Bridge over the River *Bure*, certain Tolls or Pontage are authorized to be taken for each and every Time that any Foot Passenger, Beast, Cattle, or Carriage shall pass through the Toll Gate of the said Bridge: And whereas such Tolls are at present collected at a Toll House and Gate at the North-west End of the said Bridge, and it has been agreed between the said Company and *Alexander Turner Cory* Esquire, the Owner of the said Bridge, that all Passengers, Cattle, Waggons, Carts, and Carriages passing over the said Bridge to and from the present Station of the said Company shall be exempted from Toll: Be it enacted, That from and immediately after the passing of this Act the said *Alexander Turner Cory* shall and he is hereby authorized and required within One Month after the passing of this Act to remove, and from thenceforth to continue removed, the said Toll Gate across the *Acle* Road at the North-west End of the said Bridge, to any Point across the *Acle* Road Northward of the present Entrance to the present Railway Station adjoining the *Acle* Road, to the Intent that all Persons, Horses, Cattle, Animals, Waggons, Carts, Carriages, and Vehicles of every Description passing over the said Bridge of the said *Alexander Turner Cory* to and from the present Station of the said Railway shall have a Passage free of Toll over the said Bridge of the said *Alexander Turner Cory*, and over any Bridge to be built under the Authority of the said last-mentioned Act; and the said *Alexander Turner Cory*, or the Owner or Owners for the Time being of the said Bridge built or to be built as aforesaid, may from Time to Time remove such Toll Gate to any Point across the said *Acle* Turnpike Road Northward of the said Entrance to the said present Railway Station, and may erect and set up and maintain on the Side of such Road a Toll House adjoining to the Toll Gate for the Time being: Provided nevertheless, that, subject to the aforesaid Exemption from Toll, the Removal of the present or any future Toll Gate shall not in anywise diminish, prejudice, alter, affect, or take away or add to the Right of the said *Alexander Turner Cory*, or the Owner or Owners for the Time being of the said Bridge, to demand and take the Tolls authorized by the said Act at the Toll Gate so removed as aforesaid or at any Side Gate; and all Persons, Horses, Cattle, Animals, Waggons,

Waggons, Carts, Carriages, and Vehicles passing through such Toll Gate or Side Gate shall be liable to the same Toll as they would have been liable to on passing through the said Toll Gate to be removed within One Month as aforesaid.

Penalty for evading Toll.

XXVII. And be it enacted, That if any Person or Corporation shall in any Manner evade, or shall in anywise aid or assist in evading, or do any Act in order or with an Intent to evade, any Toll granted by the said recited Act passed in the Seventh and Eighth Years of the Reign of King *George* the Fourth, or if the said *Norfolk* Railway Company, their Successors or Assigns, or any other Company, Corporation, or Person, shall allow any Person, Horse, Cattle, Animal, Waggon, Cart, Carriage, or Vehicle of any Description to pass over or through any Bridge, Land, or Station of or belonging to or in the Occupation of such Company or Corporation, their Successors or Assigns, or any such Person, with Intent to evade any such Toll, or if any Person shall claim to be exempt from Toll where such Exemption shall not exist, every Person or Corporation so offending shall forfeit and pay the Sum of Forty Shillings for every such Offence, together with the Toll or Tolls the Payment whereof shall have been evaded, and the same may be recovered in an Action of Debt or on the Case at the Suit of the said *Alexander Turner Cory*, his Heirs or Assigns, or other the Owner or Owners of the said Bridge for the Time being, or the Lessee or Lessees thereof, with full Costs of Suit, or the same may be recovered in a summary Way, as in the Case of a Fine, Penalty, or Forfeiture inflicted or imposed by the said Act of the Seventh and Eighth *George* the Fourth: Provided always, that the Use by the said Company conformably to this Act of the said Bridge hereby authorized to be built shall not be deemed an Evasion of Toll; provided also, that the Remedy hereby given shall not take away, prejudice, or affect any Right or Remedy which the said *Alexander Turner Cory*, or other the Owner or Owners for the Time being of the said Bridge, could or might enjoy or possess under and by virtue of the said last-mentioned Act, or any other Remedy at Law or in Equity.

Saving Right of A. T. Cory.

XXVIII. Provided always, and be it enacted, That nothing herein contained shall prejudice or affect any Right, Power, or Provision given, created, or contained by or in the said Act for erecting a Bridge over the said River *Bure*, excepting so far as herein expressly provided, nor any Agreement between the said Company and the said *Alexander Turner Cory*, so far as the same is not carried into execution by this Act.

Lands for extraordinary Purposes.

XXIX. And be it enacted, That it shall be lawful for the said Company, in addition to the Lands which they are already authorized to purchase, and in addition also to the Lands herein-before authorized to be purchased by them for the Construction of the Railway and Works by this Act authorized, to purchase any Land adjoining or near to the said Railway, not exceeding in the whole Twenty Acres, for any of the extraordinary Purposes specified in the said Railways Clauses Consolidation Act.

Period for compulsory Purchase of Lands limited.

XXX. And be it enacted, That the Powers of the said Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Two Years from the passing of this Act.

Period for Completion of Work.

XXXI. And be it enacted, That the Railway and Works by this Act authorized shall be completed within Three Years from the passing of this Act.

Railway to become Part of the Norfolk Railway.

XXXII. And be it enacted, That the Railway hereby authorized to be made between the present Terminus and the intended new Station at the Place called *Paget's Brewery*, when completed, shall become and be Part of the *Norfolk* Railway, and be subject to all the same Rights, Powers, Privileges, Immunities, and Liabilities as if the same had originally formed Part thereof.

Tolls.

XXXIII. And be it enacted, That the Company shall be authorized to demand and receive for the Conveyance of Goods, Cattle, or Merchandize along the Tramways hereby authorized by the Company's Waggons, Trucks, or Carriages, except where such Goods shall be in progression to or from the said Railway in connexion therewith to be conveyed or after having been conveyed on such Railway, as to which excepted Goods no Tramway Toll shall be demanded, any Rates or Charges not exceeding the following, to include the Use of Waggons or Trucks and every other Charge; that is to say,

For every Ton or any less Quantity of Goods, of whatever Description, conveyed along the said Tramways in the Company's Waggons, Trucks, or Carriages, except as aforesaid, for the whole or any Part of the Distance the Sum of Sixpence:

For every Horse the Sum of Sixpence:

For every Ox, Mule, Ass, or Neat Cattle the Sum of Three-pence:

For every Sheep, Lamb, or other small Animal the Sum of One Halfpenny.

Provisions in first-recited Acts as to keeping Bridges open for Passage of Vessels repealed.

XXXIV. And whereas by the said first-recited Act, after providing for the Mode of Construction of a Bridge thereby authorized to be erected across the River *Wensum* otherwise *Yare*, it was enacted, that the said Company should and they were thereby required, at their own Expence, to cause proper Persons to be constantly stationed at the said Bridge for the Purpose of opening the same for the Passage at all Times by Night and by Day of any Vessel which should require to pass through the same, except during the Time when any Engines or Carriages should be about to pass over the same, and on such Occasions the same should not be kept closed so as to detain or delay any such Vessel more than Five Minutes from passing through the said Bridge; and in case such Bridge should not be so opened when so required, and any Vessel should be delayed in her Passage through the same for a longer Period than Five Minutes, the said Company should in each such Case forfeit and pay a Sum of Five Pounds; and in case such Obstruction should continue for more than Half an Hour, then the said Company should forfeit and pay a further Sum of Five Pounds for every Half Hour during which such Obstruction should continue, such Penalties respectively to be recovered and applied in

the same Manner as other Penalties are by that Act directed to be recovered and applied: And whereas it is expedient that the said recited Provision should be repealed, and other Provisions enacted in lieu thereof; be it enacted, That the same shall be and the same is hereby repealed.

Company to station Persons at the Bridge for opening the same by Night and by Day.

XXXV. And in lieu thereof, be it enacted, That the said Company shall and they are hereby required, at their own Expence, to cause proper Persons to be constantly stationed at the said Bridge for the Purpose of opening the same for the Passage at all Times by Night and by Day of any Vessel which shall require to pass through the same, except during the Time when any Engines or Carriages shall be about to pass over the same, and on such Occasions the same shall not be kept closed, so as to detain or delay any such Vessel longer than shall be absolutely necessary for the Passage of such Engine and Carriages; and in case such Bridges shall not be so opened when so required, and any Vessel shall be delayed in her Passage through the same for a longer Period than shall be absolutely necessary for the Passage of such Engines and Carriages, the said Company shall in each such Case forfeit and pay a Sum not exceeding Five Pounds; and in case such Obstruction shall continue for more than Half an Hour, then the said Company shall forfeit and pay a further Sum of Five Pounds for every Half Hour during which such Obstruction shall continue, such Penalties respectively to be recovered and applied in the same Manner as other Penalties are by that Act directed to be recovered and applied.

Penalty for Neglect.

Saving Rights of Mayor, &c. of Great Yarmouth.

XXXVI. And be it enacted, That nothing in this Act contained shall extend to prejudice or derogate from the Estates, Rights, Privileges, Franchises, Jurisdiction, or Authority of the Mayor, Aldermen, and Burgesses of the Borough of *Great Yarmouth* in the County of *Norfolk*, or the Mayor for the Time being of the said Borough, nor of the Commissioners respectively acting in execution of the said Act of Parliament herein-before mentioned passed in the Fiftieth Year of the Reign of His late Majesty King *George* the Third, and of another Act of Parliament passed in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for improving the Haven of* Great Yarmouth *in the County of* Norfolk, *and the several Rivers connected therewith, and for repairing or taking down and rebuilding a certain Bridge over the said Haven at* Great Yarmouth *aforesaid, and a certain Bridge called* St. Olave's Bridge, *over the River* Waveney *in the Counties of* Norfolk *and* Suffolk, *and for suspending for a limited Period certain Duties payable to the Corporation of* Great Yarmouth, *and imposing other Duties in lieu thereof.*

5 & 6 W. 4. c. 49.

Railway to be subject to Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., and

XXXVII. And 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 Her said Majesty, intituled

9 & 10 Vict. cc. 57. & 105.

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 Session of Parliament; and for other Purposes in relation to Railways;* and Two other Acts were passed in the last Session of Parliament, intituled respectively *An Act for regulating the Gauge of Railways*, and *An Act for constituting Commissioners of Railways;* be it enacted, That nothing in this Act contained shall be held to exempt the said Railway or the said Company from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railway and Company so far as the same shall be applicable thereto.

Railway subject to Provisions of any future general Acts.

XXXVIII. And be it enacted, That nothing herein 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, 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 Rates of Fares and Charges authorized by this Act.

Public Act.

XXXIX. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

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