



ANNO VICESIMO SEPTIMO & VICESIMO OCTAVO

VICTORIÆ REGINÆ.

Cap. cclxxviii.

An Act for making a Railway from the *Mid-Sussex* Railway in the Parish of *Hardham* to the *Shoreham, Steyning, and Henfield* Railway, near the Town of *Steyning*; and for other Purposes.

[25th July 1864.]

WHEREAS the Construction of a Railway from the *Mid-Sussex* Railway in the Parish of *Hardham* to the *Shoreham, Steyning, and Henfield* Branch Railway of the *London, Brighton, and South Coast* Railway Company, near the Town of *Steyning*, with a short Branch connecting Line of Railway in the said Parish of *Hardham* herein-after described, would be of local and public Advantage: And whereas the Persons herein-after named, with others, are desirous at their own Expense to make the said Railways upon being incorporated into a Company for the Purpose: And whereas it is expedient that the Company so to be incorporated, and the *London, Brighton, and South Coast* and *Mid-Sussex* Railway Companies should be empowered to enter into and carry into effect Agreements with reference to the proposed Railways and the Traffic thereon: And whereas Plans and Sections of the proposed Railways showing the Lines and Levels thereof,

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with

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with a Book of Reference to the Plan containing the Names of the Owners and Lessees or reputed Owners and Lessees and of the Occupiers of the Lands through which the said Railways will pass, have been deposited with the Clerk of the Peace for the County of *Sussex*: And whereas the Objects aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Short Title.

1. This Act may be cited for any Purpose as "*The West Sussex Junction Railway Act, 1864.*"

8 & 9 Vict.

cc. 16. 18.

& 20.,

23 & 24 Vict.

c. 106., and

26 & 27 Vict.

cc. 92. & 118.

incorporated.

2. "*The Lands Clauses Consolidation Act, 1845,*" "*The Lands Clauses Consolidation Acts Amendment Act, 1860,*" "*The Companies Clauses Consolidation Act, 1845,*" Part I. (relating to Cancellation and Surrender of Shares) of "*The Companies Clauses Act, 1863,*" and "*The Railways Clauses Consolidation Act, 1845,*" and Part I. (relating to Construction of a Railway), and Part III. (relating to Working Agreements), of "*The Railways Clauses Act, 1863,*" (save in so far as those Acts are expressly varied or excepted by this Act,) are incorporated with this Act; and in construing those Acts in connexion with this Act the Term "*Superior Courts*" includes any Court of competent Jurisdiction as interpreted by this Act, and the Expression "*Superior Court*" or "*Court of competent Jurisdiction,*" and any other like Expression in this Act and in the recited Acts, shall be read and have effect as if the Debt or Demand with respect to which the Expression is used were a common Simple Contract Debt, and not a Debt or Demand created by Statute.

Incorporation of Company.

3. *Joseph Pitts, Joseph Firbank, John Throssel,* and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Railways herein-after described, with all proper Works and Conveniences connected therewith, according to the Provisions of this Act, and for other the Purposes hereby and by the said incorporated Acts respectively authorized, and for the Purposes aforesaid shall form One Body Corporate by the Name of "*the West Sussex Junction Railway Company,*" with perpetual Succession and a Common Seal, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking within the Restrictions herein and in the said incorporated Acts contained.

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4. The Capital of the Company shall be One hundred and twenty-five thousand Pounds, divided into Twelve thousand five hundred Shares of the Amount of Ten Pounds each; and no Share shall be issued by the Company, or shall vest in the Person accepting the same, until not less than Twenty *per Centum* on the nominal Amount thereof shall have been paid thereon. Capital.

5. The greatest Amount of any One Call to be made on any Share in the Capital of the Company shall not exceed One Fifth of the Amount of such Share, and Two Months at least shall be the Interval between successive Calls, and Four Fifths of the Amount of a Share shall be the utmost aggregate Amount of the Calls to be made in any One Year upon such Share. Calls.

6. The Company may borrow on Mortgage any Sum not exceeding in the whole Forty-one thousand six hundred Pounds, but no Part of such Sum shall be borrowed until the whole of the said Capital or Sum of One hundred and twenty-five thousand Pounds shall have been subscribed for *bonâ fide*, and One Half thereof shall have been paid up, and the Company shall have proved to the Justice who is to certify under the Provisions contained in the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that Shares for the whole of the said Capital of One hundred and twenty-five thousand Pounds have been issued and accepted *bonâ fide*, and that not less than Twenty *per Centum* has been paid up on account of each separate Share before or at the Time of the Issue or Acceptance thereof, and that such Shares were taken *bonâ fide*, and are held by the Subscribers or their Assigns, and that the Subscribers or their Assigns are legally liable for the same (of which Facts the Certificate of such Justice under that Section shall be sufficient Evidence). Power to borrow on Mortgage.

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

8. All Monies raised under the Powers of this Act, either by Shares or by borrowing, shall be applied in carrying out the Purposes of this Act, and for no other Purpose. Application of Money raised.

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

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Newspaper
for Adver-
tisements.

10. The prescribed Newspaper for Advertisements is any Newspaper published in the County of *Sussex*.

Number and
Qualification
of Directors.

11. The Number of Directors of the Company shall be Four, and the Qualification of a Director shall be the Possession of Shares or Stock in the Undertaking of the aggregate nominal Value of Fifty Shares at least.

Quorum of
Directors.

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

First
Directors.

13. *Walter Barttelot Barttelot, John Kemp Jacomb Hood, and Solomon Atkinson,* together with such One other Person as they, or such of them as are for the Time being in Office, or the Majority of them, shall nominate in this Behalf, shall be the First Directors of the Company: Provided always, that the Acts and Proceedings of the Directors previous to such Nomination shall not be invalidated by reason of their Number being less than Four.

Election of
Directors
at First
Ordinary
Meeting.

14. The First Directors shall continue in Office until the First Ordinary Meeting of the Company, and at such Meeting the Shareholders present, personally or by proxy, may either continue in Office the First Directors or any of them, or may elect a new Body of Directors, or Directors to supply the Place of those not continued in Office, and an additional Director (if necessary) to make up the Number of Four, the First Directors being eligible as Members of such new Body.

Provision for
Directors
retiring and
future
Elections.

15. At the First Ordinary Meeting of the Company to be held in the Year One thousand eight hundred and sixty-five, and in every subsequent Year, One Third of the Directors, or as nearly One Third as may be, to be determined as in "The Companies Clauses Consolidation Act, 1845," provided, shall go out of Office, and the Shareholders present, personally or by proxy, shall, agreeably to the Provisions of that Act in that Behalf, elect Persons to supply the Places of the Directors then retiring from Office, and an additional Director (if necessary) to make up that Number of Four, and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having resigned, shall continue Directors until others are elected in their Stead as in that Act mentioned.

Power to
make Rail-
ways, &c.
according to
deposited
Plans.

16. Subject to the Provisions and Powers of Deviation in this Act and the incorporated Acts contained, the Company may make and maintain the Railways herein-after described, with all proper and convenient Stations, Approaches, Works, and Conveniences, in the Line or Course shown and upon the Lands delineated on the said Plans and described in the said Books of Reference, and according to
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the Levels defined on the said Sections, and, subject to the aforesaid Provisions, the Company may enter upon, take, and use such of the said Lands as shall be necessary for that Purpose.

17. The Railways by this Act authorized comprise the following; Description of Railways.
(that is to say,)

A Railway (No. 1.) commencing in the Parish of *Hardham* and County of *Sussex* by a Junction with the *Mid-Sussex* Railway, and terminating in the Parish of *Steyning* and County of *Sussex* by a Junction with the *Shoreham, Steyning, and Henfield* Branch Railway of the *London, Brighton, and South Coast* Railway Company:

A Railway (No. 2.) wholly in the Parish of *Hardham* aforesaid commencing by a Junction with the *Mid-Sussex* Railway, and terminating by a Junction with Railway (No. 1.) herein-before described.

18. Subject to the Provisions in "The Railways Clauses Consolidation Act, 1845," and "The Railways Clauses Act, 1863," contained with reference to the crossing of Roads on the Level, the Company may in the Construction of the Railways by this Act authorized carry the same across and on the Level of the Road which on the Plans deposited as aforesaid is numbered 13 in the Parish of *Hardham*: Provided that while the Railway crossing that Road consists of a single Line, not more than a single Line of Railway, and when such Railway consists of a double Line, not more than a double Line of Railway, shall be laid by the Company across that Road. Power to cross a certain Road on the Level.

19. The Company may carry the Railway by means of a Girder Bridge over the public Carriageroad intended to be formed by the Diversion of the public Carriageroads numbered on the deposited Plans 11 and 18 and 22 respectively, in the Parish of *Warminghurst*, of any Height not less than Twelve Feet above the Surface of such Road, and of any Span not less than Twenty Feet, and the Company may carry the Railway by means of a Girder Bridge over the public Carriageroad intended to be formed by the Diversion of the public Carriageroad numbered on the said deposited Plans 13, in the Parish of *Wiston*, of any Height not less than Fourteen Feet above the Surface of such Road, and of any Span not less than Twenty Feet. As to Bridges over certain public Roads.

20. And whereas the Railway will pass through and over certain Low Lands under the Jurisdiction of the Commissioners of Sewers for the Rape of *Arundel* in the County of *Sussex*, and it is necessary that Provision should be made for the proper Protection of the said Lands, and for preventing them and the adjacent Lands being flooded: Therefore the Railway (No. 1.) shall be made and maintained in the Works to be constructed for Protection of Lands under Control of Commissioners of Sewers

for Rape of
Arundel.

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Parishes of *Hardham* and *Wiggonholt* in the following Manner, and subject to the following Conditions and Restrictions; that is to say,

In the Parish of *Hardham*, between the Point measuring on the said Plans Five Chains from the Commencement of that Railway and the Point measuring thereon One Furlong and Five Chains, there shall be a Viaduct not less than Four hundred Feet long in such a Position as the said Commissioners of Sewers shall select:

Between Seven and a Quarter Furlongs, as marked and measured upon the said Plans, and One Mile and One Furlong as marked and measured thereon, there shall be a Viaduct not less than Five hundred and fifteen Feet long, and such Viaduct shall be made and maintained as follows; that is to say,

Where it crosses the River *Arun* it shall do so by an Opening in One Span of not less than Sixty-five Feet:

Upon the Eastern Side of the said River and immediately adjoining thereto the Opening in the Viaduct shall be not less than Forty-six Feet wide, and each of the other Openings in the Viaduct shall be not less than Thirty Feet wide:

In the Parish of *Wiggonholt* there shall be at least Two Viaducts, each being not less than One hundred Feet in Length, at such Places as the said Commissioners or their Surveyor may direct, and with Openings therein of not less than Thirty Feet each:

The Supports or Piers of the said Two Viaducts in *Wiggonholt* shall not be of a greater Thickness than Fourteen Inches, with the Exception of the Abutments at both Ends of such Viaducts:

A Ditch on either Side of the Railway in the Parish of *Wiggonholt*, but outside the Fences of the said Railway, shall be made by the Company from the Point marked and measured upon the Plans One Mile to the Point marked and measured thereon One Mile and Four Furlongs:

The Company shall construct a Sewer Ditch, commencing at the Sailing Ditch at or near the Property numbered 264 on the Map of the said Commissioners, running at Right Angles or nearly so with the Line of Railway, then carried under the Railway by a Culvert of sufficient Dimensions, and thence following an Easternly Course into the River *Arun* in or near the Field numbered 238 upon the said Map:

Each of the before-mentioned Ditches and also the said Sewer Ditch shall be constructed with a Width of not less than Three Feet at the Bottom, and with Slopes of Two to One on each Side, and the Level of the Bottom shall be that of the Apron of the intended Sluice at the River *Arun* next herein-after referred to, with proper Allowance in the Length for the requisite Fall:

Two

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Two Sluices shall be constructed, one at the Commencement and the other at the Termination of the said Sewer Ditch, and each of such Sluices shall be of such Nature and Size as the said Commissioners shall direct, and the Level of the Apron of the Sluice at the Entrance to the River shall be One Foot below Low-water Mark.

21. The Works of the Railway affecting the Drainage of the said Lands shall, after they are commenced, be proceeded with without Delay, so that they may be completed within Twelve Months from the Commencement thereof; and if the said Works shall not then be finished, the Company shall, until the Works are completed, forfeit to the said Commissioners the daily Sum of Fifty Pounds.

Works affecting Drainage to be completed without Delay.

22. Such of the Works before described with reference to the said Commissioners of Sewers as shall be on the Line of Railway or the Lands of the Company shall be made and maintained by the Company to the reasonable Satisfaction of the said Commissioners, or of their Surveyor for the Time being, and the other Works herein-before directed to be made for the Protection of the Lands under the Jurisdiction of the said Commissioners shall be constructed by the Company to the like Satisfaction; and if any Difference shall arise between the Commissioners and their Surveyor on the one hand, and the Engineer of the Company on the other hand, touching any of the Works to be constructed or Things to be done under this Act, the same shall from Time to Time be referred to and determined by the Engineer to be appointed on the Application of either Party, at the Expense of the Company, by the Board of Trade, and the Decision of such Referee shall be final and conclusive.

Works to be done to Satisfaction of Commissioners or their Surveyor.

23. Except as is by this Act expressly provided, nothing in this Act contained shall extend or be construed to extend to prejudice, diminish, alter, abridge, or in any way affect any of the Rights, Privileges, Powers, or Authorities vested in the said Commissioners for the Rape of *Arundel*.

Saving Rights of Commissioners of Sewers.

24. The Company shall, in the Construction and Maintenance of the Railway (No. 1.), be subject to the following Conditions and Restrictions for the Protection and Accommodation of the respective Owners for the Time being of the *Broad Torrs* and *North Brooks* Estates, and of their respective Tenants; (that is to say,)

For the Protection of certain Estates.

1. The Owner for the Time being of the said *Broad Torrs* Estate and his Tenants shall be entitled to a perpetual Right of Way under One of the Arches of the Viaduct to be made at the Commencement of the said Railway, so that the Property in the

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the Parish of *Hardham* numbered 2 on the said Plans may be by such Right of Way connected with the said Estate:

2. The Company shall construct and maintain the following Works, namely, (1.) In the Parish of *Wiggonholt* Three Occupation Archways, each Twelve Feet wide, and with a clear Height for a Space of Nine Feet of not less than Twelve Feet: Provided always, that if similar Accommodation is provided by means of a Right of Way under any of the Arches of the Viaduct to be constructed in the said Parish, then it shall not be incumbent upon the Company to construct such One or more of the said Occupation Archways for which any such Right of Way shall be substituted, and the Surface of the Land where it is lowered under every such Archway shall be made and maintained by the Company of good solid Materials. (2.) In the said Parish of *Wiggonholt* Two level Crossings for the Accommodation of Carts and Waggons, one of such level Crossings to be in the Field numbered 15 on the said Plans, and the other where the Owner for the Time being of the said *North Brooks* Estate shall direct.

Preceding Provision not to deprive Owners of Accommodation Works under 8 & 9 Vict. c. 20.

25. Nothing herein-before contained shall relieve the Company from the Liability to make and maintain all such other Works as the Owners and Occupiers of the said respective Estates may be entitled to under the Clauses of "The Railways Clauses Consolidation Act, 1845," with respect to Works for Accommodation of Lands adjoining the Railway.

As to Settlement of Differences between Company and the said Owners.

26. Any Question which may arise between any such Owner and the Company under the Two last preceding Enactments, or out of or in relation to anything for which those Enactments provide or are intended to provide, shall be from Time to Time determined by an Arbitrator to be appointed on the Application of either Party by the Board of Trade, and the Decision of such Arbitrator shall be final and conclusive, and the Arbitrator shall decide by whom and how the Costs of and incident to the Arbitration shall be paid.

Lands for extraordinary Purposes.

27. The Company may purchase by Agreement, and not compulsorily, for extraordinary Purposes, as defined in "The Railways Clauses Consolidation Act, 1845," any Quantity of Land not exceeding Two Acres.

Powers for compulsory Purchases limited.

28. The Powers of the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing of this Act.

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29. The Railways shall be completed within Five Years from the passing of this Act, and on the Expiration of that Period all the Powers hereby granted to the Company for making the Railways, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the same as shall then be completed.

Time for
Exercise of
other Powers
limited.

30. And whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of Her present Majesty, Chapter 20, a Sum of Ten thousand nine hundred and eighty-nine Pounds and Threepence Stock in the Three *per Centum* Consolidated Bank Annuities, purchased for the Sum of Ten thousand Pounds, which is equal to Eight *per Centum* on the estimated Cost of the Railways by this Act authorized, has been transferred into the Name of the Accountant General of the Court of Chancery in *England* in respect to the Application to Parliament for this Act: Therefore, notwithstanding anything contained in the said recited Act, the said Sum so transferred as aforesaid in respect of the Application for this Act, or the Dividends of such Sum of Stock, shall not, except upon the Execution and Deposit of such Bond as hereinafter mentioned, be paid or transferred to or on the Application of the Person or Persons or the Majority of the Persons named in the Warrant or Order issued in pursuance of the said Act, or the Survivors or Survivor of them, unless the Company shall, previously to the Expiration of the Period by this Act limited for the Completion of the Railways, either open the Railways for the public Conveyance of Passengers, or prove to the Satisfaction of the Board of Trade that the Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if the said Period shall expire before the Company shall either have opened the Railways for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Board of Trade, the said Sum of Stock transferred as aforesaid, and the Dividends thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid or transferred by the Officer or Person in whose Name they shall then be deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*: Provided that at any Time after the passing of this Act if a Bond in twice the Amount of the said Sum of Ten thousand Pounds shall have been executed by the Company, with One or more Surety or Sureties, (such Bond to be prepared to the Satisfaction of, and such Surety or Sureties to be approved by, the Solicitor to the Lords Commissioners of Her Majesty's Treasury,) conditioned for Payment to Her Majesty,

Security for
Completion
of Railways
within Time
limited.

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Her Heirs or Successors, of the said Sum of Ten thousand Pounds if the Company shall not, within the Period by this Act limited for the Completion of the Railways, either open the Railways for the public Conveyance of Passengers, or prove to the Satisfaction of the Board of Trade that the Company have paid up One Half of the Amount of the said Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital, and if such Bond shall have been deposited with the said Solicitor to the said Lords Commissioners, then such Sum of Stock, and the Dividends thereof, shall be transferred and paid to or on the Application of the Person or Persons or the Majority of the Persons named in such Warrant or Order as aforesaid, or the Survivors or Survivor of them, or the Executors or Administrators of such Survivor, and it shall not be necessary to produce any Certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding; and the Monies to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Stock, and the Dividends thereof, would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitor to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Board of Trade that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

Tolls,

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

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

For First-class Goods described in the Schedule hereunto annexed, *per Ton per Mile* One Penny; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Halfpenny:

For Second-class Goods described in such Schedule, *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 Penny:

For Third-class Goods described in such Schedule, *per Ton per Mile* not exceeding Twopence Halfpenny; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Penny:

For Fourth-class Goods described in such Schedule, *per Ton per Mile* not exceeding Threepence Halfpenny; and if conveyed in Carriages

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Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Penny :

For Fifth-class Goods described in such Schedule, *per* Ton *per* Mile not exceeding Fourpence Halfpenny ; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Penny Halfpenny :

And for every Carriage of whatever Description having more than Two Wheels, not being a Carriage adapted and used for travelling on a Railway, carried or conveyed on a Truck or Platform not belonging to the Company, *per* Mile not exceeding Fivepence ; and if having only Two Wheels, *per* Mile Fourpence ; and if conveyed on a Truck or Platform belonging to the Company, an additional Sum of One Penny *per* Mile.

In respect of Passengers and Animals conveyed in Carriages on the Railways, as follows :

For any 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 Halfpenny :

For every Horse, Mule, Ass, or other Beast of Draught or Burden conveyed in or upon any such Carriage, *per* Mile not exceeding Fourpence ; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Penny :

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

32. The Toll which the Company may demand for the Use of Engines for propelling Carriages on the Railways shall not exceed 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. Tolls for propelling Power.

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

For Articles or Persons (excepting Third-class Passengers) conveyed on the Railway for a less Distance than Three Miles the Company may demand the Tolls and Charges herein-before prescribed as for Three Miles :

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For a fractional Part of a Mile beyond Three Miles or beyond any greater Number of Miles the Company may demand Tolls on Goods, Minerals, and Animals 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; and in respect of Passengers, every Fraction of a Mile beyond an integral Number of Miles shall be deemed 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, Beech, or Ash, and Fifty Cubic Feet of any other Timber, shall be deemed One Ton, and so in proportion for any smaller Quantity.

Tolls for
small Parcels
and single
Articles of
great
Weight.

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

For the Carriage of small Parcels the Company may demand any Sum which they may think fit, not exceeding the Rates following:

Not exceeding in Weight Seven Pounds, Threepence:

Exceeding Seven and not exceeding Fourteen Pounds, Fivepence:

Exceeding Fourteen and not exceeding Twenty-eight Pounds, Sevenpence:

Exceeding Twenty-eight and not exceeding Fifty-six Pounds, Ninepence:

Exceeding Fifty-six and not exceeding Five hundred Pounds, such Sum as they think proper:

Provided always, that Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages:

For the Carriage of any One Boiler, Cylinder, or single Piece of Machinery, or single Piece of Stone or Timber, or other single Article, the Weight of which, including the Carriage, shall exceed Four Tons but shall not exceed Eight Tons, the Company may demand such Sum as they think fit, not exceeding Sixpence *per Ton per Mile*:

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For the Carriage of any single Piece of Timber, Stone, or 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.

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

36. It shall not be lawful for the Company to demand or receive any greater Sum in respect of the Carriage of Passengers conveyed on the Railways than Twopence and Two Fifth Parts of a Penny *per* Passenger *per* Mile in respect of any Passenger travelling in a First-class Carriage, One Penny and Four Fifth Parts of a Penny *per* Passenger *per* Mile in respect of any Passenger travelling in a Second-class Carriage, and One Penny and One Fifth Part of a Penny *per* Passenger *per* Mile in respect of any Person travelling in a Third-class Carriage, including the Charges for the Use of Carriages and locomotive Power, and all other Charges incidental to such Conveyance. Maximum
Charges for
Convey-
ance of
Passenger s.

37. It shall not be lawful for the Company to charge in respect of the several Articles, Matters, and Things, and of the several Descriptions of Animals, herein-after mentioned, conveyed on the Railways, any greater Sum, including the Charges for the Use of Carriages, Waggons, or Trucks, and for locomotive Power, and all other Charges incidental to such Conveyance, (except a reasonable Sum for loading, covering, and unloading Goods at any Terminal Station of such Goods, and for Delivery and Collection, and any other Services incidental to the Business or Duty of a Carrier, where such Services or any of them are or is performed by the Company,) than the several Sums herein-after mentioned; (that is to say,) For Convey-
ance of
Goods and
Cattle.

For First-class Goods described in the Schedule hereunto annexed, *per* Ton *per* Mile One Penny Halfpenny :

For Second-class Goods described in such Schedule, *per* Ton *per* Mile Twopence :

For Third-class Goods described in such Schedule, *per* Ton *per* Mile Threepence :

For Fourth-class Goods described in such Schedule, *per* Ton *per* Mile Fourpence :

For Fifth-class Goods described in such Schedule, *per* Ton *per* Mile Fivepence :

For every Carriage of whatever Description having more than Two Wheels, and not being a Carriage adapted and used for

[Local.]

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travelling

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travelling on a Railway, *per* Mile Fivepence Farthing, and if having only Two Wheels, *per* Mile Fourpence Farthing :
 For every Horse, Mule, or Ass, *per* Mile Fourpence :
 For every Ox, Cow, Bull, or Neat Cattle, *per* Mile One Penny Halfpenny :
 For every Calf or Pig, *per* Mile One Penny :
 For every Sheep, Lamb, or other small Animal, *per* Mile One Halfpenny.

Terminal Station defined.

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

Tolls for separate Trucks for Cattle, &c.

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

Restriction as to Charges not to apply to Special Trains.

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

Company may take increased Charges by Agreement.

41. Nothing herein contained shall be held to prevent the Company from taking any increased Charge, over and above the Charges herein-before limited, for the Conveyance of Goods of any Description or Animals, by Agreement with the Owners of or Persons in charge of such Goods or Animals, either in respect of the Conveyance of such Goods or Animals (except small Parcels) by Passenger Trains, or by reason of any other special Service performed by the Company in relation to such Goods or Animals.

Power to enter into Traffic Arrangements with London, Brighton, and South Coast and Mid-Sussex Railway Companies.

42. The Company on the one part, and the *London, Brighton, and South Coast* Railway Company, and the *Mid-Sussex* Railway Company, or either of them, on the other part, may from Time to Time enter into and carry into effect Agreements with respect to the following Purposes, or any of them, and all incidental Matters; (that is to say,)

The Maintenance, Management, Use, and Working by all or any of the contracting Companies of all or any Part of the Railways of the Company, and the Use of the Stations, Works, and Conveniences belonging thereto :

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The Management, Collection, Conveyance, Transmission, and Delivery of the Traffic upon the Railways :

The Supply, Maintenance, and Repair of any Rolling or Working Stock, Engines, and Plant required for such Purposes :

The Costs and Expenses of such Working, Management, Maintenance, and Repairs :

The fixing, Appropriation, Collection, taking, and levying of the Tolls, Rates, and Charges arising on the Railways :

The Division and Apportionment between the contracting Companies of the Receipts arising from the Traffic upon the Railways, or any Part thereof :

The Employment of Officers and Servants upon the Railways and Works :

And (subject to the Provisions of this Act) any such Agreement may be made for the same Period of Time with reference to all the Purposes aforesaid, or for different Periods with reference to different Purposes.

43. With respect to the Tolls or Charges for Traffic conveyed on the Railways of the Company, or partly on the Railways of the Company and partly on the Railways of the *London, Brighton, and South Coast* and *Mid-Sussex* Railway Companies, as the Case may be, for a less Distance than Three Miles, during the Time the Railways shall be worked by the *London, Brighton, and South Coast* and *Mid-Sussex* Railway Companies, (or either of them,) those Companies shall be entitled to charge as for Three Miles and no more ; and it shall not be lawful for those Companies to make a Short-distance Charge for any Traffic conveyed for a longer Distance than Three Miles, whether on the Railways of the Company only, or partly on the Railways of the Company and partly on the Railways of the *London, Brighton, and South Coast* and *Mid-Sussex* Railway Companies respectively ; and those Companies may charge in respect of Passengers for each Fraction of a Mile beyond Three Miles as for One Mile, and in respect of Animals, Minerals, and Goods for each Fraction of a Mile beyond Three Miles in proportion to the Number of Quarters of a Mile contained therein, and for this Purpose a Fraction of a Quarter of a Mile shall be deemed a Quarter of a Mile.

Short-distance Toll during Agreements.

44. It shall not be lawful for the Company, out of any Money by this Act authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest or Dividend to any Shareholder on the Amount of Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised : Provided always, that nothing herein contained shall be deemed to prevent the Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of

Interest or Dividend not to be paid on Calls paid up.

Calls

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Calls actually made as shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

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

45. It shall not be lawful for the Company, out of any Money by this Act authorized to be raised, to pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament now in force or hereafter to be in force, may be required to be deposited in respect to any Application to Parliament for the Purpose of obtaining an Act authorizing the Company to construct any other Railway, or execute any other Work or Undertaking.

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

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

Expenses of Act.

47. All the Costs, Charges, and Expenses of and incidental to the obtaining of this Act, and preparatory thereto, shall be paid by the Company.

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SCHEDULE referred to in this Act.

FIRST CLASS.

Alkali.	Dung.	Malt.
Alum.	Eggs.	Meal.
Bark.	Flint.	Nitrate of Soda.
Bricks.	Flour.	Oil Cake in Casks.
Bones for Manure.	Fire-clay.	Potatoes.
Brooms and Broom-handles.	Fuller's Earth.	Pollard.
Bran.	Guano.	Salt for Manure.
Chalk.	Grain.	Sand.
Coal.	Gas or Water Pipes.	Stone, paving or building.
Coke.	Iron and Wood not otherwise enumerated.	Slates.
Compost.	Lime.	Spelter.
Cement.	Lead.	
Tiles.		

SECOND CLASS.

Ale and Porter in Casks.	Lard.	Soap.
Bacon.	Lead, White or Red.	Soda.
Butter in Casks.	Marble in Blocks.	Steel.
Cider.	Molasses.	Sugar, raw.
Charcoal.	Nails.	Sulphur.
Copper.	Paints.	Tallow.
Hair.	Pitch.	Tar.
Hemp.	Plaster.	Tin Tubing.
Hides.	Rags.	Vinegar.
Hops.	Rice.	Whiting.
Hoofs.	Resin.	Wool.
Hop Poles.	Salt.	
Iron, Hoop, Sheet, or small Rod.	Saltpetre.	
	Seed.	

THIRD CLASS.

Canvas.	Iron Castings liable to Damage.	Rope.
Cordage.	Herrings, dried.	Snuff.
Carpeting.	Leather.	Spirits and Wine in Wood.
Earthenware.	Machinery.	Stationery.
Flax.	Mats.	Tow.
Floorcloth.	Mineral Waters.	Turpentine.
Fruit.	Oil in Casks.	Varnish.
Groceries.	Oil Cakes, loose.	Veneers.
Hay.	Paper.	
Hardware.		

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FOURTH CLASS.

Agricultural Implements.	Drugs.	Meat.
Bottled Liquor.	Fish.	Poultry, dead.
Books.	Haberdashery.	Silks.
Butter, fresh.	Hosiery.	Sugar, refined.
Cork.	Joiner's Work.	Tinned Ware.
China.	Linens.	Wearing Apparel.
Drapery.	Luggage.	Woollens.

FIFTH CLASS.

Bonnets.	Harps.	Pictures and light
Carboys.	Hats.	Articles, per
Feathers.	Musical Instruments.	Agreement.
Furniture.	Oil in Jars.	Poultry, alive.
Glass.	Pianos.	

All Goods not enumerated to be charged in the Class to which they are analogous.

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