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# VICTORIÆ REGINÆ.

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## *Cap. lxxix.*

An Act for making a Railway from *Yarmouth* to the *East Suffolk* Railway in the Parish of *Haddiscoe*, with a Branch Railway connected therewith, and for other Purposes.

[7th July 1856.]

**W**HEREAS the Construction of a Railway from the Town of *Great Yarmouth* to the *East Suffolk* Railway in the Parish of *Haddiscoe* in the County of *Norfolk*, with a Branch Railway in the Hamlet of *Southtown* otherwise *Little Yarmouth* in the County of *Suffolk* connected therewith, would be of great public and local Advantage: And whereas a Plan and Section of the Railway and Branch Railway showing the Lines and Levels thereof respectively, with a Book of Reference to the Plan containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and of the Occupiers of the Lands through which the said Railway and Branch Railway will pass, have been deposited with the Clerks of the Peace for the Counties of *Suffolk* and *Norfolk* respectively: And whereas it is expedient that Arrangements should be authorized with respect to the working of the Railway and Branch Railway by the *East Suffolk* Railway Company: And whereas the Persons herein-after named, with  
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others, are willing at their own Expense to construct the Railway and Branch Railway, but they cannot do so 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,)

8 & 9 Vict.  
cc. 16., 18., &  
20. incorpo-  
rated.

I. "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," are hereby incorporated with and shall form Part of this Act.

Short Title.

II. In citing this Act for any Purpose it shall be sufficient to use the Expression "*The Yarmouth and Haddiscoe Railway Act, 1856.*"

Interpreta-  
tion of  
Terms.

III. Where in this Act the Words "the Company" occur the same means the Company incorporated by this Act, and where the Word "Railway" occurs the same includes the Railway, Branch Railway, Stations, Works, and Conveniences connected therewith by this Act authorized to be made, unless there be something in the Subject or Context repugnant to such Construction.

Subscribers  
incorporated.

IV. Sir *Edmund Henry Knowles Lacon* Baronet, *John Henry Gurney*, *John Brightwen*, *Isaac Preston*, *John Clowes*, *Thomas Brightwen*, *Richard Hammond*, *William Johnson*, *Samuel Charles Marsh*, *William Hurry Palmer*, *Edward Harbord Lushington Preston*, *Edward Pitt Youell*, *John Barker*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Railway, and such Company shall be incorporated by the Name of "*The Yarmouth and Haddiscoe Railway Company*," and by that Name shall be a Body Corporate, with perpetual Succession, and shall have a Common Seal, and Powers to sue and be sued, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking within the Restrictions contained in this Act and the Acts incorporated herewith.

Capital.

V. The estimated Cost of the Railway being Eighty-two thousand five hundred Pounds, the Capital of the Company shall be Ninety thousand Pounds.

Shares.

VI. The Number of Shares into which the Capital shall be divided shall be Nine thousand, and the Amount of each Share shall be Ten Pounds.

VII. Two



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VII. Two Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and Two Months at the least shall be the Interval between successive Calls, and Two Third Parts of the Amount of a Share shall be the utmost aggregate Amount of Calls to be made in any One Year upon any Share.

Calls.

VIII. The Company may borrow on Mortgage or Bond any Sums not exceeding in the whole the Sum of Twenty-five thousand Pounds, but no Part of such Sum shall be borrowed until the whole of the said Capital or Sum of Ninety thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up.

Power to borrow on Mortgage.

IX. The Monies by this Act authorized to be raised, whether by Shares, Mortgage, or Bond, shall be applied only in carrying into execution the Objects and Purposes of this Act.

Application of Capital.

X. The Mortgagees of the Company may enforce the Payment of the Arrears of Interest or the Arrears of Principal and Interest due on such Mortgages by the Appointment of a Receiver, and in order to authorize the Appointment of such Receiver, in the event of the Interest or Principal Monies 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 Three thousand Pounds in the whole.

Arrears may be enforced by Appointment of a Receiver.

XI. The First Ordinary Meeting of the Company shall be held within Three Months next after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held in the Months of *March* and *September* in every Year.

First and other Meetings.

XII. Subject to the Provisions herein contained for reducing the Number of Directors, the Number of Directors shall be Eight, and the Qualification of a Director shall be the Possession in his own Right of Twenty-five Shares in the Undertaking.

Number and Qualification of Directors.

XIII. It shall be lawful for the Company from Time to Time to reduce the Number of Directors, provided that the Number shall never be less than Five.

Power to reduce the Number of Directors.

XIV. The Directors appointed by this Act shall continue in Office until the First Ordinary Meeting to be held after the passing of this Act, and at such Meeting the Shareholders present, personally or by Proxy, may either continue in Office the Directors appointed by this Act, or any Number of them, or may elect a new Body of Directors, or Directors to supply the Places of those not continued in Office, the Directors appointed by this Act being eligible as Members of such

First Directors to continue in Office until First Meeting after passing of Act.

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new Body ; and at the First Ordinary Meeting to be held in every Year thereafter the Shareholders present, personally or by Proxy, shall elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions in "The Companies Clauses Consolidation Act, 1845," and in this Act mentioned, and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead, in manner provided by "The Companies Clauses Consolidation Act, 1845," and by this Act, or either of them.

First Directors of Company.

XV. Sir *Edmund Henry Knowles Lacon* Baronet, *Thomas Brightwen*, *Richard Hammond*, *William Johnson*, *William Hurry Palmer*, *Edward Harbord Lushington Preston*, *Samuel Charles Marsh*, and *Edward Pitt Youell* shall be the First Directors of the Company.

Quorum.

XVI. A Quorum of a Meeting of Directors shall be Three.

Quorum of Committees.

XVII. The Quorum of any Committee of Directors shall be Two.

Newspapers for Advertisements.

XVIII. The Newspapers in which Advertisements relating to the Affairs of the Company are to be inserted shall be some Newspapers published in the Counties of *Norfolk* and *Suffolk* respectively.

Power to make Railway, &c. according to deposited Plans.

XIX. It shall be lawful for the Company, subject to the Provisions in this and the incorporated Acts contained, and to the Powers of Deviation authorized by such last-mentioned Acts, to make and maintain the Railway and Branch Railway, with all proper Stations, Works, and Conveniences connected therewith, in the Line or Course and upon the Lands delineated on the said Plan and described in the said Book of Reference, and according to the Levels described on the said Section, and the Company may enter upon, take, and use such of the said Lands delineated in the said Plan and described in the said Book of Reference as shall be necessary for all or any of such Purposes.

Description of Railway and Branch Railway.

XX. It shall be lawful for the Company to make, complete, and maintain the Railway and Branch Railway following, with all proper Stations, Works, and Conveniences connected therewith respectively ; (that is to say,)

A Railway commencing by a Junction in the Parish of *Haddiscoe* otherwise *Hadiscoe* otherwise *Hadescoe* in the County of *Norfolk* with the *East Suffolk* Railway at a Point in the said Parish distant about Seventy-eight Chains South-east from the Turnpike Road to *Great Yarmouth* at the *Haddiscoe* Railway Station level Crossing, and terminating in or near the Front Garden in the Occupation of *Sophia Chevallier* between the House in her Occupation and the *Southtown* Turnpike Road in the Hamlet of  
*Southtown*



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*Southtown* otherwise *West Town* otherwise *Little Yarmouth* in the Parish of *Gorleston* in the County of *Suffolk* :

A Branch Railway commencing by a Junction with the said before-mentioned intended Railway at or about a Point in the Parish of *Bradwell* distant about Two Chains from the North-east Corner of a Piece of Arable Land belonging to the Executors and Trustees of *John Sayers Bell* deceased, and in the Occupation of *William Edward Bell*, and which Piece of Arable Land is called the *Sycamore Piece*, and lies on the East Side of the Farm Buildings in the Occupation of the said *William Edward Bell*, and terminating in the said Hamlet of *Southtown* otherwise *West Town* otherwise *Little Yarmouth* in the said Parish of *Gorleston*, on or near to the West Bank or Quay of the River *Yare*, on a Piece of Land adjoining and to the South of the *Gorleston and Southtown Gasworks*.

XXI. The following public Roads, being numbered on the deposited Plans as follows, may be crossed by the Railway on the Level, with the Number of Lines of Railway herein-after specified ; (that is to say,)

Certain Roads may be crossed on a Level.

Number on Plan.	Parish.	Number of Lines of Railway which may be laid down.
11 and 8	Herringfleet - - -	Two Lines of Railway.
26	Belton - - -	Two Lines of Railway.
30	Bradwell - - -	Two Lines of Railway.
19	Hamlet of Southtown -	Two Lines of Railway.

XXII. It shall not be lawful for the Company, or any other Company or Person, to use Locomotive Steam Engines upon the Lines of Railway by which the Road numbered 19 in the Hamlet of *Southtown* will be crossed upon the Level thereof, and the Company or any other Company or Person who shall use or cause to be used Locomotive Steam Engines across such Road on the Level thereof shall be liable to a Penalty of Five Pounds for every such Offence.

Locomotive Engines not to be used across a certain Road in Hamlet of Southtown.

XXIII. For the greater Convenience and Security of the Public, the Company shall erect and permanently maintain either a Station or Lodge at the Points where the before-mentioned Roads shall be crossed on a 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 to maintain any such Station or Lodge, or to appoint a proper Person to watch or superintend the Crossing at any such Point or Station, or

Company to erect Stations or Lodges where Roads cross on the Level.

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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 Bridge instead of level Crossing.

XXIV. The Board of Trade (if it shall appear to them necessary for the public Safety at any Time, either before or after the Railway hereby authorized to be made shall have been completed and opened for public Traffic,) may require the Company, within such Time as the Board of Trade shall direct, and at the Expense of the Company, to carry any or either of the herein-before mentioned Roads either under or over the Railway by means of a Bridge or Arch, instead 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 of Trade the best adapted for removing or diminishing the Danger arising from any such level Crossing.

Land for extraordinary Purposes.

XXV. The Quantity of Land to be purchased by the Company for the extraordinary Purposes mentioned in the said Railways Clauses Consolidation Act shall not exceed Three Acres.

Powers for compulsory Purchases limited.

XXVI. 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 Two Years from the passing of this Act.

Period for Completion of Works.

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

How Junction with East Suffolk Railway, &c. to be executed.

XXVIII. The Junction with the *East Suffolk* Railway by this Act authorized, and all Openings in the Rails of such last-mentioned Railway for such Purpose, shall be executed to the reasonable Satisfaction of the Engineer for the Time being of the *East Suffolk* Railway Company.

Bridge over Lowestoft Railway to be executed to Satisfaction of Engineer of Eastern Counties Railway Company.

XXIX. The Bridge for carrying the Railway over the *Lowestoft* Railway, and all Works connected therewith, shall be constructed to the reasonable Satisfaction of the Engineer of the *Eastern Counties* Railway Company, and during the Construction of the Railway it shall not be lawful for the Company to obstruct the Traffic upon the *Lowestoft* Railway; and if the Company, their Agents, Servants, or Workmen, shall obstruct the Traffic upon the *Lowestoft* Railway, they shall



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shall forfeit and pay to the *Eastern Counties* Railway Company a Penalty of Twenty Pounds for every Hour during which such Traffic shall be obstructed, and such Penalties may be sued for and recovered by the *Eastern Counties* Railway Company from the Company in any Court of competent Jurisdiction.

XXX. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth and Tenth Years of Her present Majesty, Chapter Twenty, a Sum of Six thousand one hundred and eighty-eight Pounds, being One Tenth Part of Three Fourths of the Amount of the estimated Expense of the Railway authorized by this Act, has been deposited with the Court of Chancery in *England*, pursuant to the same Act, in respect of the Application to Parliament for this Act: Be it enacted, That, notwithstanding anything contained in the said last-recited Act, the said Sum of Six thousand one hundred and eighty-eight Pounds so deposited as aforesaid in respect of the Application for this Act, or the Interest or Dividends of such Sum of Money, shall not, except upon the Execution and Deposit of such Bond as herein-after mentioned, be paid or transferred to or on the Application of the Person or Persons, 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 limited by this Act for Completion of the Railway hereby authorized to be made, either open the said Railway for the public Conveyance of Passengers, or prove, to the Satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations, that the Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if the said Period shall expire before the Company shall either have opened the said Railway for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the said Sum of Money deposited as aforesaid, and the Interest and Dividends thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*; provided, that at any Time after the passing of this Act, if a Bond in twice the Amount of the said Sum of Six thousand one hundred and eighty-eight Pounds shall have been executed by the Company, with One or more Sureties (such Bond to be prepared to the Satisfaction of and such Surety or Sureties to be approved by the

Deposits in Court of Chancery to be forfeited to the Crown in a certain Event.

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Solicitor to the Lords Commissioners of Her Majesty's Treasury,) conditioned for Payment to Her Majesty, Her Heirs and Successors, of the said Sum of Six thousand one hundred and eighty-eight Pounds if the Company shall not, within the Time limited for the Completion of the said Railway, either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee that the Company have paid up One Half of the Amount of the said Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if such Bond shall have been deposited with the said Solicitor to the said Lords Commissioners, then such Sum of Money, and the Interest or Dividends thereof, shall be paid to or on the Application of the Person or Persons, or the Majority of the Persons, named in such Warrant or Order as aforesaid, or the Survivors or Survivor of them, and it shall not be necessary to produce any Certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding; and the Monies to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Money and the Interest or Dividends thereof would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitor to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Lords of the said Committee that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts as so certified.

Before commencing Work, Plans to be deposited with Admiralty.

XXXI. Previously to commencing the Bridge over the River *Waveney*, or the Works connected therewith, the Company shall deposit at the Admiralty Office Plans, Sections, and Working Drawings of the said Bridge, and Works connected therewith, for the Approval of the Lord High Admiral of the United Kingdom of *Great Britain and Ireland*, or the Commissioners for executing the Office of Lord High Admiral aforesaid, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty, and such Bridge and Works shall be constructed only in accordance with such Approval, and Copies of the Plans and of the Elevation of such Bridge shall also, previously to such Commencement, be deposited with the Clerk of the Commissioners of the Haven of *Great Yarmouth*.

Bridge across the River *Waveney* to be approved by Admiralty.

XXXII. The Company shall make and maintain in the Bridge across the River *Waveney* an Opening Span of not less than Thirty Feet in Width; and the Waterway of the said River shall be in no way contracted; and the Headway under the Soffit of the said Bridge shall be such as the Lord High Admiral of the United Kingdom of *Great Britain and Ireland*, or the Commissioners for executing the Office of  
Lord



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Lord High Admiral, shall previously approve of, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty.

XXXIII. During the Construction of the said Bridge and Works connected therewith the Company shall cause to be hung out or exhibited, every Night from Sunset to Sunrise, a Light, to be kept burning by and at the Expense of the Company, for the Navigation and safe Guidance of Vessels, and for ever after the Completion of the said Bridge the Company shall cause to be hung out or exhibited upon or near to the Centre of the said Bridge, every Night from Sunset to Sunrise, a good and sufficient Light, to be kept burning by and at the Expense of the Company, for the Navigation and safe Guidance of Vessels, and which Lights shall be from Time to Time altered by the Company in such Manner, and be of such Description, and be so used and placed, as the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral shall by Writing under the Hand of the Secretary of the Admiralty approve of; and in case the Company shall neglect to exhibit and keep either of such Lights burning as aforesaid, they shall forfeit and pay for every such Neglect the Sum of Ten Pounds.

Lights to be exhibited during Construction of Bridge and afterwards.

XXXIV. It shall not be lawful for the Company, or any Person or Persons acting under them, to detain any Vessel, Barge, or Boat navigating the River *Waveney* for a longer Space of Time than may be sufficient to admit of any Carriages or Trains regularly traversing the said Railway, and approaching the said Bridge, to cross the said River *Waveney*, and for opening the said Bridge to admit such Vessel, Barge, or Boat to pass; and in case the Company, or any Person or Persons acting under them, shall detain any such Vessel, Barge, or Boat for a longer Space of Time than Ten Minutes, or demand, take, or receive any Toll for the Passage of any Person or Persons, Vessel, Barge, or Boat, the said Company or every Person so offending shall in every such Case forfeit and pay the Sum of Ten Pounds; but nothing in this Act shall prevent any Remedy for Damages which any Party may sustain in respect of any such Detention as aforesaid.

Vessels not to be delayed at opening Bridge.

XXXV. The Company shall maintain the Bed of the River *Waveney*, and the Banks thereof, in an equally good State as at the Time of the passing of this Act, and in case of Neglect or Default at any Time or Times by the Company in that Behalf, it shall be lawful for the Lord High Admiral of the United Kingdom of *Great Britain and Ireland*, or the Commissioners for executing the Office of Lord High Admiral if he or they think fit, to repair and maintain the same at the Cost and Charge of the Company, and the Amount

Bed of the River *Waveney* to be maintained.

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thereof shall be a Debt or Debts due from the Company to the Crown, and be recoverable accordingly with Costs of Suit.

Admiralty  
may order  
local Survey  
at Expense  
of Company.

XXXVI. If at any Time or Times it shall be deemed expedient by the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral, to order a local Survey and Examination of any Works of the Company in, over, or affecting any tidal or navigable Water or River, or of the intended Site thereof, the Company shall defray the Costs of every such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the Company, and, if not paid upon Demand, may be recovered as a Debt due to the Crown, with the Costs of Suit, or may be recovered with Costs as a Penalty is or may be recoverable from the Company.

Works af-  
fecting tidal  
Waters  
abandoned,  
&c. may be  
removed by  
Admiralty at  
Expense of  
Company.

XXXVII. If any Work to be constructed by the Company in, under, over, through, or across any tidal Water or navigable River, or if any Portion of any Work which affects or may affect any such Water or River or Access thereto, shall be abandoned or suffered to fall into Disuse or Decay, it shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly with Costs of Suit.

Mode of  
constructing  
the Bridge  
over the  
Waveney.

XXXVIII. In and for carrying the said Railway over the River *Waveney* the Company shall, at their own Expense, and to the Satisfaction of the Engineer for the Time being of the Commissioners of the Haven of *Great Yarmouth*, make and maintain a good and sufficient Swivel or Opening Bridge, with a clear Opening Span on each Side of the Centre or Pivot thereof of not less than Thirty Feet in Width, so that there may at all Times be an uninterrupted navigable Waterway of such clear Width as aforesaid, for masted and other Vessels, on each Side of the said Centre or Pivot of the said Bridge directly following the Channel of the said River, and so as to admit all Vessels navigating the said River to pass through and on each Side of the said Centre or Pivot; and the Centre or Pivot and Piers of the said Bridge shall be so placed as to be parallel with the Ebb and Flow of the Tide; and the Height of Headway or Distance between the Surface of the said River and the Underpart of the said Bridge, when closed or shut, shall not at any Time or in any Place be less than Eight Feet and Six Inches above the Level of ordinary High Water or of ordinary High Tides.

XXXIX. The



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XXXIX. The present Waterway of the said River *Waveney* shall not be reduced by means of the said Bridge, or by the Acts of the said Company, so as to obstruct or hinder the free Ebb and Flow of the Waters thereof, and the sectional Area of such Waters shall not be reduced, and the Banks and Bed of the said River on both Sides thereof, to the Extent of Fifty clear Yards above and below the said Bridge and under the said Bridge, shall be excavated to the uniform Depth of Six Feet at Low Water, and such Excavations at the said Bridge shall be of the Width, Extent, and Space occupied in the said River by the Diameter of the several Piers and Piles of the said Bridge, and shall regularly diminish to the Point of the Banks Fifty Yards above and below the said Bridge, and the said Excavations shall at all Times be maintained and kept clear and open by and at the Expense of the said Company.

River not to be contracted by Bridge.

XL. In constructing the Bridge aforesaid, and the Railway and Works leading thereto, the Company shall form, make, and at all Times maintain all such Openings, Culverts, Drains, or other Passages under the said Railway as shall, to the Satisfaction of the Engineer for the Time being of the Commissioners of the Haven aforesaid, be sufficient to carry off the Flood or Backwater from the said River *Waveney*, and also from the Lands adjoining or near thereto, as fully, freely, and uninterruptedly as the same were carried off at the Time of the passing of this Act, and without obstructing or impounding the Water of the said River to the Prejudice of the Navigation or of the said Lands, and so that the Water on one Side of the said Bridge, Railway, and Works shall not at any Time be at an Elevation of more than One Inch above the Water on the other Side thereof.

Company not to obstruct the Flood and Backwater of the River *Waveney*.

XLI. The Company shall make and maintain, to the Satisfaction of the Engineer for the Time being of the Commissioners of the Haven aforesaid, such Bases or Foundations as shall be sufficient to secure and prevent the Banks of the said River from being forced into the Stream or Channel thereof where the said Railway crosses the said River, and to protect and secure the Foundations of the Quays next or near to the Haven of *Great Yarmouth* where the said Railway and Branch Railway, or either of them, or the other Works of the said Company, shall extend or adjoin; and the said Company shall not, on any Account or Pretence whatsoever, cast or throw, or permit to be cast or thrown, into the said River *Waveney*, or the said Haven or River of *Great Yarmouth*, any Stones or Materials of any Description for the Purpose of making or maintaining the several Foundations aforesaid, or any of them, or the Foundations of the Centre of the Pivot or Bridge, or of the Piers aforesaid, or for any other Purpose whatsoever, without the Consent in Writing of the Commissioners of the Haven aforesaid, except such Stones or Materials shall

Foundations of Railway next River to be constructed to Satisfaction of Commissioners Engineer.



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shall be placed and there maintained on a Level not above the Bed of the said River.

Quays to be repaired by Company where Railways extend, and Right of Passage not to be interrupted.

XLII. In all Cases where the said Railways or either of them, or the other Works of the said Company, shall extend to or interfere with the Quays, Banks, or Wharfs of the said Haven or River *Yare*, or any of them, the said Company shall at all Times hereafter maintain and keep such Quays, Banks, or Wharfs in repair, and the Company shall not at any Time hereafter interrupt or impede the public Way or Passage along and over the said Quays or any of them, and the Company shall be subject to the Provisions contained in "The *Great Yarmouth* Haven, Bridge, and Navigation Act, 1835," and especially in the Twenty-ninth, Thirtieth, Thirty-first, and Seventy-sixth Sections thereof.

Disputes between Commissioners and Company to be settled by the Admiralty.

XLIII. In case any Dispute or Difference shall arise between the said Commissioners of the Haven aforesaid and the said Company with respect to any of the Matters herein-before required to be done, such Dispute or Difference shall be referred to and settled by the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral.

Tolls.

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

Tonnage on Articles of Merchandise.

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 all undressed Materials for the Repair of public Roads or Highways, *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 Farthing:

For all Coals, 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, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandise, *per Ton per Mile* not exceeding Three Halfpence; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Halfpenny:

For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per Ton per Mile* not exceeding Twopence; and if conveyed in Carriages belonging to the Company,

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an additional Sum *per Ton per Mile* not exceeding Three Farthings :

For all Cotton or other Wool, Drugs, manufactured Goods and other Wares, Merchandise, Fish, 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 Penny :

And for every Carriage of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform not belonging to the Company, *per Mile* not exceeding Sixpence ; and a like Sum of One Penny Halfpenny *per Mile* for every additional Quarter of a Ton, or fractional Part of a Quarter of a Ton, which any such Carriage may weigh ; and if conveyed on a Truck or Platform belonging to the Company, an additional Sum *per Mile* not exceeding Twopence.

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

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 Penny :

For every Horse, Mule, Ass, or other Beast of Draught or Burden, and for every Ox, Cow, Bull, or Neat Cattle, 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 Calf or Pig, Sheep or Lamb, or other small Animal, 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 Farthing.

XLV. The Tolls which the Company may demand for the Use of Engines for propelling Carriages on the Railway 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.

XLVI. 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



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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 Merchandise 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 Weight, and so in proportion for any smaller Quantity.

Tolls for  
small Parcels  
and Articles  
of great  
Weight.

XLVII. And with respect to small Packages and single Articles of great Weight, the Company, notwithstanding the Rate of Toll prescribed by this Act, 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, Fourpence:

For any Parcel exceeding Seven Pounds and not exceeding Fourteen Pounds in Weight, Sixpence:

For any Parcel exceeding Fourteen Pounds and not exceeding Twenty-eight Pounds in Weight, Eightpence:

For any Parcel exceeding Twenty-eight Pounds and not exceeding Fifty-six Pounds in Weight, One Shilling:

And for any Parcel exceeding Fifty-six Pounds in Weight, but not exceeding Five hundred Pounds in Weight, the Company may demand any Sum which they think fit:

Provided always, that Articles sent in large aggregate Quantities, although 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, 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 think fit, not exceeding Sixpence *per Ton per Mile*:

For



*The Yarmouth and Haddiscoe Railway Act, 1856.*

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.

XLVIII. Every Passenger travelling upon the Railway may take with him his ordinary Luggage, not exceeding One hundred and twelve 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.

XLIX. 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 Sums: Maximum  
Rate of  
Charge for  
Passengers.

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

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

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

L. And with respect to the Conveyance of Horses, Cattle, Carriages, and Goods, the maximum Rates of Charge, including the Tolls for the Use of the Railway, and of Waggon or Trucks and locomotive Power, and every Expense incidental to such Conveyance (except the loading and unloading of Goods, when such Service is performed by the Company), shall not exceed the Sums following: For Animals  
and Goods.

For every Horse, Mule, Ass, or other Beast of Draught or Burden, and for every Ox, Cow, Bull, or Neat Cattle, the Sum of Fourpence *per* Mile:

For every Calf, Pig, Sheep, Lamb, or other small Animal, the Sum of Three Farthings *per* Mile:

For Carriages, the Sum of Sixpence *per* Mile:

For all Dung, Compost, and all Sorts of Manure, Lime and Limestone, and all undressed Materials for the Repair of public Roads or Highways, the Sum of One Penny Halfpenny *per* Ton *per* Mile:

For all Coals, 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, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles



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Articles of Merchandise, the Sum of One Penny *per Ton per Mile* :

For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, the Sum of Threepence *per Ton per Mile* :

For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares and Merchandise, Fish, Articles, Matters, or Things, the Sum of Fourpence *per Ton per Mile*.

As to Cattle. LI. Provided always, That with respect to Cattle and Sheep, when a Waggon or Truck for the Carriage of Cattle or Sheep shall be engaged by One Party, it shall not be lawful for the Company to charge any greater Sum, including all the Charges aforesaid, than One Shilling *per Mile* for every Waggon or Truck capable of containing conveniently Six Cattle or Thirty Sheep.

Power to charge extra for Goods by Agreement with the Owners.

LII. Notwithstanding anything in this Act contained, it shall be lawful for the Company, and they are hereby authorized and empowered, by Agreement with the Owner or Owners of or Person or Persons in charge of Goods of any Description, to take and receive, and in such Case to demand and recover, either in respect of the Conveyance of such Goods (other than small Parcels) by Passenger Trains, and in respect also of small Parcels by Express Trains, or by reason of any other special Service performed by the Company in relation thereto, any increased Rate or Charge over and above the Rates and Charges by this Act limited or authorized to be received and taken for or in respect of any such Goods.

Restriction as to Charges not to apply to Special Trains.

LIII. The Restrictions as to the Charges to be made for Passengers shall apply to the Ordinary and Express Trains from Time to Time appointed, but shall not extend to any Special Train.

Powers to enter into Traffic Arrangements with the East Suffolk Railway Company.

LIV. The *East Suffolk* Railway Company and the Company may from Time to Time enter into Agreements with respect to the following Purposes, or any of them ; (that is to say,)

The Use and Working by the *East Suffolk* Railway Company of all or any Part of the Railway of the Company, and the Use of the Works and Conveniences belonging thereto :

The Conveyance by the *East Suffolk* Railway Company of the whole or any Part of the Traffic upon the said Railway :

The Division and Apportionment of such Traffic between the said Companies respectively :

The Supply of any Working or Rolling Stock required for such Purposes :

The



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The Use or Purchase by the *East Suffolk* Railway Company of the Rolling or Working Stock belonging to the Company, or any Part thereof :

The Management, Maintenance, and Repair of the Railway :

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

The Forwarding, Interchange, and Transmission upon or over the respective Railways of the said Companies of any Passenger or other Traffic which may be conveyed upon and from the Railways of the *East Suffolk* Railway Company to and along the Railway or any Part thereof, or which may be conveyed upon and along the Railway to and along the *East Suffolk* Railway, or any Part thereof :

The Collection, Delivery, and general Conduct of such Traffic :

The fixing of the Tolls, Rates, and Charges to be levied or taken by the said Companies, or either of them, in respect of the Traffic conveyed over their respective Railways or any Part thereof respectively, not exceeding the maximum Tolls, Rates, and Charges authorized by the Acts of Parliament relating to such Railways respectively :

The Collection, taking, and levying of the said Tolls, Rates, and Charges :

The Division between the said Companies of the Receipts arising from the Traffic upon their respective Railways or any Part thereof respectively, subject to any Deductions to be made therefrom, or any Rent or other Consideration to be paid by any of the said Companies to the other of them by virtue of the said Agreements.

LV. Any such Agreement shall not be for more than Ten Years, and no such Agreement shall have any Operation until the same shall have been approved of by the Board of Trade ; and no such Agreement as aforesaid shall in any Manner alter, affect, increase, or diminish any of the Tolls, Rates, or Charges which the said Companies shall for the Time being be respectively authorized and entitled to demand and receive from any Person or Persons, or any other Company ; but all other Persons and Companies shall, notwithstanding any such Agreement, be entitled to the Use and Benefit of the Railways to which the said Agreement may relate, upon the same Terms and Conditions, and on Payment of the same Tolls, Rates, and Charges, as they would have been in case no such Agreement had been entered into : Provided always, that the said Board shall not approve such Agreement without being satisfied that the same has been duly assented to by the Shareholders of the said Companies Parties thereto in Special Meeting assembled for that Purpose as herein-after required.

Duration of Agreement.  
To be approved by Board of Trade.

Agreements not to affect Persons not Parties thereto.

[*Local.*]

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LVI. At



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Agreement may be renewed, with the Approval of the Board of Trade.

Public Notice to be given of the Intention to enter into Agreements.

Agreement inoperative until approved by the Board of Trade.

Working Arrangements, &c. not to take effect unless approved by Three Fifths of the Shareholders.

Meeting how to be convened.

Traffic on both Lines not to be subject to short Distance Clause

LVI. At the Expiration of the said Agreement, or of any future Agreement, the said Companies, with the Consent in Special Meeting of the Shareholders of such Companies respectively as herein-after required, and subject to the Approval of the Board of Trade, may from Time to Time enter into an Agreement, for not more than Ten Years from the Expiration of the preceding Agreement, for all or any of the Purposes aforesaid; provided, that before such Companies shall enter into any such further Agreement as aforesaid they shall give Notice of their Intention to enter into such Agreement by Advertisement, in a Form to be approved of by the Board of Trade, inserted once in each of Three successive Weeks in some Newspaper published or circulating in each County in which any Part of the Railway or Railways to which such proposed Agreement relates is situated; and every such Notice shall set forth within what Time and in what Manner any Company or Person aggrieved by such proposed Agreement, and desiring to object thereto, may bring such Objections before the Board of Trade; and no such Agreement shall be valid at Law or in Equity until the same shall have been approved of by the Board of Trade.

LVII. None of the Powers and Provisions of this Act with respect to the Use, working, or managing of the Railway hereby authorized by the *East Suffolk* Railway Company, or with respect to the Interchange of Traffic between the Company and the *East Suffolk* Railway Company, shall have any Operation or Effect unless and until the Contracts or Arrangements intended to be made for such Purposes respectively shall have been submitted to and approved by a Majority of not less than Three Fifths of the Votes of the Shareholders present, personally or by Proxy, at a Meeting of the Companies Parties thereto specially convened for that Purpose.

LVIII. Such Meeting shall be called by Advertisement inserted once at least in Two successive Weeks in a Morning Newspaper published in *London*, and in some Newspaper of the County in which the principal Office of the Company Party to such Contract or Arrangement is situate, the last of which Advertisements shall be published not less than Seven Days before such Meeting, and also by a Circular addressed to each Shareholder entitled to vote at Meetings of the Company, to be served in the Manner prescribed by "The Companies Clauses Consolidation Act, 1845," with respect to Notices requiring to be served by the Company upon the Shareholders.

LIX. In estimating the Tolls or Charges to be paid, during the Continuance in force of any such Contract or Agreement as aforesaid, in respect of Articles or Persons conveyed for short Distances partly upon the *East Suffolk* Railway, and partly upon the Railway by this



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this Act authorized, the last-mentioned Railway shall be deemed to be Part of the *East Suffolk* Railway. on both Lines.

LX. 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 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 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. Interest not to be paid on Calls paid up.

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

LXII. Nothing herein contained shall be deemed or construed to exempt the Railway from the Provisions of any General Act relating to this Act, or of any General Act relating to Railways, or to the better and 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 authorized by this Act, or of the Rates for small Parcels. Railway not exempt from Provisions of present and future General Acts.

LXIII. Nothing contained in this Act, or in any of the Acts herein referred to, shall extend to authorize the said Company to take, use, or in any Manner interfere with any Foreshore or other Land, Soil, Tenements, or Hereditaments, or any Rights in respect thereof, belonging to the Queen's most Excellent Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues; or One of them, on behalf of Her Majesty, first had and obtained for that Purpose, (which Consent such Commissioners are hereby respectively authorized to give,) or to take away, prejudice, diminish, or alter any of the Estates, Rights, Privileges, Powers, or Authorities vested in, or enjoyed or exerciseable by, the Queen's Majesty, Her Heirs or Successors. Saving Rights of the Crown.

LXIV. All



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*The Yarmouth and Haddiscoe Railway Act, 1856.*

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Expenses of  
Act.

LXIV. All the Costs, Charges, and Expenses of applying for, obtaining, and passing this Act, or preparatory or incident thereto, shall be paid by the Company.

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LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,  
Printers to the Queen's most Excellent Majesty. 1856.