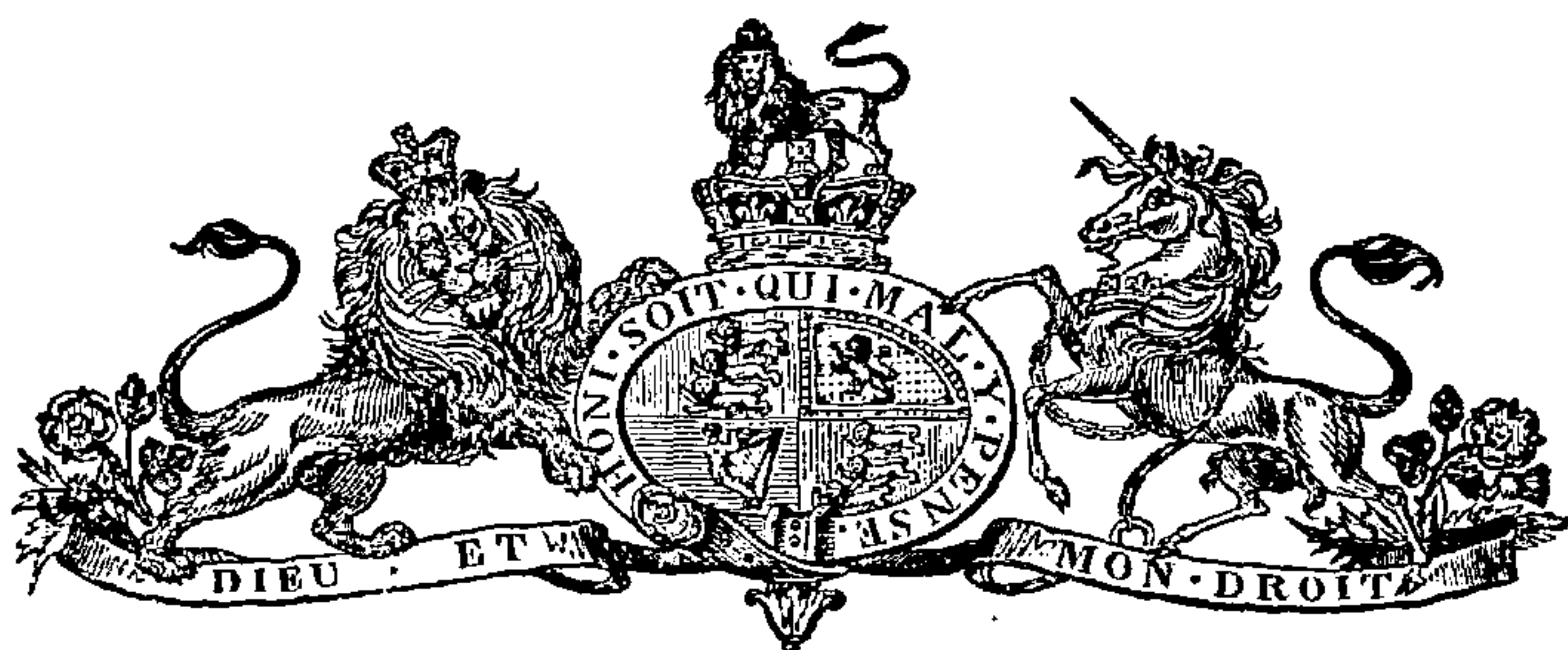




ANNO VICESIMO TERTIO & VICESIMO QUARTO

VICTORIÆ REGINÆ.

Cap. clxiii.

An Act for making a Railway from *Sudbury*, through
Melford, to *Clare*. [23d July 1860.]

WHEREAS the Construction of a Railway from the *Colchester, Stour Valley, Sudbury, and Halstead* Railway at *Sudbury*, through *Melford*, to *Clare*, would be attended with great local and public Advantage: And whereas the Persons herein-after named, with others, have formed themselves into a Company for the Purpose of making such Railway: And whereas a Plan and Section of the intended Railway, showing the Line and Levels thereof, with a Book of Reference to the Plan containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands through which the said Railway will pass, have been deposited with the respective Clerks of the Peace for the Counties of *Essex* and *Suffolk*: And whereas the estimated Cost of the Undertaking is Sixty-five thousand Pounds: And whereas the *Colchester, Stour Valley, Sudbury, and Halstead* Railway is leased to the *Eastern Union* Railway Company, and the same is now worked by the *Eastern Counties* Railway Company, under the Provisions of an Agreement bearing Date the Sixth Day of *February* One thousand eight hundred and fifty-four, and made between the *Eastern Counties* Railway Company of the First Part, the *Eastern Union* Railway Company of the Second Part, and the *Norfolk* Railway Company of the Third Part, which Agreement was confirmed by "The 17 & 18 Vict.
[*Local.*] 26 Y *Eastern* c. cexx.

The Sudbury and Clare Railway Act, 1860.

Eastern Counties, and the *Norfolk*, the *Eastern Union*, the *East Anglian*, and the *Newmarket* Railways Act, 1854," and by which Act it was also enacted, that the *Eastern Counties* Company, subject to the Provisions of that Act, and in accordance with the Terms and Conditions of (amongst other Agreements) the said Agreement of the Sixth Day of *February* One thousand eight hundred and fifty-four, might and should use, work, regulate, and manage the several Railways to which the said Agreements respectively related, and their own Railways, as if they were One Undertaking, and were the Undertaking of that Company: And whereas the said Railway cannot be made 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:

8 & 9 Vict.
cc. 16. 18.
and 20. in-
corporated.

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

Interpre-
tation of
'Terms.

II. In this Act the Words "the Company" shall mean the Company incorporated by this Act, and the Words "the Undertaking" or "the Railway," shall mean the Railway, and the Works connected therewith, by this Act authorized.

Subscribers
incor-
porated.

III. *James Stammers Ray*, *Joseph Stammers Garrett*, and all other Persons and Corporations who have already subscribed or who shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purposes of the Undertaking, and such Company shall be incorporated by the Name of "*The Sudbury and Clare Railway Company*," and by that Name shall be a Body Corporate, with perpetual Succession, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, within the Restrictions herein and in the said Acts contained, and to exercise the other Powers by this Act conferred upon them.

Capital.

IV. The Capital of the Company shall be Sixty-five thousand Pounds.

Shares.

V. The Number of Shares into which the Capital shall be divided shall be Six thousand five hundred, and the Amount of each Share shall be Ten Pounds.

Calls.

VI. Three Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and
Three

The Sudbury and Clare Railway Act, 1860.

Three Months at the least shall be the Interval between successive Calls, and One Half of the Amount of a Share shall be the utmost aggregate Amount of Calls to be made in any One Year upon any Share.

VII. The Company may borrow on Mortgage any Sums not exceeding in the whole the Sum of Twenty-one thousand Pounds, but no Part of such Sum shall be borrowed until the whole of the said Capital or Sum of Sixty-five thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up, and until they shall prove 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 all such Capital has been subscribed for *bonâ fide*, and is held by Subscribers or their Assigns, and for which such Subscribers or their Assigns are legally liable.

Power to
borrow on
Mortgage.

VIII. The Monies by this Act authorized to be raised; whether by Shares or Mortgage, shall be applied only to the Purposes by this Act authorized.

Application
of Capital.

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

Arrears may
be enforced
by Appoint-
ment of
Receiver.

X. 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-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.

XI. 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

Deposit for
future Bills
not to be
paid out of
the Com-
pany's
Capital.

to

The Sudbury and Clare Railway Act, 1860.

to construct any other Railway or execute any other Work or Undertaking.

First and
other
Meetings.

XII. 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 *February* or *March*, and *August* or *September*, in every Year.

Number and
Qualification
of Directors.

XIII. Subject to the Provisions herein contained for increasing the Number of the Directors, the Number of Directors shall be Three, and the Qualification of a Director shall be the Possession in his own Right of Twenty Shares in the Undertaking.

Power to
increase the
Number of
Directors.

XIV. It shall be lawful for the Company from Time to Time to increase the Number of Directors, provided that the increased Number be not more than Five.

First Di-
rectors.

XV. *Samuel Tyssen Yellooly, James Stammers Ray, and Joseph Stammers Garrett* shall be the First Directors of the Company.

Such Di-
rectors to
continue in
Office until
First Meet-
ing after
passing of
Act.

XVI. 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 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 of "The Companies Clauses Consolidation Act, 1845," and in this Act contained, and the several Persons elected at any such Meeting, being neither removed nor disqualified, nor having resigned, shall continue to be Directors until others are elected in their Stead, in manner provided by "The Companies Clauses Consolidation Act, 1845," and by this Act, or either of them.

Quorum.

XVII. A Quorum of a Meeting of Directors shall be Two.

Power to
make Rail-
way accord-
ing to
deposited
Plans.

XVIII. It shall be lawful for the Company, subject to the Provisions in this and the incorporated Acts contained, to make and maintain the Railway herein-after described, with all proper Works, Approaches, and Stations, in the Lines 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 as shall be necessary for such Purposes.

XIX. The

The Sudbury and Clare Railway Act, 1860.

XIX. The Railway hereby authorized shall commence in the Parishes of *Sudbury Saint Gregory* and of *Great Cornard*, or in One of those Parishes, by a Junction with the *Colchester, Stour Valley, Sudbury, and Halstead* Railway at or near where that Railway crosses a Road called *Lady Lane*, pass thence through or into the several Parishes, Townships, and Extra-parochial Places following, or some of them, (that is to say,) *Great Cornard, Sudbury Saint Peter, Sudbury Saint Gregory, Sudbury All Saints, Sudbury Saint Bartholomew's, Melford* otherwise *Long Melford, Glemsford, Cavendish, Clare, and Chilton*, all in the County of *Suffolk*, *Ballingdon, Middleton, Bulmer, Belchamp Saint Paul, Brundon* otherwise *Brundon Hall, Borley, Liston, Foxearth, and Pentlow*, all in the County of *Essex*, and terminate in the said Parish of *Clare* at a Field called or known as the *Bailey* in the Occupation of *Charles Ray*.

Describing
Railway.

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

Level
Crossings.

No. on Plan.	Parish.	Description of Road.
2 a	Foxearth - - -	Public Road.
39	Long Melford - - -	Public Road.
78	Cavendish - - -	Public Road.

but no more than a Double Line of Railway shall be laid down at any such level Crossing, nor more than a Single Line of Railway whilst the Line continues single.

XXI. It shall not be lawful for the Company, in shunting Trains to or from any Siding near to any of the said level Crossings, to pass any Trains over such level Crossings, or to allow Trains to stand across the same.

Not to shunt
Trains over
level
Crossings.

XXII. 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 and at all Times maintain any such Station or Lodge, or appoint a proper Person to watch or superintend the Crossing at any such Point or Station, or to observe or abide by any such Rule or Regulation as aforesaid, they shall for any such Offence be liable

Company to
erect Station
or Lodge
where Roads
crossed on
the Level.

The Sudbury and Clare Railway Act, 1860.

to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred.

Board of
Trade may
require
Bridges
instead of
level
Crossings.

XXIII. The Board of Trade (if it shall appear to them necessary for the Public Safety or Convenience, at any Time, either before or after the Railway 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 best adapted for removing or diminishing the Danger arising from any such level Crossing.

Authorizing
Sale of
Glebe Lands
of the Vi-
carage of
Clare for a
Rentcharge.

XXIV. And whereas Her Majesty, in right of Her Duchy of *Lancaster*, is seised or entitled to the Advowson and Right of Presentation to the Vicarage of *Clare* in the County of *Suffolk*: And whereas One Rood and Thirty-eight Perches, Part of the Glebe Lands belonging to the said Vicarage, numbered 49 and 50 on the said Plan, will be required by the Company for the Purposes of the Railway: Therefore it shall be lawful for the Chancellor for the Time being of the said Duchy, and the Incumbent for the Time being of the said Vicarage, to sell and convey to the Company, at the Expense of the Company, the Fee Simple and Inheritance of the aforesaid Part of the said Glebe Lands, in consideration of a perpetual annual Rentcharge of Two Pounds Fourteen Shillings (which Rentcharge the Company is hereby authorized and required to grant), to be issuing out of all and singular the Lands, Hereditaments, Tolls, Rates, Property, and Effects of the Company; and the said Rentcharge shall be granted or conveyed to and held by the Vicar for the Time being of the said Vicarage and his Successors for ever, and the Grant or Conveyance thereof shall contain all such Powers of Entry and Distress for the Recovery of the said Rentcharge and other Provisions in respect thereof as the said Chancellor and the Council of the said Duchy or their Counsel shall advise, devise, or require; and such Grant or Conveyance shall be made upon such other Terms and Conditions as shall be required by the Surveyor for the Time being appointed by the said Chancellor and Council, and shall be registered in the Registry of the Diocese in which the said Vicarage is situate, and enrolled in the Court of the Duchy Chamber of *Lancaster* within Six Calendar Months from the Date thereof.

Regulating
the Junction
with the
Colchester,

XXV. The Junction of the Railway by this Act authorized with the *Colchester, Stour Valley, Sudbury, and Halstead* Railway shall, subject to the Provisions of the Thirty-second Section of this Act in that Behalf,
be

The Sudbury and Clare Railway Act, 1860.

be effected by means of Connexion Rails and Points of the Constructions most approved, and laid in the Manner most approved, and to the reasonable Satisfaction of the respective Engineers for the Time being of the *Eastern Union* and *Eastern Counties* Railway Companies and all Repairs thereof shall on every Occasion be done to the reasonable Satisfaction of such respective Engineers, and the Expense of the Junction, and of all Works requisite for effecting it, and of all Repairs thereof, from Time to Time, shall be paid by the Company.

Stour Valley,
Sudbury,
and Halstead
Railway.

XXVI. The Company shall, at their own Expense, from Time to Time erect, maintain, and alter such Signals and other Works and Conveniences connected therewith, and appoint and remove such Watchmen, Pointsmen, and other Servants as the *Eastern Union* Railway Company or such other Company as shall from Time to Time work and manage their Lines shall deem necessary for the Prevention of Damage to or Interference with Traffic at or near to the Junction, and the working and Management of the Signals, Works, and Conveniences, and the Control and Direction of the Watchmen, Pointsmen, and Servants, shall belong exclusively to the *Eastern Union* Railway Company, or (as the Case may be) to such other Company as shall from Time to Time work and manage the Lines of the *Eastern Union* Railway Company.

Signals, &c.
to be erected
and main-
tained, and
Persons to
be provided
to prevent
Danger at
Point of
Junction.

XXVII. The Expense of erecting, maintaining, and altering the Signals, Works, and Conveniences, and of employing and paying the Watchmen, Pointsmen, and Servants, shall from Time to Time be borne and paid by the Company.

Expense of
Signals, &c.

XXVIII. Nothing in this Act shall authorize the Company to take or enter upon any of the Lands of the *Colchester, Stour Valley, Sudbury, and Halstead* Railway Company, or to alter or interfere with any Part of their Railway or Works, further or otherwise than is necessary for the making and maintaining of the Junction, without in every Case the previous Consent in Writing of the *Colchester, Stour Valley, Sudbury, and Halstead* Railway Company, and their Lessees.

Company
not to take
Lands of the
Company
herein
named, ex-
cept for
Junction,
without
their Con-
sent.

XXIX. Before taking or entering upon the Lands and Works of the *Colchester, Stour Valley, Sudbury, and Halstead* Railway, for the Purpose of making the said Junction, the Company shall pay Compensation for and in respect of all Lands and Works of the *Colchester, Stour Valley, Sudbury, and Halstead* Railway Company to be taken, and for all Injuries to be done to the Lands and Works of the *Colchester, Stour Valley, Sudbury, and Halstead* Railway Company in the Exercise of the Powers of this Act, such Compensation to be paid to the *Colchester, Stour Valley, Sudbury, and Halstead* Railway Company and their Lessees, and to be dealt with according to their respective Interests therein, and the Amount of such Compensation (if not agreed on) shall be

As to Com-
pensation in
respect of
*Colchester,
Stour Valley,
Sudbury,
and Halstead
Railway.*

The Sudbury and Clare Railway Act, 1860.

be settled and determined according to the Provisions of "The Lands Clauses Consolidation Act, 1845."

For Settlement of Differences.

XXX. Any Difference which may at any Time arise between the respective Engineers of the before-mentioned Companies, or between any of the said Companies, with respect to any Matter in any way relating to or connected with the said Junction, shall from Time to Time be decided by an Umpire to be appointed by the Board of Trade, on the Application of either Company, and the Decision of such Umpire shall be binding and conclusive on the Companies, and his Expenses shall be defrayed by such One or more of the said Companies, and in such Proportions, as the said Umpire shall from Time to Time direct.

Saving Rights of the Colchester, &c. Railway Company.

XXXI. Excepting as is by this Act specially provided, nothing in this Act contained shall in any way alter, lessen, interfere with, prejudice, or affect the Rights and Interests of the *Colchester, Stour Valley, Sudbury, and Halstead* Railway Company or of their Lessees.

Lands for extraordinary Purposes.

XXXII. The Quantity of Land to be taken by the Company adjoining or near to the Railway for the extraordinary Purposes mentioned in "The Railways Clauses Consolidation Act, 1845," shall not exceed One Acre.

Powers for compulsory Purchases limited.

XXXIII. The Powers by this Act conferred for the compulsory Purchase of Lands shall not be exercised after the Expiration of Three Years from the passing of this Act.

Period for Completion of Railway.

XXXIV. The Railway shall be completed within Four Years from the passing of this Act, and on the Expiration of such Period the Powers by this Act granted to the Company for making 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.

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

XXXV. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of Her present Majesty, Chapter Twenty, the Sum of Five thousand two hundred Pounds has been deposited, pursuant to the said Act, in respect of the Application to Parliament for this Act, being *Eight per Centum* upon Sixty-five thousand Pounds, the estimated Cost of the Railway: Be it enacted, That, notwithstanding anything contained in the said recited Act, the said Sum of Five thousand two hundred 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

The Sudbury and Clare Railway Act, 1860.

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, either open the Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if the said Period shall expire before the Company shall either have opened the Railway for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the 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 Five thousand two hundred 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 Solicitor to the Lords Commissioners of Her Majesty's Treasury), conditioned for Payment to Her Majesty, Her Heirs or Successors, of the said Sum of Five thousand two hundred Pounds if the Company shall not, within the Time limited for the Completion of the Railway, either open the Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee that the Company have paid up One Half of the Amount of the said Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if such Bond shall 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 Sudbury and Clare Railway Act, 1860.

the said Committee that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

Tolls.

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

Tolls for
Passengers
and Cattle.

First, in respect of Passengers and Animals conveyed upon the Railway or any Part thereof, as follows :

For every Person conveyed in or upon any Carriage, the Sum of Twopence *per* Mile ; and if conveyed in or upon Carriages belonging to the Company, an additional Sum of One Penny *per* Mile :

For every Horse, Mule, or other Beast of Draught or Burthen, Threepence *per* Mile ; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum of One Penny *per* Mile :

For Cattle, the Sum of Twopence *per* Head *per* Mile ; and if conveyed in Carriages belonging to the Company, an additional Sum of One Penny *per* Mile :

For Calves, Pigs, Sheep, and small Animals, One Penny each *per* Mile ; and if conveyed in Carriages belonging to the Company, an additional Sum of One Halfpenny *per* Mile :

Tonnage on
Articles of
Merchandise.

Second, in respect of the Tonnage of all Articles conveyed upon the Railway or any Part thereof, as follows :

For all Coals, Coke, Culm, Cannel, Ironstone, Iron Ore, Pig Iron, Bar Iron, Rod Iron, Sheet Iron, Hoop Iron, Plates of Iron, Slabs, Bullets, and Rolled Iron, Limestone, Chalk, Lime, Bricks, Salt, Sand, Fire Clay, Cinders, Slag, and Stone, *per* Ton *per* Mile One Penny Halfpenny ; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile of One Halfpenny :

For all Dung, Compost, and all Sorts of Manure, and all undressed Materials for the Repair of public Roads or Highways, Charcoal, Stones for building, pitching, and paving, Tiles, Slates, and Clay (except Fire Clay), and for Wrought Iron not otherwise specifically classed herein, and for heavy Iron Castings, including Railway Chairs, *per* Ton *per* Mile One Penny ; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile of One Halfpenny :

For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, Deals, and Metals (except Iron), Nails, Anvils, Vices, and Chains, and for light Iron Castings, *per* Ton *per* Mile Twopence ; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile of One Penny :

For Cotton and other Wools, Drugs, and manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, or Things,
per

The Sudbury and Clare Railway Act, 1860.

per Ton per Mile Threepence; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* of One Penny:

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 Sixpence *per Mile*:

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.

XXXVII. The Toll 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 for the Use of the Railway.

Tolls for
propelling
Power.

XXXVIII. The maximum Rates of Charge to be made by the Company for the Conveyance of Passengers along 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 as aforesaid, shall not exceed the following Sums; (that is to say,)

Maximum
Rates of
Charge.

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

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

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

And with respect to the Conveyance of Goods, the maximum Rates of Charges to be made by the Company for the Conveyance thereof along the Railway, including the Tolls for the Use of the Railway, and Waggon or Trucks, and locomotive Power, and every Expense incidental to such Conveyance (except a reasonable Sum 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 performed by the Company), shall not exceed the following Sums; (that is to say,)

For Cattle,
Goods, &c.

For every Horse, Mule, and other Beast of Draught or Burden, Fourpence *per Mile*:

For Cattle, Threepence *per Head per Mile*:

For Calves, Pigs, Sheep, and small Animals, One Penny Halfpenny each *per Mile*:

For all Coal, Coke, Ironstone, and other Articles herein-before classed therewith, Twopence Halfpenny *per Ton per Mile*:

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

For

The Sudbury and Clare Railway Act, 1860.

For all Sugar, Grain, and other Articles herein-before classed therewith,
Threepence *per Ton per Mile* :

For all Cotton, and other Articles herein-before classed therewith, Four-
pence *per Ton per Mile* :

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, *per*
Mile, Sixpence.

Regulations
as to the
Tolls.

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

For Articles or Persons conveyed on the Railways for a less Distance
than Three Miles the Company may demand Tolls and Charges as
for Three Miles :

For a Fraction of a Mile beyond Three Miles or beyond any greater
Number of Miles the Company may demand Tolls on Animals and
Merchandise for such Fraction in proportion to the Numbers 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 on in proportion for any smaller Quantity.

Tolls for
small Par-
cels and
single
Articles of
great
Weight.

XL. And with respect to small Packages and single Articles of great
Weight, be it enacted, That, notwithstanding the Rates of Tolls pre-
scribed by this Act, the Company may lawfully demand the Tolls follow-
ing ; (that is to say,)

For the Carriage on the Railway or any Part thereof of any Parcel
not exceeding Seven Pounds in Weight, Fourpence :

For the Carriage of any Parcel exceeding Seven Pounds but not
exceeding Fourteen Pounds in Weight, Sixpence :

For the Carriage of any Parcel exceeding Fourteen Pounds but not
exceeding Twenty-eight Pounds in Weight, Ninepence :

For the Carriage of any Parcel exceeding Twenty-eight Pounds but
not exceeding Fifty-six Pounds in Weight, One Shilling :

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

Provided

The Sudbury and Clare Railway Act, 1860.

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 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 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.

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

XLII. Provided always, That 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, by Agreement with the Owners of or Persons in charge of such Goods, either in respect of the Conveyance thereof (except small Parcels) by Passenger Trains, or by reason of any other special Service performed by the Company in relation thereto. Company may take increased Charges by Agreement.

XLIII. Provided also, That the Restriction as to the Charges to be made for Passengers shall not extend to any Special Train that may be required upon the Railway, but shall apply only to the ordinary and Express Trains appointed or to be appointed from Time to Time by the Company for the Conveyance of Passengers and Goods upon the Railways. Restriction as to Charges not to apply to Special Trains.

XLIV. It shall be lawful for the Company on the one hand, and the *Eastern Counties, Eastern Union, and Norfolk* Railway Companies together, on the other hand, from Time to Time to enter into Contracts and Agreements for and in respect of the Use of the Railway, also for and in respect of the Interchange of Traffic, and also for the Division and Appropriation of the Tolls, Rates, and Charges in respect thereof. Company may contract with other Companies as to Use of Railways.

XLV. Provided always, That any such Contract or Agreement shall not be valid and binding unless and until approved of by the Board of Trade, Contract to be approved by Board of Trade.
[Local.] 27 B who

The Sudbury and Clare Railway Act, 1860.

who shall not approve thereof without being satisfied that it has been duly assented to by the Shareholders of the respective Companies Parties thereto in Extraordinary Meeting assembled for that Purpose, as herein-after provided.

Sanction of
Extraor-
dinary
Meetings to
Traffic Ar-
rangements.

XLVI. Any such Contract or Agreement shall not be valid without the Sanction of an Extraordinary Meeting of each of the Companies Parties thereto, given by a Majority at each such Meeting of the Holders of Three Fifths of the Capital represented thereat respectively, personally or by Proxy.

Meetings
how to be
convened.

XLVII. Such respective Meetings shall be called by Advertisements inserted for Two successive Weeks in a Newspaper published in *London*, and in some Newspaper published in the respective Counties of *Essex* and *Suffolk*, (the last of which Advertisements shall be published not less than Seven Days before the Meeting is held,) 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.

Traffic Ar-
rangements
not to affect
Tolls, &c.

XLVIII. Provided also, That any such Contract or Agreement shall not in any Manner alter, affect, increase, or diminish any of the Tolls, Rates, or Charges which the respective Companies Parties thereto are from Time to Time respectively authorized to demand or receive from any Person not Party to the Contract or Agreement, but all such other Persons shall, notwithstanding any such Contract or Agreement, be entitled to use the Railways to which the Contract or Agreement relates, upon the same Terms and Conditions, and on Payment of the same Tolls, Rates, and Charges, as if the Contract or Agreement were not entered into.

Agreements
to be subject
to periodical
Revisal by
Board of
Trade.

XLIX. It shall be lawful for the Board of Trade, at the Expiration of every Ten Years after any such Contract or Agreement shall have been entered into, to revise, and, if they think fit, to put an end to any such Contract or Agreement, or to allow the same to be continued, with or without any Alteration therein: Provided always, that before the Board of Trade shall proceed to any such Revision the Company shall and they are hereby required to publish such Notices of the intended Revision as the Board of Trade shall direct: Provided also, that any Alteration so required by the Board of Trade shall be approved of by Three Fifths at least of the Votes of the Shareholders of the respective Companies present, in Person or by Proxy, at General Meetings of the respective Companies, convened with special Notice of the Purpose, and if not so approved of the Contract or Agreement shall cease and determine at the Expiration
of

The Sudbury and Clare Railway Act, 1860.

of Twelve Months after the Board of Trade shall have signified to the respective Companies the Alteration required by the said Board.

L. Nothing herein contained shall be deemed or construed to exempt the Railway from the Provisions of any General Act relating to Railways, or to the better or more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during this or any future Session of Parliament, or from any future Revision 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.

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

Saving
Rights of
the Crown
and the
Duchy of
Lancaster.

LII. 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.

Expenses of
Act.

LIII. This Act may be cited for any Purpose as "The *Sudbury and Clare Railway Act, 1860.*"

Short Title.

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1860.

