



ANNO VICESIMO SEXTO & VICESIMO SEPTIMO

VICTORIÆ REGINÆ.

Cap. CCXXV.

An Act to authorize the *Great Eastern Railway Company* to run Steam Vessels between *Harwich* and certain Foreign Ports. [28th July 1863.]

WHEREAS by "The *Great Eastern Railway Act, 1862*," the *Great Eastern Railway Company* (herein-after called "the Company") were formed by the Amalgamation of several Companies, and the Acts of those Companies were consolidated and amended: And whereas the *Great Eastern Railway* affords the only Access by Railway to the Port of *Harwich*: And whereas it would be of Advantage to the Public as well as to the Company if the Company were empowered to establish and use Steam Vessels to run between *Harwich* and *Flushing, Rotterdam, and Antwerp*, and it is expedient that the Company should be authorized to establish and use Steam Vessels accordingly, and should have other Powers in reference to Steam Vessels, and Powers to raise more Money for such Purposes by the Creation of Shares or Stock in their Undertaking, and by borrowing on Mortgage: And whereas the Objects aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and of the Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

25 & 26 Vict.
c. cxxiii.

[*Local.*]

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1. The

The Great Eastern Railway (Steamboats) Act, 1863.

Power to
Company to
provide and
use Steam
Vessels.

1. The Company from Time to Time may build, or buy, or hire, and may use, maintain, and work, or enter into Arrangements for using, maintaining, or working, Steam Vessels for the Purpose of carrying on a convenient and efficient Communication by means thereof between the Town or Port of *Harwich* and the Towns or Ports of *Flushing*, *Rotterdam*, and *Antwerp*, and may take Tolls in respect of such Steam Vessels.

Rates for Use
of Steam
Vessels.

2. The Charges to be made by the Company for the Conveyance of Passengers in such Steam Vessels between the Points of Embarkation and Disembarkation shall not exceed the Charges following; (that is to say,)

In respect of Passengers provided with the First Class or Rate of Accommodation on board the said Steam Vessels, between *Harwich* and *Rotterdam* or *Antwerp*, Thirteen Shillings, and between *Harwich* and *Flushing*, Ten Shillings :

In respect of Passengers provided with Second Class or Rate of Accommodation on board the said Steam Vessels, between *Harwich* and *Rotterdam* or *Antwerp*, Nine Shillings and Sixpence, and between *Harwich* and *Flushing*, Seven Shillings and Sixpence :

In respect of Passengers provided with Third Class or Rate of Accommodation on board the said Steam Vessels, between *Harwich* and *Rotterdam* or *Antwerp*, Six Shillings and Sixpence, and between *Harwich* and *Flushing*, Five Shillings and Sixpence.

For securing
Equality of
Treatment.

3. Such Rates shall be at all Times charged to all Persons equally and after the same Rate in respect to Passengers conveyed in a like Vessel passing between the same Ports under the like Circumstances; and no Reduction or Advance in any such Rate shall be made in favour of or against any Person using the Steam Vessels in consequence of such Person having travelled over the whole or any Part of the Railway of the Company, or not having travelled upon any Part thereof.

Passengers
Luggage.

4. Every First-class Passenger conveyed by any Steam Vessel of the Company, or partly by a Steam Vessel of the Company and partly by the Railway of the Company, may take with him, without extra Charge, his ordinary Luggage, not exceeding One hundred and twenty Pounds in Weight, and every Second-class Passenger not exceeding One hundred Pounds in Weight, and every Third-class Passenger not exceeding Sixty Pounds in Weight.

Provisions of
17 & 18 Vict.
c. 31. to ex-
tend to Steam
Vessels.

5. The Provisions of "The Railway and Canal Traffic Act, 1854," so far as the same are applicable, shall extend to the Steam Vessels of the Company, and to the Traffic carried thereon.

6. The

The Great Eastern Railway (Steamboats) Act, 1863.

6. The Company may from Time to Time make Byelaws, Orders, and Regulations in relation to Passengers, Cattle, and Goods conveyed in or upon their Steam Vessels, and as to the Embarkation and Disembarkation thereof respectively, and may enforce the Observance of the same by Penalties, in the same Manner as they may with respect to Passengers, Cattle, and Goods conveyed upon their Railway, such Byelaws, Orders, and Regulations being previously sanctioned and authenticated in the same Manner as is required by the recited Act with respect to the Company's Railway, and by the General Law relating to Railways, and being published by being painted on Boards, or printed on Paper and pasted on Boards; and hung up and affixed and continued on some conspicuous Part of every Steam Vessel and Landing Place of the Company; and such Byelaws, Orders, and Regulations, and all Penalties and Forfeitures in respect of the Breach thereof, shall be enforced and recovered in the same Manner as is by the recited Act provided with respect to Offences committed upon the Railway.

Company empowered to make Byelaws for regulating Steam Vessels.

7. All Rates and Charges for Vessels due and payable to the Company on any Account whatsoever, and all Costs, Damages, and Expenses by this Act directed to be paid in respect of Vessels, may be levied by Distress, and any Justice on Application by or on behalf of the Company may issue his Warrant accordingly.

Recovery of Monies by Distress.

8. Any Justice who issues any such Warrant of Distress may order that the Costs of the Proceedings for the Recovery of such Toll or Sum shall be paid by the Person liable to pay such Toll or Sum, and such Costs shall be ascertained by the Justice, and shall be included in the Warrant of Distress for the Recovery of such Toll or Sum.

Costs of Distress.

9. Any Number of Names and Sums may be included in any Warrant of Distress or Notice obtained or given by the Company for any of the Purposes of this Act with respect to Vessels, and may be stated either in the Body of the Warrant or Notice, or in a Schedule thereto.

Several Names in One Warrant.

10. Provided always, That in the Month of *August* or of *September* One thousand eight hundred and seventy-five, and in the Month of *August* or of *September* in the Years One thousand eight hundred and eighty-two and One thousand eight hundred and eighty-nine, and of each Seventh Year thereafter, or in any of those Months, the Board of Trade may, if they shall be of opinion that the public Interests are injuriously affected by the Exercise of the Powers and Provisions of this Act, give to the Company Notice in Writing thereof, and of the Reasons on which that Opinion is founded, and if the Company shall not before the Beginning of the then next Session of Parliament make Provision to the Satisfaction of

Provision for Cesser of Powers as to Steam Vessels on Report from Board of Trade.

The Great Eastern Railway (Steamboats) Act, 1863.

of the Board of Trade for remedying the Injury to the public Interests, or if the same are incapable of being remedied by the Company, then the Board of Trade, at the Beginning of the Session of Parliament then next following, shall report to Parliament such their Opinion, and the Reasons on which that Opinion is founded, and at the Expiration of Twelve Calendar Months after the Presentation to Parliament of any such Report those Powers and Provisions, or such of them as are specified in such Report, shall, unless Parliament in the meantime otherwise provide, cease to be exercised.

Certain Provisions of 8 & 9 Vict. c. 16. incorporated.

11. The Sections of "The Companies Clauses Consolidation Act, 1845," with respect to the Provision to be made for affording Access to the Special Act by all Parties interested, are hereby incorporated with this Act.

Power to raise Capital by Shares or Stock.

12. The Company, with the Consent of Three Fifths of the Votes of the Shareholders present, in person or by proxy, at any General Meeting or General Meetings convened with special Notice of the Purpose, may raise, by the Creation of new Shares or Stock in their Undertaking, (in addition to such Sums as they now are or by any other Act of the present Session of Parliament may be authorized to raise,) any further Sums of Money not exceeding in the whole One hundred and twenty thousand Pounds.

Amount of Shares and Disposal of Shares and Stock.

13. The Company may from Time to Time create any new Shares by this Act authorized, of such Amount each as shall be fixed and determined by the Resolution of any Ordinary or Extraordinary Meeting of the Company; and such Meeting may from Time to Time, but subject to the Provisions of this Act, fix the Amounts and Times of Payment of the Calls on new Shares created under the Powers of this Act; and the Company may dispose of such Shares or of any new Stock created under the Powers of this Act to such Persons and on such Terms and Conditions as the Company think fit, but so that no such Stock shall be issued to any Person except upon Payment of the full nominal Value thereof.

Provisions of 25 & 26 Vict. c. ccxxiii. as to Shares and Stock to apply to Shares and Stock under this Act.

14. The Provisions of "The *Great Eastern Railway Act, 1862*," with respect to Shares or Stock to be created under the Powers of that Act contained in the Forty-second and following Sections to the Forty-fifth Section inclusive, and in the Forty-seventh and following Sections to the Fifty-eighth Section inclusive, of the same Act, shall apply to the Shares or Stock to be created under the Powers of this Act for raising the said Sum of One hundred and twenty thousand Pounds as if such Provisions had been specially re-enacted in this Act.

15. No

The Great Eastern Railway (Steamboats) Act, 1863.

15. No Preference or Priority in Payment of Interest or Dividends on any Shares or Stock to be created under the Powers of this Act shall prejudice or affect any Preference or Priority in the Payment of Interest or Dividends on any other Shares or Stock which may have been granted to the Company in pursuance of or which may have been confirmed by any previous Act of Parliament, or which may be otherwise lawfully subsisting.

Saving Rights of existing Preference Shareholders.

16. All Money raised under the Powers of this Act by the Creation of new Shares or Stock shall be applied only to the Purposes by this Act authorized.

Application of Money raised under this Act.

17. It shall not be lawful for the Company, out of any Money by this Act or any other Acts relating to the Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay to any Shareholder any Interest or Dividend 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 that nothing in this Act 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.

18. It shall not be lawful for the Company, out of any Money by this Act or any other Acts relating to the Company authorized to be raised for the Purposes of such Act or Acts, to pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament in force for the Time being, 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 Railway, or execute any other Work or Undertaking.

Deposits for future Bills not to be paid out of Capital.

19. Nothing in this Act contained shall be deemed or construed to exempt the Railways of the Company or the Company from the Provisions of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, for the Time being in force, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges, and of the Rates for small Parcels, authorized by any Act relating to the Company.

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

20. The Costs and Charges of applying for and obtaining this Act and incidental thereto shall be paid by the Company.

Expenses of Act.

The Great Eastern Railway (Steamboats) Act, 1863.

Short Title.

21. In citing this Act for any Purpose it shall be sufficient to describe it as "*The Great Eastern Railway (Steamboats) Act, 1863.*"

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