

[38 & 39 VICT.]

*The Ramsey and Somersham
Junction Railway Act, 1875.*

[Ch. ccxii.]



CHAPTER ccxii.

An Act to incorporate a Company for making a Railway from the Holme and Ramsey Railway at Ramsey to the Great Eastern Railway at Somersham ; and for other purposes. A.D. 1875.

[13th August 1875.]

WHEREAS the making of the railway herein-after described from the Holme and Ramsey Railway at Ramsey to the Great Eastern Railway at Somersham would be of public and local advantage :

And whereas the persons in this Act named, with others, are willing at their own expense to construct the railway, and are desirous of being incorporated into a company for the purpose :

And whereas it is expedient that the Company, and all other companies and persons lawfully using their railway, should be empowered to work into and use the stations of the Holme and Ramsey Railway Company, and to use the railway of that Company, and also to work into and use the Somersham and Saint Ives stations of the Saint Ives and March Railway, and so much of the said railway as lies between the point of junction of the proposed railway at Somersham and Saint Ives and the booking and other offices, buildings, works, and conveniences connected therewith :

And whereas plans and sections showing the lines and levels of the railways authorised by this Act, and also books of reference containing the names of the owners and lessees, or reputed owners and lessees, and of the occupiers of lands required or which may be taken for the purposes or under the powers of this Act, were duly deposited with the clerk of the peace for the county of Huntingdon, and are herein-after respectively referred to as the deposited plans, sections, and books of reference :

And whereas the purposes of this Act cannot be effected without the authority of Parliament :

A.D. 1875. 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:

Short title. 1. This Act may be cited as "The Ramsey and Somersham Junction Railway Act, 1875."

Incorporation of general Acts. 2. The "Railways Clauses Consolidation Act, 1845," "The Companies Clauses Consolidation Act, 1845," and Part I. (relating to cancellation and surrender of shares), and Part III. (relating to debenture stock) of "The Companies Clauses Act, 1863," "The Lands Clauses Consolidation Acts, 1845, 1860, and 1869," and Part I. (relating to construction of a railway) and Part III. (relating to working agreements) of "The Railways Clauses Act, 1863," are (except where expressly varied by this Act) incorporated with and form part of this Act.

Interpretation of terms. 3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings, unless there be something in the subject or context repugnant to such construction. The expressions "the railway" and "the undertaking" mean respectively the railway and the undertaking by this Act authorised; and for the purposes of this Act the expression "superior courts," or "court of competent jurisdiction," or any other like expression in this Act or any Act wholly or partially incorporated herewith, shall be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt, and not a debt or demand created by statute.

Company incorporated. 4. George Champion, Alfred Fuller, and Thomas Smith Mawdesley, and all other persons and corporations who have already subscribed to or shall hereafter become proprietors in the undertaking, and their executors, administrators, successors, and assigns respectively, shall be and are hereby united into a company for the purpose of making and maintaining the railway and for other the purposes of this Act, and for those purposes shall be and are hereby incorporated by the name of "The Ramsey and Somersham Junction Railway Company," and by that name shall be a body corporate with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes of this Act.

Power to make railway. 5. Subject to the provisions of this Act, the Company may make and maintain in the line and according to the levels shown on the

deposited plans and sections, the railways herein-after described, with all proper stations, sidings, approaches, works, and conveniences connected therewith, and may enter upon, take, and use such of the lands delineated on the said plans and described in the deposited books of reference as may be required for that purpose. The railway herein-before referred to and authorised by this Act is,—

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A railway seven miles and three furlongs or thereabouts in length, situate wholly in the county of Huntingdon, commencing in the parish of Ramsey by a junction with the Holme and Ramsey Railway at a point about eight chains or thereabouts westward of the booking office of the Ramsey Station, and terminating in the parish of Somersham by a junction with the Saint Ives and March line of railway of the Great Eastern Railway Company, at a point about fourteen chains or thereabouts northward of the booking office of their Somersham Station.

6. The capital of the Company shall be fifty thousand pounds in five thousand shares of ten pounds each. Capital.

7. The Company shall not issue any share created under the authority of this Act, nor shall any such share vest in the person or corporation accepting the same, unless and until a sum not being less than one fifth of the amount of such share is paid in respect thereof. Shares not to be issued until one fifth paid.

8. One fifth of the amount of a share shall be the greatest amount of a call, and three months at least shall be the interval between successive calls, and three fifths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share. Calls.

9. If any money is payable to a shareholder being a minor, idiot, or lunatic, the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company. Receipt clause in case of persons not sui juris.

10. The Company may from time to time borrow on mortgage any sum not exceeding in the whole sixteen thousand six hundred and sixty-six pounds, but no part thereof shall be borrowed until the whole capital of fifty thousand pounds is issued and accepted, and one half thereof is paid up, and the Company have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act, 1845, before he so certifies, that the whole of such capital has been issued and accepted, and that one half thereof has been paid up, and that not less than one half part of the amount of each separate share in such capital has been paid on account thereof, before or at the time of the issue or Power to borrow.

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acceptance thereof, and that such capital was issued bonâ fide, and is held by the persons or corporations to whom the same was issued, or their executors, administrators, successors, or assigns, that such persons or corporations, their executors, administrators, successors, or assigns, are legally liable for the same; and upon production to such justice of the books of the Company, and of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

For ap-
pointment
of a receiver.

11. The mortgagees of the Company may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages by the appointment of a receiver. In order to authorise the appointment of a receiver in respect of arrears of principal, the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than three thousand pounds in the whole.

Debenture
stock.

12. The Company may create and issue debenture stock, subject to the provisions of Part III. of the Companies Clauses Act, 1863, but notwithstanding anything therein contained, the interest of all debenture stock at any time created and issued by the Company shall rank pari passu with the interest of all mortgages at any time granted by the Company, and shall have priority over all principal moneys secured by such mortgages.

Application
of moneys.

13. All moneys raised under this Act, whether by shares, debenture stock, or borrowing, shall be applied for the purposes of this Act only.

First ordi-
nary meet-
ing.

14. The first ordinary meeting of the Company shall be held within six months after the passing of this Act.

Number of
directors.

15. The number of directors shall be three.

Qualifica-
tion of
directors.

16. The qualification of a director shall be the possession in his own right of not less than fifty shares.

Quorum of
directors.

17. The quorum of a meeting of directors shall be two.

First direc-
tors.

18. George Campion, Alfred Fuller, and Thomas Smith Mawdesley, shall be the first directors of the Company, and shall continue in office until the first ordinary meeting held after the passing of this Act. At that meeting the shareholders present in person or by proxy may either continue in office the directors appointed by this Act, or any of them, or may elect a new body of directors or director to supply the place of those not continued in office, the directors appointed by this Act being, if qualified, eligible for re-election, and at the first ordinary meeting to be held in every year after the

ection of
directors.

first ordinary meeting the shareholders present in person or by proxy shall (subject to the power herein-before contained for reducing the number of directors) 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 the several persons elected at any such meeting, being neither removed nor disqualified, nor having died or resigned, shall continue to be directors until others are elected in their stead, in manner provided by the same Act.

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19. The quantity of land to be taken by the Company by agreement for the extraordinary purposes mentioned in the "Railways Clauses Consolidation Act, 1845," shall not exceed two acres.

Lands for extraordinary purposes.

20. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of three years from the passing of this Act.

Powers for compulsory purchases limited.

21. Subject to the provisions in the Railways Clauses Consolidation Act, 1845, and in Part I. (relating to the construction of a railway) of the Railways Clauses Act, 1863, contained in reference to the crossing of roads on the level, the Company may, in the construction of the railway, carry the same with a single line only whilst the railway shall consist of a single line, and afterwards with a double line only across and on the level of the roads next hereinafter mentioned; (that is to say,)

Power to cross certain roads on the level.

No. on deposited Plan.	Parish.	Description of Road.
27	Bury - - -	Drove.
14	Wistow - - -	Drove.
8	Wistow - - -	Drove.
7	Warboys - - -	Public road.

22. Persons empowered by the "Lands Clauses Consolidation Act, 1845," to sell and convey or release lands may, if they think fit, subject to the provisions of that Act, and of the "Lands Clauses Consolidation Acts Amendment Act, 1860," and of this Act, grant to the Company any easement, right, or privilege not being an easement of water required for the purposes of this Act, in, over, or affecting any such lands, and the provisions of the said Acts, with respect to lands and rentcharges, so far as the same are applicable in this behalf, shall extend and apply to such grants and to such easements, rights, and privileges as aforesaid respectively.

Powers to take easements, &c. by agreement.

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Deposit
money not
to be repaid
until line
opened, or
half the
capital paid
up and ex-
pended.

23. Whereas, pursuant to the standing orders of both Houses of Parliament, and to an Act of the ninth year of the reign of Her present Majesty, chapter twenty, a sum of two thousand nine hundred and forty-three pounds one shilling and tenpence three per centum consolidated bank annuities, being equal in value to the sum of two thousand seven hundred and fifteen pounds, being five per centum upon the amount of the estimate in respect of the railway, has been transferred into the Court of Chancery in England in respect of the application to Parliament for this Act: Be it enacted, that notwithstanding anything contained in the said Act, the said stock so transferred, as aforesaid, in respect of the application for this Act, shall not 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 railway, either open the railway for the public conveyance of passengers, or prove to the satisfaction of the Board of Trade that the Company have paid up one half of the amount of the capital by this Act authorised 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 Board of Trade, the said stock transferred as aforesaid shall be applied in the manner herein-after specified; and the certificate of the Board of Trade that such proof has been given to their satisfaction as aforesaid shall be sufficient evidence of the fact so certified; and it shall not be necessary to produce any certificate of this Act having passed, anything in the above-mentioned Act to the contrary notwithstanding.

Application
of deposit.

24. The said stock transferred as aforesaid shall be applicable, and after due notice in the "London Gazette" shall be applied, towards compensating any landowners or other persons whose property may have been interfered with or otherwise rendered less valuable by the commencement, construction, or abandonment of the railway, or any portion thereof, or who may have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act, and for which injury or loss no compensation or inadequate compensation shall have been paid, and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Court of Chancery in England may seem fit; and if no such

compensation shall be payable, or if a portion of the said stock shall have been found sufficient to satisfy all just claims in respect of such compensation, then the said stock, or such portion thereof as may not be required as aforesaid, shall either be forfeited to Her Majesty, and accordingly be paid or transferred to or for the account of Her Majesty's Exchequer in such manner as the Court of Chancery in England thinks fit to order, on the application of the Solicitor of Her Majesty's Treasury, and shall be carried to and form part of the Consolidated Fund of the United Kingdom, or in the discretion of the court, if the Company is insolvent and has been ordered to be wound up, or a receiver has been appointed, shall wholly or in part be paid or transferred to such receiver or to the liquidator or liquidators of the Company, or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof: Provided that until the said stock has been repaid to the depositors, or has become otherwise applicable as herein-before mentioned, any interest or dividends accruing thereon shall from time to time and as often as the same shall become payable, 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.

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25. If the railway is not completed within five years from the passing of this Act, then on the expiration of that period the powers by this Act granted to the Company for making and completing the railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as is then completed.

Period for
completion
of works.

26. Inasmuch as the railway is intended to pass over part of the "Middle Level," therefore in constructing and maintaining the railway, or any of the bridges or works connected therewith, it shall not be lawful, without the consent in writing of the Middle Level Commissioners as to any works maintained by or belonging to them, or as to any works belonging to any other drainage Commissioners or bodies in the Middle Level, without the consent in writing of such Commissioners or bodies respectively, to contract or diminish the breadth, depth, or capacity of the channel or waterway of any cut, drain, watercourse or work of drainage within the Middle Level, or to do any act whereby the free passage of water or ice through and along any such cut, drain, or watercourse shall, during floods or at any other time, be in any manner impeded or obstructed; and it shall not be lawful for the Company, without the consent in writing as aforesaid, to lower or vary the line or dimensions, or to injure or weaken the security of any bank

For protec-
tion of the
drainage
and naviga-
tion of
Middle Level.

A.D. 1875. — maintained for protecting any of the lands within the Middle Level from inundation.

Mode of
executing
works across
banks.

27. In the formation of such part of the railway as is intended to pass over, across, or along any bank of any cut, drain, or watercourse within the Middle Level it shall not be lawful (as to banks maintained by the Middle Level Commissioners without the consent of those Commissioners, and as to banks maintained by any commissioners of drainage or owners of adjoining property, without their respective consents in writing,) for the Company, or their officers, or contractors at any time or times to cut or interfere with, or to place or drive down any piles, or to erect any pier or building into, upon, or within the waterside of any such bank, or to cut or carry away any earth or soil, or open any hole or trench within twenty yards from the land side of any bank.

Before works
commenced
Company
to widen
banks if
required.

28. Previously to any work being commenced upon or over any bank, the Company shall at their own costs and charges, well and sufficiently and in a proper and workmanlike manner, widen and strengthen such bank to the extent of not less than two yards in thickness on the outer or land side, and for a distance of not less than twenty yards in length on either side of the proposed line of railway over such bank, if the same shall be required by the Middle Level Commissioners, or by the parties respectively liable to the maintenance of such bank.

Works of
the Com-
pany not
to unite
drainage of
districts.

29. It shall not be lawful for the Company to execute any works within the Middle Level in such manner as will unite the drainage of any district or fens in the Middle Level with the drainage of any other district or fen, or as will extend any public or private drainage in the Middle Level to any land not previously drained thereby.

Land taken
by the Com-
pany to be
subject to
drainage
taxes.

30. Any lands within the Middle Level which may be required to be taken or used by the Company, and which at the time of the passing of this Act shall, under or by virtue of any Act of Parliament, be subject to any drainage taxes shall remain and be subject to all such drainage taxes, as now are or hereafter shall be imposed on the said lands, under or by virtue of such Act or any Act which may hereafter be passed for amending such Act in the same manner, but not to any greater extent, than if this Act had not been passed or if such lands had not been taken or used by the Company, and such taxes and charges, and any penalties that may be incurred for non-payment thereof shall be recoverable not only by distress and sale of any goods and chattels belonging to the Company, but also by and under the powers and provisions of any Act of Parliament under which the same lands have been or shall be assessed, or with costs of

suit by action against the Company in any Court having jurisdiction for actions of debt for the amount claimed in the parish or locality in which the lands are situated.

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31. Nothing herein contained shall tend to lessen or control any rights, powers, or authorities now vested in or enjoyed by the Middle Level Commissioners or any commissioners of drainage, or other body or person for varying, altering, or diverting any existing bridge, cut, drain, or watercourse used for the drainage of any lands within the Middle Level, or to prevent or restrain the making of any new bridge, cut, drain, or watercourse for improving the drainage thereof, or altering or enlarging any existing bridge, cut, drain, or watercourse, but all such rights, powers, and authorities shall remain in as full force as if this Act had not passed, and the said commissioners of drainage, or other body or persons shall not be liable to make any compensation for any damage or injury occasioned by varying, enlarging, or diverting any existing bridge, cut, drain, or watercourse, or making any new bridge, cut, drain, or watercourse to any greater extent or amount than they would have been liable to if the railway had not been made: Provided that in so varying, altering, enlarging, or diverting any existing bridge, cut, drain, or watercourse, or making any such new bridge, cut, drain, or watercourse, nothing shall be done to impede or interfere with the use of the railway, or the traffic thereupon for any greater length of time or in any other manner than shall be necessary for the execution of the works: And provided also, that all such works in the line of, or through, or under the railway shall be done at the joint expense of the Company and of the respective commissioners of drainage, or other body or person requiring the same, and in case any dispute shall arise touching the mode of altering or erecting any such bridge, culvert, or tunnel, or the costs thereof, the matter so in dispute shall be referred to arbitration, in the manner provided by "The Railways Clauses Consolidation Act, 1845," with respect to the settlement of disputes by arbitration.

Preserving
rights to
alter or
continue
works of
drainage.

As to the
expense of
new or
altered
drainage
works.

32. Every cut, drain, and watercourse within the Middle Level shall be crossed by a bridge of a single span of full and ample dimensions.

General
directions
for crossing
rivers, &c.
in the Middle
Level.

33. The Company shall from time to time and at all times hereafter, well, sufficiently, and substantially repair, uphold, maintain, and support all bridges and other works made or constructed by the Company, and which in any way affect the drainage or protection or navigation or efficiency of the works of the Middle Level Commissioners, or of any other commissioners, or body, or person,

Company
to uphold
works
erected by
them.

A.D. 1875. relating to the drainage protection or navigation in the Middle Level.

Company to make good unforeseen injury to drainage and navigation.

34. If at any time after the railway shall have been completed any injury or damage shall be occasioned or arise to any cut, drain, or watercourse within the Middle Level, or to the navigation thereof, or to any bank or towing-path, or land, building, crops, produce, or goods within the Middle Level from the formation of any bridge, embankment, ditch, culvert, or other work by the Company, or by or in consequence of any works of the Company which may not have been foreseen or provided for by this Act, the Company shall, at their own costs, make good and repair, and take all proper steps to prevent the recurrence of any such injury or damage immediately after the discovery thereof.

Company to keep certain parts of banks in repair.

35. The Company shall at their own expense for ever hereafter maintain and keep in perfect repair, for the space or distance of not less than fifty yards on each side of the railway, the several banks by the side of every cut, drain, or watercourse within the Middle Level as shall be altered or interfered with by the Company.

Works in Middle Level to be executed under the superintendence of the engineer of the parties interested if required.

36. The details and mode of constructing the several works herein directed to be executed for protecting the interests of the Middle Level Commissioners, and of any other commissioners of drainage, or bodies, or persons, within the Middle Level, with all necessary and contingent works, whether temporary or permanent, and as well those which are as those which are not specifically mentioned, but which are necessarily consequent on or fairly implied by the several stipulations and conditions herein provided for, shall, so far as concerns works affecting the Middle Level Commissioners, be executed in a proper and efficient manner, to the reasonable satisfaction of an engineer to be appointed by those commissioners, if they shall think fit, and so far as concerns works affecting the interest of any such other commissioners of drainage, or body, or person, shall, in like manner, be executed to the reasonable satisfaction of an engineer to be appointed by or on behalf of such several commissioners, body, or person respectively, in case they respectively shall think fit so to do, and the costs of or incident to every such appointment shall be borne by the Company.

Penalty or default of Company as to works for protection of Middle Level.

37. If the Company shall, by any act or default, offend against any provision of this Act touching or concerning the drainage or protection of the lands within the Middle Level, or any cut, drain, or watercourse as aforesaid, and shall, for the space of ten days, after due notice thereof from the Middle Level Commissioners, or other commissioners, or body aggrieved, fail to repair any injury which

shall be occasioned thereby, or to prevent further or continuing injury, or on the reasonable apprehension of injury to adopt due precautionary remedies against the occurrence of actual injury, the Company shall for every such offence forfeit to the Commissioners or other body injured the sum of one hundred pounds for every day during which such offence shall continue, which said sum may be recovered with full costs of suit in any of Her Majesty's courts of record at Westminster: Provided that nothing in this Act contained shall prevent any bodies or persons from recovering from the Company special damages for any injury that may be done or occasioned to the drainage of any of the lands within the Middle Level, or the works for protecting or preserving the same, or to the navigation of the said cuts, drains, and watercourses as aforesaid, by or through the act or neglect or default of the Company, or by reason of the effect or operation of any works to be executed by the Company.

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Special
damages.

38. Not herein contained shall in any manner diminish, alter, affect, or take away any of the rights, privileges, powers, and authorities now exercised by or vested in the Middle Level Commissioners, or any other commissioners of drainage or body acting in execution of any Act of Parliament affecting any fen lands or low grounds within the said Middle Level, or any part thereof, save and except so far as the same rights, privileges, or authorities are expressly altered or interfered with by this Act.

Reservation
of the rights
of the Middle
Level and
other com-
missioners.

39. 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.

First. In respect of passengers and animals conveyed upon the railway, as follows:

Tolls for
passengers
or cattle.

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, and other beast of draught or burden, 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.

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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, per ton per mile one penny halfpenny; and if conveyed in carriages belonging to the Company, an additional sum per ton per mile not exceeding one halfpenny ;

For all ironstone, iron ore, pig iron, bar iron, rod iron, sheet iron, hoop iron, plates of iron, slabs, bullets, and rolled iron, limestone, lime, bricks, salt, sand, fireclay, cinders, slag, and stone, per ton per mile, twopence ; and if conveyed in carriages belonging to the Company, an additional sum per ton per mile not exceeding 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 buildings, pitching, and paving, tiles, slates, and clay, and for wrought iron, not otherwise specially classified herein, and for heavy iron castings, including railway chairs, per ton per mile not exceeding one penny halfpenny ; and if conveyed in carriages belonging to the Company, an additional sum per ton per mile not exceeding one 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 not exceeding one penny ;

For cotton and other wools, drugs, and manufactured goods, and all other wares, merchandise, fish, articles, matters, or things, per ton per mile, threepence ; and if conveyed in carriages belonging to the Company, an additional sum per ton per mile not exceeding 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 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.

Tolls for
propelling
power.

40. 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 authorised to be taken for the use of the said railway. A.D. 1875.

41. The maximum rate of charge to be made by the Company for the conveyance of passengers along the said railway, including the tolls for the use of the said 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, 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 per mile.

42. 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 said railway, including the tolls for the use of the said railway, and waggons or trucks, and locomotive power, and every expense incidental to such conveyance, 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, the sum of threepence per head per mile;

For calves, pigs, sheep, and small animals, one penny halfpenny each per mile;

For all coal, and other articles herein-before classed therewith, the sum of one penny halfpenny per ton per mile;

For all iron-stone, iron ore, and other articles herein-before classed therewith, the sum of twopence per ton per mile;

For all dung, compost, and all sorts of manure, and all other articles herein-before classed therewith, the sum of twopence per ton per mile;

For all sugar, grain, and other articles herein-before classed therewith, the sum of threepence per ton per mile;

For all cotton and other articles herein-before classed therewith, the sum of fourpence per ton per mile;

And for every carriage of whatever description, not being a carriage adapted and used for travelling on a railway, carried or conveyed on a truck or platform, per ton per mile sixpence; and one penny halfpenny per mile for every additional quarter of a ton, or fraction of a quarter of a ton, which such carriage may weigh.

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Regulations
as to the
tolls.

43. 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 railway 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, the Company may demand tolls as for one mile in respect of passengers, and one quarter of a mile in respect of animals and goods, and every fraction of a quarter of a mile shall be deemed a quarter of 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 parcels
and articles
of great
weight.

44. And with respect to small packages and single articles of great weight, be it enacted, that notwithstanding the rate of tolls prescribed by this Act, the Company may lawfully demand tolls not exceeding the following; (that is to say,)

For the carriage on the railway, or any part thereof, of any parcel not exceeding seven pounds in weight, threepence;

For the carriage of any parcel exceeding seven pounds, but not exceeding twenty-eight pounds in weight, the sum of five-pence;

For the carriage of any parcel exceeding twenty-eight pounds, but not exceeding fifty-six pounds in weight, ninepence;

And for the carriage of any parcel exceeding fifty-six pounds and 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 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 : A.D. 1875.

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.

45. 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 weight for third-class passengers, without any charge being made for the carriage thereof. Passengers
luggage.

46. 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.

47. 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 said 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 said railway. Restriction
as to charges
not to apply
to a special
train.

48. It shall be lawful for the Company, and all other companies lawfully using their railway, to work into and use the railway of the Holme and Ramsey Railway and their several stations, and so much of the Saint Ives and March Railway as lies between the point of junction of the proposed railway at Somersham and Saint Ives, together with the use of their stations at Somersham and Saint Ives, and the booking offices, sidings, watering places, or other conveniences upon or connected with such stations, and the terms and conditions of such user, and the tolls, charges, and payments to be made in respect thereof shall be such as shall from time to time be agreed upon between the Company and the Holme and Ramsey and the Saint Ives and March Railway Companies and the Great Eastern Railway Company, or, in default of agreement, as may be prescribed by the Board of Trade or by an arbitrator appointed by that Board, and the cost of reference or arbitration shall be in the discretion of the Board of Trade, or the arbitrator, as the case may be. Power to
use stations
of other
railways

A.D. 1875.

Saving
rights of
existing
railways
companies.

49. Nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the rights, privileges, powers, or authorities of the Holme and Ramsey, the Saint Ives and March, and the Great Eastern Railway Companies, except as is expressly enacted by this Act.

Interest not
to be paid
on calls
paid up.

50. The Company shall not, out of any money by this Act authorised to be raised, pay interest or dividend to any shareholder on the amount of the calls made in respect of the shares held by him; but nothing in this Act shall prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as in conformity with the Companies Clauses Consolidation Act, 1845.

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

51. The Company shall not, out of any money by this Act authorised to be raised, pay or deposit any sum which by any standing order of either House of Parliament, now or hereafter in force, may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act authorising the Company to construct any other railway, or to execute any other work or undertaking.

Railway not
exempt from
provisions
of present
and future
general
Acts.

52. Nothing in this Act contained shall exempt the Company or the railway from the provisions of any general Act relating to railways, or 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 or alteration, under the authority of Parliament, of the maximum rates of fares and charges, or of the rates for small parcels, authorised by this Act.

Expenses of
Act.

53. All costs, charges, and expenses of and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Company.