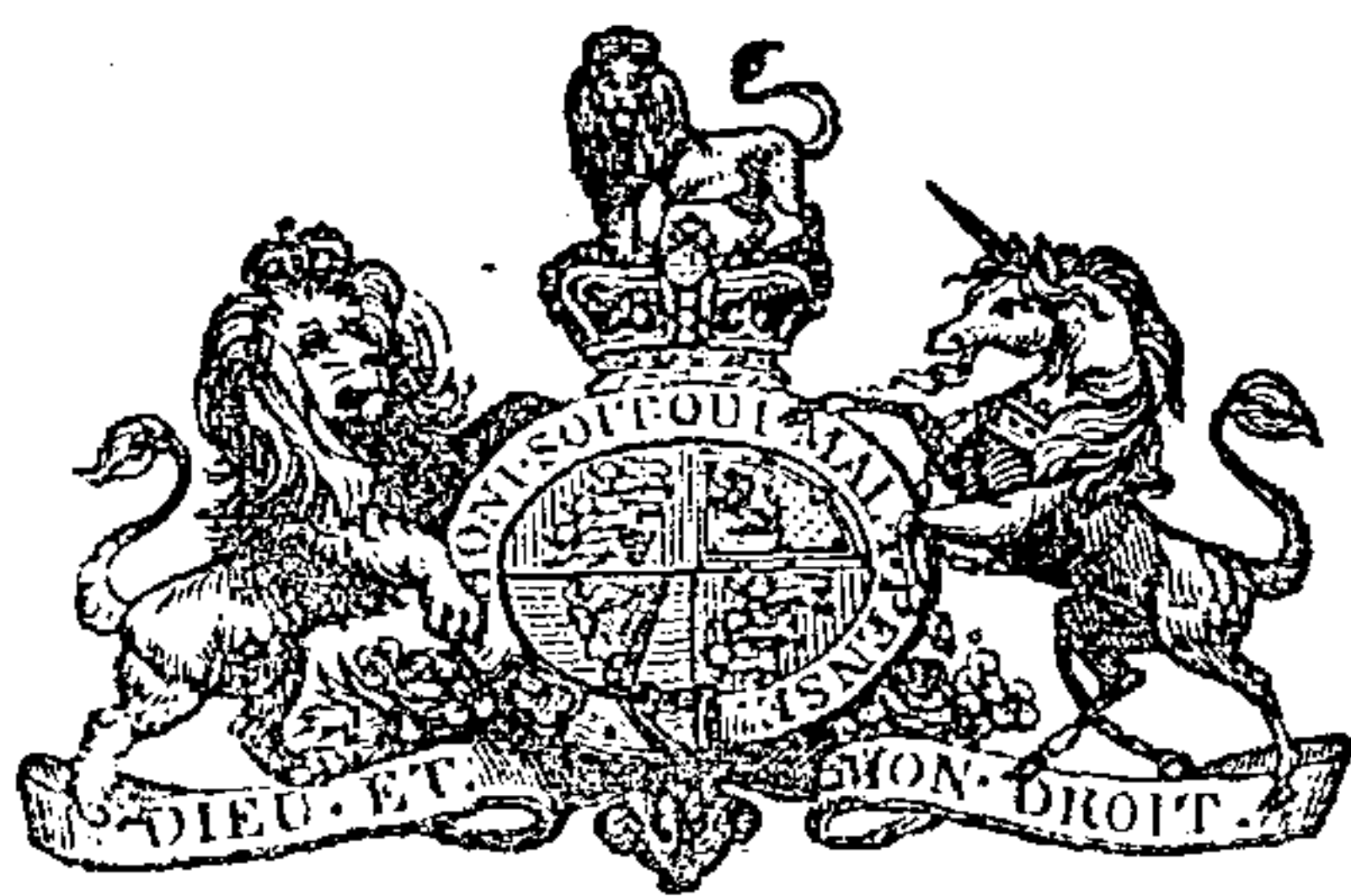


[39 & 40 VICT.] *The Southwold Railway Act, 1876.* [Ch. clxxxix.]



CHAPTER clxxxix.

An Act for making a Railway from Halesworth to Southwold, with Branches therefrom, all in the County of Suffolk. A.D. 1876.

[24th July 1876.]

WHEREAS a railway from Halesworth to Southwold, with branches therefrom to the river Blyth at Halesworth and Black Shore Quay at Southwold, would be of public advantage :

And whereas it is expedient that a company should be incorporated for making the said railways :

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 the 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 Suffolk, 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 :

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 :

1. This Act may be cited as the Southwold Railway Act, 1876. Short title.

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

[Ch. clxxxix.] *The Southwold Railway Act, 1876.* [39 & 40 VICT.]

A.D. 1876.

Interpreta-
tion 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 expression "the Company" means the Company incorporated by this Act; 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. Colonel Heneage Charles Bagot Chester, Edward Stisted Mostyn Pryce, William Martin Leake, Francis Evans Babington, George Crafter Croft, Robert William Burleigh, 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 railways and for other the purposes of this Act, and for those purposes shall be and are hereby incorporated by the name of "The Southwold 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 rail-
ways accord-
ing to depo-
sited plans.

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 railways herein-before referred to and authorised by this Act are in the county of Suffolk, and are as follows:

1. A railway eight miles six furlongs and nine chains in length (in this Act called Railway No. 1), commencing near the Great Eastern Railway Station in the parish of Halesworth, and terminating near the Gate House in the parish of Southwold;
2. A railway three furlongs and eight and a quarter chains in length (in this Act called Railway No. 2), commencing near the River Blyth Navigation in the parish of Halesworth, and terminating in the same parish by a junction with Railway No. 1;

3. A railway two furlongs and thirty links in length (in this Act called Railway No. 3), commencing by a junction with Railway No. 1 in the parish of Southwold, and terminating at Black Shore Quay in the same parish ;
but the Company shall not take the properties numbered respectively 20A, 20B, and 20C, in the parish of Halesworth, without the consent of Mary Crabtree and Fanny Crabtree, or other the owners thereof for the time being. A.D. 1876.
—
6. The capital of the Company shall be forty thousand pounds, in four 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 up.
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 four 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 thirteen thousand pounds, but no part thereof shall be borrowed until the whole capital of forty 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-fifth part of the amount of each separate share has been paid on account thereof before or at the time of the issue or 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, and 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 proofs aforesaid have been given, which certificate shall be sufficient evidence thereof. Power to borrow on mortgage.

A.D. 1876.

Arrears may be enforced by appointment 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 one thousand three hundred 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 ordinary meeting.

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 six, but the Company may from time to time reduce the number, provided that the number be not less than three.

Qualification of directors.

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

Quorum.

17. The quorum of a meeting of directors shall be four, and when the number is less than six the quorum shall be three, and if the number is reduced to three the quorum shall be two.

First directors.

18. Colonel Heneage Charles Bagot Chester, Edward Stisted Mostyn Pryce, William Martin Leake, Francis Evans Babington, George Crafter Croft, and Robert William Burleigh 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 directors 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 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

[39 & 40 VICT.] *The Southwold Railway Act, 1876.* [Ch. clxxxix.]

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. A.D. 1876.

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 one acre. 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. The Company may make the railway of any gauge they think fit, not being less than two feet six inches. Gauge.

22. 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 road next herein-after mentioned ; (that is to say,) Power to cross certain road on the level.

No. on deposited Plan.	Parish.	Description of Road.
40	Wenhaston - - -	Parish road.

23. The Company may make the roadway over the bridge by which the following road will be carried over the railway of such width between the fences thereof as the Company think fit, not being less than the width herein-after mentioned in connexion therewith ; (that is to say,) Width of certain roadway.

No. on Plan.	Parish.	Description of Roadway.	Width of Roadway.
69	Holton St. Peter	Parish road -	15 feet.

24. 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 Power to take easements, &c. by agreement.

A.D. 1876.

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.

As to construction of works affecting Great Eastern Railway.

25. So much of Railway No. 1 as lies between the commencement thereof and the road numbered 5 in the parish of Holton Saint Peter on the deposited plans, shall be constructed in the line and according to working plans to be agreed upon between the engineers of the Company and the Great Eastern Railway Company respectively; and if they cannot agree, the points in dispute shall be settled by an engineer to be appointed by the President for the time being of the Institution of Civil Engineers; and in constructing the remainder of Railway No. 1 and Railway No. 2 through or over any land belonging to the Great Eastern Railway Company, or under the Great Eastern Railway, the Company shall not deviate from the centre line of railway laid down upon the deposited plans without the consent of the Great Eastern Railway Company, under their common seal, first obtained; and the said Railways No. 1 and No. 2, and all works in connexion therewith, so far as they affect the Great Eastern Railway or any land or property of the Great Eastern Railway Company, shall be constructed under the supervision and to the reasonable satisfaction in all respects of the principal engineer for the time being of the Great Eastern Railway Company, and so as not to interfere with the free, uninterrupted, and safe user of the Great Eastern Railway, or the working of the traffic thereon.

Lands of Great Eastern Railway Company not to be interfered with except for making railway.

26. The Company shall not use, enter upon, or interfere with the Great Eastern Railway, or any of the lands or property belonging to the Great Eastern Railway Company, without obtaining in every case the previous consent in writing of that Company under their common seal, except only so far as shall be absolutely necessary for constructing the railway and works in the manner provided by this Act, and for maintaining the same.

Easement only to be acquired in land of Great Eastern Railway Company.

27. With respect to the Great Eastern Railway and the lands or property of the Great Eastern Railway Company, which the Company are by this Act authorised to use, enter upon, or interfere with, the Company shall not purchase or take away the same, but they may purchase and take, and the Great Eastern Railway Company may and shall sell and grant accordingly, an easement or right of using the same respectively for the purposes for which but for this enactment the Company might purchase and take the same respectively.

[39 & 40 VICT.] *The Southwold Railway Act, 1876.* [Ch. clxxxix.]

28. Except as is by this Act expressly provided, nothing herein contained shall extend to prejudice, diminish, alter, take away, or interfere with any of the rights, powers, privileges, or authorities vested in or enjoyed by the Great Eastern Railway Company.

A.D. 1876.

Saving rights of Great Eastern Railway Company.

29. The Company shall not by any work or thing interfere with any telegraph post, wire, apparatus, or work of Her Majesty's Postmaster General, or execute or do any work or thing causing or likely to cause any interruption of, or impediment to, postal telegraphic communications, unless and until the Company have given to the Postmaster General one calendar month's previous notice in writing of their intention to execute or do the work or thing, specifying all necessary and proper particulars relating thereto, nor unless and until the Postmaster General has approved of the proposed work or thing in writing delivered to the Company, or has for one calendar month after service of the notice and particulars on him failed to so approve or to disapprove.

Restriction on works affecting Post Office telegraph system.

30. Her Majesty's Postmaster General may annex to his approval under this Act of any work or thing such reasonable terms and conditions as he thinks fit, and the Company shall observe and perform the same.

Power for Postmaster General to annex conditions.

31. The engineer, and other officers and servants, and workmen, of Her Majesty's Postmaster General may at and for all reasonable times enter on and into, and remain on any of the railways, lands, and works of the Company, for the purpose of examining, repairing, altering, or removing any telegraph post, wire, apparatus, or work, the property of the Postmaster General, being thereon.

Power of entry for Postmaster General.

32. The Company shall from time to time make full compensation to Her Majesty's Postmaster General for any expense, loss, or damage which he is put to or sustains by reason of the Company, by any work or thing executed or done by them interfering with any telegraph post, wire, apparatus, or work of the Postmaster General; and if at any time any such work or thing causes any interruption of, or impediment to, postal telegraphic communication, the Company shall, in addition to making compensation as aforesaid, be liable to forfeit a sum not exceeding twenty pounds for every twenty-four hours during which that interruption or impediment continues; and the amount of any such expense, loss, damage, or forfeiture shall be a debt due from the Company to the Crown, and be recoverable accordingly, with costs, or the same may be recovered, with costs, on behalf of the Postmaster General, as a penalty is recoverable from the Company.

Compensation by Company to Postmaster General, and penalty.

33. Whereas, pursuant to the standing orders of both Houses of Parliament and to an Act of the ninth year of the reign of Her

Deposit money not to be repaid

A.D. 1876.
—
until line
opened or
half the capi-
tal paid up
and ex-
pended.

present Majesty, chapter twenty, a sum of one thousand six hundred and thirty-three pounds, being five per centum upon the amount of the estimate in respect of the railway, has been deposited with the Paymaster General on behalf of the Chancery Division of the High Court of Justice, in respect of the application to Parliament for this Act: Be it enacted, that, notwithstanding anything contained in the said Act, the said sum so deposited 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 the 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 sum of money deposited 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.

34. The said sum of money deposited 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 Chancery Division of the High Court of Justice may seem fit; and if no such compensation shall be payable, or if a portion of the said sum of money shall have been found sufficient to satisfy all just claims in respect of such compensation, then the said sum

of money, 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 Chancery Division of the High Court of Justice 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 said Chancery Division, 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 sum of money 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 the persons, named in such warrant or order as aforesaid, or the survivors or survivor of them.

35. 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.

36. The Company may demand and take in respect of the use of the railway any tolls not exceeding the following; (that is to say)

Tolls for passengers.

First, in respect of passengers conveyed on the railway, or any part thereof, as follows:

For every person conveyed on the railway, not exceeding two-pence per mile; and if conveyed in or upon any carriage provided by the Company, an additional sum not exceeding one penny halfpenny per mile.

Secondly, in respect of animals conveyed upon the railway, or any part thereof, as follows:

Tolls for animals.

Class 1. For every horse, fourpence, and for every mule, ass, or other beast of draught or burden, threepence per mile; and if conveyed in or upon any carriage provided by the Company, an additional sum not exceeding one penny per mile:

Class 2. For every ox, bull, cow, or head of neat cattle, threepence per mile; and if conveyed in or upon any carriage provided by the Company, an additional sum of one penny per mile:

Class 3. For every calf, pig, sheep, lamb, or other small animal, not exceeding one penny per mile; and if conveyed in or upon

A.D. 1876.

Tonnage on
articles of
merchandise.

any carriage provided by the Company, an additional sum not exceeding one penny per mile.

Thirdly, in respect of goods and other things conveyed upon the railway, or any part thereof, as follows :

Class 4. For all coals, cinders, dung, compost, and all sorts of manure, lime and limestone, all undressed materials for the repair of public roads or highways, per ton per mile one penny halfpenny; and if conveyed in a carriage belonging to the Company, an additional sum per ton per mile of one halfpenny :

Class 5. For all coke, culm, cannel, charcoal, all stones for building, pitching, and paving, all bricks, tiles, slates, clay, sand, ironstone, iron ore, pig iron, bar iron, rod iron, sheet iron, hoop iron, plates of iron, slabs, billets, and rolled iron, and iron castings, and all other similar descriptions of wrought iron not manufactured into utensils or other articles of merchandise, per ton per mile twopence; and if conveyed in a carriage belonging to the Company, an additional sum per ton per mile of one halfpenny :

Class 6. For all sugar, grain, corn, flour, salt, hides, dye-woods, earthenware, timber, staves, deals, and metal (except iron), nails, anvils, vices, and chains, per ton per mile threepence; and if conveyed in a carriage belonging to the Company, an additional sum per ton per mile of one penny :

Class 7. For cotton and other wools, drugs, and manufactured goods, and all other wares, merchandise, fish, articles, matters, or things, per ton per mile threepence halfpenny; and if conveyed in a carriage 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, per mile sixpence, and a sum of twopence per mile for every additional quarter of a ton, or fractional part of a quarter of a ton, which any such carriage may weigh; and if conveyed on a truck or platform belonging to the Company, an additional sum per mile not exceeding twopence.

Tolls for
propelling
power.

37. The tolls which the Company may demand for the use of engines for propelling carriages on the railway shall not exceed one penny per mile for each passenger or animal, or for each ton of goods, or for each carriage, in addition to the several other tolls or sums by this Act authorised to be taken.

Regulations
as to tolls.

38. The following provisions and regulations shall apply to the fixing of all tolls and charges payable under this Act; (that is to say,)

For all passengers, animals, or goods conveyed on the railway for a less distance than three miles, the Company may demand tolls and charges as for three miles : A.D. 1876.

For a fraction of a mile beyond three miles, or beyond any greater number of miles, the Company may demand tolls and charges on animals and goods for such fraction in proportion to the number of quarters of a mile contained therein, and if there be a fraction of a quarter of a mile, such fraction shall be deemed a quarter of a mile; and in respect of passengers every fraction of a mile beyond an integral number of miles shall be deemed a mile :

For a fraction of a ton the Company may demand tolls 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, elm, mahogany, teak, beech, or ash, and fifty cubic feet of any other timber, shall be deemed one ton weight, and so in proportion for any smaller quantity.

39. With respect to small parcels not exceeding five hundred pounds in weight, and single articles of great weight, notwithstanding anything in this Act, the Company may demand and take any tolls not exceeding the following; (that is to say,)

Tolls for small parcels and single articles of great weight.

For the carriage of small parcels on the railway, or on any part thereof :

For any parcel not exceeding seven pounds in weight, three-pence :

For any parcel exceeding seven but not exceeding fourteen pounds in weight, fivepence :

For any parcel exceeding fourteen but not exceeding twenty-eight pounds in weight, sevenpence :

For any parcel exceeding twenty-eight but not exceeding fifty-six pounds in weight, ninepence :

For any parcel exceeding fifty-six pounds, but not exceeding five hundred pounds in weight, any sum the Company may think fit :

Provided always, that articles sent in large aggregate quantities, although made up in separate parcels, such as bags of sugar, coffee, meal, and the like, shall not be deemed small parcels, but that term shall apply only to single parcels in separate packages.

A.D. 1876.

For the carriage of single articles of great weight on the railway :

For the carriage of any single article or thing the weight of which, including the carriage, exceeds four tons but does not exceed eight tons, the Company may demand and take any sum not exceeding sixpence per ton per mile, and if more than one carriage or truck be employed in the conveyance of such article or thing, an additional sum per ton per mile not exceeding one penny in respect of each carriage or truck beyond the first so employed :

For the carriage of any single article or thing the weight of which, with the carriage, exceeds eight tons, the Company may demand and take any sum they think fit.

Maximum
rates for
passengers.

40. The maximum rate of charge to be made by the Company for the conveyance of passengers upon the railway, including the tolls for the use of the railway and for carriages and locomotive power, and every other expense incidental to such conveyance, shall not exceed the following; (that is to say,)

For every passenger conveyed in a first-class carriage, the sum of threepence per mile :

For every passenger conveyed in a second-class carriage, the sum of twopence per mile :

For every passenger conveyed in a third-class carriage, the sum of one penny halfpenny per mile.

Maximum
rates for
animals and
goods.

41. The maximum rate of charge to be made by the Company for the conveyance of animals and goods, except such small parcels and single articles of great weight as aforesaid, on the railway, including the tolls for the use of the railway, and for waggons or trucks and locomotive power, and for every other expense incidental to the conveyance, (except a reasonable charge for loading and unloading goods at any terminal station in respect of such goods, and for delivery and collection, and any other service incidental to the business or duty of a carrier, where any such service is performed by the Company,) shall not exceed the following sums; (that is to say,)

For every animal in Class 1, fourpence per mile;

For every animal in Class 2, threepence per mile;

For every animal in Class 3, one penny halfpenny per mile;

For everything in Class 4, one penny halfpenny per ton per mile;

For everything in Class 5, twopence per ton per mile;

For everything in Class 6, threepence per ton per mile;

For everything in Class 7, fourpence 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

[39 & 40 VICT.] *The Southwold Railway Act, 1876.* [Ch. clxxxix.]

weighing more than one ton, carried or conveyed on a truck or platform, per mile sixpence; and for every additional quarter of a ton in weight, one penny halfpenny per mile. A.D. 1876.

42. 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.

43. No station shall be considered a terminal station in regard to any goods conveyed on the railway, unless such goods have been received thereat direct from the consignor, or are directed to be delivered thereat to the consignee. Terminal station.

44. The restrictions as to the charges to be made for passengers shall not extend to any special train run upon the railway, in respect of which the Company may make such charges as they think fit, but shall apply only to the ordinary and express trains appointed from time to time by the Company for the conveyance of passengers and goods upon the railway. Restrictions as to charges not to apply to special trains.

45. Nothing in this Act shall prevent the Company from taking any increased charges over and above the charges by this Act limited for the conveyance of animals or goods of any description, by agreement with the owners or persons in charge thereof, either by reason of any special service performed by the Company in relation thereto or in respect to the conveyance of animals or goods (other than small parcels) by passenger trains. Company may take increased charges by agreement.

46. Nothing contained in this Act shall authorise the Company to take, use, or in any manner interfere with any portion of the shore or bed of the sea, or of any river, channel, creek, bay, or estuary, or any right in respect thereof, belonging to the Queen's most Excellent Majesty in right of her Crown, and under the management of the Board of Trade, without the previous consent in writing of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may give); neither shall anything in this Act contained extend to take away, prejudice, diminish, or alter any of the estates, rights, privileges, powers, or authorities vested in, or enjoyed, or exerciseable by the Queen's Majesty, her heirs or successors. Saving rights of the Crown in the fore-shore.

47. 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 Interest not to be paid on calls paid up.

A.D. 1876. paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the Companies Clauses Consolidation Act, 1845.

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

48. 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.

49. 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.

50. 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.