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CHAPTER cxlv.

An Act for making a Railway and Pier in the county of A.D. 1875.

Suffolk, to be called "The Felixstowe Railway and Pier;"

and for other purposes.

[19th July 1875.]

WHEREAS the making of the railway and pier herein-after described would be attended with public and local advantage:

And whereas the persons in this Act named, with others, are willing, at their own expense, to construct and maintain the said railway and pier, and it is expedient that powers should be conferred on them for that purpose:

And whereas plans and sections showing the lines and levels of the railway and pier 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 it is expedient to authorise the traffic agreements herein-after mentioned:

And whereas by the Felixstowe and Fagborough Cliff (Walton) Tramway Order, 1873, and the Ipswich and Felixstowe Tramway Order, 1873, confirmed respectively by the Tramways Orders Confirmation Act, 1873, (which said Orders are herein-after respectively called "the Felixstowe Order" and "the Ipswich Order,") the promoters respectively were authorised to construct and maintain tramways from Felixstowe to Fagborough Cliff and from Ipswich to Felixstowe, both in the county of Suffolk (herein-after respectively called "the Felixstowe Tramway" and "the Ipswich Tramway"):

And whereas the promoters for the purposes of the Felixstowe Order were declared to be George Tomline, his heirs and assigns, (herein-after called "the promoters of the Felixstowe Order,") and

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for the purposes of the Ipswich Order the said George Tomli John Weston, their heirs or assigns (herein-after called "th moters of the Ipswich Order"):

And whereas none of the powers of the Felixstowe Order the Ipswich Order, in relation to the construction of the Felix Tramway or the Ipswich Tramway, have been or can not exercised, and the public and local advantages proposed conferred by the construction thereof respectively will be conto the same or a greater extent by the construction of the reby this Act authorised, and it is expedient that the Felix Tramway and the Ipswich Tramway should be abandoned:

And whereas the purposes of this Act cannot be effected with authority of Parliament:

May it therefore please Your Majesty that it may be ena and be it enacted by the Queen's most Excellent Maje with the advice and consent of the Lords Spiritual and Tem and Commons, in this present Parliament assembled, and b authority of the same, as follows:

Short title.

1. This Act may be cited as "The Felixstowe Railway and Act, 1875."

Provisions of certain general Acts incorporated.

2. The following enactments (as far as they are applicable fo purposes of and are not expressly varied by this Act) are h incorporated with and shall be part of this Act, (that is to say. Companies Clauses Consolidation Act, 1845, Part I. (relativ cancellation and surrender of shares) and Part III. (relative debenture stock) of the Companies Clauses Act, 1863, as ame by the Companies Clauses Act, 1869, the Lands Clauses Cons. tion Acts, 1845, 1860, and 1869, the Railways Clauses Consolid Act, 1845, Part I. (relating to construction of a railway) and III. (relating to working agreements) of the Railways Clauses 1863, and the provisions of the Harbours, Docks, and Pie. Act, 1847, with respect to the construction of the harbour, doc pier, and with respect to the construction of works for the accor dation of the officers of Customs, and with respect to the cons tion of warehouses, wharfs, and other conveniences, and with reto the rates to be taken by the undertakers, and with respect t. appointment of harbour-masters, dock-masters, and pier-masters, and their duties, and with respect to the discharging of vesselthe removal of goods, and with respect to the protection of harbour, dock, and pier, and the vessels therein, from fire or injury, and with respect to the police of the harbour, dock, or and with respect to the appointment of meters and weighers,

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eir duties, and with respect to the byelaws to be made by the A.D. 1875 ndertakers, and with respect to the recovery of damages not omline and pecially provided for, and of penalties, and to the determination of "the proany other matter referred to justices or the sheriff and with respect to life-boats, and with respect to keeping a tide and weather gauge, rder, or of subject to the following provisions; (that is to say,) Felixstowe

1. In section seventeen of the Railways Clauses Consolidation Act, 1845, the words "work" and "railway" shall be taken 7. al-to extend to and include the pier and works connected therewith by this Act authorised; and for the purposes of . Part I. of the Railways Clauses Act, 1863, the pier shall be deemed to be "works" within the meaning of that statute:

2. For the purposes of this Act sections 16 to 19 of the Harbours, Docks, and Piers Clauses Act, 1847, with respect to life-boats, and to keeping a tide and weather gauge, shall not respectively have effect unless and until the Board of Trade so direct, and the pier and works connected therewith by this Act authorised shall be deemed to be the harbour, dock, or pier within that Act; and the expression "harbour-master" in the same Act shall mean the superintendent of the pier appointed by the Company, and the prescribed limits shall be fifty yards from any part of the pier; and that notwithstanding anything in the Harbours, Docks, and Piers Clauses Act, 1847, contained, the Company shall not be bound to give to any other person any use of the said pier which would unreasonably interfere or be inconsistent with the use of the same for their railway and the traffic thereon, or to keep the said pier open or to allow the same to be used upon any days on which passenger trains shall not be run on the railway:

Provided always, that the powers of any pier-master or superintendent of the pier to be appointed by the Company shall, so far as the same affect the navigation of Harwich Harbour, as defined by the Harwich Harbour Acts, be exercised by him subject to the order, jurisdiction, and control of the harbour-master, or other officer or officers appointed by the Harwich Harbour Conservancy Board, and the powers and authorities of the said harbour-master, and such other officer or officers so appointed by the Harbour Board, shall not be in anywise prejudiced, affected, or diminished by this Act or anything herein contained.

3. In this Act the several words and expressions to which mean- Interpreings are assigned by the Acts wholly or partially incorporated here- tation of with have the same respective meanings, unless there be something

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in the subject or context repugnant to such construction; the expres A.D. 1875. sions "the Company" and "the undertakers" mean the company incorporated by this Act; the expression "the railway" means and includes the railway and pier by this Act authorised; 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 for the purposes of this Act 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; the expression "the special Act" means this Act; the expression "the undertaking" means the undertaking by this Act authorised; and the expression "the harbour, dock, or pier" means the pier by this Act authorised.

4. George Tomline, John Watts the younger, Charles Eley, incorporated. Frederick Henry Scott, and Henry Charles Moody, 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 pier, and for other the purposes of this Act, and for those purposes shall be and are hereby incorporated by the name of the "Felixstowe Railway and Pier 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.

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Power to make railway and pier according to deposited plans.

5. Subject to the provisions of this Act the Company may make and maintain, in the lines and according to the levels shown on the deposited plans and sections, the railway and pier herein-after described, with all proper stations, sidings, approaches, telegraphs, works, and conveniences connected therewith respectively, 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 and pier herein-before referred to and authorised by this Act are.

(1.) A railway, situate wholly in the county of Suffolk, thirteen miles two furlongs and one chain in length, commencing in the parish of Felixstowe on Languard Common, and terminating in the parish of Westerfield by

a junction with the Great Eastern Railway:

(2.) A pier (situate wholly in the said county of Suffolk, and parish of Felixstowe), with connecting rails and sidings thereon, commencing by a junction with the said intended

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vice railway, at or near the point of commencement of such railway, and proceeding from such point in a westerly direction for about thirty yards across Langer otherwise Languard Common to high-water mark, and thence projecting into Harwich Harbour, or the estuary or waters formed by the confluence of the rivers Orwell and Stour, or one of them, and the sea, in the same westerly direction, for the further distance of one hundred and seventy yards or thereabouts:

Provided always, that, notwithstanding anything in this Act or in the Harbours, Docks, and Piers Clauses Act, 1847, to the contrary, the Company shall not, in constructing the pier by this Act authorised, deviate from the line thereof as delineated on the deposited plans even within the limits of deviation shown on such

6. In carrying the railway authorised by this Act across Walton For pro-Creek, and the tributary creek called Horseshoe Creek, the Company shall make and thereafter maintain in good order such works Horseshoe in the embankments of the railway by which the said creeks shall Creeks. be crossed as shall be requisite for draining the land-water and soakage, if any, which may accumulate on the east and south sides respectively of the said embankments; and if, in the opinion of an arbitrator to be appointed within two months from the passing of this Act by the Board of Trade, the said works should be so made as to permit the tide to flow through the said embankments into and out from the said creeks, then the Company shall be bound to make, and thereafter at all times maintain in good order, the said works in such manner as the said arbitrator shall, in writing, direct for the purpose of effectuating the objects aforesaid; and all the said works shall be executed and maintained to the satisfaction of the Board of Trade; the costs, charges, and expenses of and incident to the arbitration to be paid, half by the Company and half by the Harwich Harbour Conservancy Board.

7. The capital of the Company shall be one hundred and thirty Capital. thousand pounds in thirteen thousand shares of ten pounds each.

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

9. One fifth of the amount of a share shall be the greatest Calls. amount of a call, and two months at least shall be the interval. between successive calls, and three fifths of the amount of a share

A.D. 1875. shall be the utmost aggregate amount of the calls made in any year upon any share.

Receipt clause in case of persons not sui juris.

Power to borrow on mortgage.

10. 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.

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11. The Company may from time to time borrow on mortgage any sum not exceeding in the whole forty-three thousand three hundred pounds, but no part thereof shall be borrowed until the. whole capital of one hundred and thirty 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 in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such capital was issued bona 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 proof aforesaid has been given, which shall be sufficient evidence thereof.

Arrears may be enforced by appointment of a receiver. 12. The mortgagees of the Company may enforce payment of arrears of interest, 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 amount owing to the mortgagees by whom the application for a receiver is made shall not be less than four thousand pounds in the whole.

Debenture stock.

13. 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.

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

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15. The first ordinary meeting of the Company shall be held A.D. 1875. within twelve months after the passing of this Act, and the quorum First for general meetings, whether ordinary or extraordinary, shall be ordinary seven shareholders, holding together not less than five thousand and quorum, pounds in the capital of the Company. (4) : The improvement of the improvement

16. The number of directors shall be six, but the Company may Number of from time to time reduce the number, provided that the number be not less than three.

17. The qualification of a director shall be the possession in his Qualification own right of not less than twenty shares. of directors.

18. The quorum of a meeting of directors shall be four, unless Quorum. the number of directors be reduced to three, and then the quorum shall be two.

19. George Tomline, Edward Packard, Josiah Wilkinson, John First Watts the younger, Charles Eley, and Frederick Henry Scott 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 Consolidation Act, 1845," 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 same Act.

20. The quantity of land to be taken by the Company by agree- Lands for ment for the extraordinary purposes mentioned in "The Railways extra-Clauses Consolidation Act, 1845," shall not exceed five acres.

ordinary purposes.

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

purchases limited.

22. Subject to the provisions in "The Railways Clauses Con- Power to solidation Act, 1845," and in Part I. (relating to the construction cross certain of a railway) of "The Railways Clauses Act, 1863," contained in the level,

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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 herein-after mentioned; (that is to say,)

No. on deposited Plan.		Parish.		Description of Road.
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Provisions as to junction with Great Eastern Railway.

23. The junction of the railway with the Great Eastern Railway shall be effected subject to and in accordance with the following provisions, and not otherwise; (that is to say,)

1. The junction shall be effected at such a point within the limits of deviation delineated on the deposited plans, and in all respects in such manner as shall previously have been approved of by the engineer for the time being to the Great Eastern Railway Company; and the junction and the works connected therewith shall be executed by them, and the cost thereof shall, upon demand, be repaid to them by the Company, and in default thereof may be recovered in any court of competent jurisdiction:

2. The Company shall not, except by agreement, use, enter upon, or interfere with, or acquire any right, title, or interest to or in any lands belonging to the Great Eastern Railway Company, except such as may be required for the purposes of effecting the said junction, nor shall the Company with respect to such lands of the Great Eastern Railway Company as may be so required purchase and take the same, but the Company 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 for the purposes of the said junction:

3. The Great Eastern Railway Company may from time to time erect such signals and conveniences incident to the junction, either on their own lands or on the lands of the Company,

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and may from time to time appoint and remove such watchmen, switchmen, or other persons as may be necessary for the prevention of danger to or interference with the traffic at and near the junction. The working and management of such signals and conveniences, wherever situate, shall be under the exclusive regulation of the Great Eastern Railway Company; and all the expenses of erecting and maintaining these signals and conveniences, and of employing those watchmen, switchmen, and other persons, and all incidental current expenses incurred by the Great Eastern Railway Company, shall at the end of every half year be repaid by the Company, and in default thereof may be recovered from the Company in any court of competent jurisdiction.

24. The Company shall, not less than eight weeks before they Notice to be take in any parish fifteen houses or more occupied either wholly given of taking or partially by persons belonging to the labouring classes as houses of tenants or lodgers, make known their intention to take the same labouring by placards, handbills, or other general notice placed in public view upon or within a reasonable distance from such houses, and the Company shall not take any such houses until they have obtained the certificate of a justice that it has been proved to his satisfaction that they have so made known their intention.

- 25. Persons empowered by "The Lands Clauses Consolidation Power to Act, 1845," to sell and convey or release lands, may, if they think take easefit, subject to the provisions of that Act and of "The Lands by agree-Clauses Consolidation Acts Amendment Act, 1860," and of this ment. 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 Act 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.
- 26. Whereas, pursuant to the standing orders of both Houses of Deposit not Parliament, and to an Act of the 9th year of the reign of Her to be repaid present Majesty, chapter twenty, an amount of six thousand three opened or hundred and eighteen pounds seven shillings and fourpence consoli- half the dated three per cent. annuities, being equal to five per cent. upon up and up and the amount of the estimate in respect of the railway, has been expended. transferred into the Court of Chancery in England in respect to the application to Parliament for this Act: Be it enacted, that, notwithstanding anything contained in the said Act, the said stock so

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transferred as aforesaid in respect of the application for this Act shall not be 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 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.

27. 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 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

for this Act e person or warrant or urvivors or isly to the tion of the veyance of Trade that capital by and have amount to shall expire ay for the of as aforeock sai/ .ter ere such proof sufficient cessary to ing in the

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be wound up, or a receiver has been appointed, shall wholly or in A.D. 1875 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 re-transferred to the depositors, or has become otherwise applicable as herein-before mentioned, any 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. og natumer in safet to helt to in include

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

and animals.

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

In respect of passengers and animals conveyed on the railway: For every person twopence per mile, and if conveyed in or upon a carriage belonging to the Company an additional sum of one penny per mile:

Class 1. For every horse, mule, or other beast of draught or burden, threepence per mile, and if conveyed in or upon a carriage belonging to the Company an additional sum per mile not exceeding one penny:

.Class 2. For every ox, cow, bull, or head of neat cattle, twopence per mile, and if conveyed in or upon a carriage belonging to the Company an additional sum per mile not exceeding one penny:

Class 3. For every calf, pig, sheep, lamb, and other small animal, three farthings per mile, and if conveyed in or upon a carriage belonging to the Company an additional sum per mile not exceeding one farthing.

In respect of goods conveyed upon the railway:

Tolls for goods.

Class 4. For all coal, culm, cinders, slack, cannel, iron-stone, iron-ore, limestone, chalk, sand, slag, and clay (except fireclay), dung, compost, and all sorts of manure, and all undressed materials for the repair of public roads or highways, per ton per mile one penny, and if conveyed in a carriage belonging to the Company an additional sum per ton per mile of one halfpenny:

A.D. 1875. Class 5. For all coke, charcoal, pig iron, bar iron, rod iron, sheet iron, hoop iron, plates of iron, wrought iron, heavy iron castings, railway chairs, slabs, billets, and rolled iron, lime, bricks, tiles, slates, salt, fireclay, and stone, 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: A state out of the state parties of the continuous state of the

Class 6. For all sugar, grain, corn, flour, malt, seeds, ale and beer in casks, 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 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, 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, conveyed on a truck or platform belonging to the Company, 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.

30. 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, in addition to the several other tolls or sums by this Act authorised to be taken.

Regulations as to tolls.

31. 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 four miles the Company may demand tolls and charges as for four miles:

For a fraction of a mile beyond four 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 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 _12

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For a fraction of a ton the Company may demand tolls according in to the number of quarters of a ton in such fraction, and if there be a fraction of a quarter of a ton such fraction shall be deemed a quarter of a ton:

With respect to all articles, except stone and timber, the weight shall be determined according to the usual avoirdupois weight: With respect to stone and timber, fourteen cubic feet of stone, forty cubic feet of oak, mahogany, teak, beech, or ash, and

fifty cubic feet of any other timber, shall be deemed one ton weight, and so in proportion for any smaller quantity.

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

For the carriage of small parcels on the railway:

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

For any parcel not exceeding fourteen pounds in weight, five-

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

For any parcel not exceeding fifty-six pounds in weight, ninc-

And for any parcel exceeding fifty-six pounds but not exceeding five hundred pounds in weight, the Company may demand any sum which they 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.

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

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 one boiler, cylinder, or single piece of machinery, or single piece of timber or stone, 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.

weight.

rates for passengers.

33. 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,)

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For every passenger conveyed in a first-class carriage, the sum of and the state of t

threepence per mile:

For every passenger conveyed in a second-class carriage, the sum of twopence per mile : " and the few ments of the per stall!

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

Maximum rates for animals and goods.

34. 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,) W is the same

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 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 weighing more than one ton, carried or conveyed on a truck or platform, per mile sixpence; and if weighing more than one ton, one penny halfpenny for every additional quarter of a ton or fractional part of a quarter of a ton which such carriage. may weigh.

Passengers luggage.

35. 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.

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7 take with and twenty l pounds in weight for or the car-

36. No station shall be considered a terminal station in regard A.D. 1875. to any goods conveyed on the railway unless such goods have been Terminal received thereat direct from the consignor, or are directed to be station. delivered thereat to the consignee.

37. The restrictions as to the charges to be made for passengers Restrictions shall not extend to any special train run upon the railway, in as to charges respect of which the Company may make such charges as they to special 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.

38. Nothing in this Act shall prevent the Company from taking Company any increased charges, over and above the charges by this Act limited, for the conveyance of animals or goods of any description, charges by 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.

39. The Company and the Great Eastern Railway Company Company may from time to time, subject to the provisions of Part III. of the "Railways Clauses Act, 1863," as amended or varied by the Railway "Regulation of Railways Act, 1873," enter into and carry into Company effect all such agreements as they from time to time think fit with for certain

and Great purposes.

The use of the railway by this Act authorised, or any part thereof:

The arrangements for the conduct of the traffic of the railway: The payments to be made and the conditions to be performed with respect to such use, and with respect to the transmission, forwarding, and delivery of traffic upon the railway and the railways of the Great Eastern Railway Company:

The tolls and charges or other payments for or in respect of such traffic:

.The apportionment between and amongst the contracting Companies of tolls and charges received in respect of such traffic.

40. During the continuance of any agreement to be entered into Tolls on under the provisions of this Act for the use of the railway by the traffic con-Great Eastern Railway Company, the railway of the Company and on the railof the Great Eastern Railway Company shall, for the purposes of way and the short-distance tolls and charges, be considered as one railway; Great and in estimating the amount of tolls and charges in respect of Eastern traffic conveyed partly on the railway and partly on the railway of Railway. the Great Eastern Railway Company for a less distance than four

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A.D. 1875. miles, tolls and charges may only be charged as for four miles; and in respect of passengers, for every mile or fraction of a mile beyond four miles, tolls and charges as for one mile only; and in respect of animals and goods, for every quarter of a mile or fraction of a quarter of a mile beyond four miles, tolls and charges as for a quarter of a mile only; and no other short-distance charge shall be made for the conveyance of passengers, animals, or goods partly on the railway and partly on the railway of the Great Eastern Railway Company.

Tolls on pier.

41. Subject to the provisions of this Act the Company may demand and take in respect of the vessels, persons, animals, goods, things, conveniences, and services described in the schedule to this Act such tolls or sums as they from time to time think fit, not exceeding those specified in that schedule: Provided that such tolls or sums may be from time to time reduced by the Board of Trade, should such Board see fit.

Commencement of taking of tolls at pier. 42. The Company may demand and take the tolls which they are authorised to take at the pier as soon as it is certified, under the hand of a competent person appointed for this purpose by the Board of Trade, that the Company have constructed and so far completed any portion of the pier as to afford convenient accommodation for vessels, although the whole thereof is not then completed.

Action for tonnage tolls.

43. If the master of a vessel fails to pay the tolls payable to the Company in respect thereof, the same may be recovered by the Company by proceedings against him and against the owner of the vessel, or either of them, in a court of competent jurisdiction.

Appointment of meters and weighers.

44. The Company shall have the appointment of meters and weighers on and in connexion with the pier.

Officers of Customs to have free access to quay without payment.

45. Officers of Customs, being in the execution of their duty, shall at all times have free ingress and egress into, upon, and from the pier by land or with their vessels or otherwise, without payment.

Company to exhibit lights.

46. The Company shall at the outer extremity of the pier hereby authorised exhibit and keep burning from sunset to sunrise such lights (if any) as the Corporation of Trinity House of Deptford Strond shall from time to time direct.

Making of tramways to be abandoned. 47. The promoters respectively of the Felixstowe Order and of the Ipswich Order may and shall abandon the construction of the Felixstowe Tramway and the Ipswich Tramway respectively, and

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Order and of uction of the pectively, and on and after the passing of this Act the said promoters respectively shall, except only as is by this Act otherwise expressly provided, be absolutely freed from all obligation with respect to the constructing and maintaining of the said respective tramways.

48. The abandonment by the said promoters respectively under Compensathe authority of this Act of the Felixstowe Tramway and of the damage to Ipswich Tramway respectively shall not prejudice or affect the right roads by of any road authority to be compensated for any damage or injury promoters caused by the said promoters respectively to any road vested in or abandoned. maintainable by such road authority.

1049. The Court of Chancery may and shall, subject to the con- Providing ditions prescribed by any rules made by the Board of Trade under for release the Tramways Act, 1870, at any time after the passing of this Act, stowe Tramon application by the person named in the warrant issued by the way deposit Board of Trade in respect of the Felixstowe Tramway, his executors, Court of administrators, or assigns, by petition in a summary way, order Chancery. that the sum of ninety-nine pounds and sixpence consolidated three per centum annuities, and the dividends thereon, standing in the name of Her Majesty's Paymaster-General on behalf of the said court, and to the credit of ex parte the Felixstowe and Fagborough Cliff (Walton) Tramway Order, 1873, may be paid or transferred to the person so applying, or to any other person or persons whom he may appoint in that behalf; and upon such order being made the said sum of ninety-nine pounds and sixpence consolidated three per centum annuities, and the dividends thereon, shall be paid or transferred to such person or persons accordingly.

50. The Court of Chancery may and shall, subject to the con- Providing ditions prescribed by any rules made by the Board of Trade under for release of the Tramways Act 1870 at any time of the T the Tramways Act, 1870, at any time after the passing of this Act, Tramway on application by the persons named in the warrant issued by the deposit with the Court of Board of Trade in respect of the Inswich Tramway their executors Board of Trade in respect of the Ipswich Tramway, their executors, Chancery administrators, or assigns, by petition in a summary way, order that the sum of two thousand five hundred and fifty-four pounds ten shillings and sixpence consolidated three per centum annuities standing in the name of Her Majesty's Paymaster-General on behalf of the said court, and to the credit of ex parte the Ipswich and Felixstowe Tramways Order, 1873, and the dividends thereon, may be paid or transferred to the persons so applying, or to any other person or persons whom they may appoint in that behalf; and upon such order being made the said sum of two thousand five hundred and fifty-four pounds ten shillings and sixpence consolidated

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three per centum annuities, and the dividends thereon, shall be paid or transferred to such person or persons accordingly.

Saving rights of the Crown in the foreshore.

51. 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 Her Majesty's Principal Secretary of State for the War Department.

52. And whereas it is necessary that the lands, hereditaments, and works belonging to Her Majesty and vested in Her Majesty's Principal Secretary of State for the War Department for the public service should be preserved intact and free from all intrusion or obstruction: Be it therefore enacted, that nothing in this Act contained shall authorise the Company to enter upon, use, or interfere with any land, soil, or water, or any right in respect thereof, vested in or exercised by the said Principal Secretary for the time being, or to take away, lessen, prejudice, or alter any of the rights, privileges, or powers vested in or exercised by the said Principal Secretary for the time being, without his previous consent, signified in writing under his hand, and which consent the said Principal Secretary for the time being is hereby authorised to give, subject to such special or other conditions as he shall see fit to impose on the said Company.

Saving rights of George Tomline. 53. Nothing in this Act contained shall prejudice or affect any estate, right, interest, or privilege of the said George Tomline, his heirs or assigns, except so far as specially provided by this Act.

Saving rights of Harwich Harbour Conservancy Board. 54. Nothing in this Act contained shall prejudice or affect any estate, right, interest, or privilege of the Harwich Harbour Conservancy Board, except so far as especially provided by this Act.

Interest not to be paid on calls paid up.

55. 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

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hereumments, Her Majesty's for the public l intrusion or this Act cone, or interfere thereof, vested e time being, of the rights, said Principal isent, signified said Principal) give, subject to impose on

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[38 & 39 Vict.] The Feliastowe Railway and Pier [Ch. cxlv.] Act, 1875.

paying to any shareholder such interest on money advanced by .A.D. 1875. him beyond the amount of calls actually made as is in conformity with "The Companies Clauses Consolidation Act, 1845."

56. The Company shall not, out of any money by this Act Deposits for authorised to be raised, pay or deposit any sum which, by any not to be standing order of either House of Parliament now or hereafter in paid out of force, may be required to be deposited in respect of any application capital. 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.

57. Nothing in this Act contained shall exempt the railway Railway not from the provisions of any general Act relating to railways, or exempt from the better and more impartial audit of the accounts of railway of present companies, now in force or which may hereafter pass during this and future or any future session of Parliament, or from any future revision general Acts. 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. gan geria base gereke bili ala sebali s

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

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The Felixstowe Railway and Pier [38 & 39 YICT.] Act, 1875.

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	I.—Tolls for Vessels using the Pier.
•	्रमुक्त विकास सम्बद्धि अनुसर्वे । अनुस्कृति । अनुस्कृति । अनुस्कृति । अनुस्कृति । अनुस्कृति । अनुस्कृति । अनुस
•	For every vessel under the burden of 15 tons, per ton
•	For every vessel of the burden of 15 tons and under 50 tons, per ton - 0 6
	For every vessel of the burden of 50 tons and under 100 tons, per ton - 0 8
	For every vessel of the burden of 100 tons and under 150 tons, per ton 0 10
i i i i i i i i i i i i i i i i i i i	For every vessel of the burden of 150 tons and upwards, per ton - 1 0
in the	All lighters, for each trip, per ton declaration of the second se
•	All boats, entirely open, landing or taking on board goods, each - 0 6
	The foregoing Tolls upon Vessels to be charged in each case upon the
•	register tonnage.
•	II.—Tolls for Goods shipped or unshipped at the Pier.
•	
•	Ale, beer, and porter, per hogshead 0 6
	Ale (bottled), per barrel
	Ditto, per dozen bottles 0 1
	Anchors, per cwt.
	Anchor stock, per foot run 0 2
	Bark, per ton 2 0
	Bedding, per bundle 0 3
	Beef or pork, per cwt 0 3
	Ditto, per barrel 0 6
	Biscuit or bread, per cwt 0 3
	Blubber, per ton of 252 gallons 3 0
	Bones and bone dust, per ton 1 6
	Bottles, per gross 0 9
	Bricks, per 1,000 1 6
	Butter and lard, per barrel 0 6
	Ditto, per firkin 0 3
	Cables, iron or hempen, per ton 3 0
	Canvas, per bolt 0 1
	Casks (empty), not being returned packages, per puncheon 0 3
	Other casks in proportion.
	Cattle:
	Bulls, cows, and oxen, each 3 0
	Calves, each 1 0
	Horses, each 4 0
	Pigs, each 0 6
	Sheep, each 1 0
•	Chalk, per ton 1 0
•	Cheese, per cwt 0 4
	~ 00

;, Ditto (cured), per barrel

Hides:

Ox, cow, or horses (wet or dry), each

Iron:
CBar, bolt, rod, and shots, per ton
Pig and old, per ton
Manufactured, per ton

Pots, each - - - - - - 0

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	Section of the sectio		* *
Kelp, per ton			
Lead, per ton			3. 4.
Theorem			2:0
T:	id dressed), bei ca	T. T. T. of Street and St. of	- Tot 1 2 6
Lime, per 28 bush	els 📆 🚉 🐉	t. The strong was a second	0 3
Limestone, ner tow	440	Contract of the second of the	- :
Machinery, per ton	ACCES NAMES	Ther funt articular action	159
Manure (not enume	/Loener		2 6
Masts and spars 10	inches in 1	r and upwards, each	
Ditto, under I	mones in diamete	r and upwards, each	- (1) Tr. 4 (6
Ment (fresh)	u menes		***
Meat (fresh), per cw	π.		*** / : 3 p.0
Milk, per gallon			
brusical instruments	- Der cuha foot	The second secon	0 01
+, cm, ber a chaic tes	et 🕒	_	0 1
Oakum, per cwt.	2	The state of the s	- 0 4
Oils, per tun	1, 1.		
Oilcake, per ton	House the season of a	The Comment of the section of	-20
Oranges and lemons,	non hom		
Öres, per ton	ber pox	will an a factoring.	
Oysters, per bushel	_		- 0 6
Paint, per cwt.	•	- James with Allerting	- 1 0
Pitch and		The second side of the	- 0 3
Pitch and tar, per bar	rel		- 0 4
Potatoes, per cwt.			- 0 6
Poultry and game, per	dozen		- 0 2
reags and old rope, per	ton .	a saw	0-4
Daus, per cwt. ; _			- 2 0
Salt, per cwt.			- 0 6
Sand, per ton "	•	್ ರಿಸ್ತೆ ಬಿಡ್ಡಾಗಿ ಕ್ರಾ	0 1
Shrimp baskets, each			
Sking: Calf good		. −111 ±ngs	· . · · · · · · · · · · · · ·
Skins:—Calf, goat, she Slates, per ton of 24 cu	ep, lamb, or dog, I	oer dozen 🙄 🚈 🚉	0 2
Slates, per ton of 24 cu	bic feet	W.T. Steel South	- 0 6
Spirits, per hogshead		_	- 2 0
Ditto, per gallon			- 1 0
Stones, per ton of 16 cm	bic feet		- 0 1
Dieer, per ton	_		- 1 6
Sugar, per cwt.		· · · · · · · · · · · · · · · · · · ·	- 3 0
Tallow, soap, and candle	non oni		- 0 3
Tea, per chest	her cAC	-	- 0 3
Tiles, per 1,000	-		- 1 0
Tin and zinc, per ton	•	· •	
Tobacco, per cwt.	•		- 1 6
Turbot, per score			- 3 0
Turning non-	-	s a s	- 0 6
Turnips, per ton	a comment of the	Lynnia -	- 0 3
Turpentine and varnish, p	er barrel	-	- 0 6
~ ut me, each	_		- 0 6
Vegetables (not enumerate	d), per cyc		- 2 6
Der Hoognead	72 E-4- OHW -		- 0 4
Vitriol, per carboy	_		- 0 6
· 2 2			- 1 0
	•	_	4 U

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Act, 1875	
	. d. A.
Water, per cask	- 0 3
Wine per hogshead	- 1 0
Ditto, bottled, per dozen bottles	- 0 2
Wood	
Fir, pine, and other description not enum	erated, per load of 50 feet 1 6
Oak or wainscot, per load of 50 feet	- 2 0
Firewood, per 216 cubic feet fathom	1 6
Laths and lathwood, per fathom of 218	cubic feet - 2 6
Handspikes, per 120	- 3 0
Oars, per 120	- 5 0
Spars, under 22 feet in length, above 2	and under 4 inches in
diameter, per 120	- 5 0
Ditto, 21 inches in diameter and under,	per 120 - 4 0
Ditto, 22 feet in length and upwards, an	d not exceeding 4 inches
in diameter, per 120	9 0
Ditto, above 4 and under 6 inches in dia	metre: per 120 - 14 0
Spokes of wheels, not exceeding 2 feet in	Femoth per 120 - 2 0
Ditto, exceeding 2 feet in length, pe	1.20 saltani - 3 0
Treenails, per 1,000 -	- 2 6
Wedges, per 1,000	- 2 6
Pipe staves, and others in proportion, per	
Lignum vitas, fustic, logwood, mahogany	
Wool, per cwt.	- 0 4
Yarn, per cwt.	0 2
ALL OTHER GOODS NOT PARTICULAR	LL STUMERATED ABOVE
ī.,	
Light goods, per cube foot	- 0 1
Heavy goods, per ton	2 0
In charging the rates on goods the gross w	measurement of
all goods to be taken, and for any less weigh	and quan-
tities than those above specified a proportion	Tespective rates
shall be charged.	
III.—TOLLS FOR USE OF CRANES, WEIG	MACHINES CO.
ON OR IN CONNEXION	MACHINES, AND SHEDS
1st, Cranes.	
	The second secon
All goods or packages not exceeding 1 ton	- 0 4
Exceeding 1 ton and not exceeding 2 tons	- 0 6
, 2 tons , 3 tons	- 0 8
3 tons , 4 tons	- 0 10
, 4 tons , 5 tons	- 1 0
5 tons 6 tons	1 2
6 tons , 7 tons	- 1 4
7 tons , 8 tons	- 1 6
8 tons	- 1 10
, 9 tons ,, 10 tons	
, 10 tons	
Market 19 LO COMO	- 3 6
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[Ch. cxlv.]	The	Felixatowe	Railwa y	and Pie	r [38 &	39 V t	cm T
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For goods weighed, for each ton	or part of a ton	begin	rion, yes
	ir. Taylund	k ita kara lingi	liod lorgali.
[7] A. Carrier,	"3rd, Sheds.	The second second	
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For each ton of goods of 40 cul	oic feet, or for ea	ch ton of goods	of 20'11
cwt., which shall remain in	the sheds or ot	her works of th	e pier
for a longer time than 48 he	ours, the sum of	3d and the	um of
11d. per ton for each day	during which suc	h goods shall	American T
after first 48 hours.	25	~ = 10 m	अवस्थान
	araal		7
For any portmanteau, trunk, po	arcel, or other	article of passe	ngers
luggage, for each day or par	t of a day, per p	ackage	0
The state of the s	No Cont. 1	يودو پاهي اهي. ميانو دريو دريو	alandala. Taman alah merili
IV.—Tolls for	SUPPLYING WA	TER ON PIER.	항공 선택으로 (
Water, per 1,000 gallons	p - chronique di		
- N (1945年) (1777年) (1947年)		, 1951 and Love	nugh_0.10
y.—Tolls on Passengers		មិ ម៉ូនម៉ូ តែជា 1 ១ភាគ	ประเทศ ได้รู้
For every passenger landing on th	e pier from, or	embarking from	it on
board of, any vessel or boat,	for each time		- 0
For every person using the pier for	r the nurnose of	wallsing for area	
pleasure, or any other purp	r me barbose or	wanking for exer	cise,
protection of any other purpo	ose, except for e		dam
harling for and		mouraing or di	peni-
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