ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

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Law during that Session of Parliament whereby a Railway Communication should be authorized to be made which would connect the Railway by the said recited Act authorized with the Harbour at *Wisbech* on the North-west Side of the River below *Wisbech*, the said Company should and were thereby required to adopt all such Measures within their Power as might be requisite and necessary for introducing into Parliament, in the then next Session thereof, a Bill for effecting such Object, and should use their utmost Endeavours to cause such Bill to be passed into a Law: And whereas a Branch Railway from the said *Stamford and Wisbech* Line of the *Boston, Stamford, and Birmingham* Railway in the Parish of *Wisbech Saint Peter* in the *Isle of Ely* and County of *Cambridge* to or near to the River *Nene* and *Wisbech* Harbour in the Parishes of *Leverington* and *Wisbech Saint Peter*, or one of them, would effect such Communication, and it would be attended with much public and local Advantage if such Branch Railway were made; and it would be also attended with much public and local Advantage if the said *Wisbech* Harbour were improved by the Construction of Quays, Wharfs, Embankments, and other Works; and the said *Boston, Stamford, and Birmingham* Railway Company are willing to carry such Objects into effect if authorized by Parliament so to do: And whereas Two Acts were passed in the Session of Parliament held in the Eighth and Ninth Years of the Reign of Her present Majesty, called respectively "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845": 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, That the said Lands Clauses Consolidation Act, 1845, and the said Railways Clauses Consolidation Act, 1845, shall, so far as the same are applicable and are not modified by this Act, or inconsistent with the Provisions thereof, be held to apply to the Branch Railway and Works connected therewith by this Act authorized to be made; and such Acts, modified as aforesaid, shall be read and construed as forming Part of this Act.

8 & 9 Vict. cc. 18. and 20. extended to this Act.

Provisions of Boston, Stamford, and Birmingham Railway Act extended to this Act.

II. And be it enacted, That all the Provisions of the said recited *Boston, Stamford, and Birmingham* Railway Act, 1846, *Stamford and Wisbech* Line, so far as the same are or may be applicable and now in force, and except such of them as are by this Act repealed altered, or otherwise provided for, or are inconsistent with the Provisions of the said recited Lands Clauses Consolidation Act, or of the said Railways Clauses Consolidation Act as modified and extended to this Act, shall extend to this Act, and to the several Purposes thereof, and to the several Matters and Things hereby authorized to be done, as fully and effectually as if the said Provisions were re-enacted in this Act in reference to such Purposes, Matters, and Things; and the said Act and this Act shall be construed and read together as forming One Act.

III. And

Short Title.

III. And be it enacted, That in citing this Act in other Acts of Parliament, and all legal Documents, it shall be sufficient to use the Expression "The *Boston, Stamford, and Birmingham* Railway (Branch to *Wisbech* Harbour and *Wisbech* Harbour Improvement) Act, 1847."

Power to raise Money by Creation of new Shares, which are to form Part of general Capital.

IV. And be it enacted, That it shall be lawful for the said Company to raise for the Purposes of this Act the Sum of Forty thousand Pounds by the Creation of new Shares, in addition to any Sums which they are already authorized to raise, upon such Terms and in such Manner as may be or may have been agreed upon at any General Meeting or Meetings of the Company specially convened for the Purpose; and the new Shares to be created by virtue of this Act shall be considered Part of the general Capital of the Company, and as such shall be subject to all the Provisions of the said *Boston, Stamford, and Birmingham* Railway Act relating to such general Capital.

Power to borrow Money on Mortgage.

V. And be it enacted, That after the whole of the Capital in Shares by this Act and the said *Boston, Stamford, and Birmingham* Railway Act authorized to be raised shall have been subscribed, and One Half thereof shall have been paid up, it shall be lawful for the Company to borrow on Mortgage such Sums of Money as shall from Time to Time be authorized to be borrowed by Order of a General Meeting of the Company, not exceeding in the whole the Sum of Thirteen thousand three hundred and thirty-three Pounds Six Shillings and Eight-pence, in addition to the Sum authorized to be borrowed by the said last-mentioned Act, and to secure the Payment of the Sum so to be borrowed, with Interest, by Mortgage of the Undertaking of the said *Boston, Stamford, and Birmingham* Railway Company, including the Branch Railway and Quays, Wharfs and Works, hereby authorized to be made.

Reborrowing.

VI. And be it enacted, That if after having borrowed any Part of the Money by this Act and by the said *Boston, Stamford, and Birmingham* Railway Act, or either of them, authorized to be borrowed, the said Company shall pay off the same, it shall be lawful for them again to borrow the Sum so paid off, or any Part thereof, and so from Time to Time.

Former Mortgages to have Priority.

VII. Provided always, and be it enacted, That all Mortgages granted by the Company or for which they were liable before the passing of this Act, and which shall be in force at the Time of the passing of this Act, shall during the Continuance thereof have Priority over all Mortgages to be created by virtue of this Act.

Power to convertLoan into Capital.

VIII. And be it enacted, That it shall be lawful for the Company, if they think fit, to raise the Sum by this Act and by the said *Boston, Stamford, and Birmingham* Railway Act, or either of them, authorized to be borrowed, or any Part thereof, by creating new Shares or Stock of the Company instead of borrowing the same, or having

having borrowed the same, it shall be lawful for them to pay off such Loan or any Part thereof, if they so think fit, by creating new Shares or Stock of the Company in manner aforesaid, but no such Augmentation of Capital shall take place without the previous Order of a General Meeting specially convened for that Purpose.

Interest not to be paid on Calls paid up

IX. And be it enacted, That it shall not be lawful for the said Company, out of any Money by this Act or any other Act relating to the said Railway Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein-before contained shall be deemed to prevent the said Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with the Provisions in the Companies Clauses Consolidation Act, 1845, in that Behalf contained.

Deposits for future Bills not to be paid out of the Company's Capital.

X. And be it enacted, That it shall not be lawful for the said Company, out of any Money by this Act or any other Act relating to the said Railway Company authorized to be raised for the Purposes of such Act or Acts, to pay or deposit any Sum of Money which by any Standing Order of either House of Parliament, now in force or hereafter to be in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the said Company to construct any other Railway or execute any other Work or Undertaking.

Branch Railway, &c. to be made according to deposited Plans.

XI. And whereas Plans and Sections showing the Line or Situation and Levels of the before-mentioned intended Branch Railway, together with Books of Reference to the said Plans containing the Names of the reputed Owners and Lessees and of the Occupiers of the Lands which may be required to be taken for the Purposes thereof, have been deposited with the Clerks of the Peace for the *Isle of Ely* and for the County of *Cambridge* respectively; be it therefore enacted, That, subject to the Provisions herein-after contained, it shall be lawful for the said Company to make the said Branch Railway and Works connected therewith in the Line or Course and upon the Lands delineated on the said Plans and described in the said Books of Reference, and according to the Levels defined on the said Sections; and it shall be lawful for the said Company to enter upon, take, and use such of the said Lands as shall be necessary for the Purposes aforesaid.

Line of Railway.

XII. And be it enacted, That such Railway shall commence by a Junction with the *Stamford and Wisbech* Line of the said *Boston, Stamford, and Birmingham* Railway Act, 1846, as at present authorized to be constructed, at or near a certain Field in the Parish of *Wisbech Saint Peter* in the *Isle of Ely* in the County of *Cambridge*, numbered 29 in such Parish on the Plans referred to in the said Act, shall

pass thence through or into the several Parishes, Townships, and extra-parochial and other Places following, or some of them; (that is to say,) the Borough of *Wisbech*, *Wisbech Saint Peter*, *Wisbech Saint Mary*, and *Leverington*, in the *Isle of Ely* in the County of *Cambridge*, and shall terminate at or near the River *Nene* and *Wisbech* Harbour in the said Parishes of *Leverington* and *Wisbech Saint Peter*, or one of them, near to a certain Mill called *Bell's Mill*.

Certain Roads may be crossed on a Level.

XIII. And be it enacted, That, subject to the Provisions in the said Railways Clauses Consolidation Act contained in reference to the crossing of Roads on a Level, it shall be lawful for the Company in the Construction of the said Branch Railway by this Act authorized to be made to carry the same across the several Highways herein-after mentioned on the Level thereof; (that is to say,)

In the Parish of *Wisbech Saint Peter*, the Roads numbered respectively 10, 27, 37 on the Plans deposited as aforesaid.

Company to erect a Station or Lodge at Points of crossing, and to abide by the Rules, &c. of the Commissioners of Railways.

XIV. And be it enacted, That for the greater Convenience and Security of the Public the Company shall erect and permanently maintain either a Station or Lodge at the Points where the said Railway crosses the before-mentioned Roads on the Level, and the said Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Roads on the Level, or with regard to the Speed at which Trains shall pass such Roads, as may from Time to Time be made by the Commissioners of Railways; and if the said Company shall fail to erect or at all Times maintain any such Station or Lodge, or appoint a proper Person to watch or superintend the Crossing at any such Point or Station, or to observe or abide by any such Rule or Regulation as aforesaid, they shall for every such Offence be liable to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred.

Land for extraordinary Purposes.

XV. And be it enacted, That it shall be lawful for the Company to purchase any Quantity of Land for extraordinary Purposes not exceeding Ten Acres.

Part of the Line not to be made but with Consent of the Eastern Counties Railway Company.

XVI. And whereas an Act was passed in the last Session of Parliament, called "The *Wisbech, Saint Ives, and Cambridge Junction* Railway Act, 1846," whereby a Company was incorporated and authorized to make a Railway, Part whereof between *Wisbech* Harbour and a certain Point in the Parish of *Wisbech Saint Peter* is identical or nearly so with that Part of the Railway by this Act authorized to be made which lies between the same Points, and the Powers of the Company incorporated by the last-mentioned Act have under certain of the Provisions of such Act been transferred to the *Eastern Counties* Railway Company: And whereas it is expedient, and has been agreed upon between the *Boston, Stamford, and Birmingham* and *Eastern Counties* Railway Companies, that One Line only should be made between such Points, and that both Companies should have the Use

thereof; be it enacted, That, subject as herein-after mentioned, it shall not be lawful for the *Boston, Stamford, and Birmingham* Railway Company, except with the Consent in Writing of the *Eastern Counties* Railway Company, to make such Part of the Railway herein-before authorized as lies between *Wisbech* Harbour and the said Point in *Wisbech Saint Peter*, where a Junction can be formed between the said Railway and the said *Wisbech, Saint Ives, and Cambridge Junction* Railway, consistently with the Powers in this and the said lastly-recited Act contained, or to purchase any Lands for the Purposes of so much of the said Railway and Works, any thing herein-before contained to the contrary notwithstanding: Provided always, that in case the *Eastern Counties* Railway Company shall not within Two Years next after the passing of this Act have completed and opened for public Traffic that Part of the *Wisbech, Saint Ives, and Cambridge Junction* Railway which lies between the said Point and *Wisbech* Harbour, then from and after the Expiration of such Period of Two Years all the Powers by this Act conferred upon the *Boston, Stamford, and Birmingham* Railway Company for making such Part aforesaid of the said intended Railway, and for purchasing Lands necessary for that Purpose, shall revive and be in full Force.

Company to use Part of the Wisbech, Saint Ives, and Cambridge Junction Railway.

XVII. And be it enacted, That it shall be lawful for the *Boston, Stamford, and Birmingham* Railway Company, and all other Companies or Persons lawfully using or intending to use the Railway by this Act authorized to be made with Engines or Carriages, to use in like Manner the Part of the *Wisbech, Saint Ives, and Cambridge Junction* Railway which lies between the Point of Junction of such Railways and *Wisbech* Harbour, and all Stations, Watering Places, Water Approaches, Sidings, Links, and Conveniences appertaining thereto, and necessary or useful for the working of the Traffic on the said Lines respectively, on such Terms and Conditions and subject to such Rules and Regulations as may from Time to Time be prescribed by the Commissioners of Railways, and on Payment of such reasonable Tolls, Charges, Rent, or other Consideration as may be agreed upon between the *Boston, Stamford, and Birmingham* Railway Company and the *Eastern Counties* Railway Company, or failing such Agreement as shall be settled by the principal Engineers for the Time being of the said Companies, and in case of Difference between such Engineers then by some Person to be mutually appointed and agreed upon by them, and all the Provisions of the Companies Clauses Consolidation Act, 1845, with respect to Disputes to be settled by Arbitration shall apply to all Arbitrations between the said Companies.

Accommodation to be provided for booking Passengers and Goods.

XVIII. And be it enacted, That all reasonable Accommodation and Facility shall be afforded by the *Eastern Counties* Railway Company at their several Stations on the said Part of the *Wisbech, Saint Ives, and Cambridge Junction* Railway in the booking of Passengers who may be desirous of being conveyed, and of all Goods and all other Articles and Things conveyed or directed to be conveyed by any of the Trains of the *Boston, Stamford, and Birmingham* Railway

Company

Company which, under the Powers herein-before contained, may start from or arrive at any such Stations, and the additional Expence which the *Eastern Counties* Railway Company may incur in providing such Accommodation (whether in the Employment of Officers or otherwise) to the *Boston, Stamford, and Birmingham* Railway Company shall be borne by such last-mentioned Company, the Amount of such Expence to be from Time to Time settled and determined by Agreement between the said Companies, or, if the Parties shall differ, in the Manner herein-before provided for the Settlement of Matters in difference or dispute between the said Companies.

Companies to observe Bye Laws of Eastern Counties Railway Company.

XIX. And be it enacted, That the *Boston, Stamford, and Birmingham* Railway Company, in working, using, or traversing the said Part of the *Wisbech, Saint Ives, and Cambridge Junction* Railway, or the Stations and Conveniences thereof, in accordance with the Provisions herein-before mentioned, shall at all Times observe the Regulations and Bye Laws of the *Eastern Counties* Railway Company for the Time being in force, so far as such Bye Laws and Regulations may be applicable to the said *Boston, Stamford, and Birmingham* Railway Company, and are not repugnant to the true Spirit and Intent of the Powers and Provisions herein contained.

Differences respecting Bye Laws, &c. to be setled by Commissioners of Railways.

XX. And be it enacted, That in case there shall be any Dispute between the said Companies respecting any such Regulations or Bye Laws as last aforesaid, or respecting the Mode in which the *Boston, Stamford, and Birmingham* Railway Company shall exercise any of the Powers or Privileges herein-before given to them, or respecting the Regulations to be adopted by the said Companies for the Convenience and Accommodation of each other, or for the Protection of or relating to their own Traffic respectively, or respecting any other Matter or Thing arising out of the Provisions of this Act, or in relation thereto, for the Settlement of which express Provision has not been herein-before already made, the same shall be decided and determined by the Commissioners of Railways.

Certain Portion of Railway to be formed as approved by the Admiralty.

XXI. And be it enacted, That no Portion of the Line of the said Railway near *Wisbech* shall be so laid out as to form an Impediment to a proposed new Cut for the River *Nene*, but such Portion of the said Railway shall be formed in such Manner as shall be approved of by the Lord High Admiral, or by the Commissioners for executing the Office of Lord High Admiral, to be signified by Writing under the Hand of the Secretary of the Admiralty.

Crossing of River Nene for all Railways to be fixed by the Admiralty.

XXII. And be it enacted, That the Position of the Line of the said Railway near *Wisbech* connected with the crossing of the River *Nene* shall be laid out in conformity to a common Site of crossing for all the Railways there, and the Site of such Crossing shall be in such Place as shall be approved of by the said Lord High Admiral, or the said Commissioners, such Approval to be signified by Writing under the Hand of the Secretary of the Admiralty.

XXIII. And

For carrying Culverts under Railway.

XXIII. And be it enacted, That if, in the Opinion of the said Lord High Admiral, or the said Commissioners, it shall at any Time hereafter become expedient, either for the Purpose of Drainage or the Improvement of Navigation, to carry Culverts under the said Railway, the Landowners, or other Persons interested, shall have Power to do so.

If Works constructed across any tidal Rivers are abandoned, Admiralty may remove them.

XXIV. And be it enacted, That if any Work to be constructed by the Company in or across any tidal Water or navigable River, or if any Portion of the Railway which affects any such Water or River or Access thereto, shall be abandoned by the Company, it shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly.

If Company interfere with existing Sluice, &c. others to be made.

XXV. And whereas the said intended Railway and Works as described in the said Plan and Book of Reference may cause the Removal or Diversion of a certain Drain and Sluice and other Works situate between the *Red Engine* Mill and the *Wisbech* River belonging to the Commissioners appointed by Two several Acts of Parliament passed in the Fifteenth and Forty-ninth Years of the Reign of His late Majesty King *George* the Third for draining and preserving certain Lands and Grounds in the Parishes of *Wisbech Saint Peter's* and *Wisbech Saint Mary's*, and the Hamlets of *Wisbech Murrow* and *Wisbech Gayhirn* in the *Isle of Ely* in the County of *Cambridge*; be it therefore enacted, That if in the Execution of the aforesaid Works the said Company shall require the Removal or Diversion of the aforesaid Drain and Sluice, and other Works belonging to the Commissioners appointed by or under the said Acts, the said Company at their own Costs and Charges, before the Commencement of any such Operations, cause a sufficient Drain, Sluice, and other Works to be made, instead of the Drain, Sluice, and other Works to be interfered with, to the reasonable Satisfaction of an Engineer to be appointed by the said Commissioners if they shall see fit, and the Costs of such Appointment or Reference shall be borne by the said Company.

Lands taken by the Company to remain subject to Drainage Taxes.

XXVI. And be it enacted, That any Land which may be required to be taken or used by the said Company, and which at the Time of passing of this Act shall be subject to any Sewers, Bank, or Drainage Rates, Taxes, or Charges, shall remain and be subject to all such Rates, Taxes, or Charges as now are or hereafter shall be imposed on the said Lands, in the same Manner, but not to any greater Extent, than if this Act had not passed.

XXVII. And

Tolls.

XXVII. And be it enacted, That it shall be lawful for the Company to demand any Tolls for the Use of the Railway not exceeding the following; (that is to say,)

Tonnage on Articles of Merchandize.

1. In respect of the Tonnage of all Articles conveyed upon the Railway, or any Part thereof, whether in Carriages belonging to the Company or otherwise, *per* Ton *per* Mile as follows:

For all Dung, Compost, and all Sorts of Manure, Lime and Limestone, and all undressed Materials for the Repair of public Roads or Highways, *per* Ton *per* Mile not exceeding One Penny; provided always, that for Dung, Compost, or other Manure conveyed in return Carriages which have already carried Coal between the same Places, the Company may not charge a greater Sum than One Halfpenny *per* Ton *per* Mile:

For all Coal, Coke, Culm, Charcoal, and Cinders, if conveyed on the Railway a Distance of Twenty-five Miles, Three Farthings, but if conveyed a Distance of less than Twenty-five Miles, One Penny, *per* Ton *per* Mile:

For all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, *per* Ton *per* Mile not exceeding One Penny, if the same be conveyed on the said Railway a Distance exceeding Twenty-five Miles, but if the same be conveyed only Twenty-five Miles or a less Distance, then a Sum not exceeding One Penny Halfpenny:

For all Corn and other Grain, Malt, and Flour, if conveyed on the Railway a Distance of Twenty-five Miles, Five Farthings, but if conveyed a less Distance than Twenty-five Miles, Two-pence, *per* Ton *per* Mile:

For all Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils, Timber, Staves, and Deals, Nails, Anvils, Vices, and Chains, and for all Sugar and other Groceries, Cotton and other Wools, Drugs, Hides, Dyewoods, Earthenware, Metals (except Iron), manufactured Goods, and all other Wares, Merchandize, Articles, Matters, or Things not in this Act otherwise particularly specified, *per* Ton *per* Mile not exceeding Two-pence:

For every Carriage of whatever Description having more than Two Wheels, 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, whether belonging to the Company or otherwise, *per* Mile not exceeding Four-pence Halfpenny, and a like Sum of Two-pence and One Farthing *per* Mile for any fractional Part of a Ton beyond One Ton which any such Carriage may weigh.

Tolls for Passengers and Cattle.

2. In respect of Passengers and Animals conveyed upon the Railway in Carriages, whether belonging to the Company or otherwise, as follows:

For any Person conveyed in or upon any such Carriage, being a First-class Carriage, *per* Mile not exceeding Two-pence; provided always, that for any fractional Part of Sixpence beyond an

an integral Number of Sixpences payable by such Person, the Company shall be entitled to demand Sixpence:

For every Person conveyed in a Second-class Carriage a Sum not exceeding Three Halfpence *per* Mile; provided always, that the Second-class Carriages belonging to the Company shall be closed, and shall have Glass Windows:

For every Person conveyed in a Third-class Carriage a Sum not exceeding One Penny *per* Mile; provided always, that the Company may charge for any shorter Distance than Six Miles a Sum not exceeding Sixpence, and that for any fractional Part of Three-pence beyond Three-pence, or a Multiple thereof, they shall be entitled to charge Three-pence; provided also, that the Third-class Carriages of the Company shall be covered, and have Seats for the Passengers, and that the Company shall be compelled to convey such Carriages along the Railway every Day, as often and upon such Conditions as the Commissioners of Railways shall from Time to Time prescribe:

For every Horse, Mule, Ass, or other Animal requiring a separate Box conveyed upon the Railway, whether in a Carriage belonging to the Company or otherwise, *per* Mile not exceeding Three-pence:

For Cattle, Calves, Pigs, Sheep, or Lambs, whether alive or dead, Poultry, Meat, or Fish, conveyed in or upon any such Carriage, *per* Mile not exceeding Four-pence Halfpenny *per* Ton.

Tolls to include Use of locomotive Power.

XXVIII. Provided always, and be it enacted, That in the said Tolls shall be included the Toll for the Use of Engines for propelling the Carriages on the said Railway, and of Carriages, and that no further Charge than is herein-before stated shall be made by the Company for the Use of such Engines; provided also, that nothing herein contained shall be construed to prevent the Company from charging any reasonable Sum for the Use of such Engines and Carriages for Express Trains.

Regulations as to the Tolls.

XXIX. And be it enacted, That the following Provisions and Regulations shall be applicable to the fixing of such Tolls; (that is to say,)

For Articles or Persons conveyed on the Railway for a less Distance than Six Miles the Company may demand, in addition to the prescribed Tolls for Conveyance, a reasonable Charge for the Expence of stopping, loading, and unloading:

For a Fraction of a Mile less than a Mile, or beyond any integral Number of Miles, the Company may demand Toll on Merchandize 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 Toll, excepting as aforesaid, according to the Number of Quarters of a Ton in such Fraction, and if there be a Fraction of a Quarter of a Ton such Fraction shall be deemed a Quarter of a Ton:

With respect to all Articles, except Stone and Timber, the Weight shall be determined according to the usual Avoirdupois Weight:

With respect to Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Teak, Beech, or Ash, and Fifty Cubic Feet of any other Timber, shall be deemed One Ton Weight, and so in proportion for any smaller Quantity.

Tolls for small Packages and single Articles of great Weight.

XXX. And with respect to small Packages and single Articles of great Weight, be it enacted, That, notwithstanding the Rate of Tolls herein-before prescribed, the Company may lawfully demand the Tolls following; (that is to say,)

For the Carriage of small Parcels on the Railway as follows; for any Parcel not exceeding Fourteen Pounds in Weight, if carried a Distance of not more than Twenty-five Miles, Sixpence, and if carried a greater Distance than Twenty-five Miles, One Shilling:

For any Parcel not exceeding Twenty-eight Pounds in Weight, for any Distance, Two Shillings:

And for any Parcel not exceeding Fifty-six Pounds in Weight, for any Distance, Two Shillings and Sixpence:

And for Parcels exceeding Fifty-six Pounds in Weight the Company may demand any Sum which they think fit; provided always, that Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages:

For the Carriage of any One Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Carriage, shall exceed Four Tons, but shall not exceed Eight Tons, the Company may demand such Sum as they think fit, not exceeding Four-pence *per* Ton *per* Mile:

For the Carriage of any single Piece of Timber, Stone, Machinery, or other single Article, the Weight of which with the Carriage shall exceed Eight Tons, the Company may demand such Sum as they shall think fit.

Passengers Luggage.

XXXI. And be it enacted, That every Passenger travelling upon the Branch Railway hereby authorized to be made may take with him his ordinary Luggage, not exceeding One hundred Pounds in Weight for First-class Passengers, and Sixty Pounds in Weight for Second-class Passengers, and Forty Pounds in Weight for Third-class Passengers, without any Charge being made for Carriage thereof.

Railway Company to be subject to Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., and

XXXII. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railway;* and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways;* and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops;* and another Act was passed in the Eighth Year of the Reign of Her said Majesty,

9 & 10 Vict. cc. 57. & 105.

Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways;* and Two other Acts were passed in the last Session of Parliament, one thereof intituled *An Act for regulating the Gauge of Railways*, and the other *An Act for constituting Commissioners of Railways;* be it enacted, That nothing in this Act contained shall be held to exempt the Branch Railway by this Act authorized to be made, or the *Boston, Stamford, and Birmingham* Railway Company in respect of such Railway, from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railway and Company so far as the same shall be applicable thereto.

Railways to be subject to Provisions of any future general Act.

XXXIII. Provided always, and be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railways by this or the said recited Acts authorized to be made from the Provisions of any general Act relating to such Acts, or of any general Act relating to Railways, now in force or which may hereafter pass during this or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act.

Company to construct Quays, Wharfs, &c.

XXXIV. And whereas Plans showing the Situation of the Quays, Wharfs, and other Works proposed to be constructed at *Wisbech* Harbour aforesaid in the said Parishes of *Wisbech Saint Peter* and *Leverington*, or one of them, together with Books of Reference thereto containing the Names of the actual or reputed Owners and Lessees, and of the Occupiers of the Lands which may be required to be taken for the Purposes thereof, have been deposited with the Clerks of the Peace of the *Isle of Ely* and County of *Cambridge* respectively; be it enacted, That it shall be lawful for the Company, upon the Lands described in the said Plans and Books of Reference, and to the Extent of the Limits of Deviation defined on the said Plans, and according to the Provisions herein contained, to lay out, build, make, alter, repair, and maintain such Quays and Wharfs, together with such Entrances, Approaches, Bridges, and other Works for the Purposes of the same as they may deem expedient, and for such Purposes to enter upon, take, and use the Lands described in the said Plans and Book of Reference, and comprised within the Limits of Deviation defined on such Plans.

Nothing to authorize Company to make any Dock.

XXXV. And be it enacted, That nothing in this Act contained shall be held or construed to authorize the said Company to make any Dock.

10 & 11 Vict. c. 27. incorporated with this Act.

XXXVI. And be it enacted, That the Harbours, Docks, and Piers Clauses Act, 1847, shall be incorporated in this Act, and be applicable to the Quays, Wharfs, and other Works by this Act authorized to be made.

XXXVII. Pro-

The Company not to have Power over the Harbour.

XXXVII. Provided always, and be it enacted, That nothing in this Act contained, or any Bye Law to be made by virtue hereof, shall take away or diminish any of the Powers or Authorities vested in the Mayor, Aldermen, and Burgesses of *Wisbech* as Conservators of the Port and Harbour of *Wisbech*, and that the said Mayor, Aldermen, and Burgesses, and their Harbour Masters and Officers, shall and may continue to have and exercise the same Powers and Authorities in all respects as they had and might lawfully exercise before the passing of this Act.

Company not to obstruct Navigation, or Drainage or public Passage.

XXXVIII. And be it enacted, That it shall not be lawful for the said Company, either during the Execution of the Works by this Act authorized or afterwards, to do any Act which shall impede or obstruct the Navigation or Drainage by or along the *Wisbech* River, or the Haling upon the Banks and Foreland thereof, save and except to such Extent only as may be sanctioned and approved by the Lord High Admiral or Lords Commissioners of the Admiralty for the Time being.

Reservation of Wisbech Port Dues.

XXXIX. Provided always, and be it enacted, That nothing in this Act contained shall extend to prejudice or affect the Title of the Mayor, Aldermen, and Burgesses of the Borough of *Wisbech* to the Dues and Duties, Rights and Privileges, to which they are by Law entitled (if any), but that the same Dues and Duties, Rights and Privileges, shall be payable and paid, used, and exercised to the same Extent in all respects as if this Act had not passed.

Restricting Works on Banks of Nene.

XL. Provided always, and be it enacted, That none of the Powers by this Act conferred upon the said Company shall be exercised in respect of any of the Banks or Foreshores of the River *Nene* unless and until the said Company shall have obtained the Consent of the Lord High Admiral, or of the Commissioners for the Time being appointed for exercising the Office of Lord High Admiral thereto, and then only to such Extent and subject to such Conditions as the said Lord High Admiral or Commissioners shall prescribe.

Limiting Period for compulsory Purchase of Lands.

XLI. And be it enacted, That the Powers of the Company for the compulsory Purchase of Land for the Purposes of this Act shall not be exercised after the Expiration of Four Years from the passing of this Act.

Period for Completion of Works.

XLII. And be it enacted, That the Branch Railway and Works relating to the Improvement of the said Harbour by this Act authorized shall be completed within Five Years from the passing of this Act, and on the Expiration of such Period the Powers by this or the said recited Acts granted to the Company for executing the same shall cease to be exercised, except as to so much of the said Works as shall then be completed.

Expences of Act.

XLIII. And be it enacted, That all the Costs, Charges, and Expences of and attending the passing of this Act, or incidental thereto, shall be paid by the said Company, *pari passu* with the Costs,

Charges, and Expences of every other Act of Parliament passed in the present Session to which they may be liable, out of the first Monies which shall come to their Hands, and in preference to every other Payment whatsoever.

Public Act. XLIV. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

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