



ANNO VICESIMO SEPTIMO & VICESIMO OCTAVO

VICTORIÆ REGINÆ.

Cap. clxxxii.

An Act for making Railways from the *Great Eastern* Railway at *East Dereham* to *Norwich*, to be called “*The Wensum Valley Railway* ;” and for other Purposes. [14th July 1864.]

WHEREAS the making of Railways from the *Fakenham* Branch and *Lynn and Dereham* Line of the *Great Eastern* Railway, in the Parish of *East Dereham* in the County of *Norfolk*, to the City of *Norwich*, as herein-after described, would be of great public and local Advantage: And whereas the Persons herein-after named, with others, are willing at their own Expense to carry the said Undertaking into execution if authorized so to do, and are desirous of being incorporated into a Company for that Purpose: And whereas it is expedient that the Company hereby incorporated (and herein-after called “the Company”) and the *Great Eastern* Railway Company should be empowered to enter into such Arrangements as are herein-after mentioned with respect to the Railways and Works by this Act authorized to be constructed: And whereas it is expedient that the *Great Eastern* Railway Company be authorized to contribute towards the Funds of the Company, and to raise Money for such Purpose: And whereas Plans and Sections of the proposed Railways showing the Lines and Levels thereof and the Lands which may be taken for the Purposes of this Act, and also

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Books of Reference to the Plans containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands have been deposited with the respective Clerks of the Peace for the County of *Norfolk* and City of *Norwich*, and those Plans, Sections, and Books of Reference are in this Act referred to as the deposited Plans, Sections, and Books of Reference: And whereas the Objects of this Act cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and of the Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as "*The Wensum Valley Railway Act, 1864.*"

8 & 9 Vict.
cc. 16. 18.
& 20.,
23 & 24 Vict.
c. 106., and
26 & 27 Vict.
cc. 92. & 118.
incor-
porated.

2. "The Companies Clauses Consolidation Act, 1845," and Part I relating to Cancellation and Surrender of Shares of "The Companies Clauses Act, 1863," "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," "The Railways Clauses Consolidation Act, 1845," and Part I relating to Construction of a Railway, and Part 3 relating to Working Agreements of "The Railways Clauses Act, 1863," (save so far as any of the Sections and Provisions of those Acts respectively are by this Act expressly varied or excepted,) are incorporated with this Act.

Same Mean-
ing to Words
in incorpo-
rated Acts
as in this
Act.

3. The Expression "the Railway" used in this Act means the Railways and Works by this Act authorized, the Expression "Superior Courts" or "Court of competent Jurisdiction," or any other like Expression in this Act, shall be read and have effect as if the Debt or Demand with respect to which the Expression is used were a common Simple Contract Debt, and not a Debt or Demand created by Statute, the Words "Share" and "Shareholders" shall include, where requisite, Stock and Shareholders, the Word "Traffic" has the Meaning assigned to that Word by "The Railway and Canal Traffic Act, 1854," and the several other Words and Expressions to which by the Acts in whole or in part incorporated with this Act Meanings are assigned have in this Act the same respective Meanings, unless there be in the Subject or Context something repugnant to or inconsistent with such Construction.

Subscribers
incorpo-
rated.

4. Lieutenant-Colonel *Patrick Theodore French*, *William Bunce Greenfield*, *Thomas Willis Fleming*, *Joseph Quick*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, are by this Act united into a Company for the Purpose of making and maintaining the
Railway

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Railway to be called "the *Wensum Valley* Railway," and for other the Purposes of this Act, and for such Purposes are by this Act incorporated by the Name of "the *Wensum Valley* Railway Company," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have Power to purchase, take, hold, and dispose of Lands and other Property for the Purposes, but subject to the Restrictions, of this Act, and to put this Act in all respects into execution.

5. The Capital of the Company shall be Two hundred and twenty thousand Pounds, and the Number of Shares into which the Capital shall be divided shall be Eleven thousand, and the Amount of each Share shall be Twenty Pounds. Capital and Number and Amount of Shares.

6. It shall not be lawful for the Company to issue any Share, nor shall any Share vest in the Person accepting the same, unless and until a Sum not being less than One Fifth Part of the Amount of such Share shall have been paid up in respect thereof. Shares not to issue until One Fifth Part paid up.

7. Five Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and Three Months at the least shall intervene between successive Calls, and Three Fourths of the Amount of a Share shall be the utmost aggregate Amount of the Calls to be made in any One Year upon such Share. Calls.

8. The Company may borrow on Mortgage any Monies not exceeding in the whole Seventy-three thousand Pounds, but no Part thereof shall be borrowed until the whole of the Capital of Two hundred and twenty thousand Pounds shall have been subscribed for *bonâ fide*, and One Half thereof shall have been actually paid up, and until they shall prove to the Justice who is to certify under the Provisions contained in the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," (before he so certifies,) that Shares for the whole of the Capital have been subscribed for *bonâ fide* and issued, and that not less than Twenty *per Centum* has been paid on account of each separate Share before or at the Time of the Issue or Acceptance thereof, and that such Shares are *bonâ fide* held by Subscribers or their Assigns, and for which such Subscribers or their Assigns are legally liable (of which Proof having been given, the Certificate of such Justice under that Section shall be sufficient Evidence). Power to borrow on Mortgage.

9. The Mortgagees of the Company may enforce the Payment of the Arrears of Principal and Interest due on any Mortgage by the Appointment of a Receiver, and the Amount to authorize a Requisition for a Receiver shall be Seven thousand Pounds. Arrears may be enforced by Appointment of Receiver.

10. All

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Application
of Monies.

10. All Monies raised under this Act, whether by Shares or by borrowing, shall be applied only for the Purposes of this Act.

Interest not
to be paid
on Calls
paid up.

11. The Company shall not, out of any Money by this Act authorized to be raised, pay Interest or Dividend to any Shareholder on the Amount of Calls made in respect of the Shares held by him, provided that the Company may pay to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as is in conformity with "The Companies Clauses Consolidation Act, 1845."

Deposits for
future Bills
not to be
paid out of
the Com-
pany's
Capital.

12. The Company shall not, out of any Money by this Act authorized to be raised, pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament from Time to Time in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the Company to construct any other Railway, or execute any other Work or Undertaking.

First and
subsequent
General
Meetings.

13. The First Ordinary Meeting of the Company shall be held within Six Months next after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held twice in every Year, in the Months of *February* or *March* and *August* or *September*, as the Directors may appoint.

Number and
Qualification
of Directors.

14. The Number of the Directors shall be Seven, and the Qualifications of a Director shall be the Possession in his own Right of Twenty-five Shares in the Capital of the Company.

Quorum of
Directors.

15. The Quorum of a Meeting of Directors shall be Three.

First
Directors.

16. Lieutenant-Colonel *Patrick Theodore French*, *William Bunce Greenfield*, *Thomas Willis Fleming*, *Joseph Quick*, and *Thomas Pain* shall be Five of the First Directors of the Company.

Election of
Directors
at First
Ordinary
Meeting.

17. The Directors appointed by this Act shall continue in Office until the First Ordinary Meeting to be held after the passing of this Act, and at such Meeting the Shareholders present, personally or by proxy, may either continue in Office the Directors appointed by this Act or any Number of them, or may elect a new Body of Directors, or Directors to supply the Places of those not continued in Office, the Directors appointed by this Act being eligible as Members of such new Body.

18. At

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18. At the First Ordinary Meeting in the Year next after the Year in which such last-mentioned Directors shall have been appointed or elected, the Shareholders present, personally or by proxy, shall elect Persons to supply the Places of the Directors then retiring from Office, in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf, and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having died or resigned, shall continue to be Directors until others are elected in their Stead in manner provided by the said last-mentioned Act.

Subsequent
Election of
Directors.

19. The Newspaper for Advertisements shall be any Newspaper published in the County in which the principal Office for the Time being of the Company shall be situate.

Newspapers
for Adver-
tisements.

20. Subject to the Provisions of this Act and of the Acts and Parts of Acts incorporated herewith, the Company may make and maintain the Railway herein-after described, with all proper Works, Approaches, Stations, and Conveniences connected therewith, in the Lines and upon the Lands delineated on the deposited Plans and described in the deposited Books of Reference, and according to the Levels defined on the deposited Sections, and may enter upon, take, and use such of those Lands as shall be necessary for such Purpose.

Power to
make Rail-
way ac-
cording to
deposited
Plans.

21. The Railway and Works by this Act authorized comprise the following:

Description
of Railway.

A Railway (No. 1.) commencing in the Parish of *East Dereham* in the County of *Norfolk* by a Junction with the *Fakenham* Branch of the *Great Eastern* Railway, and terminating in the Parish of *Saint Stephen* in the City and County of *Norwich* at *Saint Stephen's Road*:

A Railway (No. 2.) commencing by a Junction with Railway (No. 1.) at the Termination thereof, and terminating in the Parish or Hamlet of *Lakenham* in the County of the City of *Norwich* by a Junction with the *Norwich and Ipswich* Line of the *Great Eastern* Railway:

A Railway (No. 3.) commencing in the said Parish of *East Dereham* by a Junction with the *Lynn and Dereham* Line of the *Great Eastern* Railway, and terminating in the said Parish by a Junction with Railway No. 1.

22. Subject to the Provisions contained in "The Railways Clauses Consolidation Act, 1845," in reference to the crossing of Roads on the Level, and in Part I. of "The Railways Clauses Act, 1863," relating to level Crossings, it shall be lawful for the Company to

Level
Crossings.

[*Local.*]

27 X

carry

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carry the Railway by this Act authorized on the Level across the Roads following; (that is to say,)

Number on Plans.	Parish or Place.	Description of Road.
48	East Dereham - - -	Public Road.
25	Swanton Morley - - -	Public Road.
46	Elsing - - - - -	Public Road.
7	Sparham - - - - -	Public Road.
35	Great Witchingham - - -	Public Road.

Provided always, that no more than a single Line of Railway shall be laid down on any such level Crossing, so long as the Railway consists of a single Line of Rails; and in no Case shall more than a double Line of Rails be laid down on any such level Crossing.

Inclination
of certain
Roads.

23. The Company may make the Road next herein-after specified, when altered for the Purposes of this Act, of any Inclination not steeper than the Inclination herein-after mentioned in connexion with that Road; (to wit,)

No. on Plans.	Parish or Place.	Description of Road.	Proposed Inclination.
6	Elsing - - - - -	Public Road -	1 in 17 on one Side and level on the other.

Height and
Span under
Bridges.

24. The Company may make the Arches of the Bridges for carrying the Railway over the Roads next herein-after mentioned of any Height or Span not less than the respective Heights or Spans herein-after mentioned in connexion with those Roads respectively; (to wit,)

No. on Plans.	Parish or Place.	Description of Road.	Height.	Span.
15	Taverham } -	Public - - -	15 Feet	20 Feet.
36	Taverham } -	Public - - -	15 Feet	20 Feet.
1	Drayton - - -	Public - - -	15 Feet	20 Feet.
1A	Costessey - - -	Public - - -	15 Feet	20 Feet.

Lands for
extraordi-
nary Pur-
poses.

25. The Company may purchase by Agreement, and not compulsorily, for extraordinary Purposes as defined in "The Railways Clauses Consolidation Act, 1845," any Quantity of Lands not exceeding Two Acres.

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26. 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 Three Years from the passing of this Act.

Powers for compulsory Purchases limited.

27. The Railway and Works shall be completed within Five Years from the passing of this Act, and on the Expiration of that Period the Powers by this Act granted to the Company for executing the Railways, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Railways and Works as shall then be completed.

Period for Completion of Works.

28. In constructing the said Railway (No. 1.) the Company shall, unless the Corporation of the City of *Norwich* otherwise consent, observe and conform to the following Regulations:

For Protection of the Corporation of the City of *Norwich*.

The Road numbered on the deposited Plans 6, in the Parish or Hamlet of *Hellesdon*, in the County of the City of *Norwich*, shall be carried over the Railway by means of a Bridge, the Approach to which Bridge shall have a Gradient not steeper than the existing Gradients of the said Road at the Point of crossing:

At the Point where the Railway crosses the *Dereham* Road, numbered on the deposited Plans 20, in the Parish or Hamlet of *Heigham*, the Road shall not be raised more than Five Feet, and the Inclination of the Approaches to the Bridge by which the said Road is carried over the Railway shall not be steeper than One in Forty:

In carrying the Railway over the Road numbered on the deposited Plans 51, in the Parish or Hamlet of *Heigham*, the Inclination of the said Road when lowered shall not be made greater than One in Forty:

In carrying the Railway over the Road numbered on the deposited Plans 82, in the Parish or Hamlet of *Heigham*, the Company shall not lower the said Road more than Two Feet, and when such Road shall be lowered (for the Purposes of the said Railway), proper Provisions shall be made by the Company, to the reasonable Satisfaction of the City Surveyor of *Norwich*, for effectually draining the said Road at the Point of crossing, and in case any Dispute shall arise between the Engineer of the Company and the City Surveyor of *Norwich* as to the Mode of giving Effect to this Enactment, such Dispute shall be referred to and determined by an Engineer to be appointed by the Board of Trade, on the Application of either Party, whose Decision shall be final, the Costs of such Reference to be borne and paid as the Board of Trade or their Appointee may direct.

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Station to be
erected at
Morton.

29. The Company shall erect and for ever thereafter maintain a Station, with a covered Space for the Accommodation of Passengers and a Siding for Goods Traffic, to and from *Morton* and its Vicinity, such Station to be built on the North-west Portion of the Piece of Land numbered on the deposited Plans 18, in the Parish of *Morton*, or as near thereto as practicable.

Stoppage of
Passenger
Trains at
Taverham
Station.

30. From and after the Completion and opening for public Traffic of the Railways by this Act authorized, the Reverend *John Nathaniel Micklethwait*, or other the Owner for the Time being of *Taverham Hall* in the County of *Norfolk*, shall at all Times have the Right of stopping all Ordinary Trains at the Station proposed to be erected at *Taverham* for the Purpose of taking up the said *John Nathaniel Micklethwait*, or other the Owner or Owners as aforesaid, and his and their Family, Servants, Guests, or other Passengers from *Taverham Hall*: Provided that the said *John Nathaniel Micklethwait*, or such other Owner or Owners for the Time being as aforesaid, whenever he or they shall desire to stop any expected approaching Train, shall give reasonable Notice to the Station Master, or other the Person or Persons having the Charge of the said Station at *Taverham*, of such his or their Desire, and thereupon the said Station Master or other the Person or Persons having the Charge of the said Station shall by Signal cause such Train or Trains to be stopped for the Purpose of taking up the Person or Persons aforesaid.

Clause for
Stoppage of
Trains at
Elsing
Station.

31. From and after the Completion and opening for public Traffic of the Railways by this Act authorized, Ordinary Passenger Trains from *East Dereham* to the City of *Norwich* shall stop at the *Elsing* Station to take up and set down Passengers twice at least in every Day, between the Hours of Eight o'Clock *ante* Meridian and Eight o'Clock *post* Meridian; and Ordinary Passenger Trains from the City of *Norwich* to *East Dereham* shall also stop at the said Station to take up and set down Passengers twice at least in every Day between the said Hours; and all Ordinary Passenger Trains to and from the said City, and to and from *East Dereham* aforesaid, shall stop at the said Station for the receiving or Discharge of Passengers from the said Trains who shall be going to or from the Residence of *Henry Lombe*, called *Bylaugh Park*, when thereunto signalled or otherwise required by or by the Direction of *Henry Lombe*, or the Owner or Owners, Occupier or Occupiers of *Bylaugh Park* aforesaid: Provided that such Owner or Owners, Occupier or Occupiers for the Time being as aforesaid, whenever he or they shall desire that a Train shall stop at the said Station as last mentioned, shall give, or cause or direct to be given, by Signal or otherwise, reasonable Notice to the Station Master or other the Person or Persons having the Charge

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Charge of the said proposed Station at *Elsing*, of such his, her, or their Desire, and thereupon the said Station Master, or other Person or Persons having the Charge of such Station, shall cause such Train or Trains to be stopped for the Purpose of receiving or discharging the Passengers aforesaid.

32. And with a view to prevent the unlawful Destruction of Game and Rabbits on the Railway or on the Slopes and Approaches thereof, and the wrongful Capture of Fish in the Waters of the River *Wensom*, either during or after the Construction of the Railway: Be it enacted, That the Railway and the Slopes and Approaches thereof, and the Bridges over the said River and the Banks thereof at the Points where the Railway is carried over the same, shall, for the Preservation of Game, Rabbits, and Fish, be deemed to be Part of the contiguous Land, and it shall be lawful for the Owner and Occupier of such Land for the Time being to do all Acts on the said Railway, and on the Slopes, Approaches, Bridges, and Banks which he lawfully might do on the said Land for the Preservation of Game, or for the Apprehension of Persons destroying the same, or trespassing for the Purpose of taking or destroying Fish, and all Persons other than the Owner and Occupier of contiguous Land, and Persons authorized by them, who shall destroy Game on the said Railway, Slopes, and Approaches, or who shall be found trespassing thereon, or on the Banks of the River *Wensom* at the Points where the Railway is carried over the same, for the Purpose of taking or destroying Fish, shall be subject, on the Prosecution of such Owner or Occupier, to all the Consequences attached to the illegal Destruction of Game and Trespass: Provided always, that nothing in this Enactment contained shall be construed to prevent or impede the due Maintenance, working, and Management of the Railway, or of the Slopes, Approaches, and Works connected therewith.

To prevent trespassing on Railway for poaching.

33. And whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of Her present Majesty, Chapter Twenty, a Sum of Seventeen thousand six hundred Pounds, being Eight *per Centum* on Two hundred and twenty thousand Pounds, the Amount of the Estimate of the Railways by this Act authorized, has been deposited with the Court of Chancery in *England* in respect to the Application to Parliament for this Act: Therefore, notwithstanding anything contained in the said recited Act, the said Sum so deposited as aforesaid in respect of the Application for this Act, or the Interest or Dividends thereof, shall not, except upon the Execution and Deposit of such Bond as herein-after mentioned, be paid or transferred to or on the Application of the Person or Persons or the Majority of the Persons named in the

Restrictions as to Transfer of certain Monies deposited pursuant to Standing Orders.

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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 Railways open the Railways 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 Capital by this Act authorized 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 Capital, and if the said Period shall expire before the Company shall either have opened the Railways for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Board of Trade, the said Sum so deposited as aforesaid, and the Interest and Dividends thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*: Provided that at any Time after the passing of this Act if a Bond in twice the Amount of the said Sum shall have been executed by the Company, with One or more Surety or Sureties, (such Bond to be prepared to the Satisfaction of, and such Surety and Sureties to be approved by, the Solicitor to the Lords Commissioners of Her Majesty's Treasury,) conditioned for Payment to Her Majesty, Her Heirs or Successors, of the said Sum if the Company shall not within the Time limited for the Completion of the Railways either open the Railways 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 said Capital by this Act authorized 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 such Bond shall have been deposited with the said Solicitor to the said Lords Commissioners, then the said Sum so deposited as aforesaid, and the Interest and Dividends thereof, shall be paid and transferred 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, and it shall not be necessary to produce a Certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding; and the Monies to be recovered upon such Bond shall be dealt with in like Manner as the said Sum so deposited as aforesaid would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the Solicitor to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Board
of

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of Trade that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

34. The Company may demand any Tolls for the Use of the Railway not exceeding the following ; (that is to say,) Tolls.

In respect of Passengers conveyed in Carriages upon the Railway : For Pas-
sengers.
For every Person conveyed in or upon any Carriage, for the Use of the Railway, *per* Mile not exceeding Twopence ; and if conveyed in or upon any Carriage provided by the Company an additional Sum *per* Mile not exceeding One Penny.

In respect of Goods, Minerals, and Things, Carriages and Animals, as follows : For Car-
riages.

Class 1. For all Coal, Cannel, Culm, Coke, Slack, and Cinders, One Penny *per* Ton *per* Mile ; and if conveyed in Carriages provided by the Company an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny :

Class 2. For all Dung, Compost, Bones loaded in Bulk, and all other Sorts of Manure, except as herein-after mentioned, Coprolites, Salt for agricultural Purposes or for curing Fish, Lime, Limestone, and all undressed Materials for the Repair of public Roads, Charcoal, Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone, Iron Ore, and Iron not damageable, the Sum of One Penny *per* Ton *per* Mile ; and if conveyed in Carriages provided by the Company an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny :

Class 3. For damageable Iron, Sheet, Rod, and Hoop Iron, and all other similar Descriptions of Wrought Iron, Salt for domestic Purposes, Pitch, Tar, Asphaltum, ground Bones, ground Coprolites, Guano, Timber, Staves and Deals, One Penny Farthing *per* Ton *per* Mile ; and if conveyed in Carriages provided by the Company an additional Sum *per* Ton *per* Mile not exceeding Three Farthings :

Class 4. For Sugar, Grain, Corn, Flour, Malt, Seeds, Soda, Oilcake, Oil in Casks, Saltpetre, Ale and Beer in Casks, Hoofs, Horns, Bones, Rice, Tallow, Cheese, Butter in Casks, Potatoes, Bacon, Flax, Hops, Jute, Junk, Lead, Molasses, Rags, Turpentine in Casks, Vinegar in Casks, Leather, Wines and Spirits in Casks, Hides, Dyewoods, Paper, Manchester Packs, Earthenware, Metals, Hardware in Packages or Cases, Nails, Anvils, Vices, Chains, Cotton and other Wools and manufactured Goods, the Sum of Twopence *per* Ton *per* Mile ; and if conveyed in Carriages provided by the Company an additional Sum *per* Ton *per* Mile not exceeding One Penny :

Class 5. For Hay, Straw, Tea, Fish, Feathers, Canes, Cochineal, Furniture, Hats, Shoes, Silk, Glass, Music, Toys, and all other Articles,

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Articles, Matters, and Things, Threepence *per Ton per Mile*; and if conveyed in Carriages provided by the Company an additional Sum *per Ton per Mile* not exceeding One Penny.

For Goods
and Mine-
rals.

And for every Carriage of whatever Description not being a Carriage adapted and used for travelling on a Railway, carried and conveyed on a Truck or Platform, for the Use of the Railway, *per Mile* not exceeding, if such Carriage has more than Two Wheels and weighs not more than One Ton and a Half, Sixpence; if such Carriage has but Two Wheels and weighs not more than One Ton, Fourpence; and a further Sum not exceeding One Penny *per Mile* for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton up to Four Tons which any such Carriage may weigh.

For Ani-
mals.

In respect of Animals conveyed in Carriages upon the Railway :

For every Horse, Mule, Ass, or other Beast of Draught or Burden conveyed in or upon any Carriage, for the Use of the Railway, *per Mile* not exceeding Fourpence; and if conveyed in or upon any Carriage provided by the Company an additional Sum *per Mile* not exceeding One Penny :

For every Ox, Cow, Bull, or Head of Neat Cattle conveyed in or upon any Carriage, for the Use of the Railway, *per Mile* not exceeding One Penny Halfpenny; and if conveyed in or upon any Carriage provided by the Company an additional Sum *per Mile* not exceeding One Halfpenny :

For every Calf or Pig, Sheep, Lamb, or other small Animal conveyed in or upon any Carriage, for the Use of the Railway, *per Mile* not exceeding One Halfpenny; and if conveyed in or upon any Carriage provided by the Company an additional Sum *per Mile* not exceeding One Farthing.

Tolls for
propelling
Power.

35. The Toll which the Company may demand for the Use of Engines for drawing or propelling Carriages on the Railway shall not exceed Three Farthings *per Mile* for each Passenger or Animal, or for each Ton of Goods or other Articles, in addition to the several other Tolls by this Act authorized to be taken.

Regulations
as to Tolls.

36. The following Provisions and Regulations apply to the fixing of all the Tolls; (that is to say,)

For Persons, Animals, or Things conveyed on the Railway for a less Distance than Four Miles the Company may demand and take Tolls as for Four Miles :

For a Fraction of a Mile the Company may demand and take Tolls for Passengers as for One Mile, and for Animals, Minerals, and Goods in proportion to the Number of Quarters of a Mile contained therein, and if there be a Fraction of a Quarter of Mile such Fraction shall be deemed a Quarter of a Mile :

For

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For a Fraction of a Ton the Company may demand and take Tolls according to the Number of Quarters of a Ton in the Fraction, and if there be a Fraction of a Quarter of a Ton the 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.

37. With respect to small Packages by Passenger Trains not exceeding Five hundred Pounds in Weight, and single Articles of great Weight, notwithstanding the Rates prescribed by this Act the Company may demand and take any Tolls not exceeding the following ; (that is to say,)

Tolls for small Parcels and single Articles of great Weight.

For any Parcel not exceeding Seven Pounds in Weight Threepence :

For any Parcel exceeding Seven Pounds in Weight and not exceeding Fourteen Pounds in Weight Fivepence :

For any Parcel exceeding Fourteen Pounds in Weight and not exceeding Twenty-eight Pounds in Weight Sevenpence :

For any Parcel exceeding Twenty-eight Pounds in Weight and not exceeding Fifty-six Pounds in Weight Ninepence :

And for any Parcel exceeding Fifty-six Pounds in Weight and not exceeding Five hundred Pounds in Weight the Company may demand any Sum which they think fit.

Provided always, that Articles sent in large aggregate Quantities, although made up in separate Parcels, such as Packages of Fish, Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but that Term shall apply only to single Articles in separate Packages.

For the Carriage of single Articles of great Weight :

Single Articles of great Weight.

For the Carriage of any single Article, the Weight of which including the Carriage exceeds Four Tons but does not exceed Eight Tons, the Company may demand any Sum not exceeding Sixpence a Ton a Mile ; and if conveyed in a Carriage belonging to the Company, an additional Sum not exceeding Twopence a Ton a Mile ; and if propelled by an Engine belonging to the Company, an additional Sum not exceeding Three Farthings a Ton a Mile :

For the Carriage of any single Article the Weight of which including the Carriage exceeds Eight Tons, the Company may demand and take any Sum they think fit.

38. Every Passenger travelling upon the Railway may take with him his ordinary Luggage not exceeding One hundred and twenty [Local.] 27 Z Pounds

Passengers Luggage.

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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.

Maximum
Rates for
Passengers.

39. The maximum Rates 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 of Carriages, and for locomotive Power, and every other Expense incidental to the Conveyance, shall not exceed the following Sums; (that is to say,)

For every Passenger conveyed in a First-class Carriage Threepence a Mile:

For every Passenger conveyed in a Second-class Carriage Twopence *per* Mile:

For every Passenger conveyed in a Third-class Carriage One Penny Halfpenny *per* Mile.

Maximum
Rates for
Goods.

40. And with respect to the Conveyance of Goods, Minerals, and Things, Carriages and Animals, the Company may lawfully demand and receive, as a maximum Rate of Carriage for the Conveyance thereof along the Railway, including the Tolls for the Use of the Railway and Waggons or Trucks, and locomotive Power, and every Expense incidental to such Conveyance, except a reasonable Sum for loading, covering, and unloading of Goods at any Terminal Station of such Railway, and for Delivery and Collection, and any other Services incidental to the Business or Duty of a Carrier, where such Services or any of them are or is performed by the Company, any Rates or Sums not exceeding the Rates or Sums following; (that is to say,)

For Coal One Penny and One Eighth of a Penny a Ton a Mile:

For all other Goods in Class 1 One Penny Farthing a Ton a Mile:

For Goods in Class 2 One Penny Halfpenny a Ton a Mile:

For Goods in Class 3 Twopence a Ton a Mile:

For Goods in Class 4 Twopence Halfpenny a Ton a Mile:

For Goods in Class 5 Fourpence a Ton a Mile.

Defining
Terminal
Station.

41. No Station shall be considered a Terminal Station in regard to any Goods conveyed on the Railway which have not been received thereat direct from the Consignor of such Traffic, or are not directed to be delivered thereat to the Consignee.

Carriages
and Animals.

42. For every Carriage of whatever Description, not being a Carriage adapted and used for travelling on a Railway, carried and conveyed on a Truck or Platform for the Use of the Railway, *per* Mile not exceeding, if such Carriage weighs not more than One Ton, Sixpence, and a further Sum not exceeding One Penny *per* Mile for every

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every additional Quarter of a Ton or fractional Part of a Quarter of a Ton, up to Four Tons, which any such Carriage may weigh:

For every Horse, Mule, Ass, or other Beast of Draught or Burden, not exceeding Fourpence *per* Mile:

For every Ox, Cow, Bull, or Head of Neat Cattle, *per* Mile not exceeding Twopence:

For every Calf or Pig *per* Mile not exceeding One Penny:

For every Sheep, Lamb, or other small Animal, *per* Mile not exceeding One Halfpenny.

43. Nothing herein contained shall be held to prevent the Company from taking any increased Charge over and above the Charges hereinbefore limited for the Conveyance of Goods of any Description, by Agreement with the Owners of or Persons in charge of such Goods, either in respect of the Conveyance thereof, except small Parcels by Passenger Trains, or by reason of any other special Service performed by the Company in relation thereto.

Company may take increased Charges by Agreement.

44. The *Great Eastern* Railway Company, with the Sanction of at least Three Fifths of the Votes of the Shareholders present, personally or by proxy, at a General Meeting of that Company specially convened for the Purpose, may from Time to Time subscribe for or take and hold Shares in the Capital of the Company to any Extent not exceeding Seventy-three thousand three hundred Pounds, and the *Great Eastern* Railway Company shall not sell any Share so taken.

Power to *Great Eastern* Railway Company to subscribe.

45. For the Purposes of such Contribution by the *Great Eastern* Company towards the Funds of the Company, the *Great Eastern* Company may from Time to Time raise any Monies by the Creation and Issue of new Shares or Stock, either ordinary or preferential, provided that no preferential Shares or Stock shall be so issued with a Dividend thereon exceeding Five Pounds *per Centum per Annum*: Provided also, that it shall not be lawful for the *Great Eastern* Railway Company to issue any Share created under the Authority of this Act, nor shall any Share vest in the Person accepting the same, unless and until a Sum not being less than One Fifth Part of the Amount of such Share shall have been paid in respect thereof.

Power for *Great Eastern* Company to raise Monies.

46. The Heads of Arrangement, a Copy of which is contained in the Schedule to this Act, are by this Act confirmed, and shall have full Effect according to the Terms and Intent thereof.

Confirmation of Agreement in Schedule.

47. The Company and the *Great Eastern* Railway Company from Time to Time may make and carry into effect Contracts and Arrangements between

Working Arrangements between

The Wensum Valley Railway Act, 1864.

Company
and other
Companies.

Arrangements with respect to all or any of the following Purposes, and all incidental Matters; (to wit,)

The Maintenance, Management, Use, and working of all or any Part of the Railway by the contracting Companies, or either of them :

The Supply by the contracting Companies, or either of them, of Rolling and Working Stock for the Purposes of the Traffic on all or any Part of the Railway, the Collection, Division, and Apportionment of the Revenue arising from the Traffic, the Employment by the contracting Companies, or either of them, of Officers and Servants for the Purposes of the Agreement :

And any such Contract or Arrangement may be made for the same Period of Time, with reference to all the Purposes of the Contract, or for different Periods with reference to different Purposes.

During Con-
tinuance of
Contract
Railway of
contracting
Company to
be considered
Part of
Railway.

48. During the Continuance of any Contract entered into under the Authority of this Act, the Railways of the contracting Companies shall for the Purposes of Tolls and Charges be considered One Railway, and in estimating the Amount of Tolls or Charges in respect of Traffic conveyed partly on the Railway and partly on the Railways of the *Great Eastern* Railway Company, for a less Distance than Four Miles, Tolls and Charges may only be charged as for Four Miles; and in respect of Passengers, for each Mile or Fraction of a Mile beyond Four Miles, Tolls and Charges as for One Mile only; and in respect of Animals, Minerals, 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 than for Four Miles shall be made for the Conveyance of Passengers, Animals, Minerals, and Goods, or other Matters, partly on the Railway and partly on the Railways of the *Great Eastern* Railway Company.

Saving
Rights of
the Crown.

49. Nothing contained in this Act, or in any of the Acts herein referred to, shall authorize the Company to take, use, or in any Manner interfere with any Land, Soil, Tenements, or Hereditaments, or any Rights of whatsoever Nature belonging to or enjoyed or exerciseable by the Queen's most Excellent Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, on behalf of Her Majesty, first had and obtained for that Purpose (which Consent such Commissioners are hereby respectively authorized to give), neither shall anything in the said Act or Acts contained divest, take away, prejudice, diminish, or alter any Estate, Right, Privilege, Power, or Authority vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors.

50. Nothing

The Wensum Valley Railway Act, 1864.

50. Nothing herein contained shall be deemed or construed to exempt the Railways from the Provisions of any General Act relating to Railways, or to the better or more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during the present or any future Session of Parliament, or from any future Revision or Alteration, under the Authority of Parliament, of the Tolls for small Parcels and the maximum Rates of Fares and Charges by this Act authorized.

Railways
not exempt
from Pro-
visions of
present and
future Gene-
ral Acts.

51. All the Costs, Charges, and Expenses of and attending the passing of this Act, and preliminary or incidental thereto, shall be paid by the Company.

Expenses of
Act.

The Wensum Valley Railway Act, 1864.

The **SCHEDULE** to which the foregoing Act refers.

HEADS OF ARRANGEMENT made the 2d Day of May 1864 between William Bunce Greenfield of 59 Porchester Terrace, in the County of Middlesex, Gentleman, and Thomas Willis Fleming of 10 Lancaster Gate, in the same County, Gentleman, Two of the Promoters of the Wensum Valley Railway Company, of the one Part and the Great Eastern Railway Company of the other Part.

1. The Wensum Valley Railway Company shall make and complete the Railway to be authorized by "The Wensum Valley Railway Act," with a single Line of Rails, and the Stations, Buildings, and necessary Works, to the reasonable Satisfaction of the Engineer of the Great Eastern Company, and the Contract and Plans for the Execution of the same shall be submitted to him for his reasonable Approval before such Contract shall be signed, and in case of any Difference of Opinion between the Engineer of the Wensum Valley Company and the Engineer of the Great Eastern Company as to the said Contract or Plans, or the Execution of the said Works, then to the Satisfaction of an Engineer to be appointed by the Board of Trade.

2. So soon as the Wensum Valley Railway is authorized to be opened for public Traffic the Great Eastern Company shall take possession thereof, and thenceforth at their own Expense efficiently work and manage it, and provide all necessary Officers and Servants, Rolling Stock and Plant of every Description, and also at their own Expense repair and maintain the Railway and Works, and shall properly and efficiently develop and accommodate not only the Through Traffic but also Local Traffic of the District, to be served by the Wensum Valley Railway as if the same were Part of the Great Eastern System.

3. The Great Eastern Company shall at their own Costs execute any further and additional Works that may be required for the Accommodation and Development of the Traffic of, on, or over the Wensum Valley Railway, including any such Works at the Great Eastern Company's Stations at Norwich and Dereham, when required by the Wensum Valley Company, and shall be entitled to charge to the Wensum Valley Company Interest at the Rate of Five per Centum per Annum upon the Cost of such Works, and to deduct such Interest from the Proportion of Receipts payable to the Wensum Valley Company.

4. The Great Eastern Company shall not at any Time divert or encourage, either by a Reduction of Rates or Terminal Charges upon their own Lines, or in any other way whatever, the Diversion of any Traffic from passing over or upon the Wensum Valley Railway.

5. The Great Eastern Company shall pay all Taxes, Rates, Government Duty, and all other Landlords and Tenants Charges and Outgoings, except Chief Rents (if any), and Land Tax, which shall be deducted from the Monies due to the Wensum Valley Company.

6. The Great Eastern Company shall allow the full and free Use of their Stations at Norwich and Dereham to all Trains whatever worked by the Great Eastern

The Wensum Valley Railway Act, 1864.

Eastern Company running over or upon the Wensum Valley Railway, and all Terminal and other Charges at those Stations in respect of Traffic over the Wensum Valley Railway shall be accounted as Receipts of the Wensum Valley Railway.

7. The Mileage Charge upon all Through Traffic passing over the Wensum Valley Railway shall be divided between the Two Companies according to their actual Mileage Proportion.

8. The Great Eastern Company shall receive all Rates, Fares, Charges, and Earnings of any Kind whatever upon or on account of the Wensum Valley Railway, and all Tolls due from Third Parties shall be divided between the Two Companies in Mileage Proportion.

9. Out of the gross Receipts of the Wensum Valley Railway, which shall include the Wensum Valley Company's Proportion of Mileage Charges under the Seventh Head, and all Terminal and other incidental Charges earned upon or charged in respect of the Wensum Valley Railway, Fifty per Cent., if such gross Receipts amount to less than Fifteen Pounds a Mile, and if equal to that Amount Forty-five per Cent. of such gross Receipts shall be retained by the Great Eastern Company for all their Expenses of and incidental to the Maintenance, Management, and working of the Wensum Valley Railway, and the remaining Fifty or Fifty-five per Cent., as the Case may be, shall be paid by them to the Wensum Valley Company without any further Charge or Deduction whatever save under the Third, Fifth, and Twelfth Heads.

10. The Division of the gross Receipts shall be made and Balance due to Wensum Valley Company paid and proper Accounts shall be rendered half-yearly.

11. The Great Eastern Company shall keep all proper Accounts and Vouchers and afford proper Inspection thereof to the Wensum Valley Company.

12. The Interest on the Bonds and Debentures of the Wensum Valley Railway, issued upon the Credit of and endorsed by the Great Eastern Company shall be paid out of the gross Receipts of the Wensum Valley Railway by the Great Eastern Company, and repaid to them by the Wensum Valley Company out of their Proportion of the divisible Receipts, or deducted therefrom from Time to Time; and in case of any Deficiency in such Proportion in any Half Year, the Amount of such Deficiency shall be a Charge on any Monies payable to the Wensum Valley Company by the Great Eastern Company in any subsequent Half Year.

13. The Great Eastern Company, when thereto duly empowered, shall subscribe for One Third of the Capital of the Wensum Valley Railway Company, and shall appoint Two Directors at the Wensum Valley Railway Board in respect of such Subscription, and do all such Acts in Parliament and otherwise as may be necessary to enable such Subscription to be lawfully carried out.

14. The Great Eastern Company shall permit and suffer the Great Northern Railway Company to have running Powers over the Railways from Lynn to Dereham and Norwich viâ Wensum Valley, provided the Great Northern Company give to the Great Eastern Company running Powers from March to Lincoln, and shall permit and arrange for the through booking of Passengers and Goods over the Wensum Valley Railway between Norwich and all Places upon the Great Northern Railway, provided that reciprocal Arrangements shall be agreed to and made by the Great Northern Company.

15. A forma]

The Wensum Valley Railway Act, 1864.

15. A formal Agreement for carrying these Heads into effect shall be prepared on behalf of both Companies by John Bullar, Esq., with such Details and incidental Provisions as he thinks proper, and with such Modifications as the Companies shall mutually agree on, and shall be executed under Seal so soon as conveniently may be after the passing of the Wensum Valley Railway Act.

16. If either of the Companies shall require it Provision shall be made in the said Agreement for the Appointment of a Joint Committee to regulate the Rates and Tolls and other Charges to be charged and taken upon the Wensum Valley Railway.

17. All Differences between the Companies and all Questions as to carrying into effect the Provisions of this Arrangement shall be determined by Arbitration under the "Railway Companies Arbitration Act, 1859," by a single Arbitrator to be agreed upon, or in default appointed by the Board of Trade, with ample Powers.

W. B. GREENFIELD.

THOS. WILLIS FLEMING.



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