



ANNO VICESIMO & VICESIMO PRIMO

VICTORIÆ REGINÆ.

Cap. cxxxiii.

An Act for making a Railway from the *London, Brighton, and South Coast* Railway at *Horsham*, through *Billingshurst* to *Pulborough*, with a Branch from *Pulborough* to *Coultershaw Mill* in the Parish of *Petworth*, all in the County of *Sussex*.
[10th August 1857.]

WHEREAS the making of a Railway with proper Works and Conveniences from the *London, Brighton, and South Coast* Railway at or near to the Terminus at *Horsham*, through the Town of *Billingshurst* to the Town of *Pulborough*, with a Branch Railway from the said Town of *Pulborough* to *Coultershaw Mill* in the Parish of *Petworth*, all in the County of *Sussex*, would be of great public and local Advantage: And whereas the Persons herein-after named, together with other Persons, are willing at their own Expense to carry such Undertaking into execution; but the same cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present
[Local.] 21 Y Parliament

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Parliament assembled, and by the Authority of the same, as follows ;
(that is to say,)

8 & 9 Vict.
cc. 16., 18.,
and 20. in-
corporated.

I. "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," shall, save as to such of the Provisions thereof (if any) as may be expressly repealed or altered by this Act, be incorporated with and form Part of this Act.

Short Title.

II. In citing this Act for any Purpose it shall be sufficient to use the Expression "The *Mid-Sussex* Railway Act, 1857."

Incorporation of
Company.

III. *William M' Cormick, James Garrard, and William Edward Knobel*, 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, shall be united into a Company for the Purpose of making and maintaining the Railway and Branch Railway herein-before and herein-after more particularly defined, with proper Works and Conveniences belonging thereto, according to the Provisions of this Act and of the Acts incorporated herewith, and for other the Purposes herein and in the said Acts contained, and for the Purposes aforesaid such Company shall be incorporated by the Name of "The *Mid-Sussex* Railway Company," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, within the Restrictions herein and in the said recited Acts contained.

Capital.

IV. And whereas the estimated Expense of making such Part of the said Railway as will lie between *Horsham, Billingshurst, and Pulborough* is Ninety-nine thousand Pounds, and the estimated Expense of making the said Branch Railway between *Pulborough and Coultershaw Mill* is Fifty-one thousand Pounds : Therefore the Capital of the said Company shall be One hundred and sixty thousand Pounds.

Number and
Amount of
Shares.

V. The Number of Shares into which the Capital shall be divided shall be Sixteen thousand, and the Amount of each Share shall be Ten Pounds.

Calls.

VI. Two Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and Six Pounds shall be the utmost aggregate Amount of Calls that may be made in One Year upon any Share, and Two Months at the least shall be the Interval between successive Calls.

VII. It

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VII. It shall be lawful for the Company to borrow on Mortgage any Sums not exceeding in the whole the Sum of Fifty thousand Pounds, but no Part of such Sum shall be borrowed until the whole of the said Capital or Sum of One hundred and sixty thousand Pounds shall have been subscribed for, and One Half shall have been actually paid up.

Power to
borrow
Money on
Mortgage.

VIII. All and every Part of the several Sums of Money hereby authorized to be raised by Shares or Mortgage or Bond shall be applicable, in the Proportion herein-before mentioned, only to the Objects and Purposes by this Act authorized.

Application
of Money.

IX. The *London, Brighton, and South Coast* Railway Company and the Company may from Time to Time enter into Agreements with respect to the following Purposes, or any of them; (that is to say,)

Power to
enter into
Traffic Ar-
rangements.

The Maintenance, Use, and Working by the *London, Brighton, and South Coast* Railway Company of all or any Part of the Railways of the Company, and the Use of the Works and Conveniences belonging thereto :

The Conveyance by the *London, Brighton, and South Coast* Railway Company of the whole or any Part of the Traffic upon the said Railways :

The Division and Apportionment of such Traffic between the said Companies respectively :

The Supply of any Working or Rolling Stock required for such Purposes :

The Management, Maintenance, and Repair of the Railways :

The Costs and Expenses of such Working, Management, Maintenance, and Repair :

The Forwarding, Interchange, and Transmission upon or over the respective Railways of the said Companies of any Passenger or other Traffic which may be conveyed upon and from the Railways of the *London, Brighton, and South Coast* Railway Company to and along the Railway or any Part thereof, or which may be conveyed upon and along the Railways to and along the *London, Brighton, and South Coast* Railway, or any Part thereof :

The Collection, Delivery, and general Conduct of such Traffic :

The fixing of the Tolls, Rates, and Charges to be levied or taken by the said Companies or either of them in respect of the Traffic conveyed over their respective Railways, or any Part thereof respectively, not exceeding the maximum Tolls, Rates, and Charges authorized by the Acts of Parliament relating to such Railways respectively :

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The Collection, taking, and levying of the said Tolls, Rates, and Charges :

The Division between the said Companies of the Receipts arising from the Traffic upon their respective Railways, or any Part thereof respectively, subject to any Deductions to be made therefrom, or any Rent or other Consideration to be paid by either of the said Companies to the other of them by virtue of the said Agreements.

Duration of Agreement.
To be approved by Board of Trade.

X. Any such Agreement shall not be for more than Ten Years, and no such Agreement shall have any Operation until the same shall have been approved by the Board of Trade ; and no such Agreement as aforesaid shall in any Manner alter, affect, increase, or diminish any of the Tolls, Rates, or Charges which the said Companies shall for the Time being be respectively authorized and entitled to demand and receive from any Person or Persons or any other Company ; but all other Persons and Companies shall, notwithstanding any such Agreement, be entitled to the Use and Benefit of the Railways to which the said Agreement may relate, upon the same Terms and Conditions, and on Payment of the same Tolls, Rates, and Charges, as they would have been in case no such Agreement had been entered into : Provided always, that the said Board shall not approve such Agreement without being satisfied that the same has been duly assented to by the Shareholders of the said Companies, Parties thereto, in Special Meeting assembled for that Purpose as herein-after required.

Agreements not to affect Persons not Parties thereto.

Agreement may be renewed with the Approval of the Board of Trade.

Public Notice to be given of the Intention to enter into Agreements.

Agreement inoperative until approved by the Board of Trade.

XI. At the Expiration of the said Agreement or of any future Agreement the said Companies, with the Consent in Special Meeting of the Shareholders of such Companies respectively as herein-after required, and subject to the Approval of the Board of Trade, may from Time to Time enter into an Agreement for not more than Ten Years from the Expiration of the preceding Agreement for all or any of the Purposes aforesaid : Provided, that before such Companies shall enter into any such further Agreement as aforesaid they shall give Notice of their Intention to enter into such Agreement by Advertisement, in a Form to be approved of by the Board of Trade, inserted once in each of Two successive Weeks in some Newspaper published or circulating in each County in which any Part of the Railway or Railways to which such proposed Agreement relates is situated ; and every such Notice shall set forth within what Time and in what Manner any Company or Person aggrieved by such proposed Agreement, and desiring to object thereto, may bring such Objections before the Board of Trade ; and no such Agreement shall be valid at Law or in Equity until the same shall have been approved of by the Board of Trade.

XII. None

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XII. None of the Agreements herein authorized to be entered into between the Company and the *London, Brighton, and South Coast* Railway Company shall have any Operation or Effect unless and until the Contracts or Arrangements intended to be made for such Purposes respectively shall have been submitted to and approved by a Majority of not less than Three Fifths of the Votes of the Shareholders present, personally or by Proxy, at a Meeting of the Companies, Parties thereto, specially convened for that Purpose.

Working Arrangements, &c. not to take effect unless approved by Three Fifths of the Shareholders.

XIII. Such Meeting shall be called by Advertisement inserted once at least in Two successive Weeks in a Morning Newspaper published in *London*, and in some Newspaper of the County in which the principal Office of each Company, Party to such Contract or Arrangement, is situate, the last of which Advertisements shall be published not less than Seven Days before such Meeting of the Company, and also by a Circular addressed to each Shareholder entitled to vote at Meetings of the Company, to be served in the Manner prescribed by "The Companies Clauses Consolidation Act, 1845," with respect to Notices requiring to be served by the Company upon the Shareholders.

Meeting how to be convened.

XIV. In estimating the Tolls or Charges to be paid during the Continuance in force of any such Contract or Agreement as aforesaid in respect of Articles or Persons conveyed for short Distances partly upon the *London, Brighton, and South Coast* Railway, and partly upon the Railways by this Act authorized, the last-mentioned Railways shall be deemed to be Part of the *London, Brighton, and South Coast* Railway.

Traffic on both Lines not to be subject to Short Distance Clause on both Lines.

XV. The First Ordinary Meeting shall be held within Three Months after the passing of this Act.

First Ordinary Meeting.

XVI. It shall be lawful for the Mortgagees of the Company to enforce the Payment of the Arrears of Principal and Interest due on any such Mortgages by the Appointment of a Receiver; and in order to authorize the Appointment of such Receiver, in the event of the Principal Money due on such Mortgages not being duly paid, the Amount owing to the Mortgagee by whom Application for such Receiver shall be made shall not be less than Five thousand Pounds in the whole.

Arrears may be enforced by Appointment of a Receiver.

XVII. The Number of Directors of the said Company shall be Seven, and the Qualification of a Director shall be the Possession in his own Right of Fifty Shares in the Undertaking.

Number and Qualification of Directors.

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Power to
vary Num-
ber of
Directors.

XVIII. It shall be lawful for the Company from Time to Time to reduce the Number of Directors, provided that the reduced Number be not less than Three.

First Direc-
tors.

XIX. *James Garrard, Henry Wyndham, Joseph Cary, Walter Barttelot Barttelot, and William Townley Mitford* shall be the First Directors of the Company.

Election
of future
Directors.

XX. The Directors appointed by this Act shall, save as is hereinafter provided, 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 Place of those not continued in Office, the Directors appointed by this Act being eligible as Members of such new Body; and at the corresponding Ordinary Meeting to be held in the next and every Year thereafter the Shareholders present, personally or by Proxy, shall elect Persons to supply the Places of the Directors then retiring from Office in rotation, agreeably to the Provisions in the said "Companies Clauses Consolidation Act, 1845," contained; 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 said "Companies Clauses Consolidation Act, 1845:" Provided always, that *William Townley Mitford* and *Walter Barttelot Barttelot* shall not be subject or liable to such Removal as herein-before mentioned, but shall continue in Office for the full Term of Seven Years from the First Ordinary Meeting under this Act.

Quorum.

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

Newspapers
for Adver-
tisements.

XXII. The Newspapers in which Advertisements relating to the Affairs of the Company are to be inserted shall be One Newspaper published in *London* and One Newspaper published and circulated in the County of *Sussex*.

Line of Rail-
way.

XXIII. It shall be lawful for the Company to make and maintain the Railways following; (that is to say,)

A Railway with Stations and Works, to commence by a Junction with the *London, Brighton, and South Coast* Railway at a Point about One hundred and thirty Feet to the North-east of the Passenger Platform in the *Horsham* Station of the said *London, Brighton, and South Coast* Railway in the Parish of *Horsham* in the County of *Sussex*, and terminating in the Parish of *Pulborough* in the said County of *Sussex* in or near a certain Field
on

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on the North Side of and adjoining to the Turnpike Road leading from *Pulborough* to *Petworth*, at a Point about One thousand one hundred and fifty Feet to the Westward of the *Swan Inn* at *Pulborough* aforesaid, which said intended Railway and other Works will pass from, in, through, or into, or be situate within the several Parishes, Townships, and extra-parochial or other Places following, or some of them; (that is to say,) *Horsham, Itchingfield, Billinghamurst* otherwise *Billingshurst, West Chiltington,* and *Pulborough*, all in the said County of *Sussex*:

A Branch Railway commencing by a Junction with the aforesaid Terminus of the Main Line of the proposed *Mid-Sussex* Railway in the Parish of *Pulborough* in the County of *Sussex*, in or near a certain Field numbered 113 on the deposited Plan of the said Main Line of the said Railway, on the North Side of and adjoining to the Turnpike Road leading from *Pulborough* to *Petworth*, at a Point about One thousand one hundred and fifty Feet to the Westward of the *Swan Inn* at *Pulborough* aforesaid, and terminating in or near a certain Field in the Parish of *Petworth* in the said County, at a Point adjoining the East Side of the Turnpike Road leading from *Duncton* to *Petworth*, about Seven hundred and twenty Feet to the Southward of the Toll Gate at *Coultershaw Mill* in the Parish of *Petworth* aforesaid, which said intended Branch Railway and Works will pass from, in, through, or into, or be situate within the several Parishes, Townships, and extra-parochial or other Places following, or some of them; (that is to say,) *Pulborough, Hardham, Coldwaltham, Fittleworth, Bury, Coates, Sutton, Burton,* and *Petworth*, all in the said County of *Sussex*.

XXIV. And whereas Plans and Sections of the said intended Railway showing the Line and Levels thereof, and also Books of Reference to such Plans containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands through which the said Railways are intended to pass, have been deposited with the Clerk of the Peace of the County of *Sussex*: Be it enacted, That subject to the Provisions in this and the said incorporated Acts contained, and to the Powers of Deviation given by such Acts, it shall be lawful for the said Company to make and maintain the said Railways and Works in the Line and upon the Lands delineated upon the Plans and described in the Books of Reference, and according to the Levels shown on the said Sections, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purposes: Provided always, that in making the Railway across the River *Arun* Navigation it shall not be lawful for the Company to deviate either laterally or vertically from the Line of Railway as laid down on the deposited Plans and Sections without the Consent in Writing of the Company of Proprietors of the said Navigation.

Power to make Railway according to deposited Plans.

XXV. The

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Lands for extraordinary Purposes.

XXV. The Quantity of Land to be purchased by the Company by Agreement for the extraordinary Purposes mentioned in the said "Railways Clauses Consolidation Act (1845)" shall not exceed Ten Acres.

Powers for compulsory Purchases limited.

XXVI. The Powers of the Company for compulsory Purchases of Lands for the Purposes of this Act shall not be exercised after the Expiration of Two Years from the passing of this Act.

Period for Completion of Railway, &c.

XXVII. After the Expiration of Four Years from the passing of this Act all the Powers hereby granted to the Company for executing the Railways hereby authorized, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Railway as shall be then completed.

For securing the Completion of the Railway.

XXVIII. 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 Eleven thousand two hundred and fifty Pounds (being One Tenth of Three Fourths of the Amount of the Estimate of the Expense of the Railways authorized by this Act) has been deposited with the Court of Chancery in *England* in respect of the Application to Parliament for this Act: Be it enacted, That, notwithstanding anything contained in the said recited Act, the said Sum of Eleven thousand two hundred and fifty Pounds so deposited as aforesaid in respect of the Application for this Act, or the Interest or Dividends of such Sum of Money, 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 Warrant or Order issued in pursuance of the said Act, or the Survivors or Survivor of them, unless the said Company shall, previously to the Expiration of the Period limited by this Act for Completion of the Railways hereby authorized to be made, either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the said Company have paid up One Half of the Amount of the 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 the said Period shall expire before the said Company shall either have opened the said Railways for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the said Sum of Money 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 transferred by the Officer or Person in whose Name they shall then

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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 of Eleven thousand two hundred and fifty Pounds shall have been executed by the said Company, with One or more Sureties (such Bond to be prepared to the Satisfaction of, and such Surety or Sureties to be approved by, the Solicitor to the Lords Commissioners of Her Majesty's Treasury) conditioned for the Payment to Her Majesty, Her Heirs or Successors, of the said Sum of Eleven thousand two hundred and fifty Pounds if the said Company shall not, within the Time limited for the Completion of the said Railways, either open the said Railways for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee that the said 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 such Sum of Money, and the Interest or Dividends thereof, shall 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, and it shall not be necessary to produce any Certificate of this Act having passed, anything in the said recited Acts to the contrary notwithstanding; and the Moneys to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Money, and the Interest or Dividends thereof, would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitor to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Lords of the said Committee that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

XXIX. It shall be lawful for the Company to construct the said Railways across and on the Level of the several Roads numbered on the deposited Plans with the Number of Lines of Railway herein-after specified; (that is to say,)

Roads to be
crossed on
the Level.

Name of Parish.	No. on Plan.	Lines of Rails which may be laid down.
Main Line:		Not more than Two.
Itchingfield -	9	" "
Itchingfield -	27	" "
Itchingfield -	56	" "
Billingshurst -	109	" "

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Power to
stop up cer-
tain Roads.

XXX. The Company shall stop up so much of the *Crawley and Horsham Turnpike Road* as extends from the Junction of the said Road with that leading to the present *Horsham Station* to a Point about Two hundred and sixty Yards Northward from the said Junction, and shall also stop up so much of the *New Street Road* as extends from the Junction of the said last-mentioned Road with the said *Crawley and Horsham Turnpike Road* to a Point about One hundred Yards Eastward from the said last-mentioned Junction, and shall also stop up so much of the Occupation Road leading to *Saint Leonard's Forest* as extends from the Junction of the said last-mentioned Road with the said *Crawley and Horsham Turnpike Road* to a Point about Thirty-two Yards Eastward from the said last-mentioned Junction, and the said Company shall take from *Robert Henry Hurst* and the said *Robert Henry Hurst* shall give in Exchange to the Company, for the Roads so stopped up as aforesaid, so much Land as shall be sufficient to make and divert the said *New Street Road* and the said Occupation Road leading to *Saint Leonard's Forest* into the said *Crawley and Horsham Turnpike Road*, at a Point about Two hundred and sixty Yards Northward from the Junction of the last-mentioned Road with the said Station Road, and the Company shall divert the said *New Street Road* and the said Occupation Road accordingly, and the said new Road shall be made not less than Twenty-six Feet wide between the Ditches, and shall be properly fenced to the Satisfaction of the Surveyor for the Time being of the Highways of the said Parish of *Horsham*; and the Company, in substitution of so much of the said *Crawley and Horsham Turnpike Road* so stopped up as aforesaid, shall continue and divert the said Station Road across the *Horsham Branch* of the *London, Brighton, and South Coast Railway*, through the Lands belonging to the said *Robert Henry Hurst* to a Point about Four hundred and twenty Yards Northward from the said Junction of the said *Crawley and Horsham Turnpike Road* with the said Station Road, and shall purchase from the said *Robert Henry Hurst*, and the said *Robert Henry Hurst* shall sell to the Company, so much Land as may be necessary for the Construction of the same, and the said Company shall make, maintain, and keep the said Turnpike Road in repair in the Manner and for the Time required by the General Turnpike Act, and shall make, maintain, and keep in repair the said *New Street Road* for the Time and in the Manner required by the Act Five and Six *William the Fourth*, Chapter Fifty, in Cases of new Roads dedicated to the Public: Provided always, that from and after the Completion of the Diversion lastly herein-before mentioned, the Portion of the *Crawley and Horsham Turnpike Road* lying Northward between the respective Points of Junction therewith of the said Diversion of the said *New Street Road* and of the said Diversion of the said Station Road shall be taken and held to be in lieu and substitution of the Portion of the *New Street Road* so stopped up as aforesaid, and be used and repaired accordingly.

XXXI. And

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XXXI. And it shall be lawful for the said Company, in lieu and instead of crossing on the Level the Road called the *Horsham and Brighton* Turnpike Road, numbered 51 on the deposited Plans, to raise the Levels of the said Railway Nine Feet, and to lower the said *Horsham and Brighton* Turnpike Road Eight Feet, and to construct a Bridge over the said Turnpike Road with a Span not less than Thirty-five Feet, and with a clear Headway of not less than Fifteen Feet throughout the Span, and the Inclination of the Approaches to be not less than One in Thirty.

Provision as to crossing the Horsham and Brighton Turnpike Road.

XXXII. The Company shall, before they open the Railway for Traffic, build and shall for ever afterwards maintain a Bridge of the Width of Nine Feet between the Walls, with Approaches of not steeper Inclination than One in Twenty, across that Portion of the Railway which runs through the Kitchen Garden of the said *Robert Henry Hurst*, so as to afford a Communication from one Side of the Railway to the other, and shall not deviate from the Line laid down on the deposited Plans through the said Garden without the Consent in Writing of the said *Robert Henry Hurst*.

Company to build a Bridge where Railway runs through Kitchen Garden of R. H. Hurst.

XXXIII. For the greater Convenience and Security of the Public the Company shall erect and permanently maintain either a Station or Lodge at the Point where the said Railways cross each of the before-mentioned Roads on the Level, and the said Company shall be subject to and 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 Board of Trade; and if the said Company shall fail to erect or at all Times maintain any such Station or Lodge, or to appoint a proper Person to watch or superintend any such level Crossing, or to observe or abide by any such Rules or Regulations 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.

Company to abide by Regulations of Board of Trade as to Speed of Trains.

XXXIV. It shall be lawful for the Board of Trade, if it shall appear to them to be necessary for the public Safety, at any Time, either before or after the Railways by this Act authorized to be made shall have been completed and opened for public Traffic, to require the Company, within such Time as the Board of Trade shall direct, and at the Expense of the Company, to carry any or either of the herein-before mentioned Roads either under or over the Railway by means of a Bridge or Arch, in lieu of crossing the same on the Level, and to execute such other Works as under the Circumstances of the Case shall appear to the Board of Trade the best adapted for removing or diminishing the Danger arising from any such level Crossing.

Board of Trade may require a Bridge to be erected in lieu of level Crossing.

XXXV. The

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As to Communications with the London, Brighton, and South Coast Railway.

XXXV. The Railway hereby authorized to communicate with the *London, Brighton, and South Coast* Railway shall communicate therewith at the Point where, according to the Plans deposited as in this Act mentioned, such Railway appears to communicate therewith, and at no other Point, without the Consent in Writing of the said *London, Brighton, and South Coast* Railway Company under their Common Seal, and that all Communications between the said Railway hereby authorized and the said *London, Brighton, and South Coast* Railway shall be effected in a substantial and workmanlike Manner by means of Connexion Rails and Points of the Construction and laid in the Manner approved of from Time to Time and to the entire Satisfaction of the Engineer for the Time being of the said *London, Brighton, and South Coast* Railway Company.

Communications with the London, Brighton, and South Coast Railway to be made at the Expense of the Mid-Sussex Railway Company.

XXXVI. The Expense of the Communications hereby authorized with the *London, Brighton, and South Coast* Railway, and of all necessary Openings in the Rails thereof, and of all other Works which may from Time to Time be requisite for effecting, altering, amending, repairing, and maintaining such Rails and Points, and of regulating and adjusting the same, shall be borne and paid by the *Mid-Sussex* Railway Company; and all such Communications, Openings, and Works shall not only be in the first instance made and done, but shall also from Time to Time, at the Expense of the *Mid-Sussex* Railway Company, be altered, amended, repaired, and maintained, to the Satisfaction of the Engineer for the Time being of the said *London, Brighton, and South Coast* Railway Company on each Occasion, and in such Manner and Form and by such Ways and Means as shall not in anywise prejudice or injure the said *London, Brighton, and South Coast* Railway, or impede, obstruct, or interfere with the free, uninterrupted, and safe passing along the same.

Company not to take Property of the London, Brighton, and South Coast Railway, &c. or interfere with their Railway or Works.

XXXVII. Notwithstanding anything in this Act contained, it shall not be lawful for the *Mid-Sussex* Railway Company, or for any Company or Person under or in execution of this Act, either permanently or temporarily, to enter upon, take, or use any of the Land or Property of the said *London, Brighton, and South Coast* Railway Company, or which they have Power to take under any of their Acts of Parliament, or to construct any Railways or Branch Railways across the same, either on the Level or otherwise, or in any Manner to alter, vary, or interfere with the said *London, Brighton, and South Coast* Railway, or any of the Works appertaining thereto, save only for the Purpose of effecting the Junction hereby authorized in manner aforesaid.

Saving Rights of the London,

XXXVIII. Nothing in this Act contained shall prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities of or vested

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vested in or belonging to the said *London, Brighton, and South Coast* Railway Company.

Brighton,
and South
Coast Com-
pany.

XXXIX. 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,)

Tolls.

In respect of the Tonnage of all Articles conveyed upon the Railway, or any Part thereof, as follows:

For First-class Goods described in the Schedule hereunto annexed, *per Ton per Mile* One Penny; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Halfpenny:

For Second-class Goods described in such Schedule, *per Ton per Mile* not exceeding One Penny Halfpenny; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Penny:

For Third-class Goods described in such Schedule, *per Ton per Mile* not exceeding Twopence Halfpenny; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Penny:

For Fourth-class Goods described in such Schedule, *per Ton per Mile* not exceeding Threepence Halfpenny; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Penny:

For Fifth-class Goods described in such Schedule, *per Ton per Mile* not exceeding Fourpence Halfpenny; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Penny Halfpenny:

And for every Carriage of whatever Description, having more than Two Wheels, not being a Carriage adapted and used for travelling on a Railway, carried or conveyed on a Truck or Platform not belonging to the Company, *per Mile* not exceeding Fivepence, and if having only Two Wheels, *per Mile* Fourpence; and if conveyed on a Truck or Platform belonging to the Company, an additional Sum of One Penny *per Mile*:

In respect of Passengers and Animals conveyed in Carriages on the Railway, as follows:

For any Person conveyed in or upon any such Carriage, *per Mile* not exceeding Twopence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per Mile* not exceeding One Halfpenny:

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

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For every Ox, Cow, Bull, or Neat Cattle conveyed in or upon any such Carriage, *per* Mile not exceeding One Penny; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Halfpenny:

For every Calf or Pig, Sheep or Lamb, or other small Animal, conveyed in or upon any such Carriage, *per* Mile not exceeding One Halfpenny; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Farthing.

Tolls for
propelling
Power.

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

Regulations
as to Tolls.

XLI. The following Provisions and Regulations shall be applicable to the fixing of such Tolls; (that is to say,)

For Articles or Persons (excepting Third-class Passengers) conveyed on the Railway for a less Distance than Three Miles the Company may demand the Tolls and Charges herein-before prescribed as for Three Miles:

For a fractional Part of a Mile beyond Three Miles, or beyond any greater Number of Miles, the Company may demand Tolls on Goods and Animals 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 according to the Number of Quarters of a Ton in such Fraction, and if there be a Fraction of a Quarter of a Ton such Fraction shall be deemed a Quarter of a Ton:

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

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

Tolls for
small Par-
cels and
Articles
of great
Weight.

XLII. And with respect to small Packages and single Articles of great Weight, be it enacted, That, notwithstanding the Rate of Tolls prescribed by this Act, the Company may lawfully demand Tolls not exceeding the following; (that is to say,)

For

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For the Carriage of small Parcels the Company may demand any Sum which they may think fit, not exceeding the Rates following :

Not exceeding in Weight Seven Pounds, Threepence ; exceeding Seven and not exceeding Fourteen Pounds, Sixpence ; exceeding Fourteen and not exceeding Twenty-eight Pounds, Tenpence ; exceeding Twenty-eight and not exceeding Fifty-six Pounds, One Shilling and Threepence ; exceeding Fifty-six and not exceeding Five hundred Pounds, such Sum as they think proper: 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 Stone or Timber, 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 single Piece of Timber, Stone, or Machinery, or other single Article, the Weight of which, with the Carriage, shall exceed Eight Tons, the Company may demand such Sum as they think fit.

XLIII. Every Passenger travelling upon the Railway may take with him his ordinary Luggage, not exceeding One hundred and twelve Pounds in Weight for First-class Passengers, One hundred Pounds in Weight for Second-class Passengers, and Sixty Pounds in Weight for Third-class Passengers, without any Charge being made for the Carriage thereof. Passengers Luggage.

XLIV. It shall not be lawful for the Company to demand or receive any greater Sum in respect of the Carriage of Passengers conveyed on the Railway than Twopence and Two Fifth Parts of a Penny *per Passenger per Mile* in respect of any Passenger travelling in a First-class Carriage, One Penny and Four Fifth Parts of a Penny *per Passenger per Mile* in respect of any Passenger travelling in a Second-class Carriage, and One Penny and One Fifth Part of a Penny *per Passenger per Mile* in respect of any Person travelling in a Third-class Carriage, including the Charges for the Use of Carriages and locomotive Power, and all other Charges incidental to such Conveyance. Maximum Charges for Conveyance of Passengers.

XLV. It shall not be lawful for the Company to charge, in respect of the several Articles, Matters, and Things, and of the several Descriptions of Animals, herein-after mentioned, conveyed on the Railway, For Conveyance of Goods and Cattle.

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Railway, any greater Sum, including the Charges for the Use of Carriages, Waggon, or Trucks, and for locomotive Power, and all other Charges incident to such Conveyance, than the several Sums herein-after mentioned; (that is to say,)

For First-class Goods described in the Schedule hereunto annexed,
per Ton per Mile Twopence:

For Second-class Goods described in such Schedule, *per Ton per Mile Threepence:*

For Third-class Goods described in such Schedule, *per Ton per Mile Fourpence:*

For Fourth-class Goods described in such Schedule, *per Ton per Mile Fivepence:*

For Fifth-class Goods described in such Schedule, *per Ton per Mile Sixpence:*

For every Carriage, of whatever Description, having more than Two Wheels, and not being a Carriage adapted and used for travelling on a Railway, *per Mile Fivepence Farthing;* and if having only Two Wheels, *per Mile Fourpence Farthing:*

For every Horse, Mule, or Ass, *per Mile Fivepence:*

For every Ox, Cow, Bull, or Neat Cattle, *per Mile One Penny Halfpenny:*

For every Calf or Pig, *per Mile One Penny:*

For every Sheep, Lamb, or other small Animal, *per Mile One Farthing.*

Tolls for separate Trucks for Cattle, &c.

XLVI. Provided always, That if any Person shall desire to hire and retain a separate Waggon or Truck for the Conveyance of Cattle or Sheep belonging to him, it shall not be lawful for the Company to charge any greater Sum, including all the Charges aforesaid, than Ninepence *per Mile* for every Waggon or Truck capable of containing conveniently Six Beasts of ordinary Size or Thirty Sheep.

Company may take increased Charges by Agreement.

XLVII. Nothing herein contained shall be held to prevent the Company from taking any increased Charges, over and above the Charges herein-after 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 of such Goods (except small Parcels) by Passenger Trains, or by reason of any other special Service performed by the Company in relation to such Goods.

Restriction as to Charges not to apply to Special Trains.

XLVIII. The Restriction as to the Charges to be made for Passengers shall not extend to any Special Train that may be required to be run upon the said Railway, but shall apply to the Express and Ordinary Trains appointed or to be appointed from Time to Time by the said Company for the Conveyance of Passengers and Goods upon the said Railway.

XLIX. It

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XLIX. It shall not be lawful for the 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 or Dividend 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.

Interest or Dividend not to be paid on Calls paid up.

L. It shall not be lawful for the said Company, out of any Money by this Act or any other Act 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.

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

LI. Nothing herein contained shall be deemed or construed to exempt the Railway by this Act authorized to be made, or the Company, from the Provisions of any General Act relating to Railways, or 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 and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act, or of Rates for small Parcels.

Railway not exempt from Provisions of present and future General Acts.

LII. All the Costs, Charges, and Expenses of applying for and obtaining this Act, and in any way incidental thereto, shall be paid by the Company.

Expenses of Act.

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SCHEDULE referred to in this Act.

FIRST CLASS.

Alkali.	Tiles.	Lead.
Alum.	Dung.	Malt.
Bark.	Eggs.	Meal.
Bricks.	Flint.	Nitrate of Soda.
Bones for Manure.	Flour.	Oilcake in Casks.
Brooms and Broom Handles.	Fire Clay.	Potatoes.
Bran.	Fullers' Earth.	Pollard.
Chalk.	Guano.	Salt for Manure.
Coal.	Grain.	Sand.
Coke.	Gas or Water Pipes.	Stone, paving or building.
Compost.	Iron and Wood not otherwise enumerated.	Slates.
Cement.	Lime.	Spelter.

SECOND CLASS.

Ale and Porter in Casks.	Lard:	Seed.
Bacon.	Lead, White or Red.	Soap.
Butter in Casks.	Marble in Blocks.	Soda.
Cider.	Molasses.	Steel.
Charcoal.	Nails.	Sugar, raw.
Copper.	Paints.	Sulphur.
Hair.	Pitch.	Tallow.
Hemp.	Plaster.	Tar.
Hides.	Rags.	Tin Tubing.
Hops.	Rice.	Vinegar.
Hoofs.	Resin.	Whiting.
Hop Poles.	Salt.	Wool.
Iron, Hoop, Sheet, or small Rod.	Saltpetre.	

THIRD CLASS.

Canvas.	Iron Castings liable to Damage.	Rope.
Cordage.	Herrings, dried.	Snuff.
Carpeting.	Leather.	Spirits and Wine in Wood.
Earthenware.	Machinery.	Stationery.
Flax.	Mats.	Tow.
Floorcloth.	Mineral Waters.	Turpentine.
Fruit.	Oil in Casks.	Varnish.
Groceries.	Oilcakes, loose.	Veneers.
Hay.	Paper.	
Hardware.		

FOURTH

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FOURTH CLASS.

Agricultural Implements.	Drugs.	Meat.
Bottled Liquor.	Fish.	Poultry, dead.
Books.	Haberdashery.	Silks.
Butter, fresh.	Hosiery.	Sugar, refined.
Cork.	Joiners Work.	Tinned Ware.
China.	Linens.	Wearing Apparel.
Drapery.	Luggage.	Woollens.

FIFTH CLASS.

Bonnets.	Harps.	Pianos.
Carboys.	Hats.	Pictures and light Articles
Feathers.	Musical Instruments.	per Agreement.
Furniture.	Oil in Jars.	Poultry, alive.
Glass.		

All Goods not enumerated to be charged in the Class to which they are analogous.

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1857.

