CHAPTER clxxxvii.

An Act for enlarging the extent and improving the accommodation of the Citadel Station at Carlisle, and making and maintaining new connecting lines between the various railways converging there; and for other purposes. A.D. 1873.

[21st July 1873.]

WHEREAS, under the provisions of the "Carlisle Citadel Station Act, 1861," (herein-after called the Act of 1861,) and the Acts therein recited, and the agreement therein called the Citadel Station agreement and thereby confirmed, the Citadel station at Carlisle is vested, during the continuance of a lease of the undertaking of the Lancaster and Carlisle Railway Company granted by that Company (herein-after called the Lancaster Company) to the London and North-western Railway Company (herein-after called the North-western Company) for a term of nine hundred years from the first day of August one thousand eight hundred and fifty-nine, in the North-western Company as lessees under the said lease, and in the Caledonian Railway Company (herein-after called the Caledonian Company) jointly and equally, and after the determination of the said lease in the Lancaster Company and the Caledonian Company jointly and equally, and is during the continuance of the said lease placed under the management of a joint committee (called in the Act of 1861 the Citadel station committee, and herein-after called the station committee), appointed by the North-western Company and the Caledonian Company, with the powers mentioned in the said Act of 1861 and the said agreement: 24 & 25 Vict. c. xvi.

And whereas by the Act of 1861 and the agreements therein called respectively the Maryport Company's agreement, the South-western Company's agreement, and the North British Company's agreement, and thereby confirmed, the Maryport and Carlisle Railway Company (herein-after called the Maryport Company), the Glasgow and South-western Railway Company (herein-after called the South-western Company), and the North British Railway Com-

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pany (herein-after called the North British Company), acquired right to use the said Citadel station, for the periods, upon the terms and conditions, and in consideration of the respective payments specified and provided for in those agreements respectively, by which agreements likewise provision was made for the payment (in the events therein mentioned) by the Maryport Company, the South-western Company, and the North British Company respectively of further annual sums to be fixed by arbitration in respect of the cost of any future enlargement or alteration of the said station:

25 & 26 Vict. c. cxlv.

And whereas by the "North-eastern and Carlisle Railways Amalgamation Act, 1862," and the agreement set forth in Schedule (A.) to that Act, the North-eastern Railway Company (herein-after called the North-eastern Company) acquired right to use the Citadel station on the terms and conditions and in consideration of the payments mentioned in that agreement:

29 & 30 Vict. c. ccxxiii.

And whereas by "The Midland Railway (Settle to Carlisle) Act, 1866," (herein-after called the Act of 1866,) the Midland Railway Company (herein-after called the Midland Company) acquired right to use the Citadel station and the lines of railway and works connected therewith on the terms and conditions mentioned in, and in consideration of the payments provided for by, that Act; and it was by section 37 of that Act provided that whereas the said station and railways were then sufficient to accommodate the traffic of the owners thereof and of the other companies theretofore entitled to the use of the same in the manner in which such traffic was then conducted, but might be found insufficient in the event of the traffic of the Midland Company being introduced in manner contemplated by that Act, therefore it should be lawful for the owners of the Citadel station, if and when they should think necessary, to apply to an arbitrator, to be appointed at their request by the Board of Trade, to determine and specify what additional extension of and accommodation in or upon the Citadel station and railways would be necessary in consequence of the admission of the traffic of the Midland Company as in that Act provided, and that such arbitrator should determine and specify the same accordingly; and that it should be lawful for the owners of the Citadel station to apply to Parliament for a Bill to authorise them to acquire the lands and execute the works necessary to provide the extension and accommodation so determined and specified; and that the Midland Company should pay annually to the owners of the Citadel station, for the use of such extension and accommodation, an amount equal to six per centum per annum upon the moneys actually expended by such owners in the acquisition of the lands and con-

struction of the works forming such extension and accommodation, including the expense of such arbitration and of promoting and passing such Bill into an Act:

And whereas the railway from Settle to Carlisle authorised to be constructed by the Midland Company under the last-mentioned Act is now approaching completion, and it is necessary for the accommodation of the traffic which will be thereby introduced into the Citadel station that the said station should be extended and improved and that additional accommodation should be provided therein:

And whereas, on the application of the North-western Company and the Caledonian Company, the Board of Trade appointed Joseph Cubitt, Civil Engineer, as arbitrator for the purpose specified in section 37 of the Act of 1866 as aforesaid, and various proceedings took place in the arbitration before him, but he became disabled by illness from continuing the proceedings, and died without making an award; and the Midland Company agreed with the North-western Company and the Caledonian Company that, in lieu of proceeding further under section 37 of the Act of 1866, the two last-named companies should apply to Parliament for powers to execute the works herein-after specified, and that the Midland Company should pay to those companies in respect of such works the sums provided for by articles of agreement between those companies and the Midland Company, dated the sixteenth day of December one thousand eight hundred and seventy-two, of which a copy is contained in a Schedule (A.) to this Act; and it is expedient that the said articles of agreement should (subject to the provisions herein-after contained) be confirmed, and that the Midland Company should be empowered to raise money for the purposes thereof:

And whereas the extension and improvement of the Citadel station and the additional accommodation therein, which have become necessary as aforesaid, cannot be obtained without re-arranging the said station and the lines of railway connecting and authorised for the purpose of connecting the railways of the several companies herein-before named with that station and with their separate goods and mineral stations at Carlisle respectively:

And whereas for these purposes it is expedient that the North-western Company and the Caledonian Company should, subject to the provisions herein-after contained, be empowered to enlarge, alter, and improve the Citadel station, to make certain new lines of railway and other works, to shut up certain existing portions of railway, to require the relinquishment of certain authorised portions of railway, to acquire certain lands, houses, and other property, to

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shut up certain streets and thoroughfares, to make a new line of street and provide for the maintenance thereof, and to raise additional money; as also to make provision for vesting in the Lancaster Company and the North-western Company (according to their respective interests) and in the Caledonian Company jointly, and in the Lancaster Company and the North-western Company (according to their respective interests), in the Caledonian Company, in the North-eastern Company, and in the Maryport Company separately and respectively, certain of the said new lines of railway in lieu of certain portions of their respective railways so to be shut up:

And whereas it is expedient to set apart certain of the lines of railway and works connected therewith by this Act authorised for goods and mineral traffic, and to provide for the management of the same by a joint committee, to be called the Carlisle goods traffic committee (herein-after called the goods traffic committee), to be appointed by the North-western Company or the Lancaster Company, as the case may be, the Caledonian Company, and the Midland Company, and by such one or more (if any) of the other companies herein-before named as shall be authorised to contribute and shall contribute such proportion or proportions of the cost of the works by this Act authorised as shall be agreed upon between the goods traffic committee and the company or companies so contributing, or as shall be fixed by arbitration between them in manner herein-after mentioned:

28 & 29 Vict. c. cclxxxvii.

And whereas by "The Caledonian and Scottish Central Railways Amalgamation Act, 1865" (sections 56 and 57), it was inter alia enacted that, in consideration of the remuneration therein mentioned, the Caledonian Company should at all times thereafter provide to the South-western Company the like accommodation for their locomotive engines and waggons in and upon the Caledonian Company's depôt and premises at Carlisle, and should render to the South-western Company the like services in respect thereof as the Caledonian Company had previously done under the agreement therein mentioned, and should also provide such further accommodation and render such additional services of the nature and description aforesaid as the traffic of the South-western Company might from time to time require and as it might be in the power of the Caledonian Company to provide and render:

And whereas the aforesaid enlargement and alteration of the Citadel station and the construction of the railways herein-before mentioned will necessitate the removal of the locomotive engine yard and works and buildings connected therewith belonging to the Caledonian Company and now used by them and by the South-

western Company under the above-recited enactment, and the Caledonian Company intend to remove the same to certain land in the parish of Stanwix, near Carlisle, which they have obtained power to acquire and to apply to that purpose, and it is expedient that the Caledonian Company should be required to provide the like accommodation and render the like services in and upon the locomotive engine yard, works, and buildings to be constructed by them on the land last mentioned as they are by the last-mentioned Act and the agreement therein referred to required to provide and render in and upon the premises now occupied by them for that purpose:

And whereas the Bill for this Act was opposed by the mayor, aldermen, and citizens of the city of Carlisle (herein-after called the corporation), and a Bill introduced by the corporation for empowering them to make certain new streets and for other purposes was opposed by the North-western Company and the Caledonian Company, and in pursuance of the resolutions of the Committee of the House of Commons to whom the said Bills were referred an arrangement embodied in the articles of agreement dated the seventh day of April one thousand eight hundred and seventy-three, of which a copy is contained in the Schedule (B.) to this Act, was entered into between the said Companies and the corporation; and it is expedient that the said articles of agreement should be confirmed:

And whereas plans and sections, showing the lines and levels of the railways and street authorised by this Act and the lands which may be taken for the purposes thereof and for the other purposes of this Act, and also books of reference, containing the names of the owners and lessees, or reputed owners and lessees, and of the occupiers of the said lands, were duly deposited with the clerk of the peace for the county of Cumberland, and are herein-after respectively referred to as the deposited plans, sections, and books of reference:

And whereas the purposes of this Act cannot be effected without the authority of Parliament:

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

1. This Act may be cited for all purposes as "The Carlisle Citadel Station Act, 1873." Short title.

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Provisions of Acts herein named incorporated.

2. "The Lands Clauses Consolidation Acts, 1845, 1860, and 1869," "The Railways Clauses Consolidation Act, 1845," Part I. (relating to construction of a railway) of "The Railways Clauses Act, 1863," the clauses and provisions of "The Companies Clauses Consolidation Act, 1845," and of "The Companies Clauses Consolidation (Scotland) Act, 1845," with respect to the following matters; (that is to say,) the distribution of the capital of the Company into shares, the transfer or transmission of shares, the payment of subscriptions and the means of enforcing the payment of calls, the forfeiture of shares for non-payment of calls, the remedies of creditors of the Company against the shareholders, the borrowing of money by the Company on mortgage or bond, the conversion of the borrowed money into capital, the consolidation of the shares into stock, the general meetings of the Company and the exercise of the right of voting by the shareholders, the making of dividends, the giving of notices, and the provision to be made for affording access to the special Act by all parties interested, and Part I. (relating to cancellation and surrender of shares), Part II. (relating to additional capital), and Part III. (relating to debenture stock) of "The Companies Clauses Act, 1863," are (except where expressly varied by this Act) incorporated with and form part of this Act; and all the provisions of "The Companies Clauses Consolidation Act, 1845," and of "The Companies Clauses Consolidation (Scotland) Act, 1845," so incorporated with this Act, which relate to stock into which shares in the capital of the Company have been converted or consolidated, shall apply to the stock which the North-western Company and the Caledonian Company respectively are by this Act authorised to issue and to the holders thereof.

Interpretation of terms.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings, unless there be something in the subject or context repugnant to such construction; and the expression "the two Companies," during the continuance of the aforesaid lease of the undertaking of the Lancaster Company to the North-western Company, means the North-western Company and the Caledonian Company, and after the determination of that lease means the Lancaster Company and the Caledonian Company; and in the Acts wholly or partially incorporated with this Act, as applied to this Act, the expression "the special Act" means this Act; the expressions "the railway" and "the undertaking" mean respectively the railways, street, and other works, and the undertaking by this Act authorised; the expression "the Company" means the two Companies as respects powers conferred on the two

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Companies, and means the North-western Company, or the Caledonian Company, or the Midland Company, as the case may be, as respects powers conferred on those respective companies separately; and the expression "superior courts" or "court of competent jurisdiction," or any other like expression, 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.

Power to make railways, street, and other works according to deposited plans.

4. Subject to the provisions of this Act, the North-western Company and the Caledonian Company may make and maintain, in the lines and according to the levels shown on the deposited plans and sections, the railways and street herein-after described, and all proper stations, sidings, approaches, works, and conveniences in connexion therewith respectively, and may enter upon, take, and use such of the lands delineated on the said plans and described in the deposited books of reference as may be required for those purposes. The railways and street herein-before referred to and authorised by this Act are,—

1. A railway, in this Act called Railway No. 1, seven furlongs three chains and fifteen yards or thereabouts in length, commencing by a junction with the main line of the Lancaster and Carlisle Railway at or near the signal-house at Upperby Junction, near Carlisle, and terminating in the Citadel station at Carlisle at a point on the existing main line of railway passing through that station opposite or nearly opposite to the book-stall on the platform of the said station:

2. A railway, in this Act called Railway No. 2, five furlongs nine chains and five yards or thereabouts in length, commencing by a junction with the main line of the Caledonian Railway near the southern end of the bridge by which that railway is carried over the river Caldew, and terminating at the point herein-before described as the termination of Railway No. 1:

3. A railway, in this Act called Railway No. 3, seven furlongs and twenty-one yards or thereabouts in length, commencing by a junction with the main line of the Caledonian Railway at the point herein-before described as the commencement of Railway No. 2, and terminating at a point about one hundred and seventy-five yards, measuring in a south-easterly direction along the line of the Port Carlisle Canal branch of the North-eastern Railway, from the centre of the bridge by which that branch is carried over the river Caldew:

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4. A railway, in this Act called Railway No. 4, four furlongs two chains and three yards or thereabouts in length, commencing by a junction with the said Port Carlisle Canal branch at a point about one hundred and thirty yards, measuring in a westerly direction along that branch, from the centre of the bridge by which the London Road is carried over the said branch, and terminating at the point herein-before described as the termination of Railway No. 3:

5. A railway, in this Act called Railway No. 5, six furlongs and eight chains or thereabouts in length, commencing by a junction with the main line of the Lancaster and Carlisle railway at the point herein-before described as the commencement of Railway No. 1, and terminating by a junction with Railway No. 4 at the point herein-before described as the termination of Railway No. 3:

6. A railway, in this Act called Railway No. 6, two furlongs four chains and eighteen yards or thereabouts in length, commencing by a junction with Railway No. 4 at a point about seventeen yards, measuring in a southerly direction along Saint Nicholas Road or Street, from the centre of the bridge by which that road or street is carried over the said Port Carlisle Canal branch, and terminating by a junction with Railway No. 1 at or near the southern side of the bridge by which the Lancaster and Carlisle Railway is carried over Crown Street in Carlisle:

7. A railway, in this Act called Railway No. 7, two furlongs three chains and twelve yards or thereabouts in length, commencing by a junction with Railway No. 1 at a point about twenty yards to the southward of the centre of the bridge by which Saint Nicholas Road or Street is carried over the Lancaster and Carlisle Railway, and terminating at or near the southern end of the local goods shed of the North-western Company near Crown Street in Carlisle:

8. A railway, in this Act called Railway No. 8, six furlongs, six chains and eight yards or thereabouts in length, commencing by a junction with the Maryport and Carlisle Railway at a point about one hundred and twenty yards, measuring in a southerly direction along that railway, from the mile post thereon indicating a distance of twenty-seven miles from Maryport, and terminating by a junction with Railway No. 1 at the point herein-before described as the termination of Railway No. 6:

9. A railway, in this Act called Railway No. 9, one furlong three chains and sixteen yards or thereabouts in length, commencing by a junction with Railway No. 8 at a point about fifty yards north-westward from the place herein-before described as Saint Nicholas level crossing, and terminating at or near the south-eastern corner of the goods shed of the Maryport Company near Crown Street in Carlisle:

10. A railway, in this Act called Railway No. 10, four furlongs three chains and twelve yards or thereabouts in length, commencing by a junction with the Maryport and Carlisle Railway at the point herein-before described as the commencement of Railway No. 8, and terminating by a junction with Railway No. 4 at a point about fifty yards westward from the western end of the Maryport Company's engine shed at Carlisle:

11. A railway, in this Act called Railway No. 11, one furlong and three chains or thereabouts in length, commencing by a junction with Railway No. 10 at a point about one hundred and five yards, measuring in a north-easterly direction along the Maryport and Carlisle Railway, from the post thereon indicating a distance of twenty-seven and a quarter miles from Maryport, and terminating at the point herein-before described as the termination of Railway No. 3:

12. A railway, in this Act called Railway No. 12, one furlong four chains and nine yards or thereabouts in length, commencing by a junction with the said Port Carlisle Canal branch at or near the eastern side of the bridge by which the said Port Carlisle Canal branch is carried over Denton Street in Carlisle, and terminating at the point herein-before described as the termination of Railway No. 3:

13. A railway, in this Act called Railway No. 13, two furlongs three chains and nine yards or thereabouts in length, commencing by a junction with the Port Carlisle branch of the Caledonian Railway at a point about one hundred and eighty yards north-westward from the signal cabin at the junction of that branch with the main line of the Caledonian Railway, and terminating by a junction with Railway No. 3 at a point about one hundred and forty yards south-eastward from the southern end of the bridge by which the said main line is carried over the river Caldew; and

14. A street, commencing by a junction with Mill Street in Carlisle at a point about sixty-five yards, measuring in a north-easterly direction along Mill Street, from the chimney

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in the centre of that street at its junction with James Street in Carlisle, and terminating by a junction with Water Street in Carlisle at a point about thirty-five yards southward from the point where that street is joined by Wood Street in Carlisle.

Power to take additional lands for station purposes.

5. Subject to the provisions of this Act, the North-western Company and the Caledonian Company may also enter upon, take, and use for station purposes the whole or such part as they may find necessary of the lands in the city of Carlisle which are shown on the deposited plans and described in the deposited books of reference within the limits herein-after described, viz., within an imaginary line commencing near the western end of the street called English Dam Side, and proceeding along that street to Borough Street, thence along Borough Street and Court Square Brow to Court Square, thence along Collier Lane to a point about twenty feet northward from the northern side of Crown Street, thence in a direction parallel with that street to the street called Botchergate, thence in a southerly direction along that street for a distance of about seventy feet, thence in a direction parallel to and about thirty feet southward from the southern side of Crown Street to Lancaster Street, thence south-eastward along Lancaster Street for a distance of about three hundred feet, thence in a westerly direction and at or nearly at right angles to Lancaster Street to a point about two hundred and twenty feet distant from that street, thence to a point in Mill Street about one hundred and thirty feet, measuring in a north-easterly direction along that street, from the chimney in the centre of that street at its junction with James Street, thence eastward along Mill Street for a distance of about one hundred feet, thence to a point near the north-eastern corner of the Caledonian Company's goods shed on the western side of their main line, and thence to the point above described near the western end of English Dam Side; and may, upon the lands so taken by them and upon the lands already belonging to or which may hereafter be acquired by them, make such extension, alteration, and improvement of the Citadel station, and execute such additional works, and provide such additional conveniences and accommodation in connexion with the said station, as they shall consider necessary for the traffic resorting thereto.

Power to shut up certain streets.

6. The North-western Company and the Caledonian Company may shut up and appropriate all streets, lanes, courts, passages, and thoroughfares lying between Mill Street on the north, Crown Street on the south, the goods or relief lines on the western side of the Citadel station described as Railway No. 1 in the Act of 1861 on

the east, and the western boundary line of the properties which the said companies may at the time have acquired under the powers of the next preceding section of this Act on the west; and may also shut up and appropriate the roads or streets numbered on the deposited plans 25, 48, and 79 respectively in the parish of St. Mary, Carlisle, so far as required for the purposes of Railway No. 2, without in either case substituting other roads, streets, lanes, courts, passages, or thoroughfares for up those so shut up: Provided always, that unless and until the said Companies acquire all the properties to which the roads or streets numbered respectively as aforesaid 48 and 79 are at present the access, they shall not shut up those roads or streets without previously affording proper and sufficient access to such of the said properties as they may not have acquired by substituting another road or street in accordance with section 53 of "The Railways Clauses Consolidation Act, 1845."

Power to shut up certain portions of railway.

7. Subject to the provisions of this Act, the North-western Company and the Caledonian Company may shut up and discontinue the following portions of railway, and the sidings connected therewith respectively, and may appropriate the same and the sites thereof; viz.,

1. That portion of the main line of the Lancaster and Carlisle Railway which extends from the point herein-before described as the commencement of Railway No. 1 to the termination of the said main line in the Citadel station;
2. That portion of the main line of the Caledonian Railway which extends from the point herein-before described as the commencement of Railway No. 2 to the termination of the said main line in the Citadel station;
3. The goods or relief lines on the western side of the Citadel station described as Railway No. 1 in the Act of 1861;
4. That portion of the Port Carlisle Canal branch of the North-eastern Railway which extends from the commencement of Railway No. 4 to the commencement of Railway No. 12;
5. The connecting branch railway leading from the Port Carlisle Canal branch of the North-eastern Railway to the Lancaster and Carlisle Railway near the place herein-before described as Saint Nicholas level crossing;
6. That portion of the existing railway belonging to or used by the Maryport Company which extends from the point herein-before described as the commencement of Railway No. 8 to the point of junction of the said existing railway with the Lancaster and Carlisle Railway near the southern end of the Citadel station; and

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7. That portion of the existing railway belonging to or used by the Maryport Company which extends from near the point herein-before described as the commencement of Railway No. 11 to the point of junction of the said existing railway with the Port Carlisle Canal branch of the North-eastern Railway near the place herein-before described as Saint Nicholas level crossing.

Power to raise money by the issue of ordinary or preference shares or stock.

8. The North-western Company and the Caledonian Company respectively, may, subject to the provisions of Part II. of "The Companies Clauses Act, 1863," raise any additional capital not exceeding in the whole one hundred and twenty thousand pounds each by the issue, at the option of the Company raising such capital, of new ordinary shares or stock or new preference shares or stock in their respective capitals, or wholly or partially by any one or more of those modes respectively: Provided that if in any year ending on the thirty-first day of January there are not, as respects the Caledonian Company, profits available for the payment of the full amount of preferential dividend or interest for that year on any such new preference shares or stock, no part of the deficiency shall be made good out of the profits of any subsequent year or out of any other funds of that Company.

Shares not to issue until one fifth paid up.

9. Neither the North-western Company nor the Caledonian Company shall issue any share created under the authority of this Act, nor shall any such share vest in the person accepting the same, unless and until a sum not being less than one fifth of the amount of such share shall have been paid in respect thereof.

Votes in respect of new shares or stock.

10. Each holder of new shares or stock in the capital by this Act authorised to be raised by the North-western Company and the Caledonian Company respectively shall be entitled to the same number of votes in respect thereof which the possession of an equal nominal amount of the existing capital of the Company by whom such new shares or stock are issued would have conferred upon him.

Capital under several Acts of this session may be raised by shares or stock of one class.

11. If by any other Act or Acts passed in the present session of Parliament, whether before or after the passing of this Act, either the North-western Company or the Caledonian Company be authorised to raise any capital by the issue of new shares or stock (whether ordinary or preference), the Company so authorised may, if they think fit, subject to the provisions of such other Act or Acts and of this Act, raise by the issue of shares or stock of one and the same class and entitled to the same privileges all or any part or

parts of the aggregate capital which they are by such other Act or Acts and this Act authorised to raise by the issue of shares or stock. A.D. 1873.

Power to borrow on mortgage.

12. The North-western Company and the Caledonian Company respectively may from time to time borrow on mortgage any sum not exceeding in the whole forty thousand pounds each in addition to the amonnt which they respectively are or may be authorised to borrow by any other Act of Parliament; but neither of the said Companies shall borrow any part of the sum so authorised to be borrowed by them until the whole additional capital of one hundred and twenty thousand pounds by this Act authorised to be raised by such Company is issued and accepted and one half thereof is paid up, and such Company have proved to the justice who is to certify under the fortieth section of "The Companies Clauses Consolidation Act, 1845," or to the sheriff who is to certify under the forty-second section of "The Companies Clauses Consolidation (Scotland) Act, 1845," as the case may be, before he so certifies, that the whole of the said additional capital authorised to be raised by such Company has been issued and accepted and that one half thereof has been paid up, and that not less than one fifth part of the amount of each separate share so issued has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such additional capital was issued bonâ fide and is held by the persons or corporations to whom the same was issued, or their executors, administrators, successors, or assigns, and that such persons or corporations, or their executors, administrators, successors, or assigns, are legally liable for the same; and upon production to such justice or sheriff (as the case may be) of the books of the Company, and of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

Arrears may be enforced by appointment of a receiver or judicial factor.

13. The mortgagees of the North-western Company and of the Caledonian Company respectively may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages by the appointment of a receiver as respects England and of a judicial factor as respects Scotland. In order to authorise the appointment of a receiver or judicial factor in respect of arrears of principal, the amount owing to the mortgagees by whom the application for a receiver or judicial factor is made shall not be less than ten thousand pounds in the whole.

Existing securities to have priority.

14. All mortgages and bonds granted by the North-western Company and the Caledonian Company respectively in pursuance of the powers of any Act of Parliament before the passing of this Act,

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and subsisting at the passing hereof, shall, during the continuance of such mortgages and bonds, have priority over any mortgages to be granted by virtue of this Act; but nothing in this section contained shall affect any priority of the interest of any debenture stock at any time created and issued by either of those Companies.

Debenture stock.

15. The North-western Company and the Caledonian Company respectively may create and issue debenture stock, subject to the provisions of Part III. of "The Companies Clauses Act, 1863," as amended by "The Railway Companies Act, 1867," and "The Railway Companies (Scotland) Act, 1867."

Application of moneys.

16. All moneys raised by the North-western Company or the Caledonian Company under this Act, whether by shares or stock or debenture stock or borrowing, shall be applied for the purposes of this Act only.

Companies may apply to purposes of this Act funds not required for other purposes.

17. The North-western Company and the Caledonian Company respectively may apply towards the purposes authorised by this Act any capital or funds belonging to or authorised to be raised by them respectively and which may not be required for the purposes for which the same were authorised to be raised or directed to be applied.

Lands for extraordinary purposes.

18. The quantity of land to be acquired by agreement by the North-western Company and the Caledonian Company in connexion with the objects of this Act for the extraordinary purposes mentioned in "The Railways Clauses Consolidation Act, 1845," shall not exceed five acres, in addition to the lands which they are authorised by this Act to take compulsorily, and which they are respectively authorised by any other Acts to take compulsorily or acquire by agreement.

Power to take easements, &c. by agreement.

19. Persons empowered by "The Lands Clauses Consolidation Act, 1845," to sell and convey or release lands may, if they think fit, subject to the provisions of that Act and of "The Lands Clauses Consolidation Acts Amendment Act, 1860," and of this Act, grant to the North-western Company and the Caledonian Company any easement, right, or privilege, not being an easement of water, required for the purposes of this Act in, over, or affecting any such lands; and the provisions of the said Acts with respect to lands and rentcharges, so far as the same are applicable in this behalf, shall extend and apply to such grants, and to such easements, rights, and privileges as aforesaid respectively.

Powers for compulsory purchases limited.

20. The powers of the North-western Company and the Caledonian Company for the compulsory purchase of lands for the

purposes of this Act shall not be exercised after the expiration of three years from the passing of this Act. A.D. 1873.

Powers of lateral and vertical deviation.

21. Subject to the provisions of this Act, the North-western Company and the Caledonian Company, notwithstanding the provisions of "The Railways Clauses Consolidation Act, 1845," incorporated with this Act, may deviate from the lines of the railways and street herein-before authorised, as delineated on the deposited plans, to any extent within the limits of deviation shown on those plans; and may deviate from the levels thereof, as delineated on the deposited sections, to any extent not exceeding five feet.

Inclination of a certain street or road.

22. In altering for the purposes of this Act the street or road next herein-after mentioned the North-western Company and the Caledonian Company may make the same of any inclination not steeper than the inclination herein-after mentioned; (that is to say,)

Number on deposited Plans.	Parish.	Description of Road.	Intended inclination.
360	Saint Cuthbert, Carlisle	Public - - -	1 in 18.

A certain level crossing not to be used.

23. The level crossing numbered on the deposited plans 621 in the parish of St. Cuthbert, Carlisle, shall not be used after Railway No. 4 is made.

Confirmation of agreement with the corporation of Carlisle.

24. The articles of agreement between the North-western Company and the Caledonian Company and the corporation, a copy of which is contained in the Schedule (B.) to this Act, are hereby confirmed and made binding on the parties thereto.

Power to widen certain bridges.

25. The North-western Company and the Caledonian Company may widen the railway bridge called Borough Street Bridge at or near the north-western extremity of the passenger shed of the Citadel station to an extent not exceeding seventy feet beyond its present width, and the railway bridge called Crown Street Bridge near the southern extremity of the said passenger shed to an extent not exceeding eighty-five feet beyond its present width, subject to the following provisions; viz.,

1. The extensions hereby authorised of the said bridges shall cross the streets over which they are respectively constructed by a single span, without diminishing the width of the streets:
2. The clear height of the extension of Borough Street Bridge from the surface of the streets over which it is carried shall

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not at any place be less than that of the present bridge as prescribed by the Act of 1861:

3. The clear height of the existing Crown Street Bridge and of the extension thereof from the surface of Crown Street shall not be less than fourteen feet throughout, and the two Companies may lower the present surface of the street so far as necessary for that purpose:

4. The inclination of Crown Street from the existing Crown Street Bridge to Botchergate shall be made uniform, and the inclination thereof from the extension of the said bridge to Robert Street shall also be made uniform:

5. Both bridges, including the extensions thereof, shall, if and so far as required by the corporation, be kept constantly lighted with gas, day and night, at the expense of the two Companies, to the reasonable satisfaction of the surveyor of the corporation:

Provided always, that the North-western Company and the Caledonian Company shall not commence to exercise any of the powers herein-before contained of widening the said bridge called Borough Street Bridge until the expiration of three years after the passing of this Act; and that, if within the respective periods stipulated in the articles of agreement between the said Companies and the corporation confirmed by this Act as aforesaid the corporation shall have acquired and conveyed to the said Companies the land, and stopped up and conveyed to the said Companies the portions of streets, and executed the works which they are by the said articles of agreement required to acquire, stop up, convey, and execute respectively, the said powers of widening the said bridge called Borough Street Bridge shall cease and determine.

New street to be one of the public streets of Carlisle and maintained by corporation.

26. The street which the North-western Company and the Caledonian Company are by this Act authorised to make as aforesaid shall be of a uniform width of not less than forty feet between Mill Street and Wood Street, and of a uniform width of not less than twenty-five feet between Wood Street and Water Street, and shall be one of the public streets of Carlisle, and shall, from and after its completion to the reasonable satisfaction of the surveyor of the corporation, be maintained as such by the corporation as the local and road authority of the district.

Regulating construction of extension of Caldew Bridge.

27. The North-western Company and the Caledonian Company shall construct the bridge for carrying the road numbered on the deposited plans 80 in the parish of St. Mary, Carlisle, over Railways No. 2 and No. 3 in such a manner that the said road

may be formed with a uniform inclination from the highest point of the roadway over the existing main line of railway to the junction of Annetwell Street and Abbey Street: Provided always, that the said Companies shall not be bound to form the portion of the said road between the said bridge and the junction of those streets, but shall give the ground necessary for forming the said portion of road, so far as belonging to them or either of them, to the corporation free of charge, to enable the corporation to form the said portion of road with the inclination aforesaid, and shall, on the completion thereof, pay to the corporation two thousand pounds on account of the cost of the work; and the said Companies shall also, if required by the corporation, erect a screen or parapet on each side of the said bridge, of such height not exceeding eight feet as shall be required by the corporation, between a point thirty feet to the westward of the centre line of Railway No. 3 and a point thirty feet to the eastward of the centre line of Railway No. 2.

Inclinations of certain streets not to be made steeper than 1 in 25.

28. The North-western Company and the Caledonian Company shall not, in the construction of Railway No. 3, alter the inclinations of Charlotte Street or of Denton Street so as to make any of such inclinations steeper than one in twenty-five.

Road in substitution for road from Rome Street to Boustead's Grassing.

29. In substitution for the road from Rome Street to Boustead's Grassing, which will be interfered with by Railway No. 3, the North-western Company and the Caledonian Company shall make a road forty feet wide from the junction of Rome Street with James Street to Boustead's Grassing, with inclinations not steeper than one in eighteen between the junction of those streets and the bridge by which the said road shall be carried over Railway No. 3, and not steeper than one in twenty-five between the said bridge and Boustead's Grassing: Provided always, that the said Companies shall not be bound to make the said road of a greater width than thirty feet on the north-eastern side of Railway No. 3 unless the corporation provide the land necessary for the additional width of ten feet.

Regulating construction of diversion of Currock or Blackwell Road.

30. The diversion of the road numbered on the deposited plans 348 in the parish of St. Cuthbert, Carlisle, shall be formed in a straight line from the bridge by which that road will be carried over Railway No. 10 to the bridge by which it will be carried over Railway No. 8, and shall have a uniform inclination from Crown Street to the highest point of the roadway over Railway No. 4, and be level therefrom to its highest point over Railway No. 10, and shall not have any inclination steeper than one in thirty-five from the last-mentioned point to its highest point over Railway No. 8.

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Regulating inclination of St. Nicholas Road.

31. The road numbered on the deposited plans 481 in the parish of St. Cuthbert, Carlisle, shall be carried with one uniform inclination from the highest point of the roadway over Railway No. 4 to the highest point thereof over Railway No. 1.

Regulating interference with sewers and gas and water pipes.

32. Wherever it may be necessary for the North-western Company and the Caledonian Company in the construction of any of the works by this Act authorised to interfere with any sewers, gas pipes, or water pipes belonging to the corporation, the said Companies shall at their own expense divert the same or substitute new sewers or pipes therefor to the reasonable satisfaction of the surveyor of the corporation, and in such manner that the corporation may have access thereto whenever necessary for the purpose of repairing the same or otherwise, without being liable to the said Companies for any damage which may be occasioned to their works by the proper and reasonable exercise of such right of access.

New portions of road to be subject to same provisions as existing roads.

33. Where any road is altered or diverted under the powers of this Act the new portion of road formed under these powers shall, as regards maintenance and management and in all other respects after its completion to the reasonable satisfaction of the surveyor of the corporation, be held as part of and be subject to the same provisions as the road so altered or diverted.

Notice to be given of taking houses of labouring classes.

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

Limiting time for completion of works.

35. The several railways and the street by this Act authorised shall be completed within five years from the passing of this Act.

Imposing penalty unless lines be opened within period limited.

36. If the North-western Company and the Caledonian Company fail, within the period limited by this Act, to complete the said several railways authorised to be made by this Act they shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until the said railways are completed and opened for public traffic, or until the sum received in respect of such penalty shall amount to five per centum on the estimated cost of the said railways; and the said penalty may

be applied for by any landowner or other person claiming to be compensated in accordance with the provisions of the next following section of this Act, or by the solicitor of Her Majesty's Treasury, and in the same manner as the penalty provided in section three of "The Railway and Canal Traffic Act, 1854;" and every sum of money recovered by way of such penalty as aforesaid shall be paid, under the warrant or order of such court or judge as is specified in that section, to an account opened or to be opened in the name and with the privity of the Accountant General of the Court of Chancery in England in the bank named in such warrant or order, and shall not be paid thereout except as herein-after provided; but no penalty shall accrue in respect of any time during which it shall appear, by a certificate to be obtained from the Board of Trade, that the said Companies were prevented from completing or opening such lines respectively by unforeseen accident or circumstances beyond their control; provided that the want of sufficient funds shall not be held to be a circumstance beyond their control.

Application of penalty.

37. Every sum of money so recovered by way of penalty as aforesaid shall be applicable, and after due notice in the London Gazette shall be applied, towards compensating any landowners or other persons whose property may have been interfered with or otherwise rendered less valuable by the commencement, construction, or abandonment of the said railways, or any portion thereof, or who may have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the North-western Company and the Caledonian Company by this Act for the purposes of the said railways, and for which injury or loss no compensation or inadequate compensation shall have been paid, and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Court of Chancery in England may seem fit; and if no such compensation shall be payable, or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid shall have been found sufficient to satisfy all just claims in respect of such compensation, then the said sum or sums of money recovered by way of penalty, or such portion thereof as may not be required as aforefaid, shall either be forfeited to Her Majesty and accordingly be paid or transferred to or for the account of Her Majesty's Exchequer in such manner as the Court of Chancery in England thinks fit to order on the application of the solicitor of Her Majesty's Treasury, and shall be carried to and form part of the Consolidated Fund of the United Kingdom, or, in the discretion of the Court, if either of the said Companies is insolvent and has been ordered to be wound up, or a

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receiver has been appointed, shall wholly or in part be paid or transferred to such receiver or to the liquidator or liquidators of such Company, or be otherwise applied as part of the assets of such Company for the benefit of the creditors thereof.

If railways not completed within period limited, powers of completing same to cease.

38. If the railways authorised by this Act shall not be completed within the period limited by this Act then on the expiration of such period the powers by this Act granted to the North-western Company and the Caledonian Company for making and completing the said railways respectively, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof respectively as shall then be completed.

North British Company to abandon certain authorised lines.

39. The North British Company shall abandon the construction of the following railways, and the subsidiary works, and the power to acquire lands in connexion therewith respectively, other than the intended joint goods station at Dentonholm and the lands required for the same; that is to say, the railways authorised by "The North British Railway (Carlisle Citadel Station Branches) Act, 1865," and therein called Railway No. II. and Railway No. III.; the railways authorised by "The North British Railway (Financial Arrangements) Act, 1867," and therein called Railway No. 1 and Railway No. 2, so far as not already required to be abandoned by "The North British Railway (General Powers) Act, 1868;" and the railway authorised by the last-mentioned Act and therein called Railway (C.); and section eighteen of "The North British Railway (Financial Arrangements) Act, 1867," section forty-two of "The North British Railway (General Powers) Act, 1868," and section forty-three of "The North British Railway (General Powers) Act, 1870," so far as those sections relate to any of the said railways and works hereby required to be abandoned, are hereby repealed.

Compensation for damage to land by entry, &c. for purposes of railways abandoned.

40. The abandonment of the said railways and works under the authority of this Act shall not prejudice or affect the right of the owner or occupier of any land to receive compensation for any damage occasioned by the entry of the North British Company on such land for the purpose of surveying and taking levels, or probing or boring to ascertain the nature of the soil, or setting out of the line of railway, and shall not prejudice or affect the right of the owner or occupier of any land which may have been temporarily occupied by that Company to receive compensation for such temporary occupation, or for any loss, damage, or injury which may have been sustained by such owner or occupier by reason thereof, or of the exercise as regards such land of any of the powers contained in "The Railways Clauses Consolidation Act, 1845," or in any of the

Acts authorising the construction of the railways so required to be abandoned. A.D. 1873.

Compensation to be made in respect of portions of railways abandoned.

41. Where before the passing of this Act any contract may have been entered into or notice given by the North British Company for the purchasing of any land for the purposes of or in relation to any portions of the railways or works required to be abandoned by this Act, that company shall be released from all liability to purchase or to complete the purchase of any such lands; but notwithstanding full compensation shall be made by the said company to the owners and occupiers or other persons interested in such lands for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or notice; and the amount and application of the compensation shall be determined in manner provided by "The Lands Clauses Consolidation Act, 1845," as amended by any subsequent Act, for determining the amount and application of compensation paid for lands taken under the provisions thereof.

Powers of Act to be exercised so as not to interfere with traffic of North-eastern Company.

42. So far as practicable, the several powers of this Act shall be exercised so as not to cause any stoppage to the traffic of the North-eastern Company, nor any inconvenience to that company; and the two Companies and the station committee shall from time to time, at their own expense, adopt all measures and precautions that may be necessary for that purpose.

Certain railways and junctions to be constructed according to a plan signed by William Henry Stone, Esquire, M.P

43. Railways Nos. 4, 6, and 12, and the junctions of railways Nos. 10 and 11 with Railway No. 4, shall be made and completed to the reasonable satisfaction of the engineer-in-chief of the North-eastern Company, with the several lines of rails and junctions shown on a plan marked C., signed by William Henry Stone, Esquire, chairman of the Committee of the House of Commons to whom the Bill for this Act was referred, and with gradients not steeper than those shown on the deposited sections of those railways respectively.

Providing for custody of that and other plans relative to this Act.

44. The said plan marked C., and also the plans marked A. and B. referred to in the Schedule (A.) to this Act, and the plan marked D. referred to in the Schedule (B.) to this Act, shall, within one month after the passing of this Act, be deposited with the clerk of the peace for the county of Cumberland, who shall receive and retain the custody thereof, and shall permit all persons interested to inspect and to make extracts from or copies of the same, in the manner, on the terms, and subject to the provisions of the Act passed in the first year of the reign of Her present Majesty, chapter 83, as if the

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said plans had been required to be so deposited by the standing orders of one of the Houses of Parliament.

Railways coloured red on that plan to be part of undertaking of North-eastern Company, and certain other rights to be vested in that Company.

45. The railways coloured red on the plan signed as aforesaid, and the land upon which the same are formed, other than the land already belonging to the North-eastern Company, shall be and the same are hereby vested for all purposes whatsoever in the North-eastern Company as part of the undertaking of that Company; and that Company may levy for the use of those railways respectively, and for the conveyance or passage of traffic thereon respectively, the same tolls, rates, and charges as those which they are or may at the time be authorised to levy in respect of their Port Carlisle Canal branch; and they shall have and may exercise in all respects and upon the same terms and conditions the same rights of user and other rights and easements on, in, and over the portion of Railway No. 6 not coloured red on the said plan, and the Citadel station as altered under the powers of this Act, and the works and conveniences connected therewith, as they now have and may exercise in respect of the portion of existing railway for which the said portion of Railway No. 6 is substituted, and in respect of the existing Citadel station and works and conveniences connected therewith.

Restricting quantity and regulating price of land to be taken from North-eastern Company.

46. The North-western Company and the Caledonian Company shall not, without the previous consent in writing of the North-eastern Company, permanently take or appropriate any land of that Company other than so much as may be necessary for the construction of Railway No. 5 and for carrying Railways Nos. 1, 7, and 8 across such land; and if the land of the North-eastern Company so taken and appropriated exceed in quantity the land by this Act vested in the North-eastern Company, the North-western Company and the Caledonian Company shall pay to the North-eastern Company for such excess such sum as may be agreed on between those Companies and the North-eastern Company, or as in case of difference shall be settled by arbitration between them.

Regulating junctions with railways vested in North-eastern Company.

47. The provisions in the Railways Clauses Act, 1863, with respect to junctions shall apply to the railways coloured red on the plan signed as aforesaid, in the same manner as if those railways had originally been parts of the said Port Carlisle Canal branch, and as if the railways forming junctions therewith respectively under the powers of this Act had been subsequently authorised to be formed with those respective junctions.

Provisions with respect to bridges for carrying

48. Railways Nos. 1 and 8 shall be carried over Railways Nos. 4 and 5, and Railway No. 7 shall be carried over Railways Nos. 4, 5, and 6, by means of bridges the under sides of the arches or girders

of which shall not be less than fourteen feet above the surface of the rails under the said bridges respectively; and the North-western Company and the Caledonian Company shall have an easement or right of constructing the said bridges accordingly; and the companies to whom the railways carried along the said bridges are respectively, under the provisions of this Act, to belong shall have an easement or right of maintaining and using those bridges and the said railways along the same respectively. A.D. 1873

Railways Nos. 1, 7, and 8 over Railways Nos. 4, 5, and 6.

Provisions as to works affecting railways of North-eastern Company.

49. All bridges and works constructed under the powers of this Act affecting any of the railways which, under the provisions of this Act, are to remain or become vested in the North-eastern Company shall be constructed in a substantial and workmanlike manner and to the reasonable satisfaction of, and according to plans to be previously approved by, the engineer of that company, or (in the event of difference between him and the engineer of the station committee) by an engineer to be appointed by the Board of Trade on the application of the North-western Company and the Caledonian Company or of the North-eastern Company, and so as not to endanger the security of those railways nor, so far as practicable, to impede the traffic thereof, and shall for ever afterwards be so maintained and kept in good and proper repair by and at the expense of the companies or company to whom the railways carried along such bridges respectively are under the provisions of this Act to belong; and the North-eastern Company may require all such precautions to be taken by the North-western Company and the Caledonian Company in constructing, and by the companies or company to whom the last-mentioned railways respectively are to belong as aforesaid in maintaining and repairing, the said bridges and works, as the engineer of the North-eastern Company or (in the event of difference between him and the engineer of the station committee or, as the case may be, of the companies or company to whom the last-mentioned railways respectively are to belong as aforesaid) an engineer to be appointed by the Board of Trade on the application of either party may deem expedient for protecting the railways of the North-eastern Company from injury and the traffic thereon from interruption; and in case any damage or injury shall be caused to any of their railways, or any interruption or injury shall be caused to the traffic thereon, by the construction of the said bridges or works, the same shall forthwith be made good to them by the North-western Company and the Caledonian Company; and in case any such damage, injury, or interruption shall be caused by the maintenance, use, or repair of the said bridges or works, the same shall forthwith be made good to the North-eastern Company

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by the companies or company to whom the railways carried along such bridges respectively are to belong as aforesaid; or in either case the North-eastern Company may make good such damage or injury to their railways and recover the cost thereof and compensation for such interruption or injury to their traffic from the companies or company liable for the same as aforesaid in any court of competent jurisdiction.

Midland Company to have same rights over Railway No. 6, and North British Company over Railways Nos. 4 and 12, as they now respectively have over existing Railways.

50. The Midland Company, as respects Railway No. 6, and the North British Company, as respects Railways Nos. 4 and 12, shall respectively have and be entitled to the same running powers, facilities, and other rights over and in respect of those respective railways, and to the same extent and on the same terms and conditions in all respects, whether as to the payment of tolls or otherwise, as the said companies respectively now have and are entitled to over and in respect of the respective portions of railways for which the same are respectively to be substituted.

Midland Company to have power to use Railway No. 4.

51. The Midland Company shall be entitled to pass over and use, with their engines and carriages of every description, and with their clerks, officers, and servants, Railway No. 4, in the same manner, and upon the same terms and conditions, and subject to the same payments as if that railway had formed part of the portion of the Newcastle and Carlisle Railway of the North-eastern Company which the Midland Company are, by "The Midland Railway (Settle to Carlisle) Act, 1866," authorised to pass over and use.

Rights of Maryport Company under agreement of 1851 preserved.

52. Except as by this Act specially provided, nothing in this Act contained shall in any way prejudice or affect any of the rights, powers, or privileges of the Maryport Company, under the agreement of the second day of April one thousand eight hundred and fifty-one, confirmed by the Act of 1861, and therein called the Maryport Company's agreement; and for the purposes of that agreement the Maryport Company shall not be deemed or held to have procured or rendered necessary, by their request or by the increase of their traffic or otherwise, the whole or any part of the extension, alteration, or improvement of the Citadel station or the approaches thereto by this Act authorised.

Station accommodation to be afforded to the Maryport Company as heretofore.

53. Notwithstanding anything in this Act contained or any of the powers thereby conferred, the two Companies and the station committee shall continue to afford to the Maryport Company (free of any additional rent from that company) such office, platform, and other accommodation and conveniences in, over, or upon the Citadel station and the approaches thereto, with respect to their traffic of all descriptions, as shall be at least equal to those to which

they have been hitherto entitled and to which they would be entitled but for the passing of this Act.

Maryport Company not to be liable for expenses incurred for providing substituted accommodation.

54. The Maryport Company shall not be called upon to pay nor be liable for any expenses which may be incurred in or about the construction of the Railways Nos. 8, 9, 10, and 11 respectively, or the works, signals, and conveniences appurtenant thereto or connected therewith, or in or about the construction of any other railway or works authorised by this Act, or of any substituted accommodation or convenience to be provided under this Act.

Regulating junction of Railways Nos. 5 and 10.

55. The provisions of the Railways Clauses Act, 1863, with respect to junctions shall apply to the Railway No. 10 in the same manner as if that railway had originally been part of the Maryport and Carlisle Railway, and as if Railway No. 5 had been subsequently authorised to be formed with a junction with Railway No. 10.

Railways Nos. 10 and 11, and part of Railway No. 8, to become the absolute property of the Maryport Company; the Company also to have power to use Railway No. 9.

56. When and so soon as the Railways Nos. 8, 9, 10, and 11, with the necessary junctions, sidings, signals, buildings, tanks, works, and conveniences appurtenant thereto or connected therewith, are constructed and completed by the North-western Company and the Caledonian Company or the station committee, the Railways Nos. 10 and 11, and so much of the Railway No. 8 as shall extend from the commencement of that railway to the junction therewith of Railway No. 9, shall forthwith become and be the absolute property of the Maryport Company, who are hereby authorised and empowered, and shall have the exclusive right to hold, use, occupy, work over, and enjoy the same, and to levy such rates, tolls, and charges with respect thereto and to the traffic thereon, as if the same formed part of their own undertaking; and the Maryport Company shall also be entitled to and may exercise and enjoy free of toll or other payment (but subject to the regulations of the station committee) the uninterrupted use of the Railway No. 9 and of the remaining portion of Railway No. 8, and also of such portions of Railways Nos. 1 and 2 as lie within the limits of the Citadel station. The Maryport Company shall bear the cost of maintaining the Railway No. 9 (but not the last-mentioned portions of Railways Nos. 1, 2, and 8) after the expiration of twelve months from the completion and opening thereof for public traffic.

Facilities for communication of Maryport Company's Railway with other railways not to be prejudiced.

57. Subject to the provisions of this Act, the Maryport Company shall have facilities for the interchange of traffic with the North-eastern Company's system and with the system of any other company or companies at or near Carlisle, equal as nearly as may be

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to the existing facilities, so far as the two Companies, or either of them, or the station committee, or the goods traffic committee herein-after mentioned, can grant such facilities.

Construction of Railways Nos. 8, 10, and 11, and Railway No. 9.

58. The Railways Nos. 8, 10, and 11 shall be constructed with a double line of rails respectively, and Railway No. 9 shall be constructed with five lines of rails over its entire length, that is to say, two for the purposes of the goods shed, two for the coal depôts, and one for the timber and stone yard adjoining the coal depôts and Crown Street in Carlisle.

Sidings and other works to be constructed and provided for the use of the Maryport Company;

59. Before proceeding to construct any part of the Railway No. 4, or the works connected therewith, the effect of which would be to interfere with or prejudicially affect the access to and use of the existing goods or mineral sidings, or the convenient working of the goods or mineral traffic to and from and in the goods stations of the Maryport Company or any of them, the North-western Company and the Caledonian Company or the station committee shall, at the sole cost of the said Companies, provide, construct, and lay down for the use of the Maryport Company at or near the junction of the Railways Nos. 8 and 10 such and so many sidings, with the works and conveniences appurtenant thereto, as shall be sufficient in substitution for the sidings so to be interfered with, and for remedying or lessening, so far as practicable, the inconvenience and additional cost of working their traffic which may be occasioned by or consequent upon the construction of the said Railway No. 4; and shall also, before destroying or interfering with the cattle traffic siding and loading place now existing near the present engine shed, construct at their sole cost a similar siding and loading place, with a proper approach thereto, as near as may be to the site of those now existing; and all such sidings and appurtenant works and conveniences shall be constructed according to plans made or approved by the engineer of the Maryport Company for the time being, and shall be completed to his reasonable satisfaction. Any difference which may arise between him and the engineer of the station committee touching any matters contained in or arising out of this enactment shall be forthwith referred to some third engineer to be agreed upon by the said two engineers, or failing agreement to be nominated by the Board of Trade on the application of either the station committee or the Maryport Company, and the decision of the said referee shall in all cases be final and binding.

also engine shed, water tank, turn-

60. The North-western Company and the Caledonian Company or the station committee shall, within eighteen months from the

passing of this Act, erect and construct for the exclusive use and convenience of the Maryport Company on such site or sites near to the new sidings to be constructed by the North-western Company and the Caledonian Company or the station committee under the last preceding section of this Act, and which shall be selected by the engineer-in-chief for the time being of the Maryport Company for that purpose, an engine shed equal in size to the present engine shed at the existing Bog station of the Maryport Company, with proper approaches thereto, and also a water tank, turntable, and weighing machine in connexion with and approximate to the above-mentioned new engine shed; and the costs, charges, and expenses of and incident to such construction and the purchase of the land necessary for the above purposes shall be borne and paid by the North-western Company and the Caledonian Company or the station committee.

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table, and weighing machine;

61. The North-western Company and the Caledonian Company or the station committee shall also, within eighteen months from the passing of this Act, erect and construct for the exclusive use of the Maryport Company, and on such site or sites as shall be selected by the engineer-in-chief for the time being of the Maryport Company on the north-east side of the North-eastern Railway in the Citadel station ground, an engine shed capable of containing at least two locomotive engines with their tenders, with proper approaches thereto, as also a water tank and turntable of the size and dimensions required by the engineer-in-chief of the Maryport Company for the time being; and the costs, charges, and expenses of and incidental to such construction and the purchase of the land (if any) necessary for those purposes shall be borne and paid by the North-western Company and the Caledonian Company or the station committee.

also an engine shed on the other part of the line.

62. All such culverts, pipes, and other accessories and conveniences as may, in the reasonable judgment of the engineer-in-chief for the time being of the Maryport Company, be requisite for a full and sufficient supply of water to the said new engine sheds and water tanks referred to in the two last preceding sections, and under the provisions of those sections to be erected and constructed by the North-western Company and the Caledonian Company or the station committee, as also all works which in the same judgment may be necessary or requisite for the thorough and complete drainage of the works which the said Companies or the station committee are under the provisions of this Act to erect or construct for the use or accommodation of the Maryport Company, shall be constructed, supplied, and completed by and at the expense of the

Apparatus for supply of water and for proper drainage to be provided for the Maryport Company by the two Companies or the committee at their expense.

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North-western Company and the Caledonian Company or the station committee.

Limiting deviations from lines or levels of certain railways.

63. In the construction of Railways Nos. 8, 9, 10, and 11 by this Act authorised no deviation shall be made from the lines and levels shown on the deposited plans and sections by which any curve shall be made sharper or any gradient steeper than is shown on those plans and sections without the consent in writing of the Maryport Company under the hand of their chairman or secretary.

Works to be maintained by two Companies or committee for 12 months after completion and opening for traffic.

64. The North-western Company and the Caledonian Company and the station committee shall, at their own expense, maintain in good working order and condition the railways, sidings, buildings, and other works which under the provisions of this Act the said Companies or the station committee are to erect and construct for the use or accommodation of the Maryport Company for the space of twelve months after the same shall have been completed and opened for public traffic.

Certain lands, sidings, &c. to be the property of the Maryport Company.

65. Notwithstanding anything in this Act contained, all lands, buildings, railways, sidings, and machinery now belonging to the Maryport Company and which may not be permanently required for the purposes of the works authorised by this Act, and the sidings, buildings, tanks, erections, and other works which under the provisions of this Act the North-western Company and the Caledonian Company or the station committee are to construct for the use or accommodation of the Maryport Company, shall be and remain the sole and absolute property of that company.

Railways, sidings, and works to be constructed to satisfaction of engineers of committee and Maryport Company, or in case of difference, of a third engineer to be appointed.

66. The several railways, sidings, buildings, and works which under the provisions of this Act are to be constructed or provided for the use or accommodation of the Maryport Company shall, subject to the provisions of this Act, be constructed and completed to the reasonable satisfaction of the engineers for the time being of the station committee and of the Maryport Company respectively; and in the event of any difference arising between the said two engineers as to the position, extent, mode of construction, sufficiency, or maintenance of any of the said railways, sidings, buildings, and works, or as to the extent or sufficiency of any accommodation to be so provided, the same shall as and when the difference arises be forthwith referred to some third engineer to be agreed upon by the said two engineers, or failing agreement, to be nominated by the Board of Trade upon the application of either the station committee or the Maryport Company, and the decision of such third engineer shall in all cases be final and binding.

Works to be executed so as not to interfere with traffic of other companies.

67. The railways and works by this Act authorised shall (so far as practicable) be so executed that neither during construction nor afterwards shall any stoppage happen to the traffic of the Maryport Company, the Midland Company, the South-western Company, or the North British Company, nor any inconvenience be sustained by any of the said companies by reason thereof; and the North-western Company and the Caledonian Company and the station committee shall from time to time, at their own expense, take such necessary steps and precautions, whether by special signalling or otherwise, as shall insure this protection to the traffic of the other companies above named.

Limiting quantity of land to be taken from North British and Midland Companies.

68. The North-western Company and the Caledonian Company shall not, under the powers of this Act, take for the purposes of Railway No. 3 or works connected therewith any greater quantity of the land at Dentonholm belonging to the North British Company and the Midland Company jointly or separately than is necessary for constructing the said railway and works without the previous consent in writing of the companies or company to whom such land belongs, and shall not without such consent deviate to the westward of the centre line of the said railway as delineated on the deposited plans where it passes through the said land.

Opening of Railways Nos. 3 and 13 to be equivalent to opening North British Company's Railway C.

69. For the purposes of sections 48 and 49 of "The North British Railway (General Powers) Act, 1868," the opening for public traffic of Railway No. 3 and Railway No. 13 shall be deemed to be equivalent to the opening for public traffic of the railway, therein called Railway C., by that Act authorised to be constructed by the North British Company.

Certain railways vested in Lancaster Company and in North-western Company as their lessees.

70. That portion of Railway No. 1 which will be situate to the south-eastward of the imaginary line defined in section 13 of the Act of 1861 shall for all purposes whatsoever (including tolls, fares, rates, and charges,) be deemed a part of the undertaking of the Lancaster Company, and shall be subject to all the provisions to which the portion of the main line of the Lancaster and Carlisle Railway by this Act authorised to be shut up and discontinued is subject, and shall be vested in the Lancaster Company in reversion, and in the North-western Company as their lessees during the continuance of the said lease of that undertaking as if it had been originally included in that lease, but subject, so far as the same is or shall be within the limits of the Citadel station, to the regulation and management thereof and of the traffic thereon by the station committee in accordance with the Act of 1861.

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Certain railways vested in Caledonian Company.

71. The remainder of Railway No. 1 and the whole of Railway No. 2 shall for all purposes whatsoever (including tolls, fares, rates, and charges,) be vested in and deemed a part of the undertaking of the Caledonian Company, and shall be subject to all the provisions to which the portion of the main line of the Caledonian Railway by this Act authorised to be shut up and discontinued is subject, and subject also, so far as the same are or shall be within the limits of the Citadel station, to the regulation and management thereof and of the traffic thereon by the station committee in accordance with the Act of 1861.

Railway No. 7 and part of Railway No. 5 vested in Lancaster Company and in North-western Company as their lessees.

72. Railway No. 7 and so much of Railway No. 5 as extends from the point of commencement thereof to the point where it passes under Railway No. 1 shall for all purposes whatsoever (including tolls, fares, rates, and charges,) be deemed a part of the undertaking of the Lancaster Company, and be vested in that Company in reversion, and in the North-western Company as their lessees during the continuance of the said lease of that undertaking as if those railways had been originally included in that lease.

Other railways (except those transferred) to be vested in the two Companies equally, and managed by station committee.

73. The railways authorised by this Act (excepting such of them and such portions thereof as are by this Act vested in the Lancaster and North-western Companies, and in the Caledonian Company, the North-eastern Company, and the Maryport Company respectively as aforesaid), together with the lands which shall be acquired or appropriated for station or other purposes under the powers of this Act, and the stations, sidings, and other works, conveniences, and accommodation which shall be erected and provided thereon, shall, subject to the other provisions of this Act, be vested in the two Companies jointly and equally, but subject, except as hereinafter provided, to the regulation and management of the same and of the traffic in and upon the same by the station committee in accordance with the Act of 1861.

Confirming agreement between North-western and Caledonian Companies and Midland Company.

74. The articles of agreement between the North-western Company and the Caledonian Company of the first part, and the Midland Company of the second part, of which a copy is contained in the Schedule (A.) to this Act, are hereby sanctioned and confirmed, so far as is not inconsistent with anything in this Act contained: Provided always, that nothing therein or in this Act contained shall be held to authorise any of the companies named therein, other than the North-western Company and the Caledonian Company and the Midland Company, to subscribe towards or to raise money in aid of the undertaking by this Act authorised: Provided also, that after the determination of the said lease of the undertaking of the Lancaster Company to the North-western Company the expression

"the owners" in the said articles of agreement shall be held to mean the Lancaster Company and the Caledonian Company: Provided further, that nothing in the said articles of agreement, or in the plans therein referred to, shall be construed or taken to prejudice, abridge, or interfere in any way with any of the clauses or provisions in this Act or in the aforesaid agreement of one thousand eight hundred and fifty-one contained in favour of or for the protection or exemption from liability to expenditure or otherwise of the Maryport Company.

Power to Midland Company to apply their funds toward payments under that agreement.

75. The Midland Company may apply any funds or revenues belonging to them in payment of the said annual sums, and may, with the authority of three fourths of the votes of their shareholders present in person or by proxy at a general meeting of the said Company specially convened for the purpose, from time to time contribute and apply in or towards payment of the principal sums payable by them under the said articles of agreement any moneys which they are already authorised to raise and which may not be required by them for the purposes of their undertaking, and also any moneys which they are by this Act authorised to raise.

Power to Midland Company to raise money by the creation of shares or stock.

76. The Midland Company may from time to time, for the purpose of enabling them to pay the principal sums to the North-western Company and the Caledonian Company provided for in the said articles of agreement, raise any capital not exceeding in the whole one hundred and twenty thousand pounds by the issue at their option of new ordinary shares or stock or new preference shares or stock, or wholly or partially by any one or more of those modes respectively; and the clauses and provisions of "The Companies Clauses Consolidation Act, 1845," incorporated with this Act (except the clauses and provisions with respect to the borrowing of money by the company on mortgage or bond, and the conversion of the borrowed money into capital), as also Part I. and Part II. of "The Companies Clauses Act, 1863," incorporated with this Act, shall extend and apply to the Midland Company and to the additional capital which they are by this Act authorised to raise; and all the provisions of "The Companies Clauses Consolidation Act, 1845," so incorporated with this Act, which relate to stock into which shares in the capital of the Company have been converted or consolidated, shall apply to the stock which the Midland Company are by this Act authorised to issue and to the holders thereof.

Shares of Midland Company not

77. The Midland Company shall not issue any share under the authority of this Act, nor shall any such share vest in the person

to issue until one fifth paid.

accepting the same, unless and until a sum not being less than one fifth of the amount of such share shall have been paid in respect thereof.

Application of moneys raised by Midland Company.

78. All moneys which the Midland Company may raise under the powers of this Act shall be applied for the purposes only of the payments to be made by them under the said articles of agreement.

Railways Nos. 3 and 13, and part of Railway No. 5, appropriated to goods traffic, and placed under management of joint goods traffic committee.

79. Railway No. 3, Railway No. 13, and that portion of Railway No. 5 which extends from the point where it passes under Railway No. 1 to its junction with Railway No. 3 (herein-after called the goods traffic lines) shall be appropriated to goods, mineral, and live stock traffic; and those lines shall be maintained and the traffic passing over the same shall be managed by a joint committee, to be called the Carlisle goods traffic committee (in this Act called the goods traffic committee), to be appointed in manner herein-after provided by the North-western Company (or after the determination of the said lease the Lancaster Company), the Caledonian Company, the Midland Company, and the Glasgow and South-western Company, and by such one or more, if any, of the companies following, viz., the North British Company and the North-eastern Company, as shall be authorised to contribute and shall contribute towards the cost of those works by this Act authorised, which are in the articles of agreement set forth in Schedule (A.) to this Act defined as the new relief and approach lines and works, such respective sums as shall be agreed upon between the two last-named companies respectively and the goods traffic committee for the time being, or failing agreement as shall be fixed by John Hawkshaw, Civil Engineer, whom failing, James Grierson, general manager of the Great Western Railway Company, as sole arbitrator: Provided always, that where the amount of any such contribution shall be referred to arbitration the arbitrator shall take into account the whole circumstances of the case: Provided also, that the goods traffic committee and the said two companies respectively may, if they think fit, commute any such contribution into an annual payment of such amount as shall be mutually agreed on.

Application of sums contributed.

80. The amount of any contribution which may be paid as aforesaid by the North British Company and the North-eastern Company, or either of those companies, shall be applied in repayment of the sums previously disbursed or contributed towards the cost of the works defined in the said articles of agreement as the new relief and approach lines and works, and shall be divided among the companies who shall have disbursed part of or contributed towards the cost of the said works in proportion to the sums so disbursed or contributed by them respectively.

Division of tolls on certain through traffic passing over those lines.

81. For the purpose of the division of tolls, rates, and charges upon through traffic passing over Railway No. 3, or any part thereof, between places on or beyond the Caledonian Railway, the Glasgow and South-western Railway, or the North British Railway, and places on or beyond the Lancaster and Carlisle Railway, the Midland Railway, the North-eastern Railway, or the Maryport and Carlisle Railway, Railway No. 3 and Railway No. 13 shall be deemed part of the Caledonian Railway, the Glasgow and South-western Railway, or the North British Railway, according as such traffic is carried to or from these railways respectively; and the portion of Railway No. 5 which extends from its junction with Railway No. 3 to the point where it passes under Railway No. 1 shall be deemed part of the Lancaster and Carlisle Railway or the Midland Railway according as such traffic is carried to or from these railways respectively.

Division of tolls on certain other through traffic passing over Railway No. 5.

82. For the purpose of the division of tolls, rates, and charges upon through traffic carried by the North-western Company (or after the determination of the said lease the Lancaster Company), the North-eastern Company, or the North British Company from, to, or over Railway No. 5 or any part thereof to, from, or over Railway No. 12 or any part thereof, but for that purpose only, that portion of Railway No. 5 which extends from the point where it passes under Railway No. 1 to its termination shall be deemed part of the railway of the company by whom such traffic is carried as aforesaid.

Appointment of goods traffic committee.

83. Within one month after the passing of this Act the directors of each of the four following companies, viz., the North-western Company, the Caledonian Company, the Midland Company, and the Glasgow and South-western Company, shall respectively elect and appoint two members from their respective boards to be members of, and the persons so appointed shall in the first instance constitute, the goods traffic committee.

Additional members of that committee.

84. Within one month after the payment by any one or more of the following companies, viz., the North British Company and the North-eastern Company, of such amount of contribution towards the cost of the works by this Act authorised as shall be agreed upon between such respective companies and the goods traffic committee for the time being, or as shall be fixed by arbitration as aforesaid, the directors of the company or companies so contributing may elect and appoint two members from their board or respective boards to be members, and such persons shall thereupon become members of the goods traffic committee, along with the then existing members thereof.

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Supply of vacancies.

85. When and so often as any member of the goods traffic committee for the time being shall die, or shall resign, or shall be removed as herein-after provided, or shall cease to be a director of the company on whose behalf he shall have been elected on such committee, the directors of that company may elect some other person from their own board in his room and place, and shall give intimation thereof in writing to the goods traffic committee or their secretary: Provided always, that any member of the goods traffic committee who shall cease to be a director as before mentioned may nevertheless continue to be a member of the goods traffic committee for such period, not exceeding one month after he shall so cease to be a director, as may elapse between such event and the appointment of some other person to be a member of the goods traffic committee as aforesaid.

Removal of committee-men.

86. Each board may at any time remove any member of the goods traffic committee appointed by such board, and shall give intimation thereof in writing to the goods traffic committee or their secretary.

Resignation of committee-men.

87. Any member of the goods traffic committee, giving previous notice in writing thereof to the goods traffic committee or their secretary and also to the board by which he was appointed, may at any time resign his office as a member of the goods traffic committee.

Provision in case vacancies not supplied.

88. If at any time there are not in office two members of the goods traffic committee appointed by each of the companies entitled to appoint such members, the members from time to time of such committee shall notwithstanding be entitled to exercise all the powers of the goods traffic committee.

Regulation of committee.

89. The goods traffic committee shall be subject to all such regulations as are from time to time agreed on by the companies by whom the members of such committee are appointed: Provided always, that, subject to the regulations so from time to time made, the goods traffic committee shall be regulated by their own standing orders from time to time in force: Provided also, that, subject to those regulations and standing orders respectively, every meeting of the goods traffic committee shall regulate its own procedure.

Powers of committee.

90. The goods traffic committee shall and may have, exercise, and enjoy, with respect to the goods traffic lines, such of the rights, powers, authorities, and privileges as might from time to time, under the provisions of this Act, have been had, exercised, and enjoyed by the two Companies if the same had not been placed under the

management of the goods traffic committee, and as are by this Act or as may be by the companies appointing the members thereof from time to time conferred on such committee.

Officers of committee.

91. The goods traffic committee from time to time may appoint and remove a secretary and treasurer for themselves, and may appoint and remove the officers and servants from time to time employed on and with respect to the goods traffic lines, except only the officers and servants from time to time employed by any of the companies entitled to use the said lines in the actual conveyance of traffic or in the management of carriages or waggons, locomotive engines, or other power.

Quorum of committee.

92. At all meetings of the goods traffic committee four members shall be a quorum.

Chairman of committee.

93. The goods traffic committee shall, at their first meeting, appoint one of their own number to be chairman of such committee for the remainder of the then current year, and shall annually in the month of December appoint one of their own number to be chairman of such committee for the year commencing on the first day of January thereafter. If at any meeting of such committee the chairman so appointed shall not be present the members present shall appoint a chairman of such meeting.

Calling of meetings.

94. The secretary of the goods traffic committee shall call a meeting of such committee whenever required by the chairman for the time being or by any two members of such committee, and shall give notice of the time and place of meeting to each member by letter posted to his address not less than four clear days previously.

Appointment of standing arbitrator by committee;

95. The goods traffic committee shall at their first meeting appoint a standing arbitrator for the remainder of the then current year, and shall annually in the month of December appoint a standing arbitrator for the year commencing on the first day of January thereafter.

or them failing by the Board of Trade.

96. If and whenever the goods traffic committee are not unanimous in appointing a standing arbitrator, or otherwise fail to elect a standing arbitrator as above provided, the Board of Trade, on the application of any of the companies entitled to elect members of the goods traffic committee, may, after such notice to the other companies so entitled as the Board of Trade think fit, appoint any person whom the Board of Trade think fit to act as the standing arbitrator for so long a time as the Board of Trade think fit, not exceeding the period during which he would have been in office if appointed by the goods traffic committee.

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Removal of standing arbitrator.

97. Any standing arbitrator, whether appointed by the goods traffic committee or the Board of Trade, may be at any time removed from his office by the goods traffic committee, by a unanimous resolution certified under the hand of their secretary.

Re-appointment of standing arbitrator.

98. If any standing arbitrator shall be so removed, or shall die, or resign, or decline to act, or become incapable of acting, or go abroad to reside, the goods traffic committee may appoint another standing arbitrator in his stead by a unanimous vote; and if for one month after the vacancy they fail to do so the Board of Trade may, on the application of any one of the companies entitled to elect members of the goods traffic committee, appoint any person whom the Board of Trade think fit to act in the stead of the standing arbitrator by whom the vacancy has been caused.

Duration of appointment of standing arbitrator.

99. Any standing arbitrator appointed by the goods traffic committee otherwise than in the month of December shall not remain in office longer than he would have remained in office if he had been appointed in that month.

Authority of standing arbitrator.

100. The standing arbitrator shall attend all meetings of the goods traffic committee at which he may have been requested by any members or member of such committee to attend, and may take part in all discussions thereat; and he shall determine all questions and matters in respect to which the members of the goods traffic committee present at any meeting are not unanimous; and he shall have all such access to and inspection and transcription of the minutes, accounts, books, writings, and papers of the goods traffic committee, and all such assistance by the secretary, clerks, and other officers of such committee, and all such other facilities for the performance of his duties as he shall think requisite.

Salary of standing arbitrator.

101. The goods traffic committee and the Board of Trade respectively appointing a standing arbitrator may appoint for him such salary or remuneration as they respectively think reasonable; but he shall not hold any other office or derive any other emolument directly or indirectly from any of the companies named in this Act.

Accounts of committee.

102. The goods traffic committee shall keep books of account of all their receipts, credits, payments, and liabilities, and also books in which shall be entered minutes of all their proceedings.

Inspection of accounts.

103. The directors, secretaries, and accountants of each of the companies entitled to appoint members of the goods traffic committee may at all reasonable times inspect the account books, minute books, and all other books, accounts, minutes, papers, and

writings in the possession or custody of the goods traffic committee, and take such copies of and extracts from the same as the directors, secretaries, and accountants respectively shall think fit. A.D. 1873.

Maintenance of goods lines.

104. The cost of maintenance and repair and the general working expenses of the goods traffic lines, and all rates, taxes, and other outgoings in connexion therewith, shall be paid by the several companies who have disbursed part of or contributed to the cost of those lines in such proportions as shall, in case of difference, be fixed by the standing arbitrator.

Tolls leviable by committee.

105. The goods traffic committee may levy in respect of the use of the goods traffic lines any tolls not exceeding the following; (that is to say,)

For minerals, per ton twopence;
For all other classes of goods, per ton sixpence;
For cattle, sheep, or pigs, per truck four shillings;
For private carriages, each two shillings;
For horses, each eightpence;
For dogs, each one penny;
For small parcels under twenty pounds weight carried by passenger trains, each one penny;
For small parcels exceeding twenty pounds weight but not exceeding one hundredweight carried by passenger trains, each twopence;
For passengers, first class, each one shilling;
For passengers, second class, each eightpence;
For passengers, third class, each fourpence;

and such tolls shall be divided among the two Companies, the Midland Company, and any other companies or company who have disbursed part of or contributed to the cost of the goods traffic lines in such proportions as shall, in case of difference, be fixed by the standing arbitrator: Provided always, that the same companies, and the South-western Company (as provided by article 7 of the agreement contained in Schedule (A.) to this Act), and the Maryport Company (in respect of the payment made by them under the aforesaid agreement of the second day of April one thousand eight hundred and fifty-one) may respectively use those lines for the interchange of traffic with each other or for access to or from the proposed goods station at Dentonholm free of toll: Provided, nevertheless, that any of the said companies who shall carry any traffic over the said goods traffic lines, or any part thereof, to or from the lines or stations at Carlisle of any other company (except the Maryport Company) who shall not have disbursed part of or contributed to the said cost, shall pay to the goods traffic committee

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in respect of such traffic the tolls herein-before provided: Provided further, that the tolls levied by any Company from any persons whose traffic shall be carried over the railway of such Company and also over the goods traffic lines, shall not, together with the tolls levied by the goods traffic committee as herein-before authorised, exceed the tolls which would have been leviable by such Company if the goods traffic lines had been part of the railway of such Company.

Caledonian Company to provide accommodation for South-western Company's locomotive engines and waggons in lieu of that which will be taken for purposes of this Act.

106. The Caledonian Company shall, on payment of the remuneration prescribed by sections fifty-six and fifty-seven of "The Caledonian and Scottish Central Railways Amalgamation Act, 1865," at all times after the removal of their present locomotive engine yard at Carlisle and works and buildings connected therewith (unless and until otherwise agreed) provide to the South-western Company in and upon the locomotive engine yard and relative works and buildings to be constructed by the Caledonian Company on the land in the parish of Stanwix herein-before mentioned such and the like accommodation for the locomotive engines and waggons used by the South-western Company, and shall render to that Company such and the like services in respect thereof as the Caledonian Company are now bound to provide and render in and upon their present locomotive engine yard and works and buildings connected therewith; and shall also at all times, on payment as prescribed by the said Act, provide such further accommodation and render such additional services of the nature and description herein-before mentioned as the traffic of the South-western Company may from time to time require and as it may be in the power of the Caledonian Company to provide and render; and all the provisions contained in sections fifty-six and fifty-seven of the said Act and in the agreement therein referred to, so far as relating to accommodation for locomotive engines and waggons and services in respect thereof, shall apply and be construed as referring to the locomotive engine yard and works and buildings connected therewith to be constructed by the Caledonian Company as aforesaid, in the same manner as they at present apply and refer to the locomotive engine yard and relative works and buildings now belonging to the Caledonian Company and used by them and the South-western Company as aforesaid: Provided always, that nothing in this section contained shall affect the duration of the said last-mentioned agreement or the said sections fifty-six and fifty-seven of the said Act as amended by this section.]

Powers of two Companies may

107. The several powers of the two Companies under this Act with respect to the taking and using of lands, the making and

maintaining of works, and all incidental matters, may be exercised by and under the regulation and management of the station committee.

be exercised by station committee.

108. Except as otherwise provided by this Act, nothing in the said articles of agreement set forth in Schedule (A.) hereto nor in this Act shall prejudice or affect any of the rights, powers, advantages, privileges, or interests of the North-western Company or of the Lancaster Company under the said lease or under the Act of 1861.

Saving rights of North-western Company and of Lancaster Company under lease.

109. The North-western Company, the Caledonian Company, and the Midland Company shall not, jointly or separately, out of any money by this Act or any other Act authorised to be raised by them or either of them, pay interest or dividend to any shareholder on the amount of the calls made in respect of the shares held by him: Provided always, that this Act shall not prevent the said companies or any of them from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with "The Companies Clauses Consolidation Act, 1845," and "The Companies Clauses Consolidation (Scotland) Act, 1845."

Interest not to be paid on calls paid up.

110. The North-western Company, the Caledonian Company, and the Midland Company shall not, jointly or separately, out of any money by this Act or any other Act authorised to be raised by them or any of them, pay or deposit any sum which, by any standing order of either House of Parliament now or hereafter in force, may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act authorising the said companies or any of them to construct any other railway, or to execute any other work or undertaking.

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

111. Nothing herein contained shall be deemed or construed to exempt the railways by this Act or any of the other Acts relating to the two Companies respectively authorised to be made, 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 this or any future session of Parliament, or from any future revision or alteration, under the authority of Parliament, of the maximum rates of fares and charges or of the rates for small parcels authorised by such Acts respectively.

Railways not exempt from provisions of present and future general Acts.

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

Expenses of Act.

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the Caledonian Company in equal proportions; but this enactment shall not affect the liability of the Midland Company to contribute a portion of such costs, charges, and expenses as provided by the agreement in the Schedule (A.) to this Act annexed.

SCHEDULES.

SCHEDULE (A.)

Articles of Agreement made this sixteenth day of December one thousand eight hundred and seventy-two between the London and North-western Railway Company and the Caledonian Railway Company of the first part, and the Midland Railway Company (herein-after called "the Midland Company") of the second part. Whereas the parties hereto of the first part (who are herein-after called "the owners") are the present owners of the passenger station at Carlisle called the Citadel station, with the lines of railway, approaches, works, and conveniences therein, and the lines of railway connected therewith, which are used for relieving the traffic thereof (and which are herein-after called the relief lines), all which said premises are coloured red on the plan marked A. signed with reference hereto by the respective agents of the said companies; and whereas by "The Midland Railway (Settle to Carlisle) Act, 1866," the Midland Company were authorised to construct a new railway from Settle to Carlisle, and were empowered to pass over and use the said Citadel station and railways as defined by that Act (including the said relief lines) for the purposes of their traffic, paying therefor to the owners such annual sum as therein mentioned, and by section 37 of the said Act, after reciting that the said station (although at present sufficient) might, in the event of the Midland Company's traffic being introduced as contemplated by the Act, be found insufficient to accommodate the same, it was enacted that it should be lawful for the owners to apply to an arbitrator to be appointed at their request by the Board of Trade to determine and specify what additional extension of and accommodation in or upon the said station was necessary in consequence of the admission of the Midland Company's traffic, and that such arbitrator should determine and specify the same accordingly, and that it should also be lawful for the owners to apply to Parliament for a Bill to authorise them to acquire the lands and execute the works necessary to provide the extension and accommodation so determined and specified, and that the Midland Company should (in addition to the sums by the said Act directed to be paid by them for using the station and for the maintenance and repair thereof) pay annually to the owners for the use of such extension and accommodation an amount equal to six per cent. per annum upon the moneys actually expended by the owners in the acquisition of the lands and construction of the works forming such extension and accommodation (including the expense of such arbitration and of promoting and passing such Bill); and whereas the said new railway from Settle to Carlisle is now in course of completion, and the said Citadel station and railways as at present constructed will prove insufficient to accommodate the traffic of the Midland Company when introduced, and accordingly the owners pursuant to the said Act requested the Board of Trade to appoint an arbitrator to determine and specify what additional extension of accommodation in or upon the said station and railways would be necessary in consequence of the traffic of the Midland Company; and whereas the Board of Trade in compliance with such request appointed Mr. Joseph Cubitt, of Great George Street, London, Civil Engineer, to be the arbitrator for the

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purposes aforesaid, and the owners and the Midland Company by their respective agents attended divers meetings before such arbitrator and discussed and adduced evidence as to the extensions and alterations which would be required in the said station and railways; and whereas the said arbitrator became through illness disabled from continuing the said arbitration and has since died without making an award; and whereas it is important that the additional accommodation necessary for the introduction of the traffic of the Midland Company into the station as contemplated by the said Act should be provided without delay. Now, therefore, the owners and the Midland Company have mutually agreed as follows; that is to say,

(1.) The present Citadel station at Carlisle shall be extended and reconstructed in the manner shown upon the plan marked B. and signed with reference hereto by the respective agents of the owners and the Midland Company, and which plan provides sufficient area for the construction hereafter (if found necessary) of a western platform to the station in addition to the existing platform and the new island platform shown thereon, and also provides for the construction of a new roof to cover as well the existing platform as also the additional area so to be provided as aforesaid for the proposed western platform:

(2.) The Midland Company shall, in manner stated in the said 37th section of the said Midland Railway (Settle to Carlisle) Act, 1866, and in addition to the payments to be made by them under the 36th and 38th and 39th sections of such Act, pay annually to the owners for the use of such extension and additional accommodation in and upon the passenger station an amount equal to six per cent. per annum upon two equal third parts of the cost of such extension and accommodation, including the expense of the proceedings in the aforesaid arbitration and of promoting and passing a Bill for giving effect to this agreement, and including also the cost of any works in connexion with the said passenger station not provided for by the Bill herein-after referred to, but which may be inserted with their assent or by Parliament therein in the course of its progress through Parliament: Provided that in case of difference as to the amount of the cost of the extension and additional accommodation so to be provided in and upon the passenger station as aforesaid according to the true intent and meaning of this agreement the same shall be settled by arbitration in manner provided by section 36 of the said Midland Railway (Settle to Carlisle) Act, 1866, with respect to the payment for the use of the existing station:

(3.) The relief lines shall be removed from their present position and shall be reconstructed outside the limits of the new passenger station in the manner shown upon plan A.; and the said new relief lines and also the new approach and other new lines and works shown upon the said plan A. which are outside the limits of the new passenger station (as shown upon plan B.) shall be deemed and taken to be part of the general scheme of this agreement, and shall be constructed thereunder, and are herein-after referred to as and included in the term "new relief and approach lines and works:"

(4.) The cost of the new relief and approach lines and works, including the cost of any works in connexion therewith not provided for by the Bill, but which may, with the consent of the Midland Company or by Parliament, be inserted in the course of its progress through Parliament, shall

be borne and defrayed in the first instance by the owners and the Midland Company in equal moieties; and the Midland Company shall accordingly as the works proceed pay to the owners one equal moiety of the sums from time to time actually expended in such works; but such moiety shall include and be taken as a satisfaction of any contribution which the Glasgow and South-western Railway Company, or the Midland Company on their behalf, might otherwise be called upon to pay for the use or on account of the construction of the new relief and approach lines and works:

(5.) Offers shall forthwith be made to the North British, North-eastern, and Maryport and Carlisle Companies (but without prejudice to existing agreements) to come in and participate in the use of the new relief and approach lines and works (except such portions thereof as may be transferred to or vested in any company or companies in lieu of or in substitution for their existing lines and works to be shut up and discontinued or for the purposes of their separate traffic) on payment by each of them of such a contributive sum towards such cost as shall in each case be determined (in case of difference) by arbitration:

(6.) All moneys so contributed by the last-mentioned companies, or any or either of them, shall be applied in equal proportions in reduction of the amounts payable by the owners and by the Midland Company towards the construction of the new relief and approach lines and works:

(7.) Each company contributing to the cost of the new relief and approach lines and works (including the Glasgow and South-western Company in right of the contribution of the Midland Company) shall have the right to use the same (except such portions as shall be transferred to or vested in any company or companies as aforesaid, or shall be within the present or the new or extended limits of the Citadel station premises) free of toll; and clauses shall be introduced into the Bill for placing the new relief or approach lines and works (except such portions as aforesaid) under the control and management of a joint committee of directors with a standing arbitrator, such joint committee to be nominated by the companies contributing to such cost, including the Glasgow and South-western Company in right of the contribution of the Midland Company, two members of the committee to be appointed by each company, and in the event of the committee not being unanimous upon any matter or subject the same shall be determined by the standing arbitrator:

(8.) The owners shall in the ensuing session apply to Parliament for a Bill to authorise them to acquire the lands and execute the works necessary for carrying this agreement and the plans herein-before referred to into effect, and also to require the North British Railway Company to relinquish the formation of their railways at and near Carlisle authorised by their Acts of 1865, 1867, and 1868; and clauses shall be introduced into such Bill providing that the cost of the maintenance and repair and the general working expenses, rates, taxes, and other outgoings of the new relief and approach lines and works (except such portions as aforesaid) shall be borne and paid by the companies contributing to the cost thereof as aforesaid in such proportions as shall (in case of difference) be determined by the standing arbitrator appointed under the last article; and the Midland Company agree to support such Bill and to use their best endeavours to procure its being passed into an Act:

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(9.) In constructing the proposed new relief and approach lines and works through the lands at Dentonholm belonging jointly to the Midland and North British Railway Companies no more land of those two companies shall be acquired without their consent in writing than is indispensably necessary for the construction of a double line of railway; and the centre line shall not, without the like consent, be deviated to the westward of that shown on the deposited plans; and the Midland and North British Companies shall, at their own expense, be entitled to make such junction or junctions and siding connexions with the new relief and approach lines and works as may be required for the convenient use and development of their said lands at Dentonholm as a goods station, the number, position, and extent of such junctions and siding communications to be settled, in case of difference, by the standing arbitrator appointed under article 7 of this agreement:

(10.) If the Midland Company shall hereafter require, either in conjunction with the North-eastern Company or by themselves, to construct two additional lines of railway from the south-eastern end of the proposed Railway No. 4 to the point of junction of the Settle and Carlisle line with the North-eastern Railway, the owners and each of them shall afford all reasonable facilities to the Midland Company for so doing; and such two additional lines of railway, so far as on the property of the London and North-western Company, shall be constructed to the reasonable satisfaction of the engineer to that company:

(11.) Nothing herein contained shall be construed to prejudice or affect any of the provisions of the Midland Railway (Settle to Carlisle) Act, 1866, (except only the provisions contained in section 37 of that Act so far as the same are affected hereby) or of any other Act of Parliament.

Witness the respective common seals of the said companies.

Seal of the London and North-western Railway Company.

S. Reay, Secy.

Seal of the Caledonian Railway Company.

Arch. Gibson, Secretary.

Seal of the Midland Railway Company.

J. Williams, Secretary.

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SCHEDULE (B.)

Articles of Agreement made and entered into this seventh day of April 1873, between the London and North-western Railway Company and the Caledonian Railway Company (herein-after called the "two Companies") of the first part, the said Caledonian Railway Company of the second part, and the mayor, aldermen, and citizens of the city of Carlisle in their corporate capacity and also as the urban sanitary authority for the district of the said city of Carlisle (herein-after called "the corporation") of the third part.

Whereas the two Companies are promoting in the present session of Parliament a Bill intituled "A Bill for enlarging the extent and improving the "accommodation of the Citadel station at Carlisle, and making and main-"taining new connecting lines between the various railways converging there, "and for other purposes," (herein-after called "the Companies' Bill,") by which Bill powers are sought for constructing various railways, and amongst others the railways therein and herein-after called Railway No. 2 and Railway No. 3, and interfering with and in the opinion of the corporation injuriously affecting the property of the corporation and several of the streets and roads within the said city:

And whereas by "The Carlisle Citadel Station Act, 1861," the two Companies were authorised to execute, amongst other works, the widening or extension of the bridge near to the north-western extremity of the passenger shed of the Citadel station at Carlisle (herein-after called "Borough Street "Bridge"), provided such extension should not, without the previous consent in writing of the mayor, aldermen, and citizens of Carlisle, under the hand of the mayor or of the town clerk, exceed 68 feet; also the widening or extension of the railway bridge over Crown Street (herein-after called "Crown Street "Bridge"), provided such extension should not, without such consent as aforesaid, exceed 50 feet:

And whereas the two Companies by the Companies' Bill propose to take powers to widen the said railway bridge called Borough Street Bridge at or near the north-western extremity of the passenger shed of the Citadel station to an extent not exceeding 70 feet beyond its present width, and the said railway bridge called Crown Street Bridge near the southern extremity of the said passenger shed to an extent not exceeding 85 feet beyond its present width, and also to raise the surface of the roadway over a certain bridge over the river Caldew in the said city called Nelson Bridge, and to alter the levels and gradients of Mill Street in the said city, and to stop up, interfere with, and affect other streets in the said city:

And whereas the corporation are promoting in the present session of Parliament a Bill intituled "A Bill to empower the Corporation of Carlisle to

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" make and maintain new streets and roads, to alter, divert, and stop up " existing streets and roads, to purchase the present county gaol and to provide " another gaol in lieu thereof, to alter, enlarge, improve, and regulate the " markets, to borrow money, and for other purposes" (herein-after called " the Corporation Bill"):

And whereas the corporation by the Corporation Bill proposed to take powers, amongst other things, to construct certain new streets therein described, and to carry the same, by means of a bridge or viaduct, over the lines of the two Companies near the north-western extremity of the passenger shed of the Carlisle Citadel station, and also to widen, improve, and alter the levels and gradients of a certain street called Irish Gate Brow as therein mentioned:

And whereas the corporation, being of opinion that the proposed widening of the said Borough Street and Crown Street Bridges, and the proposed heightening of the roadway over Nelson Bridge, and the other proposed alterations of and interferences with the streets of the said city, would be very prejudicial to the inhabitants of the said city and the public generally, deposited a petition against the Companies' Bill:

And whereas the two Companies, being of opinion that the new streets or roads and other works shown on the deposited plans referred to in the Corporation Bill would be very prejudicial to their interests and to the interests of the other railway companies who are entitled to use the Citadel station, deposited a petition against the Corporation Bill; and several other railway companies, and the justices of the peace for the county of Cumberland whose gaol was proposed to be taken by the Corporation Bill for the purposes of the said proposed new streets, also severally deposited petitions against the Corporation Bill:

And whereas the Companies' Bill and the Corporation Bill were in the present session of Parliament respectively referred to a Committee of the House of Commons, and were heard and considered by such committee in connexion with each other:

And whereas during the proceedings of the said committee the corporation, in order to obviate the objections raised to the said proposed new streets, submitted to the committee that a line of street could be made in the direction shown on a certain plan marked D. herein-after referred to, instead of the streets shown on the deposited plans referred to in the Corporation Bill, and that such substituted street might be constructed by the corporation, except so much thereof as would pass over the lines of the two Companies or either of them, and that the two Companies should pay to the corporation a sum of money towards the cost of the construction of the said substituted street:

And whereas on the 1st of April 1873 the committee found the preamble of the Companies' Bill proved, and also found the preamble of the Corporation Bill proved except so far as related to the powers to take the whole or any part of the said gaol, and resolved that in lieu of the said proposed new streets shown on the said deposited plans the corporation should have power to carry out the said substituted line of street shown on the said plan marked D.; and that the two Companies should construct at their own expense so much of the said substituted street as would pass over their lines of railway, and should

pay to the corporation the sum of thirty-eight thousand pounds for the purposes herein-after mentioned: A.D. 1873.

And whereas the two Companies and the corporation have, since the decision of the said committee, agreed upon certain terms for carrying the same into effect, part of which have been carried out by means of clauses inserted in the Companies' Bill and the Corporation Bill, and the remainder whereof are given effect to by this present agreement, which it is intended shall be incorporated in each of the said Bills by way of schedule:

Now these presents witness, that it is hereby respectively covenanted and agreed by and between the several parties hereto in manner following; that is to say,

1. A street with all necessary approaches from other streets shall be constructed, commencing at the west side of English Street in the said city, northwards of the gaol, proceeding thence in a southerly direction, and ending at the bridge intended to be constructed over Railway No. 3 beyond Nelson Bridge. The said street to be laid out in the direction and with the levels and gradients shown upon the plan and section marked D. signed by William Henry Stone, Esquire, chairman of the said committee, and to be deposited with the clerk of the peace of the county of Cumberland, which street is to be carried over the streets called Borough Street and English Damside, or one of them, and over Railway No. 2 and the Citadel station lines of railway by means of a bridge or viaduct, and is to be of the width of 45 feet: Provided always, that it shall be lawful for the two Companies and the corporation, by mutual agreement, to alter the said line, levels, gradients, and width.

2. The two Companies shall pay to the corporation the sum of thirty-eight thousand pounds towards the cost of the construction by the corporation of the said new street and approaches and the other purposes of this agreement, including the purchase of land for those purposes; such sum of 38,000*l.* to be paid by instalments, upon the joint certificate of the engineers of the Citadel station committee and the city surveyor of Carlisle, or in the event of difference between them upon the certificate of an engineer to be appointed by the President of the Institution of Civil Engineers on the application of the two Companies or of the corporation, as work is executed or property purchased; the balance (if any) to be paid on the completion of the said new street.

3. The said new street and approaches shall be made and constructed by and at the cost of the corporation, save that so much thereof as is next herein-after described shall be constructed by and at the cost of the two Companies; and the land required for such construction (except any land belonging to the two Companies or either of them which shall be given by them for the purpose) shall be acquired by and at the cost of the corporation.

4. The two Companies shall at their own cost construct and erect and for ever thereafter maintain the fabric of so much of the said bridge or viaduct and new street, with all necessary abutments, piers, arches, girders, paving, flagging, and channelling, as extends from the west side of Borough Street or English Damside, as the case may be, to and including the pier or abutment

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of the said bridge or viaduct adjoining to and on the western side of the Citadel Station lines of railway as altered under the powers of the Companies' Bill, and also so much of the said new street as extends from the west or Nelson Bridge end of Mill Street to the said intended bridge over Railway No. 3.

5. The said new street, with the said bridge or viaduct and all other necessary works in connexion therewith, shall be made and completed to the satisfaction of and in such manner as shall be agreed upon by the engineers of the Citadel station committee and the city surveyor of Carlisle, and in case of any difference between them as shall be settled and determined by an arbitrator to be appointed by the Board of Trade on the application of the two Companies or of the corporation.

6. For the purpose of the said new street, the corporation shall at their own cost, within twelve months after the passing of the Corporation Bill, acquire the whole of the marble works and premises of Mr. Thomas Nelson situate on the north side of Mill Street, and shall thereupon make over and convey to the two Companies, free of charge (except the costs to be incurred by the two Companies about the necessary conveyances to them and other legal expenses,) all such land, portion of the said marble works and premises, cleared of any erections and buildings thereon (the materials of which shall be the property of the corporation), as will lie between the said new street, Mill Street, and the present Citadel station, and also all such parts of Mill Street and Water Street as will be abandoned or rendered useless as street by the construction of the said new street and by the stopping up of such part of Water Street as the two Companies shall stop up under the powers of the Companies' Bill, and by the stopping up of the street and roadway under Borough Street Bridge as herein-after provided. The remainder of the land to be acquired by the corporation, under the provisions of this agreement, shall be acquired by them within two years after the passing of the Corporation Bill.

7. The two Companies shall at their own cost construct a siding from Railway No. 3 for traffic to or from the gasworks of the corporation, terminating at such a point within the said gasworks as may be fixed by the corporation, the land required for such siding within the said gasworks being provided by the corporation at their own cost; and the two Companies shall maintain and keep such part of the said siding as is on their own land at all times in good working order and condition.

8. The two Companies shall be at liberty at their own cost to make a road, not exceeding 25 feet in width, from the Caledonian Railway Company's goods yard up to and to join the said new street as shown and laid down on the said plan marked D., the ground for the said road outside the said goods yard being provided by the corporation free of cost; and the two Companies shall at their own cost erect and construct the retaining wall between the said road and the said new street, and shall also repay to the corporation the cost of re-erecting the scrubber now standing on the site of the said intended road.

9. The two Companies shall at their own cost construct and carry out all the works in connexion with the said new street, and all alterations of streets or roads to the westward of the west or Nelson Bridge end of Mill Street, and

shall also reconstruct Nelson Bridge to the width of forty-five feet, and shall for five years thereafter maintain and keep in repair the same excepting the roadway thereof; and in such reconstruction the present waterway underneath the arches of Nelson Bridge shall not be narrowed or interfered with.

10. All compensation which may become payable in consequence of raising the streets or roads on the Denton Holme side of the river Caldew shall be settled and paid by the two Companies; and all other compensation which may become payable to persons other than the two Companies in connexion with the said new street and approaches shall be settled and paid by the corporation.

11. The earth which may be required by the corporation in making the said new street and approaches shall be supplied and tipped by the two Companies at the places where required by the corporation, free of cost to the corporation.

12. The said new street and all other works in connexion therewith or provided for by this agreement shall be made and completed within the space of three years from the passing of the Corporation Bill into a law; and the two Companies shall not previously to the expiration of the said three years exercise any power of widening Borough Street Bridge which may be conferred on them by the Companies' Bill; and if the said new street shall previously to the expiration of the said three years have been made and constructed and opened to the public for traffic, the two Companies shall thereupon, instead of widening Borough Street Bridge, be at liberty to close and stop up as a public thoroughfare the street or road under Borough Street Bridge forming the communication between Borough Street on the east and Mill Street and Water Street on the west.

13. All works to be executed by the two Companies under this agreement shall be executed and completed by them within the space of two years and six months from the passing of the Corporation Bill into a law; and all the works to be executed by the corporation under this agreement shall be executed and completed by them within the space of three years from the passing of the Corporation Bill.

14. If any or either of the parties to these presents shall make default in executing any works, or providing or acquiring any lands, or doing or performing any matters or things which by this agreement they are bound to execute, provide, acquire, do, or perform respectively, the other parties or party shall be at liberty and they are hereby empowered to execute such works, and provide or acquire such lands, and do and perform such matters and things respectively; and the parties or party so making default shall indemnify and save harmless the other parties or party in respect thereof, and shall reimburse such parties or party for and in respect of all costs, charges, and expenses which they or either of them shall or may have incurred by reason of any such default as aforesaid.

15. The two Companies shall, if required by the corporation, exercise the power to be obtained by the Companies' Bill of taking compulsorily the premises on the south side of Mill Street numbered 380, 385, and 386 in the deposited plans and book of reference referred to in the Companies' Bill; the corporation undertaking to pay the compensation payable in respect of the said

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premises, and all costs and expenses which the said Companies may incur in and about the same.

In witness whereof the two Companies and the corporation have to two parts of these presents of even tenor and date caused their respective common seals to be set and affixed the day and year first above written.

The common seal of the above-named London and North-western Railway Company was hereto affixed in the presence of

S. Reay, Secy.

Seal of the London and North-western Railway Company.

The common seal of the above-named Caledonian Railway Company was hereunto affixed in the presence of

Arch. Gibson, Secretary.

Seal of the Caledonian Railway Company.

The common seal of the above-named mayor, aldermen, and citizens of the city of Carlisle was hereunto affixed in the presence of

Jno. Nanson, Town Clerk, Carlisle.

Seal of the Corporation of Carlisle.

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