ANNO VICESIMO SEXTO & VICESIMO SEPTIMO

VICTORIÆ REGINÆ.

****

Cap. ccxxxv.

An Act for making Railways in the County of *Northumberland* from the *Wansbeck* Railway, in the Parish of *Hartburn*, to the Parish of *Ford*, and thence to the *Berwick and Kelso* Branch of the *North-eastern* Railway; and for other Purposes. [28th *July* 1863.]

WHEREAS a Railway from the *Wansbeck* Railway, in the Parish of *Hartburn* in the County of *Northumberland*, to the Parish of *Ford* in the same County, with Branch Railways therefrom to the *Berwick and Kelso* Branch of the *North-eastern* Railway in the Parish of *Norham*, would be of great public and local Advantage, especially to the Proprietors in and near to the Line of the proposed Railways: And whereas the Persons in this Act named, with others, are willing to form a Company for the Purpose of making and maintaining the said Railways: And whereas it is expedient that the proposed Company on the one hand, and the *Wansbeck* Railway Company, the *North-eastern* Railway Company, and the *North British* Railway Company, or any One or more of them, on the other hand, should be authorized to enter into Agreements with respect to the Maintenance and Use of the proposed Railways, the working of the Traffic thereon, and otherwise in relation thereto: And whereas the Objects of this Act cannot be attained without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and of the Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

 1. "The

The Northumberland Central Railway Act, 1863.

8 & 9 Vict. cc. 16., 18., & 20., and 23 & 24 Vict. c. 106. incorporated.

1. "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," and "The Railways Clauses Consolidation Act, 1845," (save so far as any of the Clauses or Provisions thereof respectively are by this Act expressly excepted or varied,) are respectively incorporated with this Act.

Interpretation of Terms.

2. In construing the incorporated Acts for the Purposes of this Act, and in construing this Act, 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.

Northumberland Central Railway Company incorporated.

3. *George Annet Grey*, *Thomas Mason*, *John Orde*, *George Culley*, and all other Persons and Corporations who have already subscribed or may hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, are by this Act united into a Company for the Purpose of making and maintaining the Railways and for other the Purposes of this Act, and for those Purposes are by this Act incorporated by the Name of "The *Northumberland* Central Railway Company," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and with Power to purchase, take, hold, and dispose of Lands and other Property for the Purposes, but subject to the Restrictions of this Act.

Capital.

4. The Capital of the Company shall be Two hundred and seventy thousand Pounds in Twenty-seven thousand Shares of Ten Pounds each.

Calls.

5. Two Pounds a Share shall be the greatest Amount of a Call, and Two Months at least shall be the Interval between successive Calls, and Two Thirds of the Amount of the Share shall be the utmost aggregate Amount of the Calls made in any One Year upon any Share.

Power to borrow on Mortgage.

6. The Company from Time to Time may borrow on Mortgage any Sum not exceeding in the whole Ninety thousand Pounds, but no Part thereof shall be borrowed until the whole of the Capital of Two hundred and seventy thousand Pounds is subscribed for or taken and One Half thereof is paid up, nor until the Company has proved to the Justice who is to certify under the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," (before he so certifies) that the whole of the Capital has been subscribed for or taken *bonâ fide*, and is held by the Subscribers or their Assigns, and that such Subscribers or their Assigns are legally liable for the same, of which Proofs having been given the Certificate of such Justice under the said Section shall be sufficient Evidence.

Interest not to be paid on Calls paid up.

7. The Company shall not, out of any Money by this Act authorized to be raised by Calls or by borrowing, pay Interest or Dividend to any Shareholder on the Amount of the Calls made in respect of the Shares held

held by him: Provided always, that this Act shall not prevent the Company 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."

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

8. The Company shall not, out of any Money by this Act authorized to be raised, pay or deposit any Sum of Money which by any Standing Order of either House of Parliament 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 authorizing the Company to construct any other Railway or execute any other Work or Undertaking.

Application of Monies.

9. All and every Part of the Money raised under this Act, whether by Shares or by borrowing, shall be applied only for the Purposes authorized by this Act.

First Meeting.

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

Directors.

11. The Number of Directors shall be Nine; but the Company may from Time to Time reduce or increase the Number of Directors within the Limits of Nine as the Maximum and Six as the Minimum; and the Quorum of a Meeting of the Directors shall be Three.

First Directors.

12. The Right Honourable the Earl *Grey*, Sir *Walter Calverley Trevelyan* Baronet, *George Annett Grey*, *Richard Hodgson* M.P., *John Bolam*, *Thomas Mason*, *John Orde*, and *George Culley* shall be Eight of the First Directors.

Qualification of Directors.

13. The Qualification of a Director shall be the Possession in his own Right of Shares to the aggregate nominal Amount of Five hundred Pounds.

Election of Directors.

14. The Directors appointed by this Act shall continue in Office until the First Ordinary Meeting held after the passing of this Act, and at that Meeting the Shareholders present, personally or by proxy, may either continue in Office the Directors appointed by this Act, or any of them, or the Meeting may elect a new Body of Directors, or so many Directors as are required to supply the Place of those not continued in Office, the Directors appointed by this Act being, if qualified, eligible for Re-election.

Subsequent Election of Directors.

15. At the Ordinary Meeting to be held in the Year One thousand eight hundred and sixty-five, and at the Ordinary Meeting in every subsequent Year, the Shareholders present, personally or by proxy, shall elect Persons to supply the Places of the Directors then retiring from Office agreeably to the Provisions in the "Companies Clauses Consolidation Act, 1845," contained; and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead in manner provided by that Act.

16. The

Newspaper for Advertisements.

16. The Newspaper for Advertisements shall be any Newspaper published in the County of *Northumberland*.

Power to make Railways.

17. It shall be lawful for the Company to make and maintain the following Railways, with all proper Stations, Approaches, Works, and Conveniences connected therewith respectively; (that is to say,)

A Railway (herein-after called "the Main Line") commencing in the Parish of *Hartburn* in the County of *Northumberland* by a Junction with the *Wansbeck* Railway, and terminating in the Parish of *Ford* in the same County:

A Railway (herein-after called the *Cornhill* Station Branch) from the Main Line at the *Ford* Terminus thereof to the *Berwick and Kelso* Branch of the *North-eastern* Railway, in the Parish of *Norham* in the same County.

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

18. And whereas Plans and Sections of the proposed Railways showing the Line and Levels thereof, and the Lands required for the Purposes of the Undertaking, and also a Book of Reference to such Plans, have been deposited with the Clerk of the Peace for the County of *Northumberland*: Therefore, subject to the Provisions and Powers of Deviation in this Act and the Acts incorporated herewith contained, the said Railway shall be made in the Line and upon the Lands delineated on the said Plans and described in the said Book of Reference and according to the Levels defined on the said Sections, and it shall be lawful for the Company to enter upon, take, and use all or any of the said Lands which they may require for the Purposes of the Undertaking.

Power to alter Engineering Work.

19. Notwithstanding anything in "The Railways Clauses Consolidation Act, 1845," contained, the Company in the Construction of the Railway may deviate from the Line of any Arches or Viaducts described in the deposited Plans or Sections so as the Deviation be made within the Limits of Deviation shown on those Plans, and subject to the Limitations contained in the Eleventh, Twelfth, and Fifteenth Sections of that Act, and so as the Nature of the Work as described be not altered; and they may also substitute any other Engineering Work not shown on the Plans or Sections instead of a Viaduct, Arch, or Arches as shown thereon, provided that every such Substitution be authorized by a Certificate of the Board of Trade; and the said Board is hereby empowered to grant such Certificates, provided it shall appear to them upon due Inquiry that the Company has acted in the Matter with good Faith, and that the Owners, Lessees, and Occupiers of the Land in which the Substitution is intended to be made Consent thereto, and also that the Safety and Convenience of the Public will not be diminished thereby: Provided that nothing herein contained shall take away or affect any of the Powers given to the Company or to the Board of Trade by the Eleventh, Twelfth, Fourteenth, or Fifteenth Section of "The Railways Clauses Consolidation Act, 1845."

20. Subject

Power to cross certain Roads on the Level.

20. Subject to the Provisions in "The Railways Clauses Consolidation Act, 1845," contained in reference to the crossing of Roads on the Level, the Company in constructing the Railways by this Act authorized may carry the same with not more than a single Line of Railway so long as the Railway consists of a single Line, and not more than Two Lines of Railway when the Railway consists of a double Line, across the Roads numbered on the deposited Plans as follows, on the Level thereof; (that is to say,)

Description of Road.	No. on Plan.	Parish.
Public - - - -	14b	Eglingham.
Public - - - -	11	Wooler.
Public - - - -	29	Ford.

As to shunting of Trains.

21. It shall not be lawful for the Company in shunting Trains to pass any Train over such level Crossing, or to allow any Train, Engine, Carriage, or Truck to stand across the same.

Company to erect Lodge at Point of Crossing.

22. For the greater Convenience and Security of the Public the Company shall erect and permanently maintain a Lodge fitted for the Residence of a Gatekeeper at the Point where the Railway shall cross on the Level any of the before-mentioned Roads, and the Company shall be subject to and shall abide by all such Rules and Regulations with regard to the Crossing of such Roads on the Level, or with regard to the Speed at which Trains shall pass such Roads, as may from Time to Time be made by the Board of Trade; and if the Company shall fail to erect, or at all Times maintain such Lodge, or to appoint a proper Person to watch or superintend the Crossing at such Point, or to observe or abide by any such Rule or Regulation as aforesaid, they shall for every such Offence be liable to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred.

Board of Trade may require Bridge instead of level Crossing.

23. The Board of Trade may, if it shall appear to them necessary for the public Safety, at any Time after the passing of this Act, require the Company, within such Time as the Board of Trade shall direct, and at the Expense of the Company, to carry the before-mentioned Roads, or any of them, either under or over the Railway by means of a Bridge or Arch instead of crossing the same on a Level, or to execute such other Works as under the Circumstances of the Case shall appear to the Board of Trade the best adapted for removing or diminishing the Danger arising from such level Crossing; and where any such Road shall be so carried either under or over the Railway it shall not be necessary for the Company to erect or maintain any Lodge at the Point where such Road may be crossed, or to appoint any Person to watch or superintend the Crossing thereat, nor shall they be liable to any of the aforesaid Penalties for Failure so to do.

Power to alter Levels of certain Roads.

24. In carrying the Roads numbered as follows in the deposited Plans over, under, or across the Railway the Company may alter the Level of such Roads, but so as not to exceed the respective Rates of Inclination herein-after specified; (that is to say,)

Description of Road.	No. on Plan.	Name of Parish.	Rate of Inclination.
Turnpike - -	39	Hartburn -	1 in 12.
Public - -	52	Hartburn -	1 in 12.
Turnpike - -	31	Rothbury -	1 in 18.
Public - -	37	Rothbury -	1 in 11.
Public - - -	62	Rothbury -	1 in 10.
Public - -	38	Rothbury -	1 in 13.
Public - - -	84	Rothbury -	1 in 12½.
Turnpike - -	103	Rothbury -	1 in 12.
Public - -	133	Rothbury -	1 in 7½.
Public - - -	134	Rothbury -	1 in 15 on one Side, level on the other.
Public - -	144	Rothbury -	1 in 7¼.
Public - -	145	Rothbury -	1 in 12.
Public - - -	193	Rothbury -	1 in 12 on one Side, level on the other.
Public - -	259	Rothbury -	1 in 15.
Public - - -	13	Alnwinton -	1 in 15.
Public - -	24	Alnwinton -	1 in 13.
Public - - -	9	Alnham - -	1 in 10.
Public - -	68	Alnham - -	1 in 10.
Public - - -	10	Whittingham -	1 in 11.
Public - -	16	Whittingham -	1 in 16.
Public - - -	2	Eglingham -	1 in 8.
Public - -	9	Eglingham -	1 in 8.
Public - - -	16	Ilderton - -	1 in 17.
Public - -	40	Ford - -	1 in 15.
Turnpike - -	16	Norham - -	1 in 21.
Turnpike - -	16	Norham - -	1 in 22.

Power to make certain Arches of Bridges of specified Dimensions.

25. Notwithstanding anything in "The Railways Clauses Consolidation Act, 1845," contained to the contrary, the Company may make the Arches of the Bridges for carrying the Railway over the public Roads numbered as follows on the deposited Plans of the Dimensions herein-after set forth, but not of less Dimensions; (that is to say,)

Name of Parish.	No. on Plan.	Width of Arch.	Height of Arch.
Hartburn - -	11	16 Feet	
Hartburn - -	60	25 Feet	
Alnham - -	45	16 Feet	
Alnham - -	53	20 Feet	
Whittingham - -	10	20 Feet	
Whittingham - -	16	20 Feet	
Eglingham - -	9	20 Feet	
Eglingham - -	13e	20 Feet	

26. Before

As to Junction with Wansbeck Railway.

26. Before commencing the Junction of the Railway by this Act authorized to be made with the *Wansbeck* Railway, the Plan of such Junction and Works connected therewith shall be submitted to the Engineer for the Time being of the *Wansbeck* Railway Company; and in case of Difference arising in regard to such Plan the same shall be immediately referred to the Board of Trade, whose Decision thereon shall be final.

Not to take Lands, &c. of the Wansbeck Railway Company.

27. Nothing in this Act contained shall extend or be deemed or construed to extend to authorize or enable the Company to take or enter upon any of the Lands belonging to the *Wansbeck* Railway Company, or to alter, vary, or interfere with the *Wansbeck* Railway, or any of the Works thereof, further or otherwise than is necessary for the Construction of the Railway hereby authorized, and the convenient Junction and Intercommunication between the same and the *Wansbeck* Railway, without the Consent, in Writing, in every Instance for that Purpose first had and obtained of the *Wansbeck* Railway Company.

Signals to be erected to prevent Danger at Point of Junction with the Wansbeck Railway.

28. The *Wansbeck* Railway Company may from Time to Time erect such Signals and other Works and Conveniences, and appoint and remove such Watchmen, Switchmen, and other Persons, as that Company may deem necessary for the Prevention of Danger or Obstruction to or Interference with Traffic at and near the Junction between the Railway hereby authorized and the *Wansbeck* Railway; and the working and Management of such Signals, Works, and Conveniences shall be under the exclusive Management and Regulation of that Company; and the Expenses of erecting and maintaining such Signals, Works, and Conveniences, and the reasonable Wages of such Watchmen, Switchmen, and other Persons, shall at the End of every Half Year be repaid by the Company to the *Wansbeck* Railway Company, and in default of such Repayment the Amount of such Costs, Expenses, and Wages may be recovered from the Company by the *Wansbeck* Railway Company in any Court of competent Jurisdiction.

Company not to interfere with Berwick and Kelso Branch or the Works or Property thereof, except as specially provided.

29. The Company or any Person in the Execution of this Act shall not in any Manner, either permanently or temporarily, enter upon, take, or use any of the Land or Property of the *North-eastern* Railway Company, or in any Manner alter, vary, or interfere with their *Berwick and Kelso* Branch, or any of the Works appertaining thereto, save only so far as may be necessary for the Purpose of constructing the *Cornhill* Station Branch thereto, as by this Act authorized and specially provided, or as may be otherwise mutually agreed upon between and by the Company and the *North-eastern* Railway Company, and then only in accordance with any such Agreement and as may be necessary for maintaining and repairing the Works as in this Act provided.

Junction and Communications with

30. The Junction between the *Cornhill* Station Branch and the said *Berwick and Kelso* Branch of the *North-eastern* Railway shall be made at

Berwick and Kelso Branch to be made to Satisfaction of North-eastern Railway Company.

at such Point within the Limits of Deviation defined on the deposited Plans, and the Line of the *Cornhill* Station Branch shall for the Purpose of forming such Junction be carried in such Direction through the Property of the *North-eastern* Railway Company and within the said Limits as the Engineers for the Company and the *North-eastern* Railway Company shall respectively agree or shall have agreed upon prior to the passing of this Act, and all Communications between the Branch Railway hereby authorized and the said *Berwick and Kelso* Branch, and all Openings in the Ledges and Flanches of that Branch for effecting any such Communication, shall be made and effected at the Expense of the Company, in a substantial and workmanlike Manner, by means of Connexion Rails and Points constructed and laid down under the Direction and Superintendence and to the reasonable Satisfaction of the Engineer for the Time being of the *North-eastern* Railway Company, or of some Person duly authorized by them for that Purpose.

Signals to be erected to prevent Danger at the Point of Junction with the Berwick and Kelso Branch.

31. The *North-eastern* Railway Company may from Time to Time make, erect, and maintain such Switches, Points, Signals, and other Works and Conveniences, and appoint and remove such Watchmen, Switchmen, and other Persons, as that Company may deem necessary for the Prevention of Danger or Obstruction to or Interference with Traffic at and near the Junction between the Branch Railway hereby authorized and the said *Berwick and Kelso* Branch, and the working and Management of such Signals, Works, and Conveniences, and the Control and Direction of such Watchmen, Switchmen, and other Persons, shall be under the exclusive Management and Regulation of that Company, and all the Costs and Expenses of making, erecting, and maintaining such Switches, Points, Signals, Works, and Conveniences, and the Wages of such Watchmen, Switchmen, and other Persons, shall at the End of every Half Year be repaid by the Company to the *North-eastern* Railway Company, and in default of such Repayment the Amount of such Costs, Expenses, and Wages may be recovered from the Company by the *North-eastern* Railway Company in any Court of competent Jurisdiction.

Saving Rights of other Companies.

32. Nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities of the *Wansbeck* Railway Company or the *North-eastern* Railway Company otherwise than is herein expressly provided.

Powers for compulsory Purchases limited.

33. The Powers of the 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.

Lands for extraordinary Purposes.

34. The Company may from Time to Time purchase by Agreement such Lands as they may require for any of the extraordinary Purposes specified in "The Railways Clauses Consolidation Act, 1845," in connexion with the Railways by this Act authorized, not exceeding in the whole Twelve Acres.

35. The

Period for Completion of Works.

35. The Railway shall be completed within Five Years from the passing of this Act, and on the Expiration of such Period the Powers by this Act granted to the Company for making the said Railway, or otherwise in relation thereto, shall cease to be exercised except as to so much thereof as shall then be completed.

Bond for Completion of Railway.

36. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Session of the Ninth and Tenth Years of Her present Majesty, Chapter Twenty, a Sum of Twenty thousand eight hundred Pounds, being Eight *per Centum* upon the Amount of the Estimate in respect of the Railways authorized by this Act, has been deposited with the Court of Chancery with respect to the Application to Parliament for this Act: Therefore, notwithstanding anything contained in that Act, that Sum so deposited, or the Interest or Dividends thereof, shall not, except upon the Execution and Deposit of such a Bond as herein-after mentioned, be paid or transferred to or on the Application of the Person or Persons, or the Majority of the Persons, named in the Warrant or Order issued in pursuance of that Act, or the Survivors or Survivor of them, unless the Company before the Expiration of the Period limited by this Act for the Completion of the Railways, either open the Railways for the public Conveyance of Passengers or prove to the Satisfaction of the Board of Trade that the Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by Shares, and have expended for the Purposes of this Act a Sum equal in Amount to that One Half; and if that Period expire before the Company either have opened the Railways for the public Conveyance of Passengers, or have given the Proof to the Satisfaction of the Board of Trade, the Sum so deposited, and the Interest and Dividends thereof, shall immediately from and after the Expiration of that Period, be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they are then deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom: Provided, that at any Time after the passing of this Act, if a Bond in twice the Amount of that Sum so deposited be executed by the Company, with One or more Sureties (the Bond to be prepared to the Satisfaction of, and the Surety or Sureties to be approved by, the Solicitor to the Treasury), conditioned for Payment to Her Majesty, Her Heirs or Successors, of the Sum so deposited, if the Company do not within the Time limited for the Completion of the Railways either open the Railways for the public Conveyance of Passengers, or prove to the Satisfaction of the Board of Trade that the Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by Shares, and have expended for the Purposes of this Act a Sum equal in Amount to that One Half, and if the Bond be deposited with the Solicitor to the Treasury, then that deposited Sum of Money, and the Interest and Dividends thereof, shall be paid to or on the Application of the Person or Persons, or the Majority of the Persons, named in the Warrant or Order,

or the Survivors or Survivor of them, and it shall not be necessary to produce any Certificates of this Act having passed; and the Monies to be recovered upon the Bond shall be dealt with in like Manner as the deposited Sum of Money, and the Interest or Dividends thereof, would be dealt with under this Act if the Bond were not so executed and deposited; and the Certificate of such Solicitor that the Bond has been so executed and deposited, and the Certificate of the Board of Trade that the Proof has been given to their Satisfaction, shall respectively be sufficient Evidence of the Facts so certified.

Tolls.

37. It shall be lawful for the Company to demand any Tolls for the Use of the Railway, not exceeding the following; (that is to say,)

First, in respect of the Tonnage of all Articles conveyed thereon, or on any Part thereof, as follows:

For all Coals, Cinders, Dung, Compost, and all Sorts of Manure, Lime and Limestone, and all undressed Materials for the Repair of public Roads or Highways, *per* Ton *per* Mile not exceeding One Penny; and if conveyed by Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

For all Coke, Culm, and Charcoal; all Stones for building, pitching, and paving; all Bricks, Tiles, Slates, Clay, Sand, Ironstone, and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandise, *per* Ton *per* Mile not exceeding One Penny Halfpenny, and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per* Ton *per* Mile not exceeding Twopence, and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Penny:

For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, or Things, *per* Ton *per* Mile not exceeding Threepence, and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Penny:

And for every Carriage of whatever Description having more than Two Wheels, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per* Mile not exceeding Sixpence; and a further Sum of One Penny Halfpenny for every additional Quarter of a Ton, or fractional Part of a Quarter of a Ton, which any such Carriage may weigh.

Tolls for Passengers.

Second, in respect of Passengers and Animals conveyed in Carriages upon the Railway, as follows:

For any Person conveyed in or upon any such Carriage, *per* Mile not exceeding Twopence, and if conveyed in or upon any Carriage belonging

belonging to the Company, an additional Sum *per* Mile not exceeding One Penny:

Tolls for Cattle.

For every Horse, Mule, Ass, or other Beast of Draught or Burden, *per* Mile not exceeding Fourpence; and for One Ox, Cow, Bull, or Neat Cattle not exceeding Twopence *per* Mile; and for Two Oxen, Cows, Bulls, or Neat Cattle, the Property of the same Person, not exceeding Twopence *per* Head *per* Mile; and for more than Two Oxen, Cows, Bulls, or Neat Cattle, the Property of the same Person, not exceeding One Penny Halfpenny *per* Head *per* Mile, and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Penny:

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

Tolls for propelling Power.

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

Tolls for small Parcels and single Articles of great Weight.

39. Notwithstanding the Rate of Tolls prescribed by this Act, the Company may, with respect to small Packages not exceeding Five hundred Pounds in weight, and single Articles of great Weight or Bulk, lawfully demand a Toll not exceeding the following; (that is to say,)

For the Carriage of small Parcels on the Railway, or any Part thereof, as follows:

For any Parcel not exceeding Seven Pounds in Weight, Sixpence:

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

For any Parcel exceeding Fourteen Pounds and not exceeding Twenty-eight Pounds in Weight, One Shilling:

For any Parcel exceeding Twenty-eight Pounds and not exceeding Fifty-six Pounds in Weight, One Shilling and Threepence:

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

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

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

For

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

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

For any light Piece of Machinery or other Article requiring One whole Truck or more than One Truck, the Company may charge Sixpence *per* Truck *per* Mile.

Passengers Luggage.

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

Maximum Rates of Charge for Passengers.

41. The maximum Rate of Charge to be made by the Company for Conveyance of Passengers upon the Railway, including the Tolls for the Use of the Railway, and of Carriages, and for locomotive Power, and every other Expense incidental to such Conveyance, shall not exceed the following Sums:

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

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

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

Restriction as to Charges not to apply to Special Trains.

42. Provided always, That the Restriction as to Charges to be made for Passengers shall not extend to any Special Train that may be required to be run upon the Railway, but shall apply only to the ordinary or express Trains appointed or to be appointed from Time to Time by the Company for the Conveyance of Passengers upon the Railway.

Tolls for Cattle, Goods, &c.

43. And with respect to the Conveyance of Horses, Cattle, Carriages, and Goods, the maximum Rate of Charge to be made by the Company, including the Tolls for the Use of the Railway and Waggons or Trucks and locomotive Power, and every Expense incidental to such Conveyance, except a reasonable Sum for loading, covering, and unloading of Goods at any Terminal Station of such Railway, and for Delivery and Collection, and any other Services incidental to the Business or Duty of a Carrier, where such Services or any of them are or is performed by the Company, shall not exceed the following Sums; (that is to say,)

For every Horse, Mule, Ass, or other Beast of Draught or Burden, Fourpence *per* Mile:

For One Ox, Cow, Bull, or Neat Cattle, Threepence *per* Mile; and for Two or Three Oxen, Cows, Bulls, or Neat Cattle, the Property of the same Person, Twopence *per* Head *per* Mile; and for more than Three Oxen, Cows, Bulls, or Neat Cattle, the Property of the same Person, One Penny Halfpenny *per* Head *per* Mile:

For every Calf, Pig, Sheep, Lamb, and other small Animal, Three Farthings *per* Mile:

For every Carriage not exceeding a Ton, Sixpence *per* Mile; and a further Sum of One Penny Halfpenny for every additional Quarter of a Ton, or fractional Part of a Quarter of a Ton, which any such Carriage may weigh:

For Manure and other Articles herein-before classed therewith, One Penny Halfpenny *per* Ton *per* Mile:

For Coals and other Articles herein-before classed therewith, Twopence *per* Ton *per* Mile:

For Sugar and other Articles herein-before classed therewith, the Sum of Threepence *per* Ton *per* Mile:

For Cotton and other Goods and Articles herein-before classed therewith, the Sum of Fourpence *per* Ton *per* Mile.

Terminal Station.

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

Regulation as to Tolls.

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

For all Articles and Persons conveyed on the Railway for a less Distance than Four Miles, the Company may demand Tolls and Charges as for Four Miles:

For a Fraction of a Mile beyond Four Miles, or beyond any greater Number of Miles, the Company may demand Tolls and Charges for Passengers as for One Mile; and for a fractional Part of a Quarter of a Mile the Company may demand Tolls and Charges for Animals, Minerals, and Goods as for a Quarter of a Mile:

For a Fraction of a Ton the Company may demand Toll according to the Number of Quarters of a Ton in such Fraction; and if there be a Fraction of a Quarter of a Ton such Fraction shall be deemed a Quarter of a Ton:

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

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

Company may take increased

46. Provided always, That nothing herein contained shall be held to prevent the Company from taking any increased Charge over and above the

Charges by Agreement.

the Charges herein-before limited for the Conveyance of Goods of any Description by Agreement with the Owners of or Persons in charge of such Goods, either in respect of the Conveyance thereof, except small Parcels by Passenger Trains, or by reason of any other special Service performed by the Company in relation thereto.

Power for Company and the Wansbeck and North-eastern and North British Railway Companies to agree for certain Purposes.

47. The Company on the one hand, and the *Wansbeck* Railway Company, the *North-eastern* Railway Company, and the *North British* Railway Company, or any One or more of such last-mentioned Companies on the other hand, may from Time to Time enter into such Agreements as they may from Time to Time think fit with respect to all or any of the following Purposes; (that is to say,)

The Working, Maintenance, and Use of the Railways, or any of them, or any Part thereof respectively, and of the Works or any of them connected therewith:

The Supply of Engines, Carriages, and Rolling Stock for the Purposes of the Railways:

The Conduct, Regulation, Interchange, and Management of the Traffic upon or over the Railways or any of them, or any Part thereof respectively:

The affording Facilities for the Transfer and Transmission of Traffic passing to and from the Railways of the Companies Parties to the Agreement, and the Conveyance of such Traffic over all or any of such Railways:

The fixing, levying, dividing, and apportioning of Tolls and Charges arising from such Traffic:

The Appointment of Joint Committees and the Powers to be conferred on such Committees:

The Modification of any Agreement previously entered into.

Restrictions on Agreements between Companies.

48. No such Agreement shall in any manner alter, affect, increase, or diminish any of the Tolls, Fares, Rates, or Charges which the Companies Parties thereto may from Time to Time be respectively authorized to demand and receive from any Person or any other Company; but all other Persons and Companies, notwithstanding any such Agreement, shall be entitled to the Use and Benefit of the Railways of the Companies Parties to the Agreement on the same Terms and Conditions and on Payment of the same Tolls, Fares, Rates, and Charges as they would be if the Agreement were not made.

Sanction of Shareholders to Agreements.

49. No Agreement which shall hereafter be entered into for any of the Purposes aforesaid, so far as the Terms and Conditions thereof are not authorized by "The Railways Clauses Consolidation Act, 1845," or by any other General Statute or Law from Time to Time in force, shall have any Operation unless and until it be sanctioned by not less than Three Fifths of the Votes of the Shareholders of each Company Party thereto present, personally or by proxy, at a General Meeting of their Company specially convened for the Purpose.

50. Every

How Meetings are to be called.

50. Every such Special Meeting shall be called by Circular addressed to each Shareholder entitled to vote at Meetings of the Company, and served in the Manner prescribed by "The Companies Clauses Consolidation Act, 1845," with respect to Notices requiring to be served by the Company upon the Shareholders, and also by Advertisement inserted once in each of Two consecutive Weeks in a Newspaper published in the County of *Northumberland*, and the last of such Advertisements shall be published not less than Seven Days before the Meeting.

Public Notice to be given of Intention to enter into any such Agreement.

51. Before entering into any such Agreement the Companies intending to be Parties thereto shall give Notice of their Intention to enter into such Agreement, in a Form to be approved by the Board of Trade, inserted once in each of Three successive Weeks in some Newspaper or Newspapers published or circulating in the County of *Northumberland*, and every such Notice shall set forth within what Time and in what Manner any Company or Person aggrieved by the proposed Agreement, and desiring to object thereto, may bring their Objections before the Board of Trade.

Approval of Board of Trade.

52. No such Agreement, so far as the Terms and Conditions thereof are not authorized by "The Railways Clauses Consolidation Act, 1845," or by any other General Statute or Law from Time to Time in force, shall have any Operation until it be approved by the Board of Trade; and the Board of Trade shall not approve any such Agreement without being satisfied of its having received such Sanction of Shareholders as is by this Act required.

Agreements between Companies may be modified by Board of Trade.

53. At the Expiration of the first or any subsequent Period of Ten Years after the making of any such Agreement, the Board of Trade may, if they think fit, cause the same to be revised, and the Board may require the Companies Parties thereto to publish such Notices of the intended Revision as the Board of Trade shall direct, and the Board shall have Power to modify the Agreement in such Manner as the Board may think necessary, and to declare the Modification made by the Board to be Part of such Agreement, and the same shall be read and take Effect accordingly.

Joint Committee for Purposes of Agreements.

54. The Companies Parties to any such Agreement may, in accordance therewith and for the Purposes thereof, appoint a Joint Committee composed of such Number of the Directors of each Company as the Companies may think proper, and from Time to Time may alter, vary, and renew the Joint Committee as Occasion may require, and may regulate the Proceedings of the Joint Committee, and may delegate to the Joint Committee all such Powers as the said Companies may consider necessary for carrying into effect the Purposes of the Agreement; and every Joint Committee so appointed shall have and may exercise the Powers so from Time to Time delegated to them in like Manner as the same Powers might

might be had and exercised by the Companies respectively or their respective Directors.

Short Distance Toll.

55. With respect to the Toll or Charge for Traffic conveyed on the Railway, or partly on the Railway and partly on the *Wansbeck* Railway, or, as the Case may be, partly on the Railway and partly on the *Berwick and Kelso* Branch, for a less Distance than Four Miles during the Time the Railway shall be worked by the *Wansbeck* Railway Company or by the *North-eastern* Railway Company, the Company so working shall be entitled to charge as for Four Miles and no more; and it shall not be lawful for that Company to make a short Distance Charge for any Traffic conveyed for a longer Distance than Four Miles whether on the Railway only or partly on the Railway and partly on the *Wansbeck* Railway, or, as the Case may be, partly on the Railway and partly on the *Berwick and Kelso* Branch.

Power to make Agreements with North-eastern Company respecting the Use of Cornhill Station.

56. The Company and the *North-eastern* Railway Company may from Time to Time enter into and carry into effect Agreements with reference to the Use by the Company of the *Cornhill* Station of the *North-eastern* Railway Company and the Lines of Railway leading to or communicating therewith, and the Works and Conveniences connected with the same, and the Accommodation of the Traffic of the Company at that Station, and also with reference to the Transmission of Traffic to or from or passing through that Station, and the fixing and ascertaining, and Division and Apportionment between the Two Companies, of the Tolls, Rates, and Charges arising from such Traffic.

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

57. This Act or anything therein shall not exempt the Railway to which this Act relates from the Provisions of any General Act relating to Railways, or to the better or more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during this or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges, or of the Rates for small Parcels by this Act authorized.

Expenses of Act.

58. All the 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 Company.

Short Title.

59. This Act may be cited for any Purpose as "The *Northumberland Central* Railway Act, 1863."

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