ANNO DECIMO QUARTO

VICTORIÆ REGINÆ.

Cap. iii.

An Act for building a Bridge over *Ouseburn*, with Approaches thereto, in the Borough and County of *Newcastle-upon-Tyne*. [20th *May* 1851.]

WHEREAS Inconvenience is felt from the Want of an easy Means of Communication between the Eastern and Western Parts of the Borough of *Newcastle-upon-Tyne*, and between the same Borough and the Districts to the East thereof, and the Construction of a High-level Bridge over the Rivulet called *Ouseburn*, with Approaches thereto, would be of great public Advantage to the Inhabitants of *Newcastle-upon-Tyne*, and of Places adjacent thereto: And whereas the several Persons herein-after mentioned, together with others, are willing at their own Expense to carry into execution the before-mentioned Object; but the same cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

The Ouseburn Bridge Act, 1851.

8 & 9 Vict. cc. 16. & 18. incorporated with this Act.

I. That the Companies Clauses Consolidation Act, 1845, and the Lands Clauses Consolidation Act, 1845, shall be incorporated with and form Part of this Act.

Short Title.

II. That in citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use the Expression "The *Ouseburn Bridge* Act, 1851."

Subscribers incorporated.

III. That *Matthew Plummer*, *Addison Langhorn Potter*, *Stephen Lowrey*, *George Cruddas*, *Henry Turner*, *Joseph Grey*, and all other Persons and Corporations who have already subscribed and who shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of building a Bridge over the Rivulet called *Ouseburn*, with Approaches to such Bridge on each Side thereof, and other Works and Conveniences in continuation of or connexion with such Bridge and Approaches; the same Bridge, Approaches, and Works to be situate in the parochial Chapelries of *All Saints* and *Saint Andrew*, or One of them, in the Borough and County of *Newcastle-upon-Tyne*, according to the Provisions of the recited Acts and this Act; and for the Purposes aforesaid such Company shall be incorporated by the Name of "The *Ouseburn Bridge* Company," and by that Name shall be a Body Corporate, with perpetual Succession, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, within the Restrictions herein and in the recited Acts contained.

Capital.

IV. And whereas the estimated Expense of making the Bridge and Approaches is Twelve thousand Pounds: Be it enacted, That the Share Capital of the Company shall be Twelve thousand Pounds.

Number and Amount of Shares.

V. That the Number of Shares into which the Capital shall be divided shall be One thousand two hundred, and the Amount of each Share shall be Ten Pounds.

Calls.

VI. That Two Pounds Ten Shillings *per* Share shall be the Amount of any One Call which the Company may make on the Shareholders upon any Share, and Three Months at the least shall be the Interval between successive Calls; and the aggregate Amount of Calls in any One Year shall not exceed Six Pounds.

Power to borrow Money.

VII. That it shall be lawful for the Company to borrow, for the Purposes of this Act, on Mortgage or Bond, any Sums not exceeding in the whole the Sum of Four thousand Pounds; but no Part of such Sum shall be borrowed until the whole of the said Share Capital or

Sum

Sum of Twelve thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up.

Arrears may be enforced by Appointment of a Receiver.

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

First and other Meetings.

IX. That the First Ordinary Meeting of the Company shall be held within Twelve Months next after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held yearly in the Month of *February*; and all Meetings, whether ordinary or extraordinary, shall be held in the Borough of *Newcastle-upon-Tyne*.

Number and Qualification of Directors.

X. That the Number of Directors shall be Five, and the Qualification of a Director shall be the Possession in his own Right of Twenty Shares in the Undertaking.

First Directors.

XI. That *Robert Plummer*, *Addison Langhorn Potter*, *Stephen Lowrey*, *George Cruddas*, and *Henry Turner* shall be the First Directors of the Company.

Quorum of Directors.

XII. That the Quorum of a Meeting of Directors shall be Three.

Power to make Bridge and Approaches according to deposited Plan.

XIII. And whereas a Plan and Section of the Bridge, showing the Situation and Level thereof, and also the Line and Levels of the several Approaches thereto, and of the Embankment in substitution of *Pandon Dean Bridge*, and also a Book of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers, of the Lands in or through which the same respectively will be made, have been deposited with the Clerk of the Peace for the Borough and County of *Newcastle-upon-Tyne:* Be it enacted, That, subject to the Provisions in this and the said recited Acts contained, it shall be lawful for the Company to build, construct, and maintain the Bridge, with the Approaches thereto, and all Fences, Walls, and other necessary Works and Conveniences connected therewith, in the Line and upon the Lands delineated on the said Plan, and described in the said Book of Reference, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purposes.

Power to remove Pandon Dean Bridge.

XIV. That with the Consent of the Mayor, Aldermen, and Burgesses of *Newcastle-upon-Tyne*, to be signified in Writing under

under their Common Seal, the Company may take down and remove the Bridge called *Pandon Dean Bridge*, and may form, instead of such Bridge, a good and substantial Road by means of an Embankment, or partly by Embankment and partly by Arching or Masonry, across the Valley through which the *Pandon Burn* runs, in the Line shown upon the said deposited Plan; and the Company may use the Materials of the said *Pandon Dean Bridge* for any of the Works authorized by this Act, without making any Payment for the same, or sell or dispose of the said Materials in such Manner as the said Company shall think fit; and after the Road to be made as aforesaid shall be complete and open for Passage, the same shall be repaired and repairable in the same Manner as the public Streets leading to *Pandon Dean Bridge* are now by Law repairable; and no Toll shall be demanded or payable upon or in respect of the *Pandon Dean Bridge*, or the Embankment or Works in lieu thereof.

Temporary Road to be made.

XV. That during the Progress of the Works at *Pandon Burn* the Company may and shall form and maintain, upon any of the Lands described on the deposited Plan, a temporary Road for the Accommodation of the Traffic which would have passed over the *Pandon Dean Bridge*.

Errors and Omissions in Plans may be corrected.

XVI. That if any Omission, Mis-statement, or erroneous Description shall have been made of any Lands, or of the Owners, Lessees, or Occupiers of any Lands, described on the said Plan, or in the said Book of Reference, it shall be lawful for the Company to apply to Two Justices for the Correction thereof; and if it shall appear to such Justices that such Omission, Mis-statement, or erroneous Description arose from Mistake they shall certify the same accordingly, and they shall in such Certificate state the Particulars of any such Omission, and in what respect any such Matter shall have been mis-stated or erroneously described; and such Certificate shall be deposited with the Clerk of the Peace of the said Borough and County, and with the Parish Clerk of the Parish of *Saint Nicholas*, and such Certificate shall be kept by such Clerk of the Peace and Parish Clerk respectively along with the other Documents to which they relate; and thereupon such Plan or Book of Reference shall be deemed to be corrected according to such Certificate, and it shall be lawful for the Company to make the Works in accordance with such Certificate.

Power to deviate from the Line and Levels shown on Plans and Sections.

XVII. That it shall be lawful for the Company to deviate from the Levels of the Works as shown on the said deposited Sections to the Extent of Five Feet only, and no more, unless with the previous Consent in Writing of the Owners and Occupiers of the Land in which such Deviation is to be made; also to deviate from the Lines

of

of such Work to the Extent delineated or set forth on the said Plan, but not to any greater Extent, unless with the previous Consent in Writing of the Owners and Occupiers of the Land into which such Deviation may extend; provided that the Works shall not by means of any such Deviation as herein-before authorized be made to extend beyond the Limits of Deviation marked on the said Plan, nor into the Lands of any Person, whether Owner, Lessee, or Occupier, whose Name is not mentioned in the Book of Reference, without the previous Consent in Writing of such Person, unless the Name of such Person shall have been omitted by Mistake, and the Fact that such Omission proceeded from Mistake shall have been certified in the Manner provided for in this Act in Cases of unintentional Errors in the said Book of Reference.

Formation of Bridge.

XVIII. That the Span of the Arch or Viaduct over the *Ouseburn* shall not be less than Thirty Feet, and the Company may construct the Remainder of the Works over the Valley in which the *Ouseburn* runs either by solid Embankment or by Iron-work Arching or Masonry, or partly by one means and partly by the other.

Period within which Lands are to be purchased.

XIX. That 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 Two Years from the passing of this Act.

Period for Completion of Works.

XX. That the Bridge, with the Approaches thereto, shall be completed within Four Years from the passing of this Act, and on the Expiration of such Period the Powers by this or the recited Acts granted to the Company for executing the same, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the same as shall then be completed.

Power to use Lands within Limits of Deviation, for depositing Materials, &c.

XXI. That it shall be lawful for the Company, in or upon any Lands within the Limits of the Deviation, to deposit and work Materials for building and repairing the Bridge, and to make any temporary Erections necessary for constructing or repairing the Bridge, doing as little Damage as may be, and making satisfaction for such Damage to the Owners and Occupiers of such Lands, in manner provided by the Lands Clauses Consolidation Act, 1845.

Communications not to be made without Consent.

XXII. That it shall not be lawful for any Person to remove any Wall, Fence, Rail, Building, or Footway of the Company, for the Purpose of making any Communication with or opening into or upon the said Bridge or Approaches, without the Consent in Writing of the said Company, under their Common Seal, previously obtained for that Purpose.

Penalty on Persons committing any of the Offences herein named.

XXIII. That every Person who, on the Bridge or in any of the Approaches thereto, commits any of the following Offences shall be liable to a Penalty not exceeding Forty Shillings for each Offence; (that is to say,)

Every Person who wilfully or negligently destroys or damages, or rides, drives, or leads any Horse, Beast, Cattle, or Carriage over or upon, the Footpath or Causeway on the Side of the Bridge and Approaches, or wilfully obstructs the Passage thereof, or leaves on the Bridge or Approaches any Waggon, Wain, Cart, or Carriage, Horse or Thing, without some reasonable Cause, or lays, places, or leaves any Rubbish or other Annoyance whatsoever upon any Part of the Bridge or Approaches, to the Prejudice thereof, or to the Annoyance or Interruption of any Person travelling thereon:

Every Person who wilfully pulls down, breaks, injures, or damages any Table of Tolls put up or fixed at any Toll Gate or Bar of the said Company, or wilfully or designedly defaces or obliterates any of the Inscriptions, Letters, Figures, or Marks thereon:

Every Person who wilfully pulls up, throws down, breaks, injures, or damages any Posts, Rails, Walls, Buildings, Gates, Lamp-posts, Lamp Irons, Lamps, Pavement, Flags, Drains, or Fences to be erected, placed, or put up by the Company or their Surveyor:

Every Person who casts or throws any Earth or Rubbish or other Matter or Thing into any Drain, Ditch, Culvert, Tunnel, or other Watercourse made by virtue of this Act, so as to obstruct the Water from running or draining off the said Bridge or Approaches:

Every Person who, without being thereto authorized by the Company or their Surveyor for the Time being, shovels up, scrapes, gathers, or carries away any Stones, Gravel, Sand, or other Materials, Slutch, Dirt, Mire, Drift, or Soil, from off the said Bridge and Approaches, or any Part thereof:

Every Person who in any Manner wilfully prevents any other Person from passing him, or any Carriage under his Care, upon the said Bridge or Approaches.

Power to erect Toll Gates and take Tolls at the Bridge.

XXIV. That it shall be lawful for the Company, so soon as the Bridge shall be completed and made passable for Passengers, to cause to be erected and set up a Toll Gate upon or adjoining the Bridge, and from Time to Time to erect, provide, and maintain such Toll House or Toll Houses, and other Conveniences near or adjoining to the said Toll Gate, as the Company shall think proper; and the respective Tolls following shall or may be demanded and taken at the Toll Gate to be erected as aforesaid, by such Person as the Company

Company shall from Time to Time appoint to receive the same; (that is to say,)

For every Horse or Beast drawing any Coach, Stage Coach, Chariot, Landau, Barouch, Sociable, Hearse, Litter, Break, Chaise, Curricle, Gig, Car, or other such Carriage, any Sum not exceeding Threepence:

For One Horse or Beast drawing any Cart, Dray, or other such Carriage with less than Four Wheels, any Sum not exceeding Threepence; but if the same shall be drawn by more than One Horse or other Beast, then for the Second and every additional Horse or other Beast any Sum not exceeding One Penny:

For One Horse or Beast drawing any Waggon, Wain, Van, Caravan, or other such Carriage with Four Wheels, any Sum not exceeding Fourpence; but if the same shall be drawn by more than One Horse or Beast, then for the Second Horse or Beast Twopence, and every additional Horse or Beast any Sum not exceeding Twopence:

For every Horse or Beast laden or unladen, and not drawing any Carriage, any Sum not exceeding Twopence, including the Toll for the Person in charge of the same:

For every Truck drawn or wheeled by a Man, any Sum not exceeding Three Halfpence:

For every Score of Cattle (Calves excepted), any Sum not exceeding Eightpence, and so in proportion for any less Number:

For every Score of Calves, Pigs, or Sheep, any Sum not exceeding Fourpence, and so in proportion for any less Number:

For every Foot Passenger or Person passing along the Bridge (other than such Person as shall *bonâ fide* belong to any Carriage, or have charge of any Beast or Cattle, or draw or wheel a Truck chargeable with any Toll hereby made payable), any Sum not exceeding One Penny:

For every Carriage, of whatever Description, moved or propelled by Steam or Machinery, or by any other Power than Animal Power, any Sum not exceeding Sixpence *per* Ton for each and every Ton Weight of such Carriage and of the Things in or upon the same:

Which respective Tolls shall be paid every Time of passing, before any such Person, Horse, Cattle, or Beast, or any such Carriage as aforesaid, shall be entitled to pass through such Toll Gate; and the same Tolls shall be vested in the Company for their own Use and Benefit.

Pass and Return Tickets may be granted.

XXV. That it shall be lawful for the Company, if they think fit, to grant Pass Tickets and Return Tickets for passing on or along the said Bridge and Approaches, or either of them, on such Terms and

and for such Periods, not exceeding One Year, as they may think proper; but such Pass and Return Tickets shall not be transferable, and shall not be used by or available to any Person except the Party who has paid for the same, nor shall such Pass and Return Ticket be used by the Party who may have paid for the same after the Period limited by such Ticket for the Use thereof, and any Party acting in any way contrary to or fraudulently evading this Provision, or using or attempting to use any false or counterfeit Ticket, shall be liable to a Penalty not exceeding Twenty Shillings for each Offence, to be recovered, with Costs of Suit, as other Penalties under this Act are directed to be recovered: Provided, that all Persons may require the Company to issue to them Pass or Return Tickets, upon the same Terms as similar Pass or Return Tickets shall be from Time to Time granted or issued to other Persons.

As to the fractional Part of a Halfpenny.

XXVI. That in all Cases where there shall be a fractional Part of a Halfpenny in the Amount of any of the Tolls by this Act authorized to be taken, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

Tolls to be charged equally.

XXVII. That the aforesaid Tolls, and also the Pass or Return Tickets hereby authorized to be issued, shall at all Times be charged equally upon all Persons, for or in respect of Persons and Things under the same Circumstances, and no Reduction, Exemption, or Advance in the said Tolls shall, either directly or indirectly, be made partially or in favour of or against any particular Person.

Exemptions from Tolls.

XXVIII. That no Toll shall be demanded or taken by virtue of this Act for Her Majesty or any of the Royal Family, or for any Persons, Horses, or Carriages attending Her Majesty or any of the Royal Family, or returning therefrom; or for any Policeman on Duty; or for Horses, Carts, or Waggons employed only in carrying or conveying any Vagrants sent by a legal Pass, or any Prisoner sent by a legal Warrant, or returning empty after having been so employed, or for any Person attending the same, or for any such Vagrants or Prisoners; or for any Horses or Carriages of whatever Description, or any Person, employed or to be employed in conveying the Mails of Letters and Expresses under the Authority of Her Majesty's Postmaster General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning back from conveying or guarding the same; or for any Soldiers on their March or on Duty, or for the Horse or Horses of any Officers or Soldiers on their March or on Duty, or for any Horse or Horses or other Beast, or any Cart, Carriage, or Waggon, employed in carrying or conveying, or returning empty from carrying or conveying, having been employed only in carrying or conveying the Arms or Baggage of any such Officers

Officers or Soldiers, or employed in carrying or conveying, or returning empty from having been employed only in carrying or conveying, any sick, wounded, or disabled Officers or Soldiers, or for any Person in charge of the same; or for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses or other Cattle drawing the same, or the Person in charge thereof, employed in conveying any Ordnance or Barrack or Commissariat or other Public Stores of or belonging to Her Majesty, or for the Use of Her Majesty's Forces, or returning empty from having been so employed; or for any Horse furnished by or for any Person belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by him in going to or returning from any Place appointed for, and on the Days of Exercise, Inspection, or Review, or on other public Duty, or for any Yeomanry Cavalry Man or Volunteer Cavalry or Infantry, provided that such Person be dressed in the Uniform of his Corps, and shall have his Arms, Furniture, and Accoutrements according to the Regulations of such Corps at the Time of claiming the Exemption; or for any Person going to or returning from his usual Place of Religious Worship, tolerated by Law, upon *Sundays* or any other Day upon which Divine Worship is ordered by Authority to be celebrated; or for any Horse or other Beast drawing any Coach or other Carriage, or Passenger on Horseback, going to or returning from any Election of a Member to serve in Parliament for the Borough of *Newcastle-upon-Tyne* or the County of *Northumberland* on the Day or Days of such Election; and if any Person shall claim and take the Benefit of any of the Exemptions by this Act granted not being entitled to the same, every such Person for every such Offence shall forfeit any Sum not exceeding Forty Shillings.

List of Tolls to be exhibited on a Board.

XXIX. That a List of all the Tolls authorized by this Act to be taken, and which shall be exacted by the Company, shall be published by the same being painted upon One Toll Board or more, in distinct Black Letters on a White Ground or White Letters on a Black Ground, or by the same being printed in legible Characters on Paper affixed to such Board, and such Board shall be exhibited at every Toll Gate where such Tolls shall be made payable.

Tolls to be taken only whilst Board exhibited.

XXX. That no Tolls shall be demanded or taken by the Company during any Time at which the Boards herein-before directed to be exhibited shall not be so exhibited.

Power to reduce and vary Tolls.

XXXI. That it shall be lawful for the Company from Time to Time, at any Ordinary or Extraordinary Meeting to be held in pursuance of this Act, to vary or reduce all or any of the Tolls hereby granted for such Time as they shall think proper, and again to raise the Tolls so varied or reduced, or any Part thereof, so that the same do not

exceed the Tolls herein-before granted; and the Tolls so varied, reduced, or again raised shall be collected and recovered in the same Manner as the Tolls hereby granted are authorized or directed to be collected and recovered.

Power to stop any Person refusing to pay Toll.

XXXII. That if any Person subject to the Payment of the Tolls hereby made payable, or any of them, or any Person having charge of any Horse, Beast, Carriage, or Thing in respect of which Toll is payable under this Act, shall, after Demand made thereof by any Collector appointed to receive Toll, neglect or refuse to pay the same, or any Part thereof, it shall be lawful for such Collector, by himself, or taking such Assistance as he shall think necessary, to stop and prevent the Passage of the Person so neglecting or refusing, or of the Horse, Beast, Cattle, Carriage, or Truck for or in respect of which such Tolls ought to have been paid, until full Payment thereof, or to seize and distrain any Horses or other Cattle or Beast, together with the Bridles, Saddles, Gears, Harness, and Accoutrements thereunto belonging, or any Carriage drawn by any such Horse, Cattle, or Beast, or any Article or Thing in or upon the same, or belonging to such Person; and if such Tolls, and the reasonable Charges of such Seizure and Distress, shall not be paid within the Space of Four Days next after such Seizure and Distress made, the Person so seizing and distraining shall and may sell the Horse or Horses, Cattle, Carriages, Goods, Chattels, or Things so seized or distrained, or any Part thereof, returning the Overplus (if any), and what shall remain unsold, upon Demand, to the Owner thereof, after such Tolls and the reasonable Charges occasioned by such Seizure, Distress, and Sale shall be deducted.

Penalty for evading Toll.

XXXIII. That if any Person shall evade the Payment of the said Tolls by any means whatever, or shall forcibly pass along the said Bridge or through the Toll Gate without having paid the said Tolls, or shall assault, interrupt, or obstruct any Person employed in the Collection of the said Tolls, every Person offending in any of such Cases shall for every such Offence forfeit any Sum not exceeding Five Pounds.

For punishing Toll Collectors misbehaving.

XXXIV. That every Collector of the Tolls by this Act granted shall place his Christian and Surname, painted on a Board in distinct and legible Characters, on some conspicuous Part of the Toll House or Toll Gate whereat he shall be on Duty, immediately on his coming on Duty, and shall continue the same so placed during the whole of the Time he shall be on Duty; and if any Collector of the said Tolls shall not place such Board as aforesaid, and keep the same there during the Time he shall be on Duty as aforesaid, or shall demand or take a greater or less Toll than he shall be authorized to do

do by virtue of the Powers of this Act and of the Orders of the Company made in pursuance thereof, or shall demand or take a Toll from any Person who shall be exempt from the Payment thereof and claim such Exemption, or shall refuse to permit or shall not permit any Person to read, or shall in anywise hinder any Person from reading, the Inscriptions on the Boards to be affixed and placed as aforesaid, and who shall have paid the legal Toll, or upon the legal Toll being paid or tendered shall unnecessarily detain or wilfully obstruct or hinder any Horse, Beast, Cattle, Carriage, or any Person from passing upon or along the Bridge, or shall make use of any scurrilous or abusive Language to any Officer or Servant of the Company, or to any Passenger upon the Bridge, then and in every such Case every such Collector shall forfeit any Sum not exceeding Five Pounds for every such Offence.

Delivery of Matters in Possession or Custody of Toll Collector at Removal.

XXXV. That if any Collector of Tolls, or other Officer employed by the Company, be discharged or suspended from his Office, or die, or abscond, or absent himself, and if such Collector or other Officer, or the Wife, Widow, or any of the Family or Representative of any such Collector or other Officer, refuse or neglect, after Seven Days Notice in Writing for that Purpose, to deliver up to the Company, or to any Person appointed by them for that Purpose, any Dwelling House, Office, or other Building, with its Appurtenances, or any Books, Papers, or other Matters belonging to the Company, in the Possession or Custody of any such Collector or Officer at the Occurrence of any such Event as aforesaid, then upon Application being made by the Company to any Justice it shall be lawful for such Justice to order any Constable, with proper Assistance, to enter upon such Dwelling House, Office, or other Building, and to remove any Person found therein, and to take possession thereof, and of any such Books, Papers, or other Matters, and to deliver the same to the Company, or any Person appointed by them for that Purpose.

Power to lease the Tolls

XXXVI. That it shall be lawful for the Company, from Time to Time, by Lease to take effect in possession within Three Months from the letting thereof, to let the Tolls to be collected by virtue of this Act to any Party for any Period not exceeding Seven Years from the Commencement of any such Lease: Provided always, that no such letting shall take place unless public Notice of the Intention to let the Tolls shall have been given by the Company by Advertisement at least Fourteen Days prior to the Meeting of the Directors at which it shall be intended to let the Tolls.

Lessees to be deemed Collectors.

XXXVII. That during the Continuance of any such Lease the respective Lessees named therein, and also all Persons appointed by them to collect the Tolls so let, shall be deemed Collectors of the Tolls

Tolls so let, and they shall have the same Power to collect and recover such Tolls, and be subject to the same Rules, Duties, and Penalties in reference thereto, as if they had been appointed for that Purpose by the Company.

Power to determine Lease of Tolls.

XXXVIII. That if any such Lease shall have become void or voidable according to any Stipulations therein contained for that Purpose, by reason of the Failure on the Part of the Lessee to comply with any of the Terms of such Lease, or if all or any Part of the Rent thereby reserved shall be in arrear or unpaid for Twenty-one Days after the same shall have become payable, it shall be lawful for the Company to determine such Lease, and the same shall accordingly be utterly void, except as to the Remedies of the Lessors for Payment of the Rent due, or in respect of unperformed or broken Obligations or Conditions on the Lessee's Part, all which Remedies shall remain in full force; and in every such Case the Company may again let the Tolls to the same or any other Person, or cause them to be collected in the same Manner as if no such former Lease had been made relative thereto.

Lessees making default to be removed.

XXXIX. That upon the Determination of any such Lease it shall be lawful for any Justice, upon Application made by the Company, to order any Constable, with proper Assistance, to enter upon any Toll House, Dwelling House, Office, Weighing Machine, or other Building, with the Appurtenances thereto, belonging to the Company, and remove from the same the Lessee or Collector, or other Person found therein, together with his Goods, and take possession thereof, and of the Property found therein belonging to the Company, and deliver the same to them, or any Person appointed by them for that Purpose.

Weights allowed to be carried over the Bridge.

XL. That no Waggon, Cart, or other Carriage or Engine shall be allowed to come upon or pass along the Bridge with a greater Weight than Six Tons, including the Weight of such Waggon, Cart, or other Carriage, under a Penalty not exceeding the Sum of Forty Shillings, to be forfeited and paid by the Owner of such Waggon, Cart, or other Carriage to the Company for every Time such Waggon, Cart, or other Carriage shall come upon or pass along the Bridge with a greater Weight than Six Tons, including the Weight of such Waggon, Cart, or other Carriage or Engine.

Power to erect Weighing Machines.

XLI. That it shall be lawful for the Company to cause to be erected at or near the Bridge, or at such Distance as they shall think expedient, One or more Cranes or Weighing Machines proper for the weighing of Waggons and other Carriages conveying Goods, Wares, or other Articles: Provided that such Cranes or Weighing Machines be

be placed in such Situation as shall not impede the free Passage of Persons using the Approaches and not going along the Bridge.

Toll Keeper may weigh Carriages, &c.

XLII. That the Keeper of the said Weighing Machine or Toll Gate, or any other Person to be appointed by the Company, or by their Lessee, shall or may require every Driver or Conductor of any Waggon, Cart, or other Carriage or Engine which shall come upon or pass along the Bridge, and which he shall suspect to be a greater Weight than Six Tons, including the Loading thereof, to be weighed at such Crane or Weighing Machine as aforesaid; and if any such Driver, Conductor, or Owner of such Waggon, Cart, or other Carriage or Engine shall refuse to allow the same to be weighed, or shall resist any Gate Keeper, Toll Keeper, or Toll Collector in weighing the same, every such Owner, Driver, or Conductor shall forfeit and pay to the Company any Sum not exceeding Five Pounds.

Annual Account to be made up, and transmitted to the Clerk of the Peace.

XLIII. That the Company shall every Year cause an Account in abstract to be prepared, showing the total Receipt and Expenditure of all Funds levied by virtue of this Act, for the Year ending on the Thirty-first Day of *December*, or some other convenient Day in each Year, under the several distinct Heads of Receipt and Expenditure, with the Statement of the Balance of such Account, duly audited and certified by the Directors, or some of them, and by the Auditor, and shall transmit a Copy of the said Account, free of Charge, to the Clerk of the Peace of the Borough and County of *Newcastle-upon-Tyne*, on or before the Thirty-first Day of *January* then next, which Account shall be open to the Inspection of the Public at all seasonable Hours, on Payment of the Sum of One Shilling for every such Inspection: Provided always, that if the Company shall omit to prepare or transmit such Account as aforesaid, they shall forfeit for every such Omission the Sum of Twenty Pounds.

Interpretation of Terms.

XLIV. That wherever the Word "Company" is used in this Act the same shall be understood to mean the Company incorporated by this Act, unless there be something in the Subject or Context repugnant to such Construction.

Recovery of Damages and Penalties.

XLV. That the Clauses of the Railway Clauses Consolidation Act, 1845, "with respect to the Recovery of Damages not specially "provided for, and of Penalties, and to the Determination of any "other Matter referred to Justices," "with respect to Mines lying "under or near the Railway," and "with respect to the Settlement "of Disputes by Arbitration," shall be incorporated with and form Part of this Act, and such Clauses shall be construed as if the Words "Bridge and Approaches" had been used therein instead of the Word "Railway."

Expenses of Act.

XLVI. That all the Costs, Charges, and Expenses of applying for, obtaining, and passing this Act, and preparatory thereto, shall be paid out of the Funds of the Company, in preference to all other Payments whatsoever.

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