

ANNO DECIMO NONO & VICESIMO

VICTORIÆ REGINÆ.

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with the Clerk of the Peace for the said County of *Northumberland*, and with the Clerk of the Peace for the said County of *Durham*: And whereas the Persons herein-after named, together with other Persons, are willing at their own Expense to carry the said Undertaking into execution, and are desirous of being incorporated into a Company for that Purpose; but the several Purposes aforesaid 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,)

8 & 9 Vict. cc. 16., 18., & 20. incorporated.

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

Short Title.

II. That in citing this Act for any Purpose whatsoever, it shall be sufficient to use the Expression "The *Stockton and Darlington and Newcastle and Carlisle Union* Railway Act, 1856."

Incorporation of Company.

III. That *William Backhouse*, *Charles Ianson*, *William Hunter*, *George Clayton Atkinson*, *William Woods*, *Joseph Shield*, and all other Persons and Corporations who have subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Railways herein-after particularly mentioned, with proper Works and Conveniences belonging thereto, according to the Provisions of the said Acts and of this Act, and for other Purposes herein and in the said Acts contained, and for the Purposes aforesaid such Company shall be incorporated by the Name of "The *Stockton and Darlington and Newcastle and Carlisle Union* Railway Company," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking within the Restrictions herein and in the said Acts contained.

Capital.

IV. That the Capital of the Company shall be One hundred thousand Pounds, and the Number of Shares into which the said Capital shall be divided shall be Five thousand, and the Amount of each Share shall be Twenty Pounds.

Calls.

V. That Five Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and

and Fifteen Pounds *per* Share shall be the utmost aggregate Amount of Calls that may be made in any One Year upon any Share, and Three Months at the least shall be the Interval between successive Calls.

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

VI. That it shall not be lawful for the Company, out of any Money by this Act authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest or Dividend to any Shareholder on the Amount of Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein contained shall be deemed to prevent the Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of Calls actually made as shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

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

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

Power to borrow Money on Mortgage.

VIII. That it shall be lawful for the Company to borrow on Mortgage or Bond any Sum not exceeding in the whole Thirty-three thousand Pounds, but no Part of such Sum shall be borrowed until the whole of the said Capital or Sum of One hundred thousand Pounds shall have been subscribed, and One Half thereof shall have been actually paid up; and all Moneys raised under the Powers of this Act, either by Shares or borrowing, shall be applied in carrying out the Purposes of this Act only.

Arrears may be enforced by Appointment of Receiver.

IX. 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 Money 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 Five thousand Pounds in the whole.

Number of Directors.

X. That the Number of the Directors of the Company shall be Ten, and the Qualification of a Director shall be the Possession of Twenty-five Shares in the Undertaking.

XI. That

Quorum of Directors.

XI. That the Quorum of a Meeting of Directors shall be Three, unless the Number of Directors at any Time shall be reduced to Three, and then Two Directors shall be a Quorum.

First Directors of the Company.

XII. That *William Backhouse*, *John Grey*, *William Hunter*, *Charles Ianson*, *Charles Mark Palmer*, and *William Woods* shall be the First Directors of the Company.

Power to vary the Number of Directors.

XIII. That it shall be lawful for the Company, by the Vote of any Ordinary or Extraordinary Meeting, from Time to Time to reduce the Number of Directors for the Time being, but so that the Number of Directors shall at no Time be less than Three, and also, subject to the Provisions of the recited Acts incorporated herewith, to determine the Order of Rotation in which such reduced Number of Directors shall go out of Office; and all Acts, Matters, and Things done by or by the Authority of the said Directors, when so reduced in Number, shall be valid.

Newspapers for Advertisements.

XIV. That all Advertisements relating to the Affairs of the Company shall be inserted in at least One Newspaper published in the Counties of *Northumberland* or *Durham*, or in *Newcastle-upon-Tyne*.

Money payable to Persons under Disability.

XV. That if any Money be payable to any Shareholder being a Minor, Idiot, Lunatic, or *non compos mentis*, the Receipt of the Guardian of such Minor, or of the Committee of such Idiot, Lunatic, or Person *non compos mentis*, shall be a sufficient Discharge to the Company for the same.

Lines of Railway.

XVI. That it shall be lawful for the Company to make and maintain the Railways by this Act authorized, together with all proper Works, Approaches, Stations, and Conveniences connected therewith; (that is to say,)

First. A Railway (herein-after called the Main Line of Railway) commencing at and proceeding from the Main Line of the *Newcastle-upon-Tyne and Carlisle* Railway at or near to a Point One Chain East of the Bridge carrying the Road from *Old Ridley* to *Bywell*, over the said Line of such Railway, in the Parish of *Bywell St. Peter* in the County of *Northumberland*, and terminating by a Junction with the Main Line of the *Stockton and Darlington* Railway Company at or near a Point Twenty-one Chains North-east of the Top of the *Hownes Gill* Incline of the said *Stockton and Darlington* Railway, in the Township of *Conside* or *Consett* or *Conset*, and *Knitsley*, in the Parish of *Lanchester* in the County of *Durham*:

Second. A Railway (herein-after called the Branch Railway) commencing at and by a Junction with the proposed Railway firstly herein-

herein-before described, at or about a Distance of Eighteen Chains from the Junction thereof with the *Stockton and Darlington* Railway in the Parish of *Lanchester* in the County of *Durham*, and terminating at and by a Junction with the private Railway of the *Derwent* Iron Company at or near to *Crook Hall* Furnaces in the Parish of *Lanchester* and Township of *Ivestone* or *Iveston* in the said County of *Durham*.

Power to make Railways according to deposited Plans, &c.

XVII. That the said Railways may be made in the Line and upon the Lands delineated upon the said Plans, and described in the said Books of Reference, and according to the Levels described in the said Sections, and it shall be lawful for the Company to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose.

Power to purchase and use Derwent Iron Company's Railway.

XVIII. Whereas the Branch Railway hereby authorized will be connected with the Railway belonging to the *Derwent* Iron Company, and it is expedient that Powers be conferred on the Company to purchase or use all or any Part of such last-mentioned Railway: It shall therefore be lawful for the Company, by Agreement with the said *Derwent* Iron Company, but not otherwise, to purchase all or any Part of the Railway belonging to the said *Derwent* Iron Company, and to use the same Railway, with the Engines and Carriages of the Company, upon such Terms and Conditions as the Company and the *Derwent* Iron Company shall mutually agree.

Land for extraordinary purposes.

XIX. The Quantity of Land to be purchased by the Company for extraordinary Purposes, as mentioned in the "Railway Clauses Consolidation Act, 1845," shall not exceed Ten Acres.

Power to cross certain Roads on the Level.

XX. That it shall be lawful for the Company, in constructing the Railways hereby authorized, to carry the same on the Level across the several Roads numbered on the said deposited Plans as follows:

MAIN LINE OF RAILWAY.

Parish.	Number on Plan.	Description of Road.	Number of Lines of Railway.
Bywell St. Peter -	29	Public Cart Road -	Two.
Ditto - -	88A	Township Road -	Ditto.
Lanchester - -	67	Ditto - -	Ditto.

BRANCH RAILWAY.

Lanchester - -	18	Township Road -	Two.

Provided always, that the public Roads respectively numbered 88A, in the Parish of *Bywell Saint Peter*, and 67, in the Parish of *Lanchester*, shall be so diverted or otherwise altered by the Company that the Inclination of such Roads respectively as they descend to the Railway shall, in each Case, for the Length of Four Chains at least from the

intended crossing thereof by the Railway, not be steeper than One in Twelve.

Company to erect a Station or Lodge at the Point of Crossing, and abide by the Rules, &c. of the Board of Trade.

XXI. That for the greater Convenience and Security of the Public, the Company shall erect and permanently maintain either a Station or Lodge at the Points where the Railways cross the before-mentioned Roads on the Level, and the said Company shall be subject to and abide by all such Rules and Regulations with regard to the crossing of such Roads on the Level, or with regard to the Speed at which Trains shall pass such Roads, as shall from Time to Time be made by the Board of Trade; and if the Company shall fail to erect or at all Times maintain any such Station or Lodge, or appoint a proper Person to watch or superintend the Crossing at any such Point or Station, 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 a Bridge to be erected in lieu of level Crossing.

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

As to Inclination of certain Roads.

XXIII. That as regards the Roads herein-after mentioned, it shall be lawful for the Company to make the Rate of Inclination of such Roads when altered as follows; *videlicet*,

MAIN LINE OF RAILWAY.

Parish.	Number on Plan.	Description of Road.	Rate of Inclination when altered.
Bywell St. Peter -	5	Township Road -	1 in 12
Ditto - -	61	Turnpike Road -	1 in 8
Ditto - -	88A	Township Road -	1 in 12
Ovingham - -	21	Township Road -	1 in 9
Lanchester - -	25	Ditto - -	1 in 9
Ditto - -	42	Ditto - -	1 in 14
Ditto - -	67	Ditto - -	1 in 12
Ditto - -	85	Turnpike Road -	1 in 11
Ditto - -	114A	Ditto - -	1 in 15

XXIV. That

Powers for compulsory Purchases limited.

XXIV. That the Powers of the Company for the compulsory Purchase of Land for the Purposes of this Act shall not be exercised after the Expiration of Two Years from the passing of this Act.

Limiting Time for Exercise of otherPowers.

XXV. That after the Expiration of Four Years from the passing of this Act all the Powers hereby granted to the Company for making the Railways hereby authorized, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the same as shall then be completed.

Security for Completion of Railways within Time limited.

XXVI. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of Her present Majesty, Chapter Twenty, the Sum of Seven thousand five hundred Pounds, being One Tenth Part of Three Fourths of the Amount of the Estimate of Expense of the Railways authorized by this Act, has been deposited with the Court of Chancery in *England* in respect of the Application to Parliament for this Act: Be it enacted, That notwithstanding anything contained in the said recited Act, the said Sum of Seven thousand five hundred Pounds so deposited as aforesaid in respect of the Application for this Act, or the Interest or Dividends of such Sum of Money, shall not, except upon the Execution and Deposit of such Bond as herein-after mentioned, be paid or transferred to or on the Application of the Person or Persons, or the Majority of the Persons, named in the Warrant or Order issued in pursuance of the said Act, or the Survivors or Survivor of them, unless the said Company shall, previously to the Expiration of Four Years from the passing of this Act, either open the said Railways for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the said Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if the said Period of Four Years shall expire before the said Company shall either have opened the said Railways for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the said Sum of Money deposited as aforesaid, and the Interest and Dividends thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*; provided that at any Time after the passing of this Act, if a Bond in twice the Amount of the

said

said Sum of Seven thousand five hundred Pounds shall have been executed by the said Company with One or more Sureties (such Bond to be prepared to the Satisfaction of, and such Surety or Sureties to be approved by, the Solicitor to the Lords Commissioners of Her Majesty's Treasury) conditioned for Payment to Her Majesty, Her Heirs or Successors, of the said Sum of Seven thousand five hundred Pounds, if the said Company shall not, within Four Years from the passing of this Act, either open the said Railways for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee that the said Company have paid up One Half of the Amount of the said Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if such Bond shall have been deposited with the said Solicitor to the said Lords Commissioners, then such Sum of Money, and the Interest or Dividends thereof, shall be paid to or on the Application of the Person or Persons, or the Majority of the Persons, named in such Warrant or Order as aforesaid, or the Survivors or Survivor of them, or the Executors or Administrators of such Survivor, and it shall not be necessary to produce any Certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding; and the Monies to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Money and the Interest or Dividends thereof would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitor to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Lords of the said Committee that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

Power to take Tolls.

XXVII. That it shall be lawful for the Company to demand any Tolls for the Use of the Railways, not exceeding the following; (that is to say,)

Tonnage of Articles of Merchandise.

In respect of the Tonnage of all Articles conveyed thereon, or upon any Part thereof, and included within the following Classes:

Class 1. For all Compost, Dung, and all Sorts of Manure, Lime and Limestone, and all undressed Materials for the Repair of Roads or Highways, Coals, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone, and Iron Ore, *per* Ton *per* Mile not exceeding One Penny; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny; and if propelled by an Engine belonging to the

the Company, a further Sum *per* Ton *per* Mile not exceeding One Halfpenny:

Class 2. For 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; and if propelled by an Engine belonging to the Company, a further Sum *per* Ton *per* Mile not exceeding One Halfpenny:

Class 3. For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, Deals, 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 Halfpenny; and if propelled by an Engine belonging to the Company, a further Sum *per* Ton *per* Mile not exceeding One Halfpenny:

Class 4. For all Rags, Cotton, Wools, Drugs, manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, or Things, *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 Halfpenny; and if propelled by an Engine belonging to the Company, a further Sum *per* Ton *per* Mile not exceeding One Penny:

Class 5. For every Carriage of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, *per* Mile not exceeding Fourpence; and if any such Carriage be conveyed on a Truck or Platform belonging to the Company, an additional Sum *per* Mile not exceeding One Penny; and if propelled by an Engine belonging to the Company, a further Sum *per* Mile not exceeding One Penny; and the Sum of One Penny *per* Mile for every additional Quarter of a Ton, or fractional Part of a Quarter of a Ton, up to Four Tons, which any such Carriage may weigh; and if conveyed on a Truck or Platform belonging to the Company, an additional Sum not exceeding One Farthing *per* Mile for every such additional Quarter of a Ton, or fractional Part of a Quarter of a Ton; and if propelled by an Engine belonging to the Company, a further Sum not exceeding One Farthing *per* Mile for every such additional Quarter of a Ton, or fractional Part of a Quarter of a Ton.

Tolls for Animals, &c.

In respect of Animals conveyed in Carriages upon the Railways, as follows:

Class 6. For every Horse, Mule, Ass, or other Beast of Draught or Burden, and for every Ox, Cow, Bull, or Neat Cattle, *per* Mile not

not exceeding One Penny Halfpenny; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Halfpenny; and if such Carriage be propelled by an Engine belonging to the said Company, an additional Sum *per* Mile not exceeding One Halfpenny:

Class 7. For every Calf or Pig, Sheep, Lamb, or other small Animal, conveyed in or upon any such Carriage, *per* Mile not exceeding One Halfpenny; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Farthing; and if propelled by an Engine belonging to the Company, an additional Sum *per* Mile not exceeding One Farthing.

Tolls for Passengers.

In respect of Passengers conveyed in Carriages upon the Railways, as follows:

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

Regulations as to Tolls.

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

For Articles, Animals, or Persons conveyed on the Railways 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 as for One Quarter of a Mile in the Case of Goods, and for One Mile in respect of Passengers:

For every Fraction of a Ton the Company may demand Tolls 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.

Tolls for small Parcels and

XXIX. And with respect to small Packages and single Articles of great Weight, be it enacted, That, notwithstanding the Rate of Tolls prescribed

prescribed by this Act, the Company may lawfully demand the Tolls following; (that is to say,) Articles of great Weight.

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

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

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, Two Shillings:

For any Parcel exceeding Fifty-six Pounds and not exceeding One hundred and twelve Pounds in Weight, Three Shillings:

For any Parcel exceeding One hundred and twelve Pounds and not exceeding Two hundred and twenty-four Pounds in Weight, Three Shillings and Sixpence:

And for any Parcel exceeding Two hundred and twenty-four Pounds 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 single Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Truck or Platform, shall exceed Four Tons, but shall not exceed Eight Tons, the Company may demand any Sum not exceeding Sixpence *per* Ton *per* Mile; and if conveyed in or upon a Truck or Platform belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding Fourpence; and if propelled by an Engine belonging to the Company, a further Sum *per* Ton *per* Mile not exceeding Threepence:

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

XXX. That every Passenger travelling upon the Railways may take with him his ordinary Luggage, not exceeding One hundred and twelve Pounds in Weight for First-class Passengers, One hundred Pounds in Weight for Second-class Passengers, and Sixty Pounds in Weight Passengers Luggage.

Weight for Third-class Passengers, without any Charge being made for the Carriage thereof.

Maximum Rates of Charge for Passengers.

XXXI. That the maximum Rates of Charge to be made by the Company for the Conveyance of Passengers upon the said Railways, including the Tolls for the Use of the Railways and 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, the Sum of Threepence *per* Mile:

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

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

Maximum Charges for Goods and Animals.

XXXII. That the maximum Rate of Charge to be made by the Company, including the Tolls for the Use of the Railways and of Carriages, and for locomotive Power, and every other Expense incidental to such Conveyance (except the loading and unloading of Goods, when such Service is performed by the Company), shall not exceed the Amounts mentioned in the following Table; (that is to say,)

For the Matters herein-before mentioned under Class 1, not exceeding Twopence *per* Ton *per* Mile:

For the Matters mentioned under Class 2, not exceeding Twopence Halfpenny *per* Ton *per* Mile:

For the Matters mentioned under Class 3, not exceeding Threepence *per* Ton *per* Mile:

For the Matters mentioned under Class 4, not exceeding Threepence Halfpenny *per* Ton *per* Mile:

For any Carriage mentioned under Class 5, not exceeding Sixpence *per* Mile:

For everything mentioned under Class 6, not exceeding Twopence Halfpenny *per* Mile:

For everything mentioned under Class 7, not exceeding One Penny *per* Mile.

Restriction as to Charges not to apply to Special Trains.

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

XXXIV. That

As to Communication with the Newcastle-upon-Tyne and Carlisle Railway.

XXXIV. That the Communication between the Main Line of Railway hereby authorized and the *Newcastle-upon-Tyne and Carlisle* Railway shall be effected in a substantial and workmanlike Manner, and by means of Rails, Points, and other Works to be constructed and from Time to Time maintained at the Expense of the Company, and to the reasonable Satisfaction of the principal Engineer for the Time being of the *Newcastle-upon-Tyne and Carlisle* Railway Company.

Not to take Property of the Newcastle-upon-Tyne and Carlisle Railway Company without Consent.

XXXV. That nothing in this Act contained shall, except for the Purpose of making and maintaining the before-mentioned Communication, authorize the Company to take or use any of the Property of the *Newcastle-upon-Tyne and Carlisle* Railway Company without the previous Consent of such last-mentioned Railway Company under their Common Seal.

Saving Rights of the Newcastle-upon-Tyne and Carlisle Railway Company.

XXXVI. That nothing in this Act contained shall prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities of or vested in or belonging to the *Newcastle-upon-Tyne and Carlisle* Railway Company otherwise than is herein expressly provided.

As to Communication with the Stockton and Darlington Railway.

XXXVII. That the Communication between the Main Line of Railway hereby authorized and the *Stockton and Darlington* Railway shall be effected in a substantial and workmanlike Manner, and by means of Rails, Points, and other Works to be constructed and from Time to Time maintained at the Expense of the Company, and to the reasonable Satisfaction of the principal Engineer for the Time being of the *Stockton and Darlington* Railway Company.

Not to take Property of the Stoctkon and Darlington Railway Company without Consent.

XXXVIII. That nothing in this Act contained shall, except for the Purpose of making and maintaining the before-mentioned Communication, and for carrying the Branch Railway hereby authorized under the *Stockton and Darlington* Railway, authorize the Company to take or use any of the Property of the *Stockton and Darlington* Railway Company without the previous Consent of such last-mentioned Railway Company under their Common Seal.

Saving Rights of the Stockton and Darlington Railway Company.

XXXIX. That nothing in this Act contained shall prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities of or vested in or belonging to the *Stockton and Darlington* Railway Company otherwise than is herein expressly provided.

Provision for double Line of Rails in

XL. That inasmuch as the Railways are intended in the first instance to consist of a single Line of Rails only, and it is expedient to

certain Events.

to provide for the laying down of a Second Line of Rails when the Amount of Traffic shall require the same, therefore the Company may, when and so soon as the Traffic on the Railway shall be such as to require the Accommodation of Two Lines of Rails, lay down and thereafter maintain an additional or Second Line of Rails on the Railways for the greater Convenience and Accommodation of the Traffic thereon: Provided always, if at any Time after Twelve Months from the Opening of such Railways to the Public it shall appear to the Board of Trade that an additional Line of Rails is required for the proper Accommodation of the Public using the said Railways, then and in such Case the Company shall and they are hereby required, upon receiving an Order in Writing to that Effect from the said Board of Trade, to lay down such additional Line of Rails, and to execute all other necessary Works for effecting such Purpose, and within such reasonable Time as shall be fixed by the said Board of Trade, having reference to the Extent of the Works to be executed under such Order; and if such Order shall be made and the Works thereby required to be done shall not be executed within the Time specified in such Order, it shall not be lawful for the Company to take any Toll or Fare for the Use of the said Railways until the Works required to be made by such Order shall have been completed; and in either of such Events it shall be lawful for the Company to raise, by the Creation of new Shares in their Undertaking, such an Amount of additional Capital, not exceeding Sixty thousand Pounds, as may be necessary for the Purpose last aforesaid.

Company empowered to purchase Land for laying down double Line of Rails, &c.

XLI. The Company shall and they are hereby required, previously to the Completion of the Railways and the opening of the same for Public Traffic, to purchase and take such a Quantity of Land as shall be sufficient for the Purpose of laying down a double Line of Rails thereon, and shall plant and construct the Hedges and Fences of the Railways at such Distances from each other as will leave sufficient Width between the same Hedges and Fences for the Purpose of laying down a double Line of Rails, and shall construct the Bridges and Tunnels of such Dimensions as will admit of a double Line of Rails being placed on the said Railways, and being used for the Purposes of the same.

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

XLII. That nothing herein contained shall be deemed or construed to exempt the Railways by this Act authorized to be made, purchased, or used by the Company from the Provisions of any General Act relating to Railways, or to the better or more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during the present or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament,

of

of the maximum Rates of Fares and Charges, or of the Tolls for small Parcels, authorized by this Act.

XLIII. That all the Costs, Charges, and Expenses of and attending the passing of this Act, or incidental thereto, shall be paid by the Company. Expenses of Act.

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