ANNO DECIMO QUARTO & DECIMO QUINTO

# VICTORIÆ REGINÆ.

## *Cap.* lxxxiv.

**An Act for enabling the *York, Newcastle, and Berwick* Railway Company to abandon a Portion of their *Bishop Auckland* Branch Railway, and substitute in lieu thereof a new Line of Railway; and to extend the Time for the Purchase of Lands and Completion of Works on certain Lines of Railway authorized to be made in the County of *Durham*; and for other Purposes.**

[24th *July* 1851.]

WHEREAS an Act was passed in the Fifth Year of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act for completing the Railway Communication between the Towns of* Newcastle-on-Tyne *and* Darlington, *by a Railway to be called* "*The* Newcastle and Darlington Junction *Railway, with a Branch to the City of* Durham," whereby several Persons became and were incorporated by the Name of "The *Newcastle and Darlington Junction* Railway Company," which Name was afterwards changed to "The *York and Newcastle* Railway Company," and has since been altered to "The *York, Newcastle, and Berwick* Railway Company:" And whereas 5 & 6 Vict. c. 80.

the Provisions of the said recited Act have been amended and extended or altered by several subsequent Acts relating to the said Company, passed respectively in the Sixth, Seventh, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, and Fourteenth Years of the Reign of Her present Majesty: And whereas it is expedient that a Portion of the *Bishop Auckland* Branch of the *York, Newcastle, and Berwick* Railway as at present authorized should be abandoned, and a new Line made in substitution thereof, and that Power should be granted to the Company to raise further Capital for such Purpose, and that the Time limited by "The *York, Newcastle, and Berwick* (Main Line Improvement) Railway Act, 1848," for the Purchase of Lands and Completion of Works, should be extended: And whereas it is also expedient that some of the Powers and Provisions of the said recited Acts should be altered, amended, extended, and enlarged; but the 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,

Provisions of 8 & 9 Vict. cc. 18. & 20. extended to this Act.

I. That so much of "The Lands Clauses Consolidation Act, 1845," and of "The Railways Clauses Consolidation Act, 1845," as is applicable to and not modified by this Act, or inconsistent with the Provisions hereof, shall be held to apply to the Railway and Works by this Act authorized to be made, and shall be read and construed as forming Part of this Act.

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

II. And whereas Plans and Sections describing the Line and Levels of the Railway and Works hereby authorized to be made, together with a Book of Reference to the said Plans, containing the Names of the reputed Owners and Lessees and of the Occupiers of the Lands through which the same respectively are intended to pass or be made, have been deposited with the Clerk of the Peace for the County of *Durham*: Be it enacted, That, subject to the Provisions in this Act, and "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," contained, it shall be lawful for the Company to make and maintain the Railway herein-after mentioned, with all proper Works and Conveniences connected therewith, in the Line and according to the Levels shown upon the said Plans and Sections, and upon the Lands delineated on the said Plans and described in the said Book of Reference, and to enter upon, purchase, take, and use such of the said Lands as shall be necessary for such Purpose.

Line of Railway.

III. That the Line of Railway to be made under the Authority of this Act shall be the following; (that is to say,) a Railway commencing



at

at the Point of Junction of the Portion of Railway intended to be abandoned with the *Bishop Auckland and Weardale* Railway, otherwise the *Wear Valley* Railway, in the Parish of *Saint Andrew Auckland* and Township of *Bishop Auckland* otherwise *Bondgate* in *Auckland* in the County of *Durham*, and terminating at the Point where the said Railway a Portion whereof is so intended to be abandoned intersects a Fence on the North Side of a Field in the Township of *Newton Cap* and Parish of *Saint Andrew Auckland* aforesaid.

Part of Bishop Auckland Branch to be abandoned.

IV. That the said Company shall abandon and relinquish the Construction of so much of the *Bishop Auckland* Branch Railway, authorized by "The *Newcastle and Darlington Junction* (County of *Durham* Branches) Railway Act, 1846," and "The *York Newcastle, and Berwick* (Main Line Improvement) Railway Act, 1848," or One of such Acts, as lies between the proposed Point of Junction of the same Branch Railway with the *Bishop Auckland and Weardale* Railway, otherwise called the *Wear Valley* Railway, in the Parish of *Saint Andrew Auckland* and Township of *Bishop Auckland* otherwise *Bondgate* in *Auckland* in the County of *Durham*, and the Point where the same Branch Railway intersects a Fence lying on the North Side of a Field in the Township of *Newton Cap* and Parish of *Saint Andrew Auckland* aforesaid numbered 97 on the Plan of the same Branch Railway deposited with the Clerk of the Peace for the said County of *Durham*, and referred to by the said last-mentioned Act, and the Company shall not, after the passing of this Act, further put in force, in respect of the Portion of Railway hereby required to be abandoned, any of the Powers granted by the said recited Acts or any of them.

Compensation to be made where Contracts have been entered into or Notices given.

V. Provided always, That in any Case where before the passing of this Act any Contract hath been entered into or Notice given by the Company for purchasing any Lands which the Company were by "The *Newcastle and Darlington Junction* (County of *Durham* Branches) Railway Act, 1846," and "The *York, Newcastle, and Berwick* (Main Line Improvement) Railway Act, 1848," or either of them, empowered to purchase for the Purpose of constructing the Portion of Railway so authorized to be abandoned as aforesaid, and the said Company shall not require the Land so contracted for, or in respect of which such Notice has been given for the said new Line of Railway hereby authorized, the Company shall make to the Owners or Occupiers of and other Parties interested in such Lands full Compensation for all Injury or Damage sustained by such Owners, Occupiers, and other Parties by reason of such Purchase not being completed pursuant to such Contract or Notice; and the Amount and Application of such Compensation shall be determined in the Manner provided by "The

*The York, Newcastle, and Berwick (Auckland Branch) Railway Act*, 1851.

"The Lands Clauses Consolidation Act, 1845," for determining the Amount and Application of the Compensation to be paid for Lands taken under the Provisions thereof: Provided also, that the Authority hereby given for abandoning the Formation of the aforesaid Portion of Railway shall not prejudice or affect the Right of the Owner or Occupier of any Lands which the Company were so empowered to purchase as aforesaid to receive from the Company Compensation for any Damage that may have been occasioned by the Entry of the Company upon such Lands for the Purpose of surveying and taking Levels, and of probing or boring to ascertain the Nature of the Soil, or of setting out the Line of the Railway, pursuant to the Provisions for that Purpose in the said Lands Clauses Consolidation Act contained.

Existing Powers for Purchase of Lands for extraordinary Purposes not to be prejudiced.

VI. That, notwithstanding anything contained in this Act, or in the said Acts under which the said abandoned Line was authorized to be constructed, the Power by such last-mentioned Acts granted for the Purchase of Lands for extraordinary Purposes shall be held to apply to and may be exercised in connexion with the Railway by this Act authorized to be constructed, in the same Manner and to the same Extent as before the passing of this Act the same applied to and might have been exercised in connexion with the Railway hereby authorized to be abandoned.

Period for compulsory Purchase of Lands limited.

VII. That the Powers of the Company for the compulsory Purchase of Lands for the Purposes of the Railway and Works authorized by this Act shall not be exercised after the Expiration of Two Years from the passing thereof.

Period for Completion of Works.

VIII. That the Railway and Works by this Act authorized shall be completed within Three Years from the passing of this Act, and on the Expiration of such Period the Powers by this Act, or the Acts incorporated herewith or extended hereto, granted to the Company for executing the same Railway and Works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of such Railway and Works as shall then have been completed, and except such Powers as are by the same Acts or any of them declared to be continued for a longer Period.

Parties aggrieved by Extension of Time being granted may have Compensation for additional Damage.

IX. Provided always, That the Justices, Arbitrators, Umpires, or Juries respectively (as the Case may be) who under the Provisions of this Act shall award or assess the Compensation to be made by the Company to the Owners or Occupiers of or other Parties interested in any of the Lands which shall be taken or used for the Purposes of the Railway hereby authorized and the Works connected therewith, or which may be injuriously affected by the Construction thereof, shall, in

in estimating the Amount of such Compensation, have regard to and make Compensation for the additional Damage (if any) sustained by such Owners, Occupiers, or other Persons by reason of the Extension of the Period for the Purchase of such Lands which the Company obtain under the Provisions of this Act, and by reason of any Alteration in the Levels which may be affected under this Act, and for which Compensation has not already been made or agreed to be made.

Period for compulsory Purchase of Lands and Completion of Works on certain Lines of Railways extended.

X. That the Period limited by "The *York, Newcastle, and Berwick* (Main Line Improvement) Railway Act, 1848," for the compulsory taking or using of Lands for the Purposes of the Railways and Works authorized by the same Act, shall be and the same is hereby (except as to such Portion of the same Railways as is hereby authorized to be abandoned) continued, extended, and enlarged for the further Term of One Year, to be computed from the passing of this Act, and that the same Railways and Works (the Time for purchasing the Lands for the Purposes whereof is so hereby extended) shall be completed within Three Years from the passing of this Act, instead of the Period limited by the said Act authorizing the Construction thereof.

Existing Contracts not to be prejudiced.

XI. That the last preceding Enactment shall not prejudice or affect any Contract or Agreement for the Purchase or Taking of Lands entered into by the said Company before the passing of this Act, but where before the passing of this Act any such Contract shall have been entered into or Notice given by the Company for purchasing, taking, or using any Lands for the Purposes of the Railways authorized by "The *York, Newcastle, and Berwick* (Main Line Improvement) Railway Act, 1848," any such Contract and Notice respectively shall be construed and take effect, and the same Proceedings shall be had thereunder, and all Parties thereto shall be entitled to the same Rights and Remedies in respect thereof, both at Law and in Equity, as if such Extension of the said respective Periods had not been authorized as aforesaid.

Parties aggrieved by Extension of Time being granted may have Compensation for additional Damage.

XII. Provided always, That the Justices, Arbitrators, Umpires, or Juries respectively (as the Case may be) who, under the Provisions of "The *York, Newcastle, and Berwick* (Main Line Improvement) Railway Act, 1848," shall award or assess the Compensation to be made by the Company to the Owners or Occupiers of or other Parties interested in any of the Lands which shall be taken or used for the Purposes of the said Railways thereby authorized and the Works connected therewith respectively, or which may be injuriously affected by the Construction thereof, shall, in estimating the Amount of such Compensation, have regard to and make Compensation for the additional Damage (if any) sustained by such Owners, Occupiers, or other Persons by reason of the

the Extension of the Period for the Purchase of such Lands hereby authorized.

Company not to take, without Consent, Lands of the Earl of Durham and Lord Ravensworth, unless an Agreement for that Purpose be executed within Six Weeks after passing of this Act.

XIII. And whereas previous to the passing of the *York, Newcastle, and Berwick* Railway (Main Line Improvement) Act, 1848, certain Arrangements were made between the Company and the Trustees of the Right Honourable *George Frederick D'Arcy* Earl of *Durham*, and between the Company and the Right Honourable *Thomas Henry* Lord *Ravensworth*, with reference to Accommodation Works, Stations, Sidings, and other Works for the Protection of the Lands of such Parties; but the Agreements between the Company and such Parties for carrying out such Arrangements have not been finally settled or executed: Be it enacted, That, unless the said Agreements shall have been executed by the said Company within Six Weeks after the passing of this Act, nothing in this Act contained shall authorize the Company to take any of the Lands of the said *George Frederick D'Arcy* Earl of *Durham*, nor any of the Lands of the said *Thomas Henry* Lord *Ravensworth*, delineated upon the deposited Plans of the intended Line of Railway first mentioned in the said *York, Newcastle, and Berwick* Railway (Main Line Improvement) Act, 1848, without the previous Consent in Writing of the said Earl of *Durham* and Lord *Ravensworth* (as the Case may be), their Heirs and Assigns.

As to Tolls to be taken.

XIV. That from and after the passing of this Act it shall be lawful for the *York, Newcastle, and Berwick* Railway Company aforesaid, and they are hereby authorized and empowered, (subject nevertheless to the Provisions in this Act, and in "The *Great North of England* Railway Purchase Act, 1846," and "The *York, Newcastle, and Berwick* Railway Act, 1849," contained,) to demand, receive, and take for and in respect of Passengers, and of the several Articles, Matters, and Things, and of all Descriptions of Animals conveyed on the Railway by this Act authorized to be made, and also for the Use of Carriages and Locomotive Engines or other Power supplied by the *York, Newcastle, and Berwick* Railway Company thereon, such and the like Rates, Tolls, or other Charges as by "The *Great North of England* Railway Purchase Act, 1846," and "The *York, Newcastle, and Berwick* Railway Act, 1849," the said Company are authorized to demand and receive for the like Passengers, Animals, Articles, Matters, and Things conveyed on the Railways belonging to them, and for the Use of the like Carriages and Locomotive Engines or other Power, as well for ordinary as for express Trains supplied by the same Company on the same Railways.

Power to raise additional Capital.

XV. And whereas the estimated Expense of making the said Railway amounts to the Sum of Sixty thousand Pounds: Be it enacted, That it

it shall be lawful for the *York, Newcastle, and Berwick* Railway Company to raise, by Contribution among themselves, or by the Admission of other Persons as Subscribers to the Undertaking, or in part by each of those Means, the Sum of Sixty thousand Pounds, in addition to the Sums of Money they are authorized to raise by any of their former Acts, or may be authorized to raise by any Act to be passed during the present Session of Parliament, and all and every Part of the Money so to be raised shall be applied to the Purposes of the Railway and Works by this Act authorized, and to no other Purposes whatsoever.

Additional Capital to be divided into new Shares or Stock.

XVI. That the Monies or Capital so to be raised shall be divided into new Shares or Stock, as the said Company shall think fit, and such new Shares or Stock shall be of such nominal Value, and shall be distributed in such Manner, as any General Meeting of the Company shall hereafter direct, and shall be considered as Part of the general Capital of the Company, and shall be subject to the same Provisions in all respects, whether with reference to the Payment of Calls, or the Forfeiture of Shares on the Nonpayment of Calls, or otherwise, as if it had been Part of the general Capital, except as to the Amount and Time of making and of Payment of Calls, which (subject as herein-after mentioned) the Directors of the Company shall fix from Time to Time as they shall think proper.

Power for Company to guarantee Dividends on such Shares.

XVII. That it shall be lawful for the Company, with the Approbation of Three Fifths at least of the Votes of the Proprietors present, in Person or by Proxy, at any Meeting of the Company specially convened for the Purpose, to guarantee the Payment upon the Shares or Stock so to be created of any Dividend not exceeding Five Pounds *per Centum per Annum*, in preference to the Payment of any Dividends upon any other Shares or Stock in the Company (except on the Shares, so long as the Guarantee on the same shall continue, called "The *Great North of England* Railway Purchase Shares," being the only Shares in the Company to which any Priority in the Payment of Dividends has been assigned), and such preferential Dividends may be guaranteed, either permanently or for a limited Period or Periods, and shall be payable by such Instalments, upon such Conditions, and in such Manner, as any General Meeting of the Company may from Time to Time direct.

Saving Right of Holders of existing Preference Shares.

XVIII. Provided always, That any Preference or Priority in the Payment of Dividends which may be assigned to any Shares or Stock to be created by virtue of this Act shall not prejudice or affect any Preference or Priority in the Payment of Interest or Dividends which may have been assigned to any other Shares or Stock which shall have been granted by the Company in pursuance of or which may have been confirmed

confirmed by any Act passed prior to the passing of this Act, or which may otherwise be lawfully subsisting.

Calls.

XIX. Provided also, That Twenty Pounds *per Centum* on the nominal Amount of a Share shall be the greatest Amount of any One Call which the Company may make on the Holders of Shares created in respect of the Money by this Act authorized to be raised, and Three Months at the least shall be the Interval between successive Calls.

Monies borrowed under existing Acts may be applied to Purposes of this Act.

XX. That it shall be lawful for the Company to appropriate and apply to the Purposes of the Railway and Works by this Act authorized any Portion, not exceeding Twenty thousand Pounds, of the Monies which under or by virtue of their existing Acts they are yet authorized to raise on Mortgage or Bond.

Interest not to be paid on Calls paid up.

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

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

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

Where Roads are interfered with, &c., Certificate of Justices to be Evidence of the same being restored.

XXIII. And whereas no Provision is made in the said recited Acts for enabling the said Company to obtain authentic Evidence that any Road which may have been interfered with or substituted for another Road has been restored, or put into a permanently substantial Condition, as by the said Acts required: Be it therefore enacted, That where any Road shall have been interfered with in the Exercise of the Powers granted by the Acts relating to the Railways of the said Company, or a new Road substituted in lieu thereof, the Certificate of Two Justices

in Petty Sessions assembled, that such Road has been restored, or a new Road substituted in lieu thereof, according to the Provisions of the said recited Acts, (which Certificate such Justices are hereby required, on being satisfied, from a View of such Road or by Evidence, that such Road has been properly restored and put into a permanently substantial Condition, or a new or sufficient Road substituted in lieu thereof, and put into a permanently substantial Condition, to grant, on Application being made for the same by the said Company,) shall in all Cases be taken and received as sufficient Evidence that such Road has been so restored, or such substituted Road completed and put into a permanent and substantial Condition, as by the said Acts or any of them required.

Amendment of Provisions as to the Sale of superfluous Lands.

XXIV. And whereas by "The *York, Newcastle, and Berwick* Railway Act, 1849," Provisions were made with reference to the Sale of superfluous Lands belonging to the said Company, or of which they were Lessees: And whereas Difficulties have arisen in proceeding to effect Sales of some of such superfluous Lands, owing to the Provisions contained in the various Acts of Parliament under which the same were purchased being in many Cases dissimilar, and in some Instances of doubtful Meaning, and it is expedient to assimilate the same, and remove such Doubts: Be it therefore enacted, That, except where by any Act of Parliament under which any of such Lands were purchased a special Right of Pre-emption or Repurchase has been reserved to any Person or Persons by Name, or by any Description other than such as those following, (that is to say,) the Person from whom such Lands were purchased, the Person from whom such Lands were originally purchased, the Person then entitled to the Lands from which the same were originally severed or taken, the Owners of adjoining Lands, the Person whose Lands shall immediately adjoin the Lands so proposed to be sold, or where, by any Agreement, Deed, Conveyance, or other Instrument relating to such Lands, a special Right of Pre-emption or Repurchase has been reserved to any Person or Persons by Name or Description, (which Rights it is hereby declared shall not be in any way prejudiced or affected by this Act,) all the Powers and Provisions of "The Lands Clauses Consolidation Act, 1845," with reference to the Sale of superfluous Lands, as amended and explained by Section 35 of "The *York, Newcastle, and Berwick* Railway Act, 1849," shall extend and apply to all Lands belonging to or held under Lease by the said Company, and all other Provisions with reference to the Sale of such of the said Lands as now are or hereafter may become superfluous shall (except as aforesaid) be and the same are hereby repealed, but without Prejudice to any Sale of superfluous Land already effected under the Provisions of any of the said Acts: Provided always, that where any of such superfluous Lands shall be situate within a Town, or shall be Lands built upon or used for Building Purposes, or shall have been or be

be laid out or offered for Sale and afterwards *bonâ fide* sold by the Company for Building Purposes, or shall have been purchased by the said Company as or at the Rate or Price of Building Ground, then and in any or either of the said Cases the Company may sell the whole or any Part thereof without previously offering the same to any Person or Persons whomsoever.

Facilitating Proof of Newcastle-upon-Tyne and North Shields Railway having become vested in the York, Newcastle, and Berwick Railway Company.

XXV. And whereas by "The *Newcastle and Berwick* Railway Act, 1845," it was enacted, that from and after the Time at which the Railway by that Act authorized, or any Part thereof, should have been completed and opened to the Public, or from and after such earlier Period as the Company thereby incorporated, being the *Newcastle and Berwick* Railway Company, should fix for such Purpose, and upon Notice to such Effect being given by the same Company for Four successive Weeks by Advertisement in the "*London Gazette*," and in some Newspaper published or circulating in the Counties of *Northumberland* and in the Town and County of the Town of *Newcastle-upon-Tyne*, the therein-recited Acts relating to the *Newcastle and North Shields* Railway should be repealed, and the said *Newcastle and North Shields* Railway, and all Property and Effects belonging to the *Newcastle and North Shields* Railway Company, should belong to and be absolutely vested in the said Company thereby incorporated, and the Undertaking of the *Newcastle and North Shields* Railway should thenceforth become Part of the *Newcastle and Berwick* Railway, subject and without Prejudice nevertheless as therein mentioned: And whereas the *Newcastle and Berwick* Railway Company fixed the First Day of *July* which was in the Year One thousand eight hundred and forty-six as the Period from and after which the several Acts relating to the said *Newcastle and North Shields* Railway should be repealed, Notice whereof was duly given by the same Company in the "*London Gazette*" of the Second, Ninth, Sixteenth, and Twenty-third Days of *June* One thousand eight hundred and forty-six, and in Newspapers respectively called "The *Berwick and Kelso Warder*," and "The *Newcastle Journal*" (being Newspapers respectively published or circulating in the County of *Northumberland* and in the Town and County of the Town of *Newcastle-upon-Tyne*,) on the Sixth, Thirteenth, Twentieth, and Twenty-seventh Days of *June* One thousand eight hundred and forty-six: And whereas upon the Publication of such Notice as aforesaid the said *North Shields* Railway, and all the Property and Effects thereof, became vested in the *Newcastle and Berwick* Railway Company, and the Undertaking of the *Newcastle and North Shields* Railway thenceforth became Part of the Undertaking of the *Newcastle and Berwick* Railway, which last-mentioned Undertaking has since, under or by virtue of "The *York, Newcastle, and Berwick* Railways Act, 1847," become united, amalgamated, and consolidated in the Undertaking

taking of the *York, Newcastle, and Berwick* Railway Company: Be it therefore enacted, That in all Actions, Suits, and other Proceedings preferred by or against the *York, Newcastle, and Berwick* Railway Company aforesaid, it shall not be necessary for the same Company to produce or prove the said Notice in the "*London Gazette*" and Newspapers published or circulating in the County of *Northumberland* and in the Town and County of the Town of *Newcastle-upon-Tyne*, but the Production of this Act shall in all Cases be sufficient Evidence that such Notice as aforesaid has been duly given, according to the Provisions and in manner required by the said last-recited Act.

Railway, &c. to be subject to Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., and 9 & 10 Vict. cc. 57. 105.

XXVI. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railways*; and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways*; and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops*; and another Act was passed in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways*; and another Act was passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her said Majesty, intituled *An Act for regulating the Gauge of Railways*; and another Act was passed in the same Session of Parliament, intituled *An Act for constituting Commissioners of Railways*: Be it enacted, That nothing in this Act contained shall be held to exempt the said Railway hereby authorized, or the said Company in respect thereof, from the Provisions of the same several Acts respectively, but that such Provisions shall be in force with reference to the same Railway and Company in respect thereof, so far as the same are applicable.

Railways not exempt from Provisions of future General Acts.

XXVII. That nothing herein contained shall be deemed or construed to exempt the Railways by this or the said recited Acts authorized to be made, or the said Company, from the Provisions of any General Act relating to such Acts, or of any General Act relating to Railways, or to the better and 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 authorized by the said recited Acts or this Act.

XXVIII. That

*The York, Newcastle, and Berwick (Auckland Branch) Railway Act*, 1851.

Expenses of Act.

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

Short Title.

XXIX. That in citing this Act in other Acts of Parliament, and in legal Instruments and other Proceedings, it shall be sufficient to refer to and describe it as "The *York, Newcastle, and Berwick* (*Auckland* Branch) Railway Act, 1851."

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