ANNO UNDECIMO & DUODECIMO

VICTORIÆ REGINÆ.

Cap. lvii.

An Act for enabling the *Leeds and Thirsk* Railway Company to alter the Levels of certain Portions of the *Leeds and Hartlepool* Railway, and to alter the proposed Junctions with the *Stockton and Darlington* Railway in *Eaglescliffe*; and for other Purposes. [22d *July* 1848.]

WHEREAS an Act was passed in the Session of Parliament held in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act for making a Railway from* Leeds *to* Thirsk, *with Branches therefrom:* And whereas an Act was passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her said present Majesty, intituled *An Act to enable the* Leeds and Thirsk *Railway Company to make a Railway from* Northallerton *to the* Stockton and Hartlepool *Railway:* And whereas another Act was passed in the same Session, intituled *An Act for enabling the* Leeds and Thirsk *Railway Company to make certain Deviations in the Line of the* Saint Helen's *Branch of the said Railway:* And whereas another Act was passed in the same Session, intituled *An Act to enable the* Leeds and Thirsk *Railway Company to alter and extend the Line of Part of their Railway, and for other Purposes:* And whereas an Act was passed in the last Session of Parliament, intituled *An Act for*

8 & 9 Vict. c. 104.

9 & 10 Vict. c. 149.

9 & 10 Vict. c. 153.

9 & 10 Vict. c. 154.

10 & 11 Vict. c. 210.

for enabling the Leeds and Thirsk *Railway Company to deviate the Main Line of their Railway in* Crimple Valley, *to alter the proposed Junction with the* York and Newcastle *Railway, and to divert the* Leeds, Wortley, and Stanningley *Turnpike Road:* And whereas it is expedient that the said *Leeds and Thirsk* Railway Company should be empowered to alter the Levels of certain Portions of the *Leeds and Hartlepool* Railway, and to abandon One of the authorized Junctions with the *Stockton and Darlington* Railway, and to form Two new Junctions in lieu thereof: And whereas it is expedient that some of the Powers and Provisions of the said recited Acts should be amended 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,

Provisions of recited Acts extended to this Act.

and by the Authority of the same, That all the Provisions contained in the said recited Acts, so far as the same are or may be applicable and now in force, and except such of them as are by this Act repealed, altered, or otherwise provided for, shall extend to this Act, and to the several Purposes thereof, and to the several Matters and Things hereby authorized to be done, as fully and effectually as if the said Provisions were re-enacted in this Act in reference to such Purposes, Matters, and Things; and the said recited Acts and this Act shall be construed and read together as forming One Act.

Power to alter the Levels of certain Parts of the Leeds and Hartlepool Railway.

II. And whereas Sections describing the intended Alterations in the Levels of the said *Leeds and Hartlepool* Railway, and Plans and Sections describing the proposed new Junctions with the *Stockton and Darlington* Railway, and describing also the Lands and Houses which may be required to be taken for the Purposes aforesaid, together with a Book of Reference to such Plans, containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the said Lands and Houses, have been deposited with the Clerk of the Peace for the County of *Durham;* be it enacted, That it shall be lawful for the Company to alter, to such Extent and in such Manner as is defined on the said Sections, the Levels of so much of the Main Line of the *Leeds and Hartlepool* Railway (being the Line firstly described in the *Leeds and Hartlepool* Railway Act, 1846,) as is situate between a Field numbered 4 on the Plans of the said Railway referred to in the said Act, in the Township and Parish of *Eaglescliffe*, and a Field numbered 5 on the said Plans, in the Township of *Stockton* in the Parish of *Stockton-on-Tees* in the County of *Durham;* and also to alter, to such Extent and in such Manner as is defined on the said Sections, the Levels of so much of the Branch Railway from the said *Leeds and Hartlepool* Railway to join the *Stockton and Darlington* Railway authorized by the said *Leeds and Hartlepool* Railway Act, 1846, as lies between the Junction of the said Branch with the Main Line of the said *Leeds and Hartlepool* Railway and certain Fields numbered 103 and 104 on the said Plans, or One of them, all in the Township of *Stockton* in the Parish of *Stockton-on-Tees* in the said County of *Durham*.

Company to abandon Junction with

III. And be it enacted, That the Company shall abandon and relinquish the Formation of the present Branch or Junction Line of Railway

Railway to join the *Stockton and Darlington* Railway at or near *Eaglescliffe* in the County of *Durham*, authorized by the said *Leeds and Hartlepool* Railway Act, 1846; and in lieu thereof it shall be lawful for the said Company, subject to the Powers of Deviation contained in the Railways Clauses Consolidation Act, 1845, and to make and maintain a Railway or Railways, with all proper Works and Conveniences connected therewith, in the Lines and upon the Lands delineated and described in the said Plans and Book of Reference, and according to the Levels defined on the said Sections to form a Junction or Junctions from and out of the said *Leeds and Hartlepool* Railway, between the same and the said *Stockton and Darlington* Railway, in certain Fields in the said Township and Parish of *Eaglescliffe* numbered respectively 23 and 24, and 27, 28, and 29, on the said Plans; and it shall be lawful for the said Company to enter upon, take, and use such of the Lands delineated on the said Plans and described in the said Books of Reference as may be requisite for such Purpose.

the Stockton and Darlington Railway already authorized, and to make new Junctions in lieu thereof.

IV. And be it enacted, 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 Three Years from the passing of this Act.

Powers for compulsory Purchase of Lands limited.

V. And be it enacted, That the said Works hereby authorized shall be completed within Five Years from the passing of this Act, and on the Expiration of such Period the Powers by this or the said former Acts granted to the Company for executing the same shall cease to be exercised, except as to so much of the same as shall then be completed.

Period for Completion of Works.

VI. And be it enacted, That the Junctions of the said *Leeds and Hartlepool* Railway hereby authorized to be made with the *Stockton and Darlington* Railway, and all such Openings in the Ledges or Flanches into the same Railway as may be necessary or convenient for effecting such Junctions, shall be made at the Expense of the *Leeds and Thirsk* Railway Company, under the Direction and Superintendence of the Engineer for the Time being of the *Stockton and Darlington* Railway Company; and in case of any Difference of Opinion as to the Mode of effecting such Junctions, then such Difference shall be referred to the Decision of the Commissioners of Railways, or of such Person or Persons as the Commissioners of Railways shall appoint for that Purpose; and that the same Junctions shall for ever afterwards be maintained and kept in perfect Order and Repair by and at the Expense of the said *Leeds and Thirsk* Railway Company, and under the like Superintendence.

Junctions with the Stockton and Darlington Railway.

VII. And be it enacted, That it shall not be lawful for the said Company, out of any Money by any existing Act relating to the said Company authorized to be raised for the Purposes of such Act, 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.

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

VIII. And

Railway Company 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.

VIII. 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, 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 and Works or the said Company from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railway and Company, so far as the same are applicable.

Railways to be subject to Provisions of future general Acts.

IX. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railways by this or the said recited Acts authorized to be made from the Provisions of any general Act relating to such Acts, or of any general Act relating to Railways, 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.

Expenses of Act.

X. And be it enacted, 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 *pari passu* with the Costs, Charges, and Expenses of any other Act of Parliament passed in the present Session to which they may be liable, out of the first Monies that shall come to their Hands, and in preference to any other Payment whatsoever.

Short Title.

XI. And be it enacted, 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 by the Title of "The *Leeds and Thirsk* Railway (Alteration of Levels of *Leeds and Hartlepool* Railway, &c.,) Act, 1848."

Public Act.

XII. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

LONDON: Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1848.