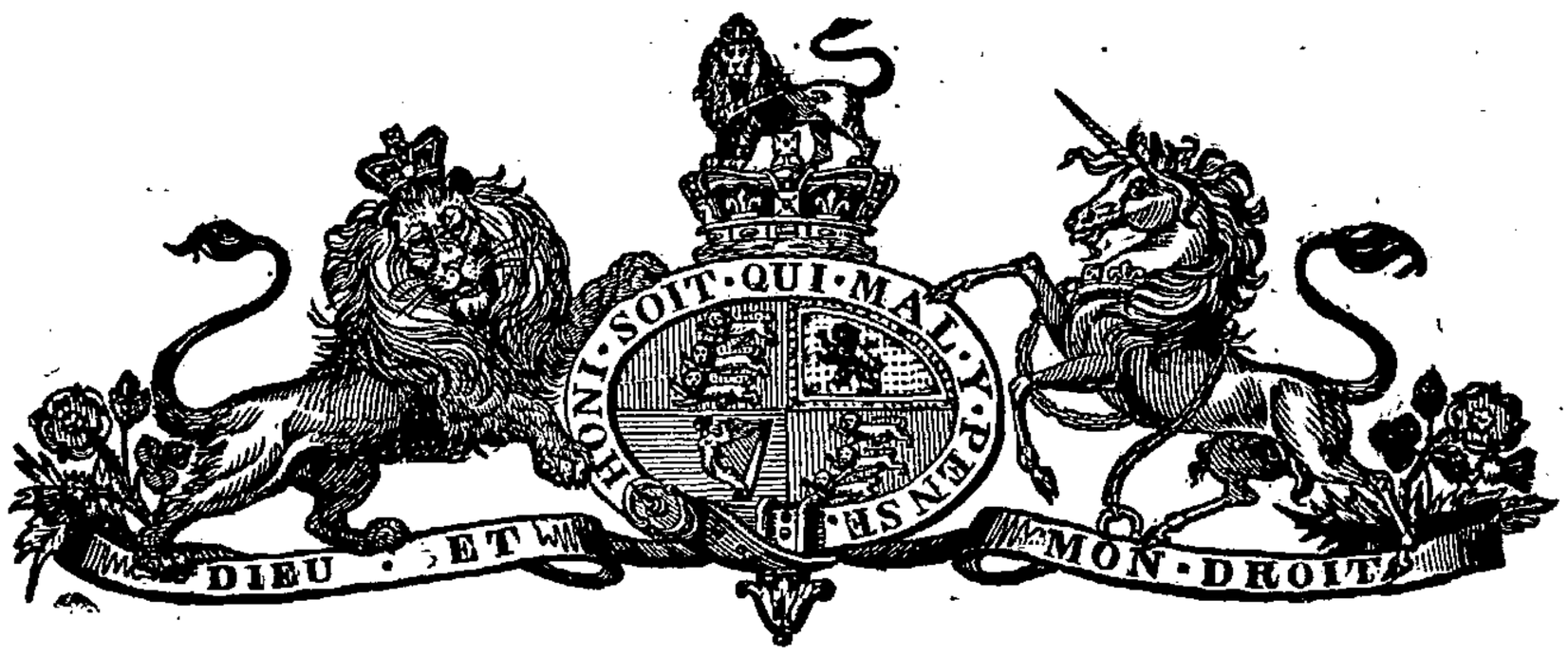


ANNO DUODECIMO & DECIMO TERTIO

VICTORIÆ REGINÆ.

***

Fifth Year of the Reign of His said Majesty King *George* the Fourth,
5 G. 4. c. 48. intituled *An Act to authorize the Company of Proprietors of the* Stockton and Darlington *Railway to relinquish One of their Branch Railways, and to enable them to make another Branch Railway in lieu thereof; and to enable the said Company to raise a further Sum of Money; and to enlarge the Powers and Provisions of the several Acts relating to the said Railway:* And whereas another Act was passed in the Ninth Year of the Reign of His said Majesty King *George* the
9 G. 4. c. 60. Fourth, intituled *An Act to enable the Company of Proprietors of the* Stockton and Darlington *Railway to make a Branch therefrom in the Counties of* Durham *and* York, *and to amend and enlarge the Powers and Provisions of the several Acts relating thereto:* And whereas it would be convenient if the Provisions of the said recited Acts, or some of them, were consolidated into One Act, and further and more effectual Provisions were made for enabling the said *Stockton and Darlington* Railway Company to carry on their Undertaking: And whereas it is expedient that the Company should be empowered to abandon a Portion of their Railway in the Parishes of *Egglescliffe* and *Stockton-on-Tees*, and to make a new Line of Railway in lieu of the Portion of the Railway so proposed to be abandoned: And whereas the said Company have advanced and paid towards the Construction of a certain Dock at *Middlesbrough* in the North Riding of the County of *York*, known as the *Middlesbrough* Dock, the Sum of One hundred and sixty thousand Pounds, and the Owners of such Dock are willing, in consideration of such Payment, that the said Dock and the Works connected therewith should become vested in the said Company, and it is expedient that Provision should be made for such Purpose, and for the proper Regulation of the said Dock, and it is also expedient that the Capital of the Company should be increased; 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

Acts repealed, and Stockton and Darlington Railway Company dissolved.

by the Authority of the same, That from and immediately after the passing of this Act the said several herein-before recited Acts relating to the *Stockton and Darlington* Railway Company shall be and the same are hereby repealed, and the said *Stockton and Darlington* Railway Company, incorporated by the said first-recited Act, shall be and the same is hereby dissolved; provided nevertheless, that the Repeal of the said Acts shall not annul or in anywise prejudice or affect any Purchase, Sale, Conveyance, Grant, Contract, Security, Act, Matter, or Thing whatsoever heretofore made, done, committed, or executed under or by virtue or in pursuance of the said repealed Acts or any of them, nor annul, prejudice, or affect any Agreement or Lease entered into by the said dissolved Company, or any Judgment or Award obtained or made against or in favour of the said dissolved Company, but all such Purchases, Sales, Conveyances, Grants, Contracts, Securities, Acts, Agreements, Leases, Judgments, Awards, Matters, and Things shall be and the same are hereby declared to be as good, valid, and effectual, to all Intents and Purposes whatsoever, as if the said Acts had not been repealed, and shall be as binding and effectual on the Company hereby incorporated as they were before the

passing of this Act on the said dissolved Company, and be enforced by the same Ways and Means; provided also, that, except as is herein otherwise specially provided, or except so far as may be repugnant to the Provisions of this Act, nothing herein contained shall extend in any way to defeat, prejudice, or affect any Rights, Privileges, Liberties, Powers, Easements, Accommodations, or Exemptions which under or by virtue of the said recited Acts or any of them are given, granted, continued, or reserved to or for the Benefit of any Persons or Corporations whose Estates, Properties, or Interests are, have been, or may be in anywise affected in or by the making or maintaining, or otherwise on account of the Railways, Branches, and Works by the same Acts respectively authorized to be made and maintained, or to which such Persons or Corporations are or may be, or, but for the Repeal of the said recited Acts, would have been otherwise entitled; but all such Rights, Privileges, Powers, Easements, Accommodations, and Exemptions shall be and they are hereby declared to be as valid and effectual as if the said recited Acts had not been repealed; and such several Persons and Corporations shall be entitled to, and shall have, use, and enjoy, the same Rights, Privileges, Liberties, Powers, Easements, Accommodations, and Exemptions, or such and so many of them as immediately before the passing of this Act they were entitled to, or as but for the passing of this Act they would hereafter have been entitled to have, use, and enjoy, as fully and effectually as if the said Acts had not been repealed, and shall and may have and be entitled to such or the like Powers and Remedies upon and against the Company hereby incorporated, for securing the Possession, Use, and Enjoyment of such Rights, Privileges, Easements, Accommodations, and Exemptions, as under the Provisions of the said recited Acts they had or were or would or might have been entitled to against the said dissolved Company in case the said recited Acts had not been repealed; and all such Penalties, Damages, Monies, Costs, and Expenses as under the Provisions of the said recited Acts or any of them would or hereafter might have become payable to or recoverable by such Persons and Corporations as aforesaid, of and from the said dissolved Company, in case the same Acts had not been repealed, shall and may be payable by and recoverable from the Company hereby incorporated, in such Manner and by such Ways and Means as the same are respectively made payable and recoverable under the Provisions of the said recited Acts respectively; provided also, that nothing herein contained shall extend to alter, affect, or prejudice in any respect the Rights of Owners and Occupiers of Lands, Mines, and Minerals, and other Works in and to any private Branch Railway or other Communications with the Railways hereby vested in the Company hereby incorporated, or any of them, whether made in pursuance of any of the Powers and Provisions contained in the said several recited Acts, or in any other Acts of Parliament, or with the Consent of Owners and Occupiers of Lands, but that such several Owners and Occupiers of Lands, Mines, Minerals, and other Works shall have, use, and enjoy the same Rights and Privileges in respect of such private Branch Railways and Communications as but for the passing of this Act they respectively were or would have been entitled to have, use, and enjoy, and as fully and effectually in all respects as if the said recited Acts had not been hereby repealed.

II. And

8 & 9 Vict. cc. 16. 20. and 18. extended to this Act.

II. And be it enacted, That "The Companies Clauses Consolidation Act, 1845," "The Railways Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Act, 1845," shall, so far as the same are applicable, and are not modified by this Act, or inconsistent with the Provisions thereof, be held to apply to the Company hereby incorporated, and to the Railways, Branch Railways, and Works by this Act vested in or authorized to be made by the Company hereby incorporated, and shall be read and construed as forming Part of this Act.

Incorporation of new Company.

III. And be it enacted, That from and immediately after the passing of this Act the several Persons and Corporations who immediately before the passing of this Act were Proprietors of Shares in the Capital or Joint Stock of the said hereby dissolved Company, and their Executors, Administrators, Successors, and Assigns, shall be united into a Company, according to the Provisions herein-after contained or referred to, for the Purpose of working, completing, and maintaining the Railway, Branches, and Works vested in or made or authorized to be made by or for the said dissolved Company, under the Authority of the said repealed Acts or any of them, or any other Act or Acts, and for the Purposes aforesaid shall be incorporated by the Name of "The *Stockton and Darlington* Railway Company," and by that Name shall be a Body Corporate, and have a Common Seal, with perpetual Succession, and shall have Power to purchase and hold and sell and dispose of Lands, within the Restrictions herein-after and in the "Lands Clauses Consolidation Act, 1845," as extended to this Act, contained, for the Purposes of this Act.

Railway, &c. vested in new Company.

IV. And be it enacted, That from and immediately after the passing of this Act the aforesaid *Stockton and Darlington* Railway, and all Branches thereof which were vested in or belonged to the said dissolved Company immediately before the passing of this Act, and all Works attached thereto or made or provided for the Purposes thereof, together with all Stations, Embankments, Drains, Soughs, Tunnels, Arches, Piers, Bridges, Sluices, Gates, Ways, Roads, Landing Places, Quays, Wharfs, Warehouses, Houses, and other Buildings, Cranes, Weighing Machines, Engines, Rails, and Appurtenances to the said Railway and to all Branches and Extensions thereof belonging, and all Lands, Tenements, Easements, Rights, Powers, and Privileges whatsoever, and the Benefit of all Contracts, Agreements, and Proceedings in any way relating thereto, of or to which the said dissolved Company was seised or possessed, or entitled at Law or in Equity, immediately before the passing of this Act, shall be well and effectually vested in and belong to the Company hereby incorporated, for their absolute Benefit, and such Railway, Branches, and Works shall be called "The *Stockton and Darlington* Railway."

Joint Interests of old Company vested in new Company.

V. And be it enacted, That where the Company hereby dissolved was immediately before the passing of this Act seised or possessed of or in anywise entitled to any Railway, Branch, Work, or Hereditament, jointly or in common with any other Company or Companies, or with any Person or Persons, then all such Right, Share, or Interest of and in the same Railway, Branch, Work, or Hereditament as was vested in

in or belonged to the said dissolved Company shall immediately after the passing of this Act be well and effectually vested in and belong to the Company hereby incorporated in such Manner and Quality of Estate or Interest, and subject to such Obligations in respect of the joint or common Ownership thereof, as the said dissolved Company would have held and been subject to in case this Act had not been passed.

Effects, &c. vested in new Company.

VI. And be it enacted, That from and immediately after the passing of this Act all the Monies, Goods, Chattels, Steam and other Engines, Carriages, Waggons, Trucks, Machines, Ropes, live and dead Stock, Shares, Bonds, Deeds, Securities, Books, Writings, Maps, Plans, and other Personal Estate and Effects of or to which the said dissolved Company was possessed or entitled, at Law or in Equity, immediately before the passing of this Act, shall be vested in and belong to the Company hereby incorporated, for their absolute Benefit; and all Persons and Corporations who immediately before the passing of this Act owed any Sum of Money to the said dissolved Company, or to any Person on behalf of the said dissolved Company, shall pay the same, together with all Interest, if any, due or to accrue due for the same, to the Company hereby incorporated; and all Monies which immediately before the passing of this Act were due and owing by or recoverable from the said dissolved Company, or for the Payment of which they were or but for the passing of this Act would have been liable, shall be paid, with all Interest, if any, due or to accrue due thereon, by or be recoverable from the Company hereby incorporated; and all Conveyances, Contracts, Agreements, Mortgages, Bonds, Covenants, and Securities made or entered into before the passing of this Act to, with, or in favour of, or by or for the said dissolved Company, or any Person on behalf of the said dissolved Company, shall be and remain as good, valid, and effectual, in favour of, against, and with reference to the Company hereby incorporated, and may be proceeded on and enforced in the same Manner, to all Intents and Purposes, as if the same Company had been a Party to and executed the same, or had been named or referred to therein, instead of the Persons, Company, or Party actually named therein respectively.

Arbitrations not to be prejudiced.

VII. And be it enacted, That every Agreement, Contract, or Bond before the passing of this Act made, executed, or entered into between, by, or on behalf of the said dissolved Company and any Person, whereby any Matter in dispute between such dissolved Company and such Person as last aforesaid shall have been referred or agreed to be referred to the Arbitrament or Determination of any Arbitrator, Arbitrators, or Umpire, shall be and remain as good, valid, and effectual, in favour of and against and with reference to the Company hereby incorporated, and may be proceeded on and enforced in favour of and against the same Company, in the same Manner, to all Intents and Purposes, as if the Matter in dispute thereby referred was Matter in dispute between the Company hereby incorporated and such Person as last aforesaid, and as if the same Company had been named or referred to therein, and had been Party to and executed or entered into the same, instead of the said dissolved Company; and

every Award which shall be made under or by virtue of any such Agreement, Contract, or Bond shall be made in favour of or against the Company hereby incorporated, and shall be as binding and effectual, to all Intents and Purposes, and may be proceeded upon and enforced in favour of or against the Company hereby incorporated, and in favour of or against any Person with whom the Matter shall be in dispute, in the same Manner in all respects as it would or might have been with reference to the said dissolved Company in case this Act had not been passed.

Works to be completed.

VIII. Provided always, and be it enacted, That all Works which under the Provisions of the said recited Acts or any of them, or any other Acts, the said dissolved Company is or was authorized or required to execute or complete, and which have not been already executed or completed, may be executed or completed, as the Case may be, by the Company hereby incorporated; and the same Company shall in every such Case have and be entitled to all such Powers for executing and completing such Works as the dissolved Company was entitled to under the said Acts, and as fully as if the said Company hereby incorporated had been originally authorized and required to execute and complete the same Works, instead of the said dissolved Company; and all the Clauses, Provisions, Powers, and Authorities contained in the Act or Acts authorizing the Execution or Completion of such Works, and for purchasing and taking Land, and in relation thereto and to the Conveyance of such Land, and the Payment and Application of the Purchase Money thereof, shall for the Purposes of this Act remain in force and be applicable to all Land which may be required to be taken for the Purposes of such Execution and Completion, and shall be construed and taken as if the Company hereby incorporated were named in such Act or Acts instead of the said dissolved Company; provided nevertheless, that where any particular Time is by the Acts authorizing the Execution or Completion of such Works or any of them limited for the Execution or Completion of such Works, the same shall and may be executed and completed within the Period so limited; provided nevertheless, that where any particular Time is by the Acts authorizing the Execution or Completion of such Works or any of them expired, the same shall not be, or be deemed, construed, or taken to be revived or the Powers of such Acts re-enacted by virtue of this Act.

Contracts to be completed.

IX. Provided also, and be it enacted, That in all Cases in which the said dissolved Company previously to the passing of this Act, under the Powers or Provisions of any of the Acts hereby repealed or any other Acts, shall have entered into any Contract for the Purchase of or shall have taken or used any Land which at the Time of the passing of this Act shall not be effectually conveyed to such Company, or the Purchase Money in respect of which shall not have been duly paid by such Company, then and in every such Case such Contract shall be completed, and such Land shall be conveyed to the Company hereby incorporated, or as such Company shall direct, and such Purchase Money shall be paid and applied pursuant to the Act or Acts under which such Contract shall have been made or such Land shall have been taken or used, and all the Clauses, Pro-

visions, Powers, and Authorities contained in such Act or Acts in relation to the Completion of such Contract, and the Purchase and Conveyance of such Land, and the Payment and Application of the Purchase Money in respect thereof, shall for the Purposes of this Act remain in full Force and shall be construed and taken as if the Company hereby incorporated were named in such Act or Acts and Contract respectively, instead of the said dissolved Company.

Monies belonging to incapacitated Parties to be applied according to Provisions of Acts under which Purchases were made.

X. Provided also, and be it enacted, That in all Cases in which, under the Provisions of any of the Acts hereby repealed, or any other Acts, any Sum of Money has already been paid by the said dissolved Company, or shall hereafter be paid by them or the Company hereby incorporated, into the Bank of *England*, or to any Trustee or Trustees, on account of the Purchase of any Land or any Interest therein, or for any Compensation or Satisfaction or on any other Account, such Sum, or the Stocks, Funds, or Securities in or upon which the same has been or shall be invested, either by the Order of the Court of Exchequer or the Court of Chancery, or otherwise howsoever, and the Interest, Dividends, and annual Produce thereof, shall be applied and disposed of pursuant to the Act or Acts under which the same has been or shall be so paid into the Bank of *England*, or to such Trustee or Trustees as aforesaid; and all the Clauses, Provisions, Powers, and Authorities contained in such Act or Acts in relation to such Monies, Stocks, Funds, and Securities, and the Dividends and annual Produce thereof, shall for the Purposes of this Act remain in full Force, and shall be construed and taken as if the Company hereby incorporated were named in each such Act, instead of the said dissolved Company.

Actions, &c. not to abate.

XI. And be it enacted, That no Action, Suit, Prosecution, or other Proceeding whatsoever commenced or carried on either by or against the said dissolved Company previously to the passing of this Act shall abate or be discontinued or prejudicially affected by this Act, but, on the contrary, the same shall continue and take effect, both in favour of and against the Company hereby incorporated, in the same Manner in all respects as the same would have continued and taken effect in relation to the said dissolved Company if this Act had not been passed; and all Penalties incurred by any Offence against the Provisions of the said hereby repealed Acts or any of them, previously to the passing of this Act, shall and may be sued for, and all Offences which may have been committed before the passing of this Act against the Provisions of the said hereby repealed Acts or any of them may be prosecuted, in such or the like Manner to all Intents and Purposes as the same might have been sued for and prosecuted respectively if this Act had not passed, the Company hereby incorporated being, in reference to the Matters aforesaid, in all respects substituted in the Place of the said dissolved Company.

Tolls to be recoverable.

XII. And be it enacted, That all Tolls made or imposed under or by virtue of the said repealed Acts or any of them, and which immediately before the passing of this Act were payable, or, if this Act had not been passed, would have become payable to the said dissolved Company, shall be payable to the Company hereby incorporated

porated until the same shall be varied or altered under the Authority of this Act, and shall and may be collected and recovered by such Means and under such Restrictions and Regulations as any Tolls to be received in pursuance of this Act may be collected or recovered.

Officers appointed under repealed Acts to continue until removed, &c.

XIII. And be it enacted, That every Treasurer, Secretary, Clerk, Agent, Collector, and other Officer appointed by virtue of or acting under the Authority of the said repealed Acts or any of them, and not acting contrary to the Provisions and Directions in this Act contained, shall hold and enjoy his Office and Employment, together with the Salary or Emolument thereunto annexed, until he shall be removed therefrom; and every such Clerk, Agent, Collector, and Officer shall have the like Power and Authority for the Purposes of this Act, and for carrying the same into execution, and shall be subject and liable to the like Pains and Penalties, and to the like Power of Removal, and to the like Rules and Regulations in all respects whatsoever as if he had been appointed by virtue of this Act.

Books, &c. to continue Evidence.

XIV. And be it enacted, That all Books and other Documents whatsoever by the said recited Acts or any of them authorized or directed to be kept, and thereby made Evidence, shall still be admitted as Evidence in all Courts of Law and Equity or elsewhere against or in favour of the said Company hereby incorporated.

Plans, &c. to remain with Clerks of the Peace.

XV. And be it enacted, That the several Maps or Plans and Books or Reference which, in pursuance of the said repealed Acts or any of them, have been deposited with the respective Clerks of the Peace of the several Counties to which the same relate, shall remain in the Custody of the said Clerks of the Peace for the Purposes specified in the said "Railways Clauses Consolidation Act."

Works, &c. required to be done by dissolved Company for Benefit of Landowners, &c. to be performed by new Company.

XVI. And be it enacted, That all Works and Things which under the Provisions of the said Acts or any of them the said dissolved Company was bound, required, empowered, or made liable to make, construct, complete, or maintain, and all Repairs thereof respectively, and all Regulations and Restrictions which under the Provisions of the said recited Acts were imposed upon or required to be observed by the said dissolved Company, for the Safety, Protection, Accommodation, Convenience, Enjoyment, and Benefit of Persons and Corporations whose Estates, Properties, or Interests were or might be affected by the making and maintaining of the said Railway, Branch Railways, and Works by the said recited Acts or any or either of them authorized to be made and maintained by or otherwise vested in the said dissolved Company, and for the Protection of such Estates, Properties, and Interests, and for securing the Enjoyment of such Estates, Properties, and Interests as aforesaid, and all such Payments, annual and in gross, as under the Provisions of the said recited Acts or any of them were required to be made by the said dissolved Company, or such and so many of the aforesaid Works, Acts, Matters, Things, Regulations, Restrictions, and Payments as the said dissolved Company would have been bound or liable to construct, complete, maintain, make, do, execute, observe, perform, or pay in case this Act had

had not been passed, shall be constructed, maintained, made, done, executed, observed, performed, kept, and paid by the Company hereby incorporated, as fully, to all Intents and Purposes, and in the same Manner, as the same were by the said Acts or any of them required to be made, done, executed, maintained, observed, performed, kept, and paid by the said dissolved Company, and as if the several Provisions in the said Acts or any or either of them contained in reference thereto respectively had been specially repeated and re-enacted in and by this Act, and had been made applicable to the Company hereby incorporated.

Provisions in Acts for Benefit of the dissolved Company not to be affected by Repeal of this Act.

XVII. And be it enacted, That all Powers, Rights, Privileges, Provisions, Matters, and Things reserved, contained, and granted in and by any Act of Parliament (other than the said hereby repealed Acts) to or for the Benefit of or to be exercised by the hereby dissolved Company, and not since repealed, shall, notwithstanding the Repeal of the said hereby repealed Acts, and the Dissolution of the said Company, be of the like Force, Operation, and Effect as if the same Acts had not been repealed, and shall appertain and attach to and be exercised and enforced by the Company hereby incorporated in as full and effectual and beneficial a Manner to all Intents and Purposes as the same Powers, Rights, Privileges, Provisions, Matters, and Things respectively would have appertained and attached to or might or could have been exercised and enforced by the said dissolved Company in case this Act had not been passed.

Power to make new Line according to deposited Plans.

XVIII. And whereas Plans and Sections showing the Line and Levels of the said new Railway by this Act authorized to be made, together with a Book of Reference to such Plans, containing the Names of the reputed Owners and Lessees and of the Occupiers of the Lands which may be required to be taken for the Purposes thereof, have been deposited with the Clerk of the Peace for the County of *Durham*: Be it enacted, That, subject to the Powers of Deviation contained in the Railways Clauses Consolidation Act, 1845, it shall be lawful for the said Company to make and maintain the Railway herein-after mentioned, with all proper Works and Conveniences connected therewith, in the Line delineated on the said Plans and Sections, and upon the Lands delineated on the said Plans and described in the said Books of Reference, and according to the Levels defined on the said Sections, and to enter upon, take, and use such of the Lands as shall be necessary for such Purpose.

Line of Railway.

XIX. And be it enacted, That the said new Line of Railway shall commence by a Junction with the *Stockton and Darlington* Railway at or near the East Side of the *Yarm* Station thereof, passing from, in, through, or into the several Parishes, Townships, and extra-parochial or other Places of *Egglescliffe*, *Preston*, *Stockton*, and *Stockton-on-Tees* in the said County of *Durham*, and shall terminate by a Junction with the *Stockton and Darlington* Railway at or near the Three Quarters Mile Post of the said Railway in the said Township of *Stockton* and Parish of *Stockton-on-Tees*, all in the said County of *Durham*.

A certain Road may be crossed on the Level.

XX. And be it enacted, That, subject to the Provisions in the Railways Clauses Consolidation Act, 1845, contained, in reference to the crossing of Roads on the Level, it shall be lawful for the Company, in the Construction of the new Line of Railway by this Act authorized to be made, to carry the same across the Highway described in the said Plans and Books of Reference as herein-after mentioned on the Level thereof; (that is to say,)

A Highway numbered 17 in the Township of *Preston* and Parish of *Stockton-on-Tees*.

Company to erect a Station or Lodge at Point of crossing, and to abide by Regulations of Commissioners of Railways.

XXI. And be it enacted, That for the greater Convenience and Security of the Public the Company shall erect and permanently maintain either a Station or Lodge at the Point where the said Railway crosses the before-mentioned Road on the Level; and the said Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Road on the Level, or with regard to the Speed at which Trains shall pass such Road, as may from Time to Time be made by the Commissioners of Railways; and if the said Company shall fail to erect or at all Times maintain such Station or Lodge, or appoint a proper Person to watch or superintend the Crossing at 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.

Commissioners of Railways may require a Bridge to be erected in lieu of level Crossing.

XXII. Provided always, and be it enacted, That it shall be lawful for the Commissioners of Railways, if it shall appear to them to be necessary for the public Safety, at any Time, either before or after the Railway hereby authorized to be made shall have been completed and opened for public Traffic, to require the Company, within such Time as the said Commissioners shall direct, and at the Expense of the Company, to carry the herein-before mentioned Road either under or over the Railway 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 said Commissioners the best adapted for removing or diminishing the Danger arising from such level Crossing.

Land for extraordinary Purposes.

XXIII. And be it enacted, That it shall be lawful for the Company to purchase any Quantity of Land for extraordinary Purposes, not exceeding Ten Acres, in addition to the Lands which the Company are authorized by the recited Acts to take for such Purpose.

Period for compulsory Purchase of Lands.

XXIV. 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.

Period for Completion of Works.

XXV. And be it enacted, That the said Railway 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 Act granted

granted to the Company for executing the same Railway shall cease to be exercised, except as to so much of the same Railway as shall then be completed.

Company to abandon Part of Line already authorized.

XXVI. And be it enacted, That the Company shall abandon and relinquish such Portion of their Railway in the Townships of *Egglescliffe*, *Preston*, and *Stockton*, and Parishes of *Egglescliffe* and *Stockton-on-Tees*, in the County of *Durham*, as is already made and completed, but will be rendered unnecessary by reason of the new Line of Railway hereby authorized to be constructed in lieu thereof; provided that the Company shall not be required to abandon and relinquish the said Portion of Railway until the new Line of Railway by this Act authorized shall have been completed, and opened to the Public.

Sale of Land on which Portion of Railway to be abandoned is situate.

XXVII. And be it enacted, That the Company shall, within Five Years after the Railway by this Act authorized shall have been completed and opened to the Public, absolutely sell and dispose of all the Lands upon which the Portion of the existing Railway which they are herein-before required to abandon and relinquish now passes or is situate; and in default thereof all such Portions of the said Lands as shall remain unsold at the Expiration of such Period shall thereupon vest in and become the Property of the Owners of the Lands adjoining thereto, in proportion to the Extent of their Lands respectively adjoining the same; and the Provisions of the Lands Clauses Consolidation Act, 1845, with respect to the Sale of superfluous Lands, shall be applicable to the Land which the Company are herein-before required to sell and dispose of.

Capital.

XXVIII. And whereas by the said recited Acts the said dissolved Company were authorized to raise by Shares or by Mortgage, or partly by Shares and partly by Mortgage, the Sum of Two hundred and fifty-two thousand Pounds: And whereas in pursuance of such Powers the said Company created One thousand Shares of the nominal Value of One hundred Pounds each, and Two thousand Shares of the nominal Value of Fifty Pounds each, making in the whole the Sum of Two hundred thousand Pounds: And whereas the said Company have also borrowed under the Powers of the said Acts or some of them the Sum of Fifty-two thousand Pounds, the whole of which still remains unpaid: And whereas the said dissolved Company, in addition to the said Sum of Two hundred and fifty-two thousand Pounds so raised by Shares and by Mortgage under the Provisions of the said Acts hereby repealed, raised divers other Sums of Money, which were expended by them in or upon their said Undertaking, and in providing Locomotive Engines, Carriages, Waggons, and other Works and Materials necessary for the effectual carrying on and working of their said Undertaking, and there now remains due and owing by the said Company of such additional Sums so raised the Sum of Three hundred and forty thousand Pounds or thereabouts: And whereas the said Company also raised the further Sum of One hundred and sixty thousand Pounds, which was advanced and paid for and towards the Construction of the *Middlesbrough* Dock herein-after mentioned, which Sum of One hundred and sixty thousand Pounds also remains due

due and owing by the said Company: And whereas the estimated Expense of constructing the new Line of Railway by this Act authorized is Twenty-five thousand Pounds, and it is expedient that the Company hereby incorporated should be authorized to raise Capital in Shares to the Amount of Five hundred thousand Pounds, for the Purpose of enabling them to pay off and discharge the Sums so owing by the Company hereby dissolved as aforesaid, and to the further Amount of Twenty-five thousand Pounds, for the Purpose of enabling them to construct the new Line of Railway herein-before mentioned: Be it therefore enacted, That it shall be lawful for the Company hereby incorporated to raise by the Creation of new Shares, in addition to the said Sum of Two hundred and fifty-two thousand Pounds authorized to be raised by the said recited Acts, the Sum of Five hundred and twenty-five thousand Pounds; and the new Shares to be created by virtue of this Act shall be considered Part of the general Capital of the Company hereby incorporated: Provided always, that Five hundred thousand Pounds, Part of the said Sum of Five hundred and twenty-five thousand Pounds by this Act authorized to be raised, shall be applied exclusively in Payment and Discharge of the Sums so owing by the Company hereby dissolved as aforesaid, and the remaining Twenty-five thousand Pounds in the Construction of the new Line of Railway and Works by this Act authorized.

Calls.

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

Shares.

XXX. And be it enacted, That the Capital of the Company shall be divided into Shares of the nominal Value of Twenty-five Pounds each.

Proprietors of Shares in dissolved Company to be entitled to Shares in new Company.

XXXI. And be it enacted, That every Corporation or Person who at the Time of the passing of this Act shall be the Proprietor of One or more Shares of the nominal Value of One hundred Pounds in the Capital of the said dissolved Company shall be entitled to Four Shares in the Capital of the Company hereby incorporated in respect of each such Share; and every Corporation or Person who at the Time of the passing of this Act shall be the Proprietor of One or more Shares of the nominal Value of Fifty Pounds each in the Capital of the said dissolved Company shall be entitled to Two Shares in the Capital of the Company hereby incorporated in respect of each such Share; and such Shares are hereby vested in such Corporations and Persons respectively; and the full Amount of Twenty-five Pounds *per* Share shall be deemed to have been paid up upon each Share so vested in such Corporations or Persons, in substitution for the Shares held by them respectively in the Capital of the said dissolved Company, and it shall not be lawful for the Company hereby incorporated to make any Call or demand Payment of any Money in respect of any such Share.

XXXII. And

New Shares to be subject to same Trusts as old Shares.

XXXII. And be it enacted, That all Corporations and Persons in whom any of the Shares to be created by virtue of this Act shall become vested under the Provisions aforesaid shall stand and be possessed of every such Share upon the same Trusts, and subject to the same Powers, Provisions, Declarations, and Agreements, Charges and Incumbrances, as the Trusts, Powers, Provisions, Declarations, and Agreements, Charges and Incumbrances, upon and to which the Shares in the Capital of the said dissolved Company for which the Share or Shares in the Capital of the Company hereby incorporated was or were substituted was or were liable and subject immediately before the passing of this Act, and so as to give effect to and not revoke any Will or other testamentary Instrument disposing of or affecting such Share or Shares in the Capital of the said dissolved Company.

Allotment of Residue of Shares.

XXXIII. And be it enacted, That the Residue of the said Shares to be created by virtue of this Act shall be disposed of by the said Company to such Persons, in such Manner, and at such Times as the Company may think fit; and such Shares shall be entitled to the same rateable Dividends, neither more nor less, as the other Shares in the Company are entitled to; and the Money to be received by the Company in respect of such Shares shall be applied in discharging the existing Liabilities of the Company hereby dissolved, other than the Money borrowed by them under the Authority of the said recited Acts hereby repealed, and to no other Purpose whatsoever.

Power to borrow Part of the Money on Mortgage.

XXXIV. And be it enacted, That it shall be lawful for the Company hereby incorporated, if they shall think fit, instead of raising the whole of the said Sum of Five hundred and twenty-five thousand Pounds by the Creation of Shares, pursuant to the Provision herein-before contained, to raise by the Creation of Shares Three hundred and eighty-two thousand seven hundred and fifty Pounds only, and to borrow on Mortgage or Bond such Sum (not exceeding the Sum of One hundred and forty-two thousand two hundred and fifty Pounds) as shall from Time to Time be authorized to be borrowed by the Vote of a General Meeting of the said Company; and it shall be lawful for the said Company to secure the Repayment of the Money so borrowed by Mortgage or Bond, in the Manner and according to the Form prescribed by the "Companies Clauses Consolidation Act, 1845:" Provided always, that it shall not be lawful for the said Company to borrow any Part of the said Sum of One hundred and forty-two thousand two hundred and fifty Pounds until the whole of the said Sum of Three hundred and eighty-two thousand seven hundred and fifty Pounds, in addition to the Sum of Two hundred thousand Pounds, the present Share Capital of the Company, shall have been subscribed for or taken up, and One Half of the said Sum of Three hundred and eighty-two thousand seven hundred and fifty Pounds shall have been paid up.

In case existing Mortgages are paid off the Company

XXXV. And be it enacted, That if the Company shall pay off all or any Part of the said Sum of Fifty-two thousand Pounds borrowed under the Authority of the said recited Acts, as herein-before mentioned, then and in every such Case it shall be lawful for the Company

may raise the Amount again.

Company and they are hereby authorized and empowered, immediately, or at any Time or Times and from Time to Time thereafter, again to raise or borrow the whole or any Part of the Amount so paid off on the Credit of their Undertaking, and for that Purpose to mortgage and assign their Undertaking, and the Rates, Tolls, and other Property vested in or belonging to them, or any Part thereof respectively, (the Costs and Charges of assigning the same to be paid out of the Money so to be raised,) as a Security for any Sum of Money which shall be so again raised or borrowed, with Interest, to such Person as shall advance the same, and so from Time to Time as often as the same shall happen, but so nevertheless that the Company shall not under the Authority of this Act in any event borrow or owe on Mortgage at any One Time more than One Third of their Share Capital for the Time being.

Existing Mortgages to have Priority.

XXXVI. Provided always, and be it enacted, That all Mortgages or Bonds granted under the Authority of the Acts hereby repealed, and which shall be in force at the Time of the passing of this Act, shall during the Continuance thereof have Priority over any Mortgages or Bonds to be created by virtue of this Act.

Mortgages, Transfers, &c. to be stamped.

XXXVII. And be it enacted, That every Mortgage, Bond, or other Security for Money, and every Transfer of any Share, Stock, Mortgage, Bond, or other Security for Money, to be granted or made by virtue of this Act, shall be by Deed duly stamped, wherein the Consideration for the same shall be truly stated, anything herein contained to the contrary notwithstanding.

Interest not to be paid on Calls.

XXXVIII. And be it enacted, That it shall not be lawful for the Company hereby incorporated, out of any Money by this Act or any other Act relating to the said 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.

XXXIX. And be it enacted, 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.

General Meetings.

XL. And with respect to the General Meetings of the Company, be it enacted, That the First General Meeting of the Shareholders of the

the Company shall be held within One Month after the passing of this Act, and a General Meeting of the Company shall be held in the Months of *February* and *August* in every subsequent Year, and the Meetings so appointed to be held as aforesaid shall be called "Ordinary Meetings;" and all Meetings, whether ordinary or extraordinary, shall be held at *Darlington*, or at such other Place as the Directors shall appoint.

Quorum.

XLI. And be it enacted, That in order to constitute a Meeting, whether ordinary or extraordinary, there shall be present, either personally or by Proxy, Ten or more Shareholders holding in the aggregate Shares or Stock to the Amount of Twenty thousand Pounds.

Votes.

XLII. And be it enacted, That at all General Meetings of the Company every Shareholder shall have One Vote for every Share up to Twenty, and an additional Vote for every Five Shares beyond the first Twenty Shares held by him: Provided always, that no Shareholder shall be entitled to vote at any Meeting, unless he shall have paid all the Calls then due upon the Shares held by him.

Number and Qualification of Directors.

XLIII. And be it enacted, That the Number of Directors shall be Thirteen, and the Qualification of a Director shall be the Possession in his own Right of Twenty Shares in the Undertaking.

Power to vary the Number of Directors.

XLIV. And be it enacted, That it shall be lawful for the Company to reduce the Number of Directors, provided that the reduced Number be not less than Seven, and again from Time to Time to increase the Number, provided that such increased Number do not exceed Thirteen.

First Directors.

XLV. And whereas *Thomas Meynell* the elder, *Thomas Meynell* the younger, *Joseph Pease*, *John Pease*, *Henry Pease*, *Thomas Richardson*, *Francis Gibson*, *Henry Pascoe Smith*, *John Castell Hopkins*, *Henry Stobart*, *William Kitching*, *Alfred Kitching*, and *Isaac Wilson* are the present Directors or Managing Committee of the *Stockton and Darlington* Railway Company: Be it enacted, That the said several Persons shall be the First Directors of the Company hereby incorporated.

Election of future Directors.

XLVI. And be it enacted, That the Directors appointed by this Act shall continue in Office until the first Ordinary Meeting to be held after the passing of this Act, and at such Meeting the Shareholders present, personally or by Proxy, may either continue in Office the Directors appointed by this Act or any Number of them, or may elect a new Body of Directors, or Directors to supply the Places of those not continued in Office, the Directors appointed by this Act being eligible as Members of such new Body; and at the first Ordinary Meeting to be held in every Year thereafter the Shareholders present, personally or by Proxy, shall elect Persons to supply the Places of the Directors then retiring from Office agreeably to the Provisions in the "Companies Clauses Consolidation Act, 1845," contained; and the several Persons elected at any such Meeting, being

being neither removed nor disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead, in manner provided by the said Companies Clauses Consolidation Act.

Quorum of Directors.

XLVII. And be it enacted, That the Quorum of a Meeting of Directors shall be Three.

Committees of Directors.

XLVIII. And be it enacted, That the Number of Directors of which Committees appointed by the Directors shall consist shall be not less than Three nor more than Nine, and the Quorum of such Committees shall be Three.

Remuneration of Directors and Auditors.

XLIX. And be it enacted, That the Remuneration of the Directors and also of the Auditors to be appointed under the Provisions of the "Companies Clauses Consolidation Act, 1845," shall from Time to Time be fixed by a General Meeting of the Company, and be paid out of the Funds of such Company.

Newspapers for Insertion of Advertisements.

L. And be it enacted, That the Newspapers in which Advertisements relating to the Affairs of the Company are to be inserted shall be some One or more Newspaper or Newspapers published within the County of *Durham*.

Power to take Tolls.

LI. And be it enacted, That the Company hereby incorporated may lawfully demand and receive, in respect of Passengers, and of the several Articles, Goods, Matters, and Things, and of the several Descriptions of Animals, herein-after mentioned, conveyed on the said Railway, whether in Carriages belonging to the said Company or otherwise, any Tolls not exceeding the following; (that is to say,)

For all Dung, Compost, and all Sorts of Manure, Lime and Limestone, and all undressed Materials for the Repair of public Roads and Highways, *per* Ton *per* Mile One Penny Halfpenny:

For all Ironstone, Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, Sheet Iron, and all other similar Descriptions of Wrought Iron not manufactured into Utensils or into other Articles of Merchandize, and for Lead Ore, Pitching and Paving Stones and other Kinds of Stone, Bricks, Tiles, Slates, Clay, and Sand, *per* Ton *per* Mile Two-pence:

For all Sugar, Grain, Corn, Flour, Hides, Hemp, Dyewoods, Earthenware, Timber, Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per* Ton *per* Mile Two-pence Three Farthings:

For all Coals, Coke, Culm, and Cinders (except as herein-after mentioned) which shall be conveyed for Ten Miles, or for a greater Distance than Ten Miles, *per* Ton *per* Mile One Penny Three Farthings:

For the like Articles, Goods, and Things (except as herein-after mentioned) which shall be conveyed for a less Distance than Ten Miles, *per* Ton *per* Mile Two-pence:

For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandize, Articles, Matters, and Things not before enumerated, *per* Ton *per* Mile Three-pence Halfpenny:

For every Carriage, of whatever Description, and not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, and which shall be conveyed for a Distance exceeding Fifteen Miles, *per* Mile Five-pence:

For every such Carriage which shall be conveyed for only Fifteen Miles, or for a less Distance than Fifteen Miles, for the whole Distance, Seven Shillings and Sixpence:

And, *per* Mile, for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh, Two-pence:

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

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

For every Passenger conveyed in a Third-class Carriage (except by the Government Trains), *per* Mile One Penny Farthing:

For every Horse, Mule, Ass, or other Beast of Draught or Burden conveyed for a Distance exceeding Twelve Miles, *per* Mile Five-pence:

For every such Animal which shall be conveyed for Twelve Miles or a less Distance, for the whole Distance, Five Shillings:

For every Ox, Cow, Bull, or Neat Cattle, conveyed for a Distance exceeding Twelve Miles, *per* Head *per* Mile, if One, Three-pence, if more than One, Two-pence:

For every such Animal which shall be conveyed for Twelve Miles, or a less Distance, for the whole Distance, Two Shillings:

For every Calf, Pig, Sheep, Lamb, or other small Animal, conveyed for a Distance exceeding Twelve Miles, *per* Head *per* Mile One Penny:

For every such Animal which shall be conveyed for Twelve Miles or a less Distance, for the whole Distance, One Shilling.

Toll for propelling Power.

LII. Provided always, and be it enacted, That in the said Tolls shall be included the Toll for the Use of Engines for propelling the Carriages on the said Railway, and that no further Charge than is herein-before stated shall be made by the Company hereby incorporated for the Use of such Engines; provided also, that nothing herein contained shall be construed to prevent the Company hereby incorporated from charging any reasonable Sum for loading and unloading, and for providing Covers for Minerals, Goods, Articles, or Animals.

Tolls for Coals, Coke, Culm, and Cinders for Exportation.

LIII. Provided always, and be it enacted, That for Coals, Coke, Culm, and Cinders which shall be shipped on board of Vessels for Exportation, whether Foreign or Coastwise, it shall not be lawful for the Company to charge any Tolls, Rates, or Dues exceeding the following; (that is to say,)

For all Coals, Coke, Culm, and Cinders which shall be intended for Exportation, whether Foreign or Coastwise, *per* Ton *per* Mile Three Farthings:

For the like Articles, Matters, and Things, if conveyed in Carriages belonging to the Company, but not propelled by Engines or other Power belonging to the Company, *per* Ton *per* Mile Three Farthings and One Eighth of a Penny, in lieu of such last-mentioned Toll:

For the like Articles, Matters, and Things propelled by Engines or other Power belonging to the Company, but not conveyed in Carriages belonging to the Company, *per* Ton *per* Mile One Penny and One Eighth of a Penny, in lieu of the said before-mentioned Tolls:

If conveyed by Engines or other Power and Carriages belonging to the Company, *per* Ton *per* Mile One Penny Farthing, in lieu of the said before-mentioned Tolls, such Toll of One Penny Farthing to include the Use of Carriages and Engines for propelling the Carriages on the Railway, and all other incidental Expenses, except a reasonable Charge for loading and unloading, where such Service is performed by the Company.

Regulations as to Tolls:

LIV. And be it enacted, That the following Provisions and Stipulations shall be applicable to the fixing of all the above-mentioned Tolls; (that is to say,)

Short Distances:

For Persons or Articles conveyed on the Railway for a less Distance than Six Miles (except such Persons or Articles as shall have been or shall be conveyed either through a certain Tunnel called the *Shildon* Tunnel, or over the Inclined Planes on the *Stockton and Darlington* Railway called respectively the *Black Boy* Incline Plane, the *Etherley* Incline Plane, and the *Brusselton* Incline Plane, or any of them,) the Company hereby incorporated may demand the same Tolls as for Six Miles:

Fractional Part of a Mile:

For a Fraction of a Mile less than a Mile, or beyond any integral Number of Miles, the said Company may demand Tolls on Goods, Articles, and Merchandize for such Fraction in proportion to the Number of Quarters of a Mile contained therein, and if there be a Fraction of a Quarter of a Mile such Fraction shall be deemed a Quarter of a Mile, and in respect of Passengers every Fraction of a Mile beyond an integral Number of Miles shall be deemed a Mile:

Fractional Parts of a Ton:

For a 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:

General Weight:

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

Weight of Stone and Timber,

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 Articles of great Weight.

LV. And with respect to small Packages, and single Articles of great Weight, be it enacted, That, notwithstanding the Rates of Tolls herein-before prescribed, the Company hereby incorporated may lawfully demand and receive the Tolls following; (that is to say,)

For any Parcel not exceeding Fourteen Pounds in Weight, for any Distance, Sixpence:

For

For any Parcel exceeding Fourteen Pounds but not exceeding Twenty-eight Pounds in Weight, for any Distance, Two Shillings:

For any Parcel exceeding Twenty-eight Pounds but not exceeding Fifty-six Pounds in Weight, for any Distance, Two Shillings and Sixpence:

And for Parcels exceeding Fifty-six Pounds in Weight the Company may demand any Sum which they may think fit:

Provided always, that Parcels 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 Carriage, shall exceed Four Tons but shall not exceed Eight Tons, the Company may demand and receive such Sum as they may think fit, not exceeding Sixpence *per* Ton *per* Mile:

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

Passengers Luggage.

LVI. And be it enacted, That every Passenger travelling upon the said *Stockton and Darlington* Railway or any Branch thereof may take with him his ordinary Luggage, not exceeding One hundred and fifty Pounds in Weight for First-class Passengers, and One hundred Pounds in Weight for Second and Third Class Passengers, without any extra Charge being made for the Carriage thereof.

Tolls for passing Inclined Planes, &c.

LVII. And be it enacted, That it shall be lawful for the Company to demand and receive, for and in respect of all Articles, Matters, or Things which shall pass over or along both Sides of or which shall be delivered on or discharged at the Summit of any One or more of the Inclined Planes upon the Railway and Branch Railways, or any of them, hereby vested in them, and known respectively as the *Black Boy* Incline Plane, the *Etherley* Incline Plane, and the *Brusselton* Incline Plane, such Sum as the Company shall from Time to Time appoint, not exceeding the Sum of Sixpence *per* Ton for and in respect of each of the said Inclined Planes, over and above or in addition to the other Tolls or Duties by this Act authorized to be taken: Provided always, that it shall not be lawful for the said Company to charge the said Sum of Sixpence *per* Ton, or any Part thereof, or any other Toll exceeding the Tolls by this Act authorized for the other Portions of the Railway, in respect of any Articles, Matters, or Things which shall be conveyed along a Portion only of the said Inclined Plane called the *Black Boy* Incline, and which shall have passed or shall be intended to pass through the said Tunnel called the *Shildon* Tunnel.

Tolls for passing Passage or Bridge across the Tees.

LVIII. And be it enacted, That it shall be lawful for the Company to demand and receive, for the Tonnage of all Coals, Culm, Cinders, Stone, Lime, and Manure whatsoever which shall be carried or conveyed upon or over the Passage or Bridge erected under the Authority of

of the said fourthly herein-before recited Act across the River *Tees*, such Sum as the Company shall from Time to Time appoint, not exceeding the Sum of Two-pence *per* Ton, over and above and in addition to the other Tolls or Duties by this Act authorized to be taken.

Vesting Middlesbrough Dock in Railway Company.

LIX. And be it enacted, That (in consideration of the Sum of One hundred and sixty thousand Pounds so advanced and paid by the said dissolved Company as herein-before mentioned, and upon the Execution of a Deed or Conveyance, duly stamped for denoting the Payment of the full and proper Stamp Duty by Law payable in respect of the said Purchase or Consideration Money,) the aforesaid Dock at *Middlesbrough* in the North Riding of the County of *York* known as the *Middlesbrough* Dock, with all Tidal Basins, Entrances, Approaches, Ways, Railways, Lands, Wharfs, Staiths, Quays, Stations, Warehouses, and other Works and Conveniences, Easements, Rights, and Appurtenances, Engines, Machines, and Utensils whatsoever belonging thereto or connected therewith, and all the Estate, Right, Title, and Interest, Powers, Privileges, and Authorities in relation thereto, of the Persons who at the Time of the passing of this Act shall be the Owners of the said Dock, shall be vested in and belong to the Company hereby incorporated, for their absolute Use and Benefit, but subject nevertheless to the existing Debts, Liabilities, Engagements, Contracts, Obligations, and Incumbrances affecting the same.

Company to deposit with Clerk of the Peace a Plan and Duplicate of the Middlesbrough Dock, &c.

LX. And be it enacted, That the said *Stockton and Darlington* Railway Company shall and they are hereby required, within Two Calendar Months after the passing of this Act, to deposit with the Clerk of the Peace for the North Riding of the County of *York*, who is hereby required to receive and keep the same in his Custody, a Plan, authenticated by the Signature of the Right Honourable the Speaker of the House of Commons, on which shall be delineated the said *Middlesbrough* Dock, with all Tidal Basins, Entrances, Approaches, Ways, Railways, Lands, Wharfs, Staiths, Quays, Stations, Warehouses, and other Works and Conveniences whatsoever belonging thereto or connected therewith, and also a Duplicate of such Plan; and all Persons interested shall have Liberty to, and the said Clerk of the Peace is hereby required, at all reasonable Hours of the Day, to permit all such Persons to inspect, during a reasonable Time, and make Extracts from or Copies of the said Plan, on Payment by each Person to such Clerk of the Peace of One Shilling for every such Inspection, and the further Sum of One Shilling for every Hour during which such Inspection shall continue after the first Hour, and after the Rate of Sixpence for every One hundred Words copied therefrom; and it shall not be lawful for the said *Stockton and Darlington* Railway Company to purchase or take, under the Provision last herein-before contained, any other Lands or Property than such as are delineated upon the said Plan as the Lands and Property proposed to be purchased by or vested in the said Company, nor shall the Land so to be purchased exceed in Extent Sixty-three Acres, nor shall the Powers of this Act with reference to the Purchase of the said *Middlesbrough* Dock, Land and Property be exercised until such Plan shall have been so deposited.

LXI. And

Junction between Stockton and Darlington Railway and Railway leading to the Dock to be continued.

LXI. And be it enacted, That the said *Stockton and Darlington* Railway Company shall and they are hereby required, at all Times after the Purchase of the said *Middlesbrough* Dock shall have been completed, to continue and keep open as Part of their Railway a good and sufficient Junction or Connexion between the *Stockton and Darlington* Railway and the Railway proposed to be purchased under the Authority of this Act, at or near to the Place at which the Junction or Connexion between the said Two Railways at present exists.

Powers of 11 & 12 Vict. c. 27. extended to this Act.

LXII. And be it enacted, That "The Harbours, Docks, and Piers Clauses Act, 1847," shall, so far as the same is applicable, and is not modified by this Act, or inconsistent with the Provisions thereof, be held to apply to the Company hereby incorporated, and to the Dock and other Works connected therewith or belonging thereto, by this Act vested in the said Company, and shall have the like Effect as if the said Dock and other Works had been by this Act authorized to be constructed: Provided always, that nothing in this Act, or in the said Harbours, Docks, and Piers Clauses Act, contained, shall extend or be construed to extend to compel the Company to provide or keep any Life Boat, Mortar, or Rockets, or any Tide or Weather Gauge, until they shall be required so to do by the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, in Writing under the Hand of the Secretary of the Admiralty; and upon any such Requisition being made the Clauses relating thereto contained in the said Harbours, Docks, and Piers Clauses Act shall as regards this Act be in full Force; and that nothing in this Act, or in the said Harbours, Docks, and Piers Clauses Act, contained, shall extend to compel the Company to erect or keep any Watch-house, Boat-house, Hut, or weighing Materials for the Use of the Officers of the Revenue, until the Company shall be required so to do by the Commissioners of Her Majesty's Customs in Writing, and upon any such Requisition being made the Clauses relating thereto contained in the said Harbours, Docks, and Piers Clauses Act shall as regards this Act be in full Force.

Power to take Dock Rates.

LXIII. And be it enacted, That from and immediately after the said *Middlesbrough* Dock shall have been purchased by the said *Stockton and Darlington* Railway Company it shall be lawful for the Company to demand and receive for or in respect of the said *Middlesbrough* Dock, any Tolls, Rates, or Duties, not exceeding the Tolls, Rates, or Duties following; (that is to say,)

For any Vessel using or entering the Dock, the Sum of Three Half-pence for every Ton Register Burden of such Vessel:

For all Coals, Lime, Coke, Culm, or Cinders, loaden or unloaden, or shipped or discharged, or landed, at or within the said Dock, the Sum of Two-pence Halfpenny *per* Ton:

For all Lead, Iron, Ironstone, or any other Ores, Timber, Stone, Bricks, Tiles, or other Goods, Articles, or Things, not exceeding Half a Ton in Weight, loaden or unloaden, or shipped or discharged, or landed, at or within the said Dock, the Sum of Two-pence; and where the Weight thereof shall exceed Half a Ton but shall be less than One Ton, the Sum of Three-pence; and where the Weight thereof shall amount to or exceed One Ton, the Sum of Four-pence *per* Ton.

As soon as Clarence Company have provided a Station, &c. at Sim Pasture, the Stockton and Darlington Railway Company required to deliver at and take from such Station, &c. Waggons, &c.

LXIV. And be it enacted, That as soon as the *Clarence* Railway Company shall have provided sufficient and proper Station Room, Sidings, Booking Places, or other Conveniences at or near to the Junction of the *Clarence* Railway with the *Stockton and Darlington* Railway at *Sim Pasture*, to the Satisfaction of the Commissioners of Railways, the *Stockton and Darlington* Railway Company shall thenceforth, at all seasonable and proper Times, deliver at and take from such Stations, Sidings, or Booking Places, by locomotive Power in the ordinary Course of Railway Traffic, any Waggons, empty, or laden with Coals or other Minerals, or with Merchandize, which may be required by any Person or Persons whomsoever to be left at or taken from such Station, Sidings, or Booking Places, to or from any Station, Siding, or Booking Place on the said *Stockton and Darlington* Railway: Provided always, that nothing herein contained shall make the said *Stockton and Darlington* Railway Company liable to take any such Waggons unless the same shall have been before collected for that Purpose at the Station, Siding, or Booking Place from which the same shall be required to be taken, to the Number of not less than Thirty-two at any One Time; provided also, that if any Difference shall at any Time arise between the said Companies relating to the Use or Management of the said Station Room, Siding, or Booking Places so to be provided at or near *Sim Pasture*, the same may be from Time to Time referred by either of the said Companies to the Commissioners of Railways, whose Order thereon shall be binding and conclusive between the Parties.

Saving Rights of the Leeds and Thirsk Railway Company.

LXV. And be it enacted, That nothing in this Act contained shall prejudice, affect, or alter the Rights, Powers, and Privileges which may now be exercised or enjoyed by the *Leeds and Thirsk* Railway Company under or by virtue of the several Acts relating to such Company.

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.

LXVI. 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 Railway;* 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 present 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 Company hereby incorporated from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect of the said Company, so far as the same shall be applicable thereto.

LXVII. And

Railway to be subject to Provisions of future general Acts.

LXVII. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the Company hereby incorporated from the Provisions of any general Act relating to Railways, or to the better and more effectual 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 or 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.

LXVIII. 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 Company or the Directors thereof out of the first Monies that shall come to their Hands, and in preference to any other Payment whatsoever.

Short Title of Act.

LXIX. 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 *Stockton and Darlington* Railway (Consolidation of Acts, Increase of Capital, and Purchase of the *Middlesbrough* Dock) Act, 1849."

Interpretation of Terms.

LXX. And be it enacted, That wherever in this Act the Expression "the Railway" shall be used the same shall mean the Railways and Works by this Act vested in or authorized to be made by the Company hereby incorporated.

Public Act.

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

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