



ANNO DECIMO

GEORGIIV. REGIS.

Cap. lxxii.

An Act for making and maintaining a Railway or Tramroad from the Town of *Newcastle-upon-Tyne* in the County of the Town of *Newcastle-upon-Tyne* to the City of *Carlisle* in the County of *Cumberland*, with a Branch thereout.

[22d *May* 1829.]

WHEREAS the making and maintaining of a Railway or Tramroad, with proper Works and Conveniences adjoining thereto or connected therewith, for the Passage of Waggon and other Carriages, from the Town of *Newcastle-upon-Tyne* in the County of the Town of *Newcastle-upon-Tyne*, in and through the several Parishes and Places herein-after mentioned, in the several Counties of *Newcastle-upon-Tyne*, *Northumberland*, *Durham*, and *Cumberland*, to the City of *Carlisle* in the said County of *Cumberland*, with a Branch Railway or Tramroad thereout, commencing at or near a certain Place called *Elswick Dean*, in the Township of *Elswick* in the County of *Northumberland*, and terminating at the West Side of a certain Street called *Thornton Street*, in *Newcastle-upon-Tyne*, will be of great Advantage to the Agricultural and Commercial Interests of the said Counties, City, Town, and Places, by facilitating the Conveyance of Lead, Coal, Lime, Slates, and other Products of the Land, and Articles of Merchandize, from different and remote Parts of the said Counties to other Parts thereof, and to the Port of *Newcastle-upon-Tyne*, the City of *Carlisle*, and other Places, and by

[*Local.*] 19 Y facilitating

Proprietors
incorporated.

facilitating the Conveyance of manufactured Goods and Foreign Merchandize between *Newcastle-upon-Tyne* and *Carlisle*, and into the Interior of the said Counties, and generally, will be of great public Utility: And whereas, by Levels and Surveys made and taken of the Lines of the proposed Railways or Tramroads, the Practicability of making the same has been ascertained; and the several Persons hereinafter named are desirous, at their own Costs and Charges, to make and maintain such Railways or Tramroads and other Works as hereinafter mentioned; but the same cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King'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, That the Mayor and Burgesses of the Town of *Newcastle-upon-Tyne* in the County of the Town of *Newcastle-upon-Tyne*, *William Powlett* Esquire commonly called Lord *William Powlett*, Sir *Charles Loraine* Baronet, *Thomas Richard Beaumont*, *John Brandling*, *James Losh*, *Matthew Atkinson*, *Matthew Plummer*, *Henry Howard*, *William Parker*, *Peter Dixon* junior, *John Forster* senior, *Robert Porter*, *John Davidson*, *Job James Bulman*, *William Woods*, *John Blenkinsopp* *Coulson*, *Thomas Fenwick*, *Thomas Reed Batson*, *Thomas Crawhall*, *Alfred Hall*, *John Anderson*, *John Clayton*, *John Berkeley*, *Edward Hall Campbell*, *William Bolam*, *Thomas Cookson*, *Matthew Clayton*, *William Chapman*, *John Bruce*, *Joseph Lamb*, *Ralph Naters*, *John Mulcaster*, the Reverend *Ralph Henry Brandling*, *Thomas Gibson*, *William Losh*, *Robert Belt*, *John Wilson*, *William Wade*, *Nathaniel Clayton*, *Robert Todd*, *John Phillips*, *William Robson*, *John Beckington*, *Robert Ingham*, *Thomas Dunn*, *John Lionel Hood*, *Christopher Cookson*, *Elizabeth Kemp* Spinster, *Richard Hoyle*, *James Graham Clarke*, *Thomas Hudson*, *Matthew Hall*, *Robert Ormston* junior, *Robert Matthews*, *John Blamire*, *James Fairbairn*, *John Holme Sutton*, *William Gate*, *William Carrick*, *Joseph Crawhall*, *Emerson Charnley*, *James Colbeck*, *Eliza Hannah Chapman*, *John Dickenson* junior, *Arthur Macnamara*, *Thomas Emerson Headlam*, *John Wilson*, *Thomas Wentworth Beaumont*, *Thomas Milburn Young*, *Thomas Stordy*, Sir *Hew Dalrymple Ross* K.C.B., *Benjamin Scott*, *Thomas Elliott*, *Joseph Ferguson*, *George Ferguson*, *John Forster* junior, *Ralph Holmes*, *Joseph Addison*, *Christopher Parker*, *Charles Thurnam*, *Richard Cust*, *George Stephenson Mounsey*, *John Dixon*, *William Nanson*, *Thomas Brockbank*, the Reverend *Nathaniel John Hollingsworth*, *Thomas Carrick*, *Robert Cowen*, *John Beck*, *Robert Ashbridge*, *John Scarrow*, *William Nanson Hodgson*, *James Bennett*, *John Moor Dent*, *Eneas Mackenzie*, *George Anderson*, *Elizabeth Glynn*, *Ann Peareth*, *Joseph Ferguson*, *John Blow*, *Jeremiah Brown*, *William Dobinson*, *Christopher Hodgson*, *Walter Calverley Trevelyan*, *John Buddle*, *John Taylor*, *John Bunting*, *John Dalton*, *Edward Bond*, *Elihu Sutton*, *George Blaylock*, *Edward Tremble*, *Robert Lowthian*, *Alexander Cockburn*, *John Graham*, *Thomas Moses*, *George G Russell*, *John Brooksbank Pearson*, *William Boyd*, *John Davidson*, *Charles Bertram*, *Michael Hogg*, *James Hogg*, *William Morley*, *Edmund Graham*, *Thomas Sibson*, *William Robertson*, *Joseph Price*, *William Story*, *Cuthbert Hackworth*, *George Hill*, *Ralph Leycester*, *George Shadforth*,

Shadforth, John Irwin, William Carrick junior, Joseph Arundale junior, James Hutchinson, Henry Dobson, Anthony Richardson, Joseph Bainbridge, William Loftus, James Sillick, Robert Anthony Atkinson, William Armstrong, Cuthbert Burnup, George Burnett, George Burnett junior, G H Philipson, Joseph Arundale, Richard Hill Gee, Thomas Wilson, Thomas Bell, Thomas Shaw, James Finlay, John Fairbairn, William Loraine, William Harrison, Thomas Andrews, Isaac Lowthian, Thomas Barnes M.D., Mary Barras, John Anderson junior, Michael Cairns, John Williamson, William Glynn, George Carr Glynn, Charles Chatfield, Samuel Walker Parker, William James, John Brown, John Harrison, Joseph Salkeld, John Cockburn, Simon Ewart, John Forster, Joseph Scott, Robert Richardson, Thomas Hewson, Robert Harrington, Thomas Marston, Thomas Armstrong, Richard Ferguson, John Ferguson, William Batty Wrightson, John Blenkinsopp, Ralph Watson, John M'Connell, Robert Ormston, the Reverend John Collinson, Robert Oliver, Harrison Bulman, William Whitaker Spence, Michael Clayton, Robert Robertson, Sarah Scott, and William Crawhall, and all and every other Person and Persons, Body and Bodies Corporate or Collegiate, who shall hereafter become Subscribers to the said Undertaking, and their several and respective Successors, Executors, Administrators, and Assigns, shall be and are hereby united into a Company for making, completing, and maintaining the said Railways or Tramroads, and other Works to be connected therewith, according to the Rules, Orders, and Directions herein-after mentioned; and for that Purpose shall be One Body Corporate, by the Name and Style of "The Newcastle-upon-Tyne and Carlisle Railway Company," and by that Name shall have perpetual Succession and shall have a Common Seal, and by that Name shall and may sue and be sued; and the said Company of Proprietors shall have Power and Authority, from and after the passing of this Act, and at all Times thereafter, to purchase and hold Lands and Hereditaments to them and their Successors and Assigns, for the Use of the said Undertaking and Works, and also to sell and dispose of the said Lands and Hereditaments again in manner by this Act directed, without incurring any of the Penalties or Forfeitures of the Statute of Mortmain.

Their Corporate Name.

Power of the Company to purchase and hold Lands.

II. And be it further enacted, That the said Company of Proprietors shall be and are hereby authorized and empowered, by themselves, their Deputies, Agents, Officers, Workmen, and Servants, to make, complete, and maintain a Railway or Tramroad, with proper Works and Conveniences adjoining thereto or connected therewith, for the Passage of Waggon, Carts, and other Carriages constructed as herein-after mentioned, commencing at or near the West End of a certain Street called the *Close*, and on the South Side thereof, in the Township of *Saint Nicholas*, in that Part of the Parish of *Saint Nicholas* which is situate in the Town and County of *Newcastle-upon-Tyne*, and extending to or passing through or into or made within the several Parishes following; that is to say, *Saint Nicholas*, partly in the Town and County of *Newcastle-upon-Tyne* and partly in the County of *Northumberland*; that Part of *Saint John* which lies in the County of *Northumberland*, *Newburn* in the County of *Northumberland*, *Ryton* in the County Palatine of *Durham*; *Ovingham*, *Bywell Saint Peter*, *Bywell Saint Andrew*, *Corbridge*,
Saint

Company empowered to make a Railway from Newcastle-upon-Tyne to Carlisle.

Saint John Lee, Hexham, Warden, and Haltwhistle, all in the County of *Northumberland*; *Upper Denton* otherwise *Over Denton, Abbey Lanercost, Nether Denton, Brampton, Farlam, Hayton, Wetheral, Saint Cuthbert Carlisle*, and *Saint Mary Carlisle*, all in the County of *Cumberland*, or some of them; and also extending to or passing through or into or made within the several Townships or Hamlets or Places following; that is to say, *Saint Nicholas* in the Town and County of *Newcastle-upon-Tyne*; *Westgate, Elswick, Benwell, and East Denton*, all in the County of *Northumberland*; *Winlaton, Stella, Ryton, and Crawcrook*, all in the County Palatine of *Durham*; *Wylam, Prudhoe Castle, Prudhoe, Master's Close*, (being extra-parochial or reputed so to be,) *Eltringham, Old Ridley, Stocksfield Hall, Broomley, Broomhaugh, Riding, The Lee, Corbridge, Dilston, Anick Grange, Hexham, West Quarter of Hexhamshire, Low Warden* otherwise *Nether Warden, Fourstones, Allerwash, Brokenheugh, Haydon, Haydon Bridge North Side, Lipwood, Whinnetley, Thorngraston, Henshaw, Ridley, Melkridge, Haltwhistle, Whydon, Blenkinsopp, Featherston, and Thirlwall*, all in the County of *Northumberland*; *Upper Denton* otherwise *Over Denton, Banks, Nether Denton, Naworth, Farlam East, Farlam West, Brampton, Talkin, Hayton, Fenton and Faugh, Corby, Wetheral, Scotby, Harraby, Botchergate, and Caldewgate*, all in the County of *Cumberland*, or some of them; and terminating at or near to the North-west Corner of the Canal Basin in the said Township of *Caldewgate*, and in the Parish of *Saint Mary Carlisle* in the said County of *Cumberland*; together with One Branch Railway or Tramroad from and out of such Railway or Tramroad, with proper Works and Conveniences adjoining thereto or connected therewith, commencing at or near a certain Place called *Elswick Dean*, in the Township of *Elswick*, in that Part of the Parish or Parochial Chapelry of *Saint John* and that Part of the Parish of *Saint Nicholas* which respectively lie in the County of *Northumberland*, and extending to or passing through or into or made within that Part of the said Parish or Parochial Chapelry of *Saint John* and that Part of the said Parish of *Saint Nicholas* which respectively lie in the said County of *Northumberland*, and the several Townships or Hamlets or Places of *Elswick* and *Westgate*, both in the County of *Northumberland*, and terminating at the West Side of a certain Street called *Thornton Street*, situate in the said Township of *Westgate*, in that Part of the said Parish or Parochial Chapelry of *Saint John* and that Part of the said Parish of *Saint Nicholas*, which respectively lie in the County of *Northumberland*.

Power to take Lands, &c. for the Purpose of this Act.

III. And be it further enacted, That for the Purposes of this Act the said Company of Proprietors, their Deputies, Servants, Agents, Surveyors, and Workmen, shall be and they are hereby authorized and empowered, according and subject to the Provisions of this Act, to enter into and upon the Lands and Grounds of any Person or Persons, Bodies Politic, Corporate, or Collegiate whatsoever, and to survey and take Levels of the same or any Part thereof, and to set out, ascertain, and appropriate such Parts thereof as they shall think necessary for making, effecting, preserving, improving, completing, maintaining, and using the said Railways or Tramroads, and all such other Works, Matters, and Conveniences as are hereby authorized to be made, and to bore, dig, cut, trench, embank, and sough, and also

to remove, take, carry away, lay, and use any Earth, Clay, Stone, Soil, Rubbish, Trees, Roots of Trees, Beds of Gravel or Sand, or any other Materials or Things which may be dug, raised, or gotten in making the said Railways or Tramroads or other Works, or out of the Lands or Grounds of any Person or Persons, Bodies Politic, Corporate, or Collegiate, adjoining or contiguous thereto, and which may seem necessary or proper for making, carrying on, continuing, using, maintaining, altering, or repairing the said Railways or Tramroads and other Works, according to the Intent and Meaning of this Act; and also to make, build, erect, bank, excavate, cut, and set up, and also to repair, such and so many Embankments, Mounds, Bridges, Piers, Arches, deep Cuttings, and Tunnels in, upon, under, and across any Hills, Valleys, Roads, Rivers, Canals, Brooks, and Streams or other Waters, and to alter or stop the Course of or draw off such Water for such Time as may be necessary for completing and repairing Bridges or Passages over the same, and such and so many Wharfs, Houses, Warehouses, Toll Houses, Landing Places, Weighing Beams, Cranes, Machines, and other Works, and Ways, Roads, and Conveniences, where and in such Manner as the said Company of Proprietors shall think necessary or expedient for the Purposes of the said Undertaking, and also from Time to Time to renew, alter, repair, and amend or discontinue the same; and also to place, lay, work, and manufacture the Materials necessary for the making, erecting, and maintaining and repairing the said Railways or Tramroads and other Works on the Lands or Grounds adjoining to the Place or Places where the said Works or any of them shall be or are intended to be made, erected, repaired, or done; and also to make, maintain, repair, and alter any Fences or Passages over, under, along, or through the said Railways or Tramroads; and also to make, set out, and appoint such Roads and Ways convenient for hauling or drawing of Waggons and other Carriages passing upon the said Railways or Tramroads, with or by means of stationary Engines or other mechanical Power, save and except locomotive Steam Engines, and with Men or Horses or otherwise, and proper Places for such Engines and for Waggons and other Carriages to turn, remain, stand, lie, or pass each other, and to divert, alter, widen, enlarge, and extend any Ways, Roads, Passages, or Bridges which shall lead to or from or lie or be in or near the said Railways or Tramroads, or the intended Course or Situation thereof, as the said Company of Proprietors shall think expedient; and also to make Drains or Conduits into, through, or under any Lands or Grounds adjoining the said Railways or Tramroads, for the Purpose of conveying Water from or to the said Railways or Tramroads, or any Part or Parts thereof, and to construct, make, and do all other Matters and Things fit or necessary for the making, altering, preserving, improving, completing, and using the said Railways or Tramroads and other Works to be made or constructed in pursuance of and according to the true Intent and Meaning of this Act; they the said Company, their Deputies, Agents, Servants, and Workmen, doing as little Damage as may be in the Execution of the several Powers to them hereby granted, and making full Satisfaction, in manner herein-after mentioned, to the Owners or Proprietors of, and to all Persons, Bodies Politic, Corporate, or Collegiate,

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interested in, any Lands, Tenements, or Hereditaments, Waters or Watercourses respectively, which shall be taken, used, removed, diverted, or injured, for all Damages to be by them sustained in or by the Execution of all or any of the Powers of this Act; and this Act shall be sufficient to indemnify the said Company, and their Deputies, Servants, Agents, and Workmen, and all other Persons whomsoever, for what they or any of them shall do by virtue of the Powers hereby granted; subject nevertheless to such Provisoes and Restrictions as are herein-after mentioned and contained.

Deficiencies
in the Land
Tax to be
made good by
the Company.

IV. And whereas by reason of taking Lands for the Purposes of this Act there may be Deficiencies in the Assessments for Land Tax in the several and respective Parishes, Townships, or Places through which the said Railways or Tramroads will pass; be it therefore enacted, That for preventing the same the said Company shall, from and after the said Company shall become seised and possessed of any Premises charged with the Land Tax, and until the Works hereby authorized to be made shall be completed and assessed to such Land Tax, (unless the said Company shall think fit to redeem the same under the Powers of the Act for the Redemption of the Land Tax,) be subject and liable from Time to Time to pay and make good to or in aid of the said Parishes, Townships, or Places, out of the Monies to arise by virtue of this Act, all such Sum and Sums of Money as shall be deficient in the said several Assessments for Land Tax within the said Parishes, Townships, or Places, by reason or means of taking or using, for the Purposes of this Act, any Lands liable to such Assessments, according to the Rental at which the same were valued or rated at the Time of the passing of this Act; and the Treasurer, Collector, or Receiver to be appointed under this Act shall be and is hereby authorized and required to pay all such Assessments, on Demand thereof, to the Collector or Collectors of the said Assessments.

No locomotive
Steam Engine to be
used, nor
Steam Engine
in certain
Places.

V. Provided always, and be it further enacted, That no locomotive or moveable Steam Engine shall be used on the said Railways or Tramroads for drawing Waggons or other Carriages, or for any other Purpose whatsoever; and that no Steam Engine shall be erected or used for any of the Purposes aforesaid within View of the Castle of *Naworth*, or *Corby Castle*, or of the several Mansion Houses of *Charles Bacon* Esquire, at *Styford*, of *John Hodgson* Esquire, at *Elswick*, of *James Kirsopp* Esquire, at the *Spital*, of *Robert Pearson* Esquire, at *Unthank*, of *Nicholas Leadbitter* Esquire, at *Warden*, or any of them, nor within the Distance of One thousand Yards to the East of *Stella Hall*, nor nearer, on the West, than the Point where the Line of the said Railways or Tramroads will be intersected by a certain common Highway called the *Water Lane*.

Height of
Ledge of
Railways
when they
cross Turn-
pike Roads.

VI. Provided also, and be it further enacted, That where the said Railways or Tramroads shall cross any Turnpike Road or public Highway, the Ledge or Flanch of such Railways or Tramroads, for the Purpose of guiding the Wheels of the Carriages, shall not rise above nor sink below the Level of such Road more than One Inch.

VII. Pro-

VII. Provided also, and be it further enacted, That in all Places where it may be necessary to erect, build, or make any Bridge or Bridges for carrying any public Carriage Road over the said Railways or Tramroads, the Ascent of every such Bridge for the Purpose of such Road shall not be more than One Foot in Thirteen; and a good and sufficient Fence shall be made on each Side of every such Bridge, which Fence shall not be less than Four Feet above the Surface of such Bridge.

Ascent of
Bridges and
Height of
adjoining
Fences.

VIII. Provided always, and be it further enacted, That the Bridge by which the said Railways or Tramroads shall be carried across the River *Tyne*, at or near to a Place called *Scotswood*, in the County of *Northumberland*, to the opposite Side of the said River, in the Parish of *Ryton* in the County of *Durham*, shall be so constructed that a clear Space of Nineteen Feet at least perpendicular shall be left between the Surface of the Water at the Height of the Flood in ordinary Spring Tides and the Roadway of the said Bridge, and that the Level necessary for that Purpose shall be attained by a regular Ascent, not exceeding a Quarter of an Inch in the Yard, from the general Level of the said Railways or Tramroads, for the Space of Six hundred and seventy-two Yards at least on each Side of the said Bridge.

Ascent to
and Height
of Bridge at
Scotswood.

IX. Provided always, and be it further enacted, That the Bridge by which the said Railways or Tramroads shall be carried across the River *South Tyne*, at or near to a Place called *Warden*, in the County of *Northumberland*, shall be so constructed that a clear Space of Twenty-two Feet at least perpendicular shall be left between the Summer Level of the Water and the Roadway of the said Bridge, and that the Level necessary for that Purpose shall be attained by a regular Ascent, not exceeding a Quarter of an Inch in the Yard; from the general Level of the said Railways or Tramroads, for the Space of Three hundred and thirty-six Yards at least on each Side of the said Bridge.

Ascent to
and Height
of Bridge at
Warden.

X. And be it further enacted, That the Distance between the inside Edges of the said Railways or Tramroads shall be Four Feet and Eight Inches, and the Distance between the outside Edges of the said Railways or Tramroads shall be Five Feet and One Inch.

Width of the
Railways.

XI. And whereas Maps or Plans, describing the Lines or Course of the said Railways or Tramroads respectively, and the Estates, Lands, and Grounds in, through, over, and upon which the said Railways or Tramroads are to be carried or made, together with Books of Reference thereto, containing Lists of the Names of the Owners and Occupiers or reputed Owners and Occupiers of such Estates, Lands, and Grounds, have been deposited with the several Clerks of the Peace for the Town and County of *Newcastle-upon-Tyne*, the County Palatine of *Durham*, and the Counties of *Northumberland* and *Cumberland*; be it therefore enacted, That the said Maps or Plans and Books of Reference so deposited shall remain with and be kept by the said respective Clerks of the Peace, and that all Persons interested in any Manner therein shall have Liberty to inspect and peruse

Plans and
Books of
Reference.

peruse and make Extracts from and Copies of the same at all reasonable Times, paying to the said respective Clerks for every Inspection the Sum of One Shilling, and for Copies of or Extracts from the said Books of Reference after the Rate of Four-pence for every Seventy-two Words; and the said Maps or Plans and Books of Reference, or attested Copies thereof, or of so much thereof as shall relate to any Matter which may be in question, shall be and are hereby declared to be good Evidence in all Courts of Law or elsewhere.

Not to deviate more than 100 Yards.

XII. And be it further enacted, That the said Company of Proprietors, in making the said intended Railways or Tramroads, shall not deviate more than One hundred Yards from the Course or Direction delineated in the said Maps or Plans.

Landowners omitted in Book of Reference not to obstruct the making the Railways, &c.

XIII. Provided always, and be it further enacted, That the said Company of Proprietors may make the said Railways or Tramroads and other Works into, through, across, or over the Lands, Tenements, or Hereditaments of any Person or Persons whomsoever, or Body or Bodies Politic, Corporate, or Collegiate, whose Name or Names, or the Name or Names of whose Tenants, shall appear to the Satisfaction of any One of His Majesty's Justices of the Peace acting in and for the said Town and County of *Newcastle-upon-Tyne*, or the said Counties of *Northumberland*, *Durham*, or *Cumberland*, and shall be by him certified by Writing under his Hand, to be by Mistake omitted in the said Books of Reference and the Schedule to this Act annexed, or that instead thereof the Name or Names of some other Person or Persons, Body or Bodies, to whom such Lands, Tenements, or Hereditaments do not belong, hath or have been by Mistake inserted therein, or that the Owner or Owners, Occupier or Occupiers, hath or have been incorrectly or insufficiently described, or if it shall appear to the Satisfaction of any such Justice, to be certified as aforesaid, that such Lands or Hereditaments, or any Part thereof, have or hath been by Mistake misnamed or otherwise incorrectly or insufficiently described in such Books of Reference and Schedule, but were by this Act intended to be taken and used for the Purposes thereof; and the same Lands, Tenements, or Hereditaments, notwithstanding any such Omission or Misdescription, may be valued, sold, purchased, conveyed, disposed of, and applied in the same Manner and under the same and the like Powers as are given by this Act in other Cases, as fully and effectually, to all Intents and Purposes, as if the same were inserted and accurately named in the said Books of Reference, and in the said Schedule to this Act annexed.

Houses and Gardens not to be used, except those specified in the Schedule.

XIV. Provided also, and be it further enacted, That nothing herein contained shall extend to authorize the said Company of Proprietors, or any Person or Persons acting by or under their Authority, to take, use, injure, or damage, for the Purposes of the said Railways or Tramroads or other Works, or for any other of the Purposes aforesaid, any House or other Building which was erected or built on or before the First Day of *January* One thousand eight hundred and twenty-eight, or any Land or Ground which was then set apart and used as and for a Garden, Orchard, Yard, Park, Paddock, Plantation, planted Walk
or

or Avenue to a House, without the Consent in Writing of the Owners or Proprietors thereof and Persons interested therein respectively, other than and except such as are specified in the Schedule to this Act annexed.

XV. Provided also, and be it further enacted, That in all Cases when, in exercise of the Powers hereby granted, any Part of any Carriage or Horse Road, either public or private, shall be found necessary to be cut through, raised, sunk, taken, or so much injured as to be impassable or inconvenient for Travellers, Passengers, or Carriages, or to the Persons entitled to the Use thereof, the said Company shall at their own Expence, before any such Road shall be cut through, raised, sunk, taken, or injured as aforesaid, cause a good and sufficient Carriage or Horse Road, as the Case may require, to be set out and made instead thereof, as convenient for Travellers, Passengers, and Carriages as the Road so to be cut through, raised, sunk, taken, or injured as aforesaid, or as near thereto as may be, and shall cause the same to be put into good and substantial Order and Condition, when the former Road cannot be more easily restored; and where the Road cut through, raised, sunk, or passed over shall be a Turnpike Road or Highway, the principal Road shall be restored within Six Calendar Months after the Commencement of the Operation; and the Railways or Tramroads when they shall cross such Turnpike Road shall be made and kept in repair so as to prevent Inconvenience or Obstruction to the Passage along such Turnpike Road: Provided also, that where the said Railways or Tramroads shall cross the Plantations of the said Earl of *Carlisle*, called the *Hell Beck* and *Gelt* Plantations, the said Railways or Tramroads shall be carried over proper and sufficient Archways, to be made and maintained by the said Company across such of the present Carriage Drives, Rides, or Walks in each of the said Plantations, as the said Earl of *Carlisle*, his Heirs or Assigns, shall require, so as to leave the Communication in and by means of such Carriage Drives, Rides, or Walks, free and uninterrupted.

In case of Injury to Roads.

If Turnpike Road be injured it shall be restored within a limited Period.

Communications in the Earl of *Carlisle's* Plantations.

XVI. And be it further enacted, That the Lands and Grounds to be taken for the Purposes of this Act shall not exceed Twenty-two Yards in Breadth, except in such Places where it shall be judged necessary for Waggons or other Carriages to turn, remain, stand in, lie, or pass each other, or for raising Embankments for crossing Valleys or low Grounds, or in deep Cuttings, or where any fixed or permanent Machinery, or Warehouses or other Buildings, or Cranes or Weighbeams, may be erected, or where any Places may be set out or appropriated for the forming of Wharfs, or for the Reception or Delivery of Goods, Wares, and Merchandize which shall be conveyed on the said Railways or Tramroads, and not above One hundred and fifty Yards in Breadth in any Place, except at or near to the Termination of the Lines of the said Railways or Tramroads respectively within the said Townships of *Saint Nicholas Westgate* and *Caldewgate* respectively, where Places not exceeding Five hundred Yards in Length by Two hundred Yards in Breadth may be set out and appropriated for Wharfs, Warehouses, and Buildings, Yards, Conveniences, and other Purposes of this Act, and also except on Commons, Downs, or Waste Lands, without the Consent of the Owners

Breadth of the Land to be taken for the Railways.

of the Lands or Hereditaments adjoining to the said Railways or Tramroads.

As to the
Lands of the
Carlisle Canal
Company.

XVII. Provided always, and be it further enacted, That nothing herein contained shall extend to authorize or empower the said Company of Proprietors to take, use, injure, or damage, for the Purposes of the said Railways or Tramroads and other Works hereby authorized to be made, or any of them, or for any other of the Purposes of this Act, any Land or Ground of the *Carlisle* Canal Company situate in the Township of *Caldewgate* in the County of *Cumberland*, except such of the Land or Ground of the said Canal Company as is situate between the public Highway leading from *Caldewgate* to *Newtown*, and the Warehouse of the said Canal Company in the Township of *Caldewgate*, without the Consent of the said Canal Company first had and obtained under their Common Seal for that Purpose; nor, without such Consent as aforesaid, to take or use any Part of the Land or Ground of the said Canal Company situate between the said public Highway and the said Warehouse, for Wharfs, Warehouses, Buildings, or Yards, or for any other of the Purposes of this Act, other than and except for the Railways or Tramroads by this Act authorized to be made; nor, without such Consent as aforesaid, to take or use any more of the said last-mentioned Land or Ground of the said Canal Company, for the said Railways or Tramroads, than Twenty-nine Feet in Breadth or Width.

Corporations,
&c. empow-
ered to sell.

XVIII. And be it further enacted, That it shall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants in Tail or for Life, or for any other limited or qualified Estate or Interest, Husbands, Guardians, Trustees, Feoffees in Trust, Committees, Executors, and Administrators, and all other Persons whomsoever, not only for and on behalf of themselves, their Successors, Executors, and Administrators, but also for and on behalf of the Person or Persons entitled in Reversion, Remainder, or Expectancy after them, and for and on behalf of their Wives entitled to Dower or Jointures or other Provision, and for and on behalf of their Cestuique Trust, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons, and to and for all Femes Covert who are or shall in their own Right be seised or possessed of or interested in, and for all and every other Person and Persons whomsoever who is, are, or shall be seised or possessed of or interested in, any Houses, Buildings, Lands, Tenements, or Hereditaments, Rivers, Streams, or Waters, which shall be thought necessary to be purchased, or which shall be injured, damaged, or affected by the said Company of Proprietors acting under and in pursuance of this Act, to treat and agree as to the Price and for the Sale of the same, or for the Satisfaction for such Damage as aforesaid, and to convey, assign, or otherwise assure the same Hereditaments and every Part thereof unto the said Company; and all such Contracts, Agreements, Sales, Conveyances, Assignments, and Assurances shall be made at the Expence of the said Company of Proprietors; and such Conveyances, Assignments, and Assurances may be made according to the following or similar Form; (that is to say,)

' I of _____, in consideration Form of Con-
 ' of the Sum of _____ to me paid by veyance to
 ' do hereby, in pursuance and by virtue of the Power in that Company.
 ' Behalf contained in an Act of Parliament passed in the Tenth Year
 ' of the Reign of His present Majesty King *George* the Fourth,
 ' intituled [*here set forth the Title of this Act*], grant and release to
 ' the said Company of Proprietors all [*describing the Premises to be*
 ' *conveyed*], together with all Ways, Rights, and Appurtenants to the
 ' same belonging, and all the Estate, Right, Title, and Interest in
 ' and to the same and every Part thereof, which by the said Act or
 ' otherwise I can lawfully grant and release, to hold to the said Com-
 ' pany of Proprietors and their Successors for ever, according to the
 ' true Intent and Meaning of the said Act. In witness whereof I
 ' have hereunto set my Hand and Seal, the _____ Day of
 ' in the Year of our Lord _____

And if the Premises are Leasehold for Years they may be assigned
 by a Form answerable to the above, only substituting the Words
 applicable to the Assignment of a Chattel; and all such Convey-
 ances and Assignments respectively shall be kept by such Person,
 and in such Place, as the Directors of the said Company for the
 Time being shall appoint, who shall from Time to Time, when re-
 quested, deliver attested Copies thereof to any Person or Persons
 requiring the same, and shall have and receive the Sum of Four-pence
 for every Seventy-two Words, exclusive of Stamps; and all such
 Conveyances, Assignments, and Assurances as aforesaid shall be good,
 valid, and effectual in the Law, to all Intents and Purposes, not only
 to convey, assign, or assure the Estate and Interest of the Person or
 Persons, Body or Bodies, conveying or assigning, but also to convey
 or assign all the Right, Estate, Interest, Use, Trust, Property, Claim,
 and Demand whatsoever of their several and respective Successors
 and Cestuique Trusts, whether Issue unborn or under any Incapacity
 or not, and all claiming or to claim by, from, through, or under
 them or any of them, and also to bar all Estates Tail and other
 Estates, Jointures, Right and Title of or to Dower, and all other
 Rights and Titles, Remainders, Reversions, Limitations, Trusts, out-
 standing Terms of Years, whether assigned to attend the Inheritance
 or not, and Interests whatsoever; and all Corporations and Persons
 whatsoever contracting, conveying, or assigning as aforesaid are
 hereby indemnified for what they shall respectively do in relation
 thereto by virtue and in pursuance of this Act.

XIX. Provided always, and be it further enacted, That all Con- Conveyances
 tracts, Agreements, and Assurances made or entered into by virtue of Copyholds.
 and in pursuance of this Act, for or in respect of any Lands, Tene-
 ments, or Hereditaments of Copyhold or Customary Tenure, or in the
 Nature thereof, shall be executed and completed by Surrenders of the
 Lands, Tenements, and Hereditaments comprised therein in the
 Court of the Manor of which the same are holden or Parcel, accord-
 ing to the Custom of such Manors; and such Lands, Tenements,
 and Hereditaments shall continue subject to the same Fines, Rents,
 and Services as are now due and payable and of Right accustomed,
 in the same Manner as if this Act had not been passed, unless the
 Lord

Lords of
Manors em-
powered to
enfranchise.

Lord or Lords, Lady or Ladies for the Time being of the Manor whereof the said Lands, Tenements, or Hereditaments are holden, shall be willing to enfranchise the same; in which Case such Lord or Lords, Lady or Ladies, whether sole or married, is or are hereby empowered so to do, notwithstanding he, she, or they shall be seised of or entitled to the same Manor for a less Interest than an Estate in Tail, General or Special; but if the same shall not be enfranchised, inasmuch as the vesting and continuing of such Copyhold or Customary Premises in the said Company as a Body Corporate will prevent such Lord or Lords, Lady or Ladies, from receiving the same Benefit of Fines, Heriots, and other Services due upon Death, Descent, or Alienation, as he, she, or they might have received in case such Copyhold or Customary Premises had continued to be the Property of Persons in their natural Capacities, he, she, or they shall be entitled to and shall be paid by the said Company a reasonable Recompence and Satisfaction for the Loss that will arise to him, her, or them in respect of such Fines, Heriots, and other Services the Receipt or Enjoyment of which shall be diminished or lost by the vesting or continuing of such Copyhold or Customary Premises in a Body Corporate; which Recompence and Satisfaction, and also the Appointment or Apportionment of the certain Copyhold or Customary Rents issuing out of such Copyhold or Customary Tenements, of which a Part only shall be taken for any of the Purposes of this Act, shall, if not settled by Agreement between the Parties, be ascertained and settled by the Verdict of a Jury, if required, as is herein-after directed.

How Money
is to be paid
if Lords of
Manors are
under Inca-
pacity to en-
franchise
Copyholds.

XX. And be it further enacted, That in all Cases where the Lord or Lords, Lady or Ladies of any Manor or Manors whereof any Copyhold or Customary Lands or Tenements required to be used for the Purposes of this Act are holden or Parcel shall be willing to enfranchise the same Copyhold or Customary Lands or Tenements, and such Lord or Lords, Lady or Ladies shall be seised of or entitled to such Manor or Manors respectively for a less Interest than an Estate in Tail, General or Special, or where he, she, or they cannot, either by levying a Fine or Fines, or suffering a Common Recovery or Common Recoveries, enfranchise the same Lands or Tenements, then the Money agreed or assessed to be paid for the Enfranchisement thereof shall be paid, applied, and disposed of, under the Direction and with the Approbation of the High Court of Chancery, or without such Direction or Approbation, according to the Amount thereof, in the same Manner in all respects as in this Act is directed and provided with respect to Money agreed or assessed to be paid for the Purchase of any Lands, Tenements, or Hereditaments taken or used for the Purposes of this Act, which shall belong to any Person or Persons under any Disability or Incapacity whatsoever; and in all Cases in which the Appointment or Apportionment of the certain Copyhold or Customary Rents issuing out of such Copyhold or Customary Lands and Tenements, of which a Part only shall be or shall have been taken for the Purposes of this Act, shall be settled by Agreement between the Parties, such Agreement shall be made with and shall not be valid without the Consent and Approbation of the Lord or Lords, Lady or Ladies of the Manor or respective

Agreement
to apportion
Rents to be
made with
Consent of
Lord of the
Manor.

Manors

Manors whereof the same Copyhold or Customary Lands and Tenements are holden or Parcel; which Consent he, she, or they is or are hereby authorized to give, though he, she, or they may have only a limited or qualified Estate or Interest in such Manor; and if not so settled, shall then be settled or assessed by the Verdict of a Jury, if required, in such Manner as in and by this Act is directed and provided; and the Apportionment of such Copyhold or Customary Rents aforesaid shall not in any Manner invalidate, prejudice, or destroy the Custom or Customs in other respects by and under which the said Copyhold or Customary Lands or Tenements shall or may be holden, and the Remedy or Remedies for the Recovery of such Rents after the Apportionment thereof; and in all Cases where the Lord or Lords, Lady or Ladies of any Manor or Manors whereof any Copyhold or Customary Lands or Tenements purchased by the said Company of Proprietors for the Purposes of this Act, shall refuse or decline to enfranchise the same Lands or Tenements, and shall in consequence thereof have received from the said Company of Proprietors a Recompence and Satisfaction in respect of the Fines, Heriots, and other Services being diminished or lost by the vesting or continuing of such Copyhold or Customary Lands or Tenements in a Body Corporate, then and in every such Case, if the same Lands or Tenements, or any Part or Parts thereof, shall not be ultimately required for the Purposes aforesaid, or any of them, and shall be sold and disposed of by the said Company of Proprietors under the Authority or Authorities to them given for that Purpose, the Copyhold or Customary Lands and Tenements which shall be sold and disposed of by the said Company of Proprietors shall remain in the Hands of the Purchaser or Purchasers thereof, and for ever thereafter continue free and discharged from the Fines, Heriots, and other Services in respect whereof such Recompence and Satisfaction shall have been made as aforesaid.

Where Lands are not enfranchised, and the Lord receives a Recompence for the Fines, &c. such Lands to be discharged in the Hands of a Purchaser from the Company.

XXI. And be it further enacted, That in all Cases where, in making the said Railways or Tramroads or other Works hereby authorized, there shall be Occasion to cut through, take, or use any Part or Parts of any Common or Waste Grounds, or other Lands, Tenements, or Hereditaments which shall be charged with or subject or liable to the Exercise of any Right or Privilege of Common thereupon, whether of Pasture, Turbary, Estover, Piscary, or Easement, and whether such Common or Commonable Rights be appendant, appurtenant, or in gross, and whether the same be created or be then subsisting by Grant, Prescription, Custom, or otherwise howsoever, the Conveyance of such Common or Waste Grounds, or other Lands, Tenements, or Hereditaments as aforesaid, by any Body Politic, Corporate, or Collegiate, or other Person or Persons, having such Estate or Interest in the Manor wherein such Common or Waste Grounds shall be situate (or if the same shall not be the Waste of any Manor, then having such Estate or Interest in the Soil of the said Lands, Tenements, or Hereditaments) as the Body or Bodies Politic, Corporate, or Collegiate, or Persons, who are herein-before enabled to sell other Lands, Tenements, or Hereditaments, have in such Lands, Tenements, or Hereditaments, shall be a good and sufficient Conveyance to the said Company of Proprietors for the Purposes of vesting in them the Fee Simple

Conveyance of Waste Lands.

and Inheritance of such Common or Waste Grounds, or Lands, Tenements, or Hereditaments, as fully and effectually as if every Person having such Right or Rights of Common upon such Common or Waste Grounds, or other Lands, Tenements, or Hereditaments, were seised thereof in Fee Simple in Possession, and had joined in and executed such Conveyance; and the Compensation to be paid for the Extinguishment of any Right of Common upon any such Common or Waste Grounds as aforesaid shall be paid by the said Company of Proprietors to the Churchwardens for the Time being of the Parish wherein such Common or Waste Grounds shall be situated, and shall be by such Churchwardens received and applied for such general or public Purposes within the said Parish as a Vestry thereof, to be convened by such Churchwardens for that Purpose, shall direct; but in all Cases where any such Common or Commonable Rights shall be vested in not more than Twelve Persons and Corporations, such Compensation shall be paid unto and amongst such Persons and Corporations, according to their respective Interests, in such Shares as shall be agreed upon between them and the said Company; but if the Parties shall not agree, then the same Shares shall be ascertained and settled by a Jury in manner herein-after directed, and such Compensation shall either be paid to such Persons or Owners themselves, or deposited in the Bank, in the Cases and in the Manner by this Act directed: Provided that in all Cases where any such Manor is vested in Freeholders or Inhabitants at large, or in any greater Number of Persons than Four, or where it is not known to whom such Manor belongs, or in what Manor such Common or Waste Grounds are situated, the Conveyance by Four at least of the Freeholders whose Estates have Common Right in or over such Common or Waste Grounds, and whose said Estates in the Rate for the Relief of the Poor amount in yearly Value to Three-fifth Parts at least of the whole of the Estates which have such Common Right, shall also in like Manner be a good and sufficient Conveyance to the said Company of Proprietors for the Purposes of vesting in them the Fee Simple and Inheritance of such Common or Waste Grounds, freed and discharged from all such Common Rights; and the Compensation, if any, for the Extinguishment of the Common Rights in the Cases lastly mentioned, shall be paid to the Churchwardens, to be applied by them as herein-before directed.

Where small
Parcels of
Land are in-
tersected,
Company
compellable
to purchase
the Whole.

XXII. And be it further enacted, That if, in making the said Railways or Tramroads, any Piece or Parcel of Ground shall be cut through and divided, so that what shall be left on each or either Side of the said Railways or Tramroads shall be less than One Acre in Quantity, and if the Owner or Owners of any such Piece or Parcel of Ground shall not have any other Land or Ground adjoining to that which shall be so left on each or either Side of the said Railways or Tramroads, then and in every such Case, if the Person or Persons empowered by this Act to convey the same shall so require, but not otherwise, the said Company of Proprietors shall also take and purchase the Piece or Parcel of Ground so left on each or either Side of the said Railways or Tramroads, being less than One Acre in Quantity as aforesaid, the Value thereof to be ascertained, and the Conveyance to be made, and the Purchase Money applied, in the same
Manner

Manner as is directed concerning any Land required for the Purposes of this Act.

XXIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to give to the said Company any Mines of Coal or other Minerals, or any Stone or Slate, under any Land taken or purchased by the said Company under the Provisions of this Act, except only so much and such Parts of such Coal, Minerals, Stone, or Slate as shall or may be necessary to be dug or gotten and carried away or used in and for erecting, maintaining, and supplying any Buildings or Steam Engines for the Purposes of this Act; but all such Mines, Minerals, Coals, Stone, or Slate shall be deemed to be excepted out of such Purchase, and may be worked by the Owners or Lessees thereof under the said Lands or any Railways or other Works of the Company, as if this Act had not passed, but so as nevertheless not to prejudice or to injure such Railways or other Works hereby authorized or directed to be made.

Company not to claim Mines, &c. under Lands purchased.

XXIV. And be it further enacted, That from and after the passing of this Act no Shaft, Pit, or Quarry shall be dug, sunk, or made, and no Adits, Drifts, or Cuts shall be made, under the said Railways or Tramroads, or under any Banks, Bridges, or Works upon which any Part of the said Railways or Tramroads shall be made, so as to injure the same, nor shall any Whims, Ropes, Chains, Connection Rods, or any other Ropes, Chains, Rods, or other Matters, be fixed over, under, across, near, or by any Part of the said Railways or Tramroads, so as to injure the same, or to interrupt in any Manner the free Passage of Carriages, with their Lading.

No Shaft to be sunk.

XXV. And for settling all Differences which may arise between the said Company of Proprietors and the several Owners of or Persons interested in or by this Act empowered to convey and assure any Lands, Grounds, Messuages, Buildings, Tenements, Hereditaments, Ferries, Rivers, Streams, Brooks, Canals, Waters, or Water-courses which shall or may be taken, used, damaged, stopped up, affected, or prejudiced by the Execution of any of the Powers hereby granted; be it further enacted, That if any Corporation, or other Person or Persons, empowered by this Act or otherwise entitled to treat and agree with respect to and to convey and assure the same Hereditaments, shall refuse to accept such Purchase Money, Recompence, or other Compensation as shall be offered them by the said Company, or shall neglect or refuse to treat or shall not agree with the said Company as to the Amount of the Purchase Money, Recompence, or Compensation, or shall, by reason of Absence, be prevented from treating, or shall, by reason of Nonage or any other Impediment or Disability not provided for by this Act, be incapable of treating or making such Agreement as shall be expedient for enabling the said Company to proceed in making the said Railways or Tramroads and other the Works aforesaid, or cannot be found or known, or shall not produce or evince a clear Title to the Premises they may be in Possession of or to the Interest they shall claim therein, to the Satisfaction of the said Company, then and in every such Case the said

In case the Parties refuse or are incapable to treat, the Value to be settled by a Jury.

Company

to be summoned by the Sheriff, or Coroners, or Person who shall have last filled the Office of Sheriff, and not interested.

Company of Proprietors shall and they are hereby empowered and required from Time to Time to issue a Warrant under their Common Seal to the Sheriff of the County in which the Lands or Hereditaments in question shall be situate, or the Matter in question or dispute shall arise, or in case such Sheriff or Under Sheriff shall be one of the said Company of Proprietors, or enjoy any Office of Trust or Profit under them, or shall be in anywise interested in the Matters in question, then to any one of the Coroners of such County not interested as aforesaid, or if all the Coroners shall be so interested, then to the last Person then in being who filled the Office of Sheriff of the said County, not interested as aforesaid, commanding such Sheriff or Coroner or other Person to impanel, summon, and return, and the said Sheriff, Coroner, or other Person is hereby accordingly authorized, empowered, and required to impanel, summon, and return a Jury of at least Eighteen sufficient and indifferent Men qualified according to the Laws of this Realm to be returned for Trials of Issues in His Majesty's Courts of Record at *Westminster*; and the Persons so to be impanelled, summoned, and returned are required to come and appear before the Justices of the Peace for the County in which such Lands, Tenements, or Hereditaments shall lie, or the Matter in question or dispute shall arise, at some Court of General or Quarter Sessions of the Peace to be holden in and for the same County, or at some Adjournment thereof, as in such Warrants shall be directed or appointed, and to attend such General or Quarter Sessions from Day to Day until discharged by the said Court; and out of such Persons so to be impanelled, summoned, and returned, a Jury of Twelve Men shall be drawn by the Clerk of the Peace for the County wherein such Jury shall be returned, or his Deputy, in such Manner as Juries for Trials of Issues joined in His Majesty's Courts of Record at *Westminster* are by Law directed to be drawn; and in case a sufficient Number of Jurymen shall not appear at the Time and Place so to be appointed as aforesaid, such Clerk of the Peace, or his Deputy, shall return other honest and indifferent Men of the Standers-by, or of others that can be speedily procured to attend that Service (being so qualified as aforesaid), to make up the said Jury to the Number of Twelve; and all Parties concerned shall and may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said Clerk of the Peace, or his Deputy, is hereby empowered and required to summon before the said Justices all and every Person and Persons who shall be thought necessary to be examined as a Witness or Witnesses touching the Matters in question or dispute, and may order and authorize the said Jury, or any Six or more of them, to view the Place or Places or Matter or Matters in controversy; and such Jury shall, upon their Oaths, or, being of the Society of Persons called *Quakers*, upon their solemn Affirmations, (which Oaths and solemn Affirmations, as well as the Oaths and solemn Affirmations to such Person or Persons as shall be called upon to give Evidence, the said Justices are hereby empowered and required to administer,) inquire of, assess, and ascertain, and give a Verdict for the Sum or Sums of Money to be paid for the Purchase of such Lands, Grounds, Messuages, Buildings, Tenements, and Hereditaments, and also the separate and distinct Sum or Sums of Money to be paid by way of Recompence or Compensation, either for the Damage which shall

In default of Attendance of Jurymen, Standers-by may be returned.

Witnesses may be summoned.

Jury may view the Place or Matter in question.

shall or may before that Time have been done or sustained as aforesaid, or for the future temporary or perpetual Continuance of any recurring Damages which shall have been so occasioned as aforesaid, and the Cause or Occasion of which shall have been in part only removed by the said Company, and which can or will be no further ooviated, remedied, or repaired by them; and the said Justices shall accordingly give Judgment for such Purchase Money, Recompence, or Compensation as shall be assessed by such Jury; which said Verdict, and the Judgment thereupon to be pronounced as aforesaid, shall be binding and conclusive, to all Intents and Purposes, upon all Bodies Politic, Corporate, or Collegiate, and all other Persons whomsoever: Provided always, that not less than Seven Days Notice in Writing of the Time and Place at which such Jury are so required to be returned shall be given by the said Company to the Party or Parties with whom any such Controversy shall arise, by leaving such Notice at the Dwelling House of such Person or Persons, or of the Clerk or Agent or Head Officer of any such Body Politic, Corporate, or Collegiate, or with some Tenant or Occupier of the Premises intended to be valued or respecting which any such Question shall arise.

Verdict and Judgment thereupon to be conclusive.

XXVI. Provided also, and be it further enacted, That in ascertaining the Sum or Sums of Money to be paid for any Lands, Tenements, or Hereditaments required for the Purposes of this Act, the Jury shall also ascertain and assess the Compensation and Satisfaction to be made by the said Company for any Damages which shall or may at any Time or Times hereafter be sustained by any Corporation or other Person or Persons respectively, being Owner or Owners of or interested in such Lands, Tenements, or other Hereditaments, for or by reason of the Extinguishment of any Right of Common, or for or by reason of the severing or dividing such Lands or Hereditaments from other Lands, Tenements, or Hereditaments belonging to such Corporation or Corporations or other Person or Persons as aforesaid, and for and on account of the Detriments, Injury, Loss, and Damage or Prejudice which shall or may accrue to or be sustained by such Corporation or Corporations, Owner or Owners, or other Person or Persons interested in such Lands, Tenements, or other Hereditaments, or any of them, by reason of the making, using, repairing, or maintaining the said Railways or Tramroads, and other Works and Conveniences belonging thereto, or by reason or means of the Execution of any of the Powers given to the said Company of Proprietors; such Damage and Compensation to be settled and ascertained separately and distinctly from the Value of the Lands, Tenements, or Hereditaments so to be taken and used as aforesaid.

Value of Land and Damages to be separately ascertained.

XXVII. And be it further enacted, That the said Juries shall and they are hereby respectively empowered to settle what Shares and Proportions of the Purchase Money, or Compensation for Damages, which shall be assessed as aforesaid, shall be allowed to any Tenant or other Person or Persons having a particular Estate, Term, or Interest in the Premises, for such his, her, or their Interest or respective Interests therein.

Compensation Money to be apportioned.

Verdicts to
be recorded.

XXVIII. And be it further enacted, That all the said Verdicts and Judgments, being first signed by the Clerk of the Peace or his Deputy present at the taking of such Verdict and pronouncing of such Judgment respectively, shall be kept by the Clerk of the Peace for the County in which the Matter of Dispute shall have arisen among the Records of the Quarter Sessions for such County, and shall be deemed Records to all Intents and Purposes, and the same or true Copies thereof shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling and no more, and also to take and make Copies thereof, paying for every Copy after the Rate of Four-pence for every One hundred Words.

Penalty
upon Sheriff,
&c.;

Jurors;

Witnesses
making De-
fault.

XXIX. And be it further enacted, That if such Sheriff or his Deputy, or any Coroner or other Person herein-before authorized and directed to act in the Stead of such Sheriff, shall make Default in the Premises, he shall for every such Offence forfeit the Sum of Fifty Pounds; and if any Person so to be summoned and returned upon any such Jury as aforesaid shall not appear, without having sufficient Excuse for such Nonappearance, or appearing shall refuse to be sworn, or, being of the Society of Persons called *Quakers*, to make his solemn Affirmation, or to give his Verdict, or shall in any other Manner wilfully neglect his Duty contrary to the true Intent and Meaning of this Act, or if any Person so to be summoned to give Evidence as aforesaid shall not appear on being paid or tendered a reasonable Sum for his, her, or their Costs and Expences, or appearing shall refuse to be sworn, examined, or to give Evidence, then and in every such Case every such Person so offending, having no reasonable Excuse (to be allowed by the said Justices), shall forfeit and pay for every such Offence, for the Benefit of the Party for whom or on whose account such Jury or Witness shall be summoned, any Sum not exceeding Five Pounds, to be leived, by virtue of any Warrant under the Hand and Seal of any One of the said Justices, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to him the Overplus of the Money they produced, after such Penalty, and the Charges and Expences of such Distress and Sale, shall have been deducted.

Jurors to be
under the
same Regu-
lations as
those of the
Courts at
Westminster.

Persons
giving false
Evidence
subject to
the Penalties
of Perjury.

XXX. And be it further enacted, That every such Jury and Juryman as aforesaid shall also be liable and subject to the same Regulations, Pains, and Penalties as if such Jury and Juryman had been returned for the Trial of any Issue joined in any of His Majesty's Courts of Record at *Westminster*; and all and every Person and Persons who in any such Examination to be taken by virtue of this Act upon their Oath, or, being of the Society of Persons called *Quakers*, upon their solemn Affirmation, shall wilfully and corruptly give false Evidence before any Justice of the Peace acting as such in the Execution of this Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject and liable to the same Pains and Penalties to which Persons guilty of wilful and corrupt Perjury are by the Laws in being subject and liable to.

XXXI. And

XXXI. And be it further enacted, That in every Case where the Verdict of a Jury shall be given for a greater Sum than shall have been previously offered or tendered by the said Company for the Purchase of any Lands, Grounds, Messuages, Tenements, or Hereditaments for the Purposes of this Act, or as a Compensation or Recompence for any Damage, Loss, or Injury which may happen or arise in the Execution of any of the Powers hereby granted, all the Costs of summoning such Jury and the Expences of Witnesses shall be defrayed by the said Company; and such Costs and Expences shall be settled and determined by some Justice of the Peace for the County in which the Matter in dispute or question shall arise, not interested in the Matter in question (who is hereby authorized and required to settle the same at a Time and Place to be by him appointed, after summoning the Parties interested therein to attend him for that Purpose); and in case such Costs and Expences shall not be paid to the Party entitled to receive the same within Ten Days after the same shall have been demanded, then the same shall and may be levied and recovered by Distress and Sale of any Goods and Chattels of the said Company or of the Treasurer of the said Company, (unless such Treasurer shall pay such Costs and Expences out of any Monies received by him by virtue of this Act, and which he is hereby authorized to do,) under a Warrant to be issued for that Purpose by any Justice of the Peace for the said County in which the Matter in dispute or question shall arise; which Warrant any such Justice is hereby authorized and required to issue under his Hand and Seal, on Application made to him for that Purpose by the Party entitled to receive such Costs and Expences; but if the Verdict of the Jury shall not be given for a greater Sum than shall have been previously offered or tendered by or on behalf of the said Company, or if no Verdict shall be found for Damages, where the whole Dispute shall be whether any Damage has or has not been done, then and in every such Case one Moiety of the Costs and Expences, the Amount thereof having first been ascertained and settled by some Justice of the Peace of the County in which such Dispute or Difference shall arise, in manner herein-before mentioned, shall be defrayed by the said Company, and the other Moiety thereof by the Person or Persons with whom the said Company shall have such Controversy or Dispute; which last-mentioned Moiety may be deducted out of the Money (if any) to be determined or adjudged to be paid to such Person or Persons as aforesaid, and the Payment or Tender of the Remainder of the Money so to be determined or adjudged shall be deemed and taken, to all Intents and Purposes whatsoever, to be a good Payment or Tender in satisfaction of the whole thereof: Provided always, that in all Cases where, by reason of Absence in Foreign Parts, or from any other Cause or Disability not herein-before provided for, any Person or Persons shall have been prevented from treating and agreeing as aforesaid, the whole of such Charges and Expences shall be borne and paid by the said Company.

Expences
of Juries how
to be paid.

XXXII. And be it further enacted, That all and every Person or Persons with whom the said Company of Proprietors shall have any such Controversy or Dispute as aforesaid shall, before the said Company shall be obliged to issue out their Warrant or Warrants for the summoning

Persons re-
questing
Juries to
enter into
Bonds to
prosecute

their Com-
plaints and
pay Ex-
pences.

summoning of such Jury, first enter into a Bond, with Two sufficient Sureties, to the Treasurer of the said Company, in a Penalty of One hundred Pounds, to prosecute his, her, or their Complaint, and to bear and pay his, her, or their Proportion of the Costs and Expences of summoning and returning such Jury, and taking such Verdict, and of the summoning and of the Attendance of Witnesses, in case any Part of such Costs and Expences shall fall upon him, her, or them, to be paid according to the true Intent and Meaning of this Act.

Notice of
Injury to be
given to the
Company
before Com-
plaint made.

XXXIII. And be it further enacted, That the said Company shall not be obliged, nor shall any Jury to be summoned by virtue of this Act be allowed, to receive or take notice of any Complaint or Complaints to be made by any Person or Persons whomsoever for any Injury or Damage by him or them sustained or supposed to be sustained by virtue or in consequence of the Execution of any of the Powers of this Act, unless Notice in Writing, stating the Particulars of such Injury or Damage, and the Amount of the Compensation claimed in respect thereof, shall have been given by or on behalf of such Person or Persons to the said Company Fourteen Days at the least before such Complaint shall be made, and within the Space of Six Calendar Months after the Time of such supposed Injury or Damage having been sustained, or the Cause, doing, or committing thereof shall have ceased.

Power to
enter Lands
on Payment
or Tender
of Purchase
Money.

XXXIV. And be it further enacted, That upon Payment or legal Tender of the Sum or Sums of Money, or other Consideration, Recompence, or Satisfaction, which shall be agreed or adjudged to be paid or made as aforesaid to the Person or Persons entitled to receive the same, or upon Payment of the same into the Bank of *England* or to Trustees in the Cases after mentioned and as directed by this Act, it shall and may be lawful to and for the said Company, and their Agents, Workmen, and Servants, immediately to enter upon such Lands, Tenements, and other Hereditaments respectively, and then and thereupon such Lands, Tenements, and other Hereditaments, and the Fee Simple and Inheritance thereof, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall thenceforth be vested in and become the sole Property of the said Company of Proprietors to and for the Purposes of this Act for ever; and such Payment or Tender, or Deposit in the Bank of *England*, or Payment to Trustees as aforesaid, as the Case may require, shall not only bar all the Right, Estate, Interest, Use, Trust, Property, Claim, and Demand of such Person and Persons as aforesaid, but also of their several and respective Successors and Cestuique Trusts, whether Issue unborn or under any Incapacity or not, and all claiming or to claim by, from, through, or under them or any of them, and also to bar all Estates Tail, and other Estates, Jointures, Right and Title of or to Dower, and all other Rights and Titles, Remainders, Reversions, Limitations, Trusts, outstanding Terms of Years, whether assigned to attend the Inheritance or not, and Interests whatsoever: Provided nevertheless, that before such Payment, Tender, or Deposit in the Bank of *England*, or Payment to Trustees, as the Case may require, it shall not be lawful for the said Company, or any Person acting under their Au-
thority,

thority, to dig or cut into such Lands, Tenements, or Hereditaments, for the Purpose of making the said Railways or Tramroads or other Works hereby authorized to be made, without the Leave of the respective Owners or Occupiers thereof in Writing made under their respective Hands.

XXXV. And be it further enacted, That every Tenant at Will, Lessee for a Year, and other Person and Persons in Possession of any Lands, Tenements, or Hereditaments through, in, or upon which the said Railways or Tramroads and other Works hereby authorized to be made are intended to pass or be made, and who shall have no greater Interest in the Premises than as Tenant at Will or Lessee for a Year or from Year to Year, shall deliver up the Possession of such Premises to the said Company, or to such Person or Persons as they shall appoint to take Possession of the same, at the Expiration of Six Calendar Months next after Notice to that Effect shall have been given by the said Company to such Tenant or Lessee or Person in Possession, or left upon the said Premises, whether such Notice be given with reference to the Time or Times of the Commencement of such Tenant holding or not, and whether such Notice be given before or after the said Premises shall be purchased by the said Company, or at such other Time after the Expiration of Six Calendar Months as he, she, or they shall be required; and in case any such Tenant or Lessee, or Person so in Possession as aforesaid, shall refuse to give up such Possession as aforesaid, it shall be lawful for the said Company to issue their Precept or Precepts to the Sheriff of the County in which the Premises shall be situate, to deliver Possession of the said Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same; and the said Sheriff is hereby required to deliver Possession of the said Premises accordingly, and to levy such Costs as shall accrue from the issuing and Execution of such Precept or Precepts on the Person or Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her, or their Goods.

Tenants at Will or for Years to quit Lands, &c. after Notice.

XXXVI. Provided always, and be it further enacted, That where any such Tenant or Lessee shall be required to deliver up Possession of any Premises so occupied by him to the said Company, or to the Person or Persons authorized by them to take Possession thereof as aforesaid, before the Expiration of the Term or Interest of such Tenant or Lessee in the said Premises, the said Company shall and they are hereby directed to make or tender unto such Tenant or Lessee, before they shall issue their Precept or Precepts to the Sheriff to give Possession of the Lands and Premises in the Occupation of such Tenant or Lessee as herein-before mentioned, Satisfaction or Compensation for the Value of his unexpired Term or Interest in the said Premises; which Satisfaction or Compensation, in case of Difference, shall be settled and ascertained in the same Manner as any Satisfaction or Compensation for any Lands, Tenements, or Hereditaments taken or made use of by the said Company is in and by this Act provided for and directed to be made and assessed.

Interest of such Tenants may be settled by a Jury.

XXXVII. Provided always, and be it further enacted, That in all Cases where any Person or Persons shall claim any Satisfaction or
[Local.] 20 D Compensation

Persons holding under

Leases to
produce the
same.

Compensation for or in respect of any unexpired Term or Interest in any Lands, Tenements, or Hereditaments required for the Purposes of this Act, under or by virtue of any Demise, Lease, or other Grant thereof, the said Company may and they are hereby authorized to require such Person or Persons to produce or show such Lease, Demise, or Grant; and if the same shall not be produced or shown, the Person or Persons claiming under the same shall be considered as holding only from Year to Year.

Mortgages
to be con-
veyed to
Company
after Tender
of Principal
and Interest.

XXXVIII. And be it further enacted, That all and every Person and Persons having any Mortgage or Mortgages on any Lands, Tenements, or Hereditaments required for the Purposes of this Act, (not being in Possession thereof by virtue of such Mortgage or Mortgages,) shall, on Tender of the Principal Money and Interest due thereon, together with the Amount of Six Calendar Months Interest on the said Principal Money, by the said Company, immediately convey, assign, and transfer such Mortgage or Mortgages to the said Company; or in case such Mortgagee shall have Notice in Writing from the said Company that they will pay off and discharge the Principal Money and Interest which shall be due on the said Mortgage or Mortgages at the End or Expiration of Six Calendar Months, to be computed from the Day of giving such Notice, then and at the End of such Six Calendar Months, on Payment of the said Principal Money and Interest so due, such Mortgagee or Mortgagees shall convey, assign, and transfer his, her, or their Interest in the Premises to the said Company: Provided always, that in case the Sum due for Principal and Interest upon any such Mortgage or Mortgages shall amount to more than the Value of the Premises required for the Purposes of this Act, such Value, and the Compensation, if any, for any Damage done, shall be settled and agreed upon by and between such Mortgagee or Mortgagees and the Person or Persons entitled to or by this Act empowered to convey the Equity of Redemption of such Premises, on the one Part, and the said Company of the other Part; and in case of any Difference or Disagreement between them, then such Value and Compensation, if any, shall be ascertained by the Verdict of a Jury in the same Manner as in other Cases of Difference or Disagreement provided for by this Act; and the said Mortgagee or Mortgagees shall convey, assign, and transfer as aforesaid to the said Company, after the Expiration of such Notice, upon Payment by the said Company of such Value and Compensation, if any, so ascertained as aforesaid, or the Residue thereof, after such Allowance and Payment thereout to any Lessee or Tenant as herein-before directed: Provided also, that if such Mortgage or Mortgages shall comprise any other Lands, Tenements, or Hereditaments than those which shall be so required, such Mortgagee or Mortgagees shall, upon Payment of the whole or so much of such Value and Compensation, if any, to be ascertained as aforesaid, (after such Allowance as aforesaid,) as shall be due by virtue of such Mortgage or Mortgages, forthwith convey, assign, and transfer his, her, or their Interest in such Lands, Tenements, and Hereditaments to the said Company: Provided also, that in case any Mortgagee or Mortgagees shall neglect or refuse to, or cannot, from Disability or any other Cause, convey or assign as directed by this Act, then upon Payment, as the Case may be, of the

Remedy in
case of
Neglect of
Disability
to convey.

Principal Money and Interest due on any such Mortgage or Mortgages as aforesaid, or of the Value of the Premises and Compensation, if any, to be respectively ascertained as aforesaid, deducting such Allowance as aforesaid, into the Bank of *England* at the End of Two Calendar Months from the Day of giving such Notice as aforesaid, for the Use of such Mortgagee or Mortgagees, the Cashier or Cashiers of the Bank shall give such Receipt or Receipts as above mentioned, and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of the said Mortgagee or Mortgagees, and of all and every Person and Persons in Trust for him or them, in the said Lands, Tenements, or Hereditaments, shall vest in the said Company, and they shall be deemed to be in the actual Possession of the said Premises to all Intents and Purposes whatsoever; and such Sum of Money, if it shall be less than the Sum or Sums respectively due by virtue of such Mortgage or Mortgages, shall be deducted from the Amount of the Principal and Interest due to such Mortgagee or Mortgagees by virtue of such Mortgage or Mortgages; and no Mortgagor or Mortgagors shall be liable to pay any Interest for or in respect of the Sum or Sums which shall be so paid into the Bank as aforesaid for the Use of his or their Mortgagee or Mortgagees: Provided always nevertheless, that notwithstanding any thing hereinbefore contained, such Mortgagee or Mortgagees shall be entitled to such and the same Powers, Remedies, and Means for recovering or compelling Payment of his, her, or their Mortgage Money, or the Residue thereof, as the Case may be, or the Interest thereof respectively, upon and out of the Residue of the mortgaged Lands, Tenements, or Hereditaments not required for the Purposes aforesaid, as he, she, or they would otherwise have had or been entitled to for recovering or compelling Payment thereof upon or out of the whole of the Lands, Tenements, or Hereditaments originally comprised in such Mortgage or Mortgages.

Relief for
Mortgagees.

XXXIX. And be it further enacted, That if any Money shall be agreed or awarded to be paid for or in respect of any Lands, Tenements, or Hereditaments required for the Purposes of this Act, which belong to any Corporation, Tenant in Tail, for Life, or any limited or qualified Estate or Interest, or to any Person or Persons whose Lands, Tenements, or Hereditaments are subject to any Jointure or Dower, or are limited in strict or other Settlement, or to any Infant, Idiot, Lunatic, Feme Covert, or Person or Persons under any Disability or Incapacity, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* the Company of Proprietors of the *Newcastle-upon-Tyne* and *Carlisle* Railway, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, without Fee or Reward; and shall, when so paid in, there remain

Application
of Compensation Money
amounting
to 200*l*.

1 G. 4. c. 35.

remain until the same shall, by Order of the said Court made upon a Petition to be preferred to the said Court in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Discharge of any Debt or Debts, or other Incumbrances, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith, to the same or the like Uses, Trusts, Intents, or Purposes, as the said Court of Exchequer shall authorize to be purchased or paid, or such Part thereof as shall be necessary; or until the same shall, upon the like Application, be laid out in a summary Way, by Order of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed, limited, and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands, Tenements, or Hereditaments which shall be so required as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking effect; and in the meantime, and until such Order can be made, the said Money may, by Order of the said Court, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime, and until the said Bank Annuities or Government or Real Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest and annual Produce of the said Consolidated or Reduced Bank Annuities or Government or Real Securities shall from Time to Time be paid, by the Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of such Lands, Tenements, or Hereditaments so to be purchased, conveyed, and settled.

When less than 20*l.* and not less than 20*l.*

XL. Provided always, and be it further enacted, That in case such Money shall not amount to the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in every such Case the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments for which such Money shall be agreed or awarded to be paid, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiocy, Lunacy, or other Incapacity, with the Approbation of the said Company, signified in Writing under their Common Seal, be paid into the said Bank of *England* in the Name and with the Privity of the said Accountant General, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; otherwise the same may be paid, at the like Option and with the like Approbation, to Two Trustees, to be nominated by the Person or Persons who for the Time being would be entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so to be purchased and settled, such Nomination to be approved of by the said Company, and such Nomination and Approbation to be signified in Writing under the
Hands

Hands or Common Seal of the nominating and approving Parties; and the Money so paid to such Trustees, and the Dividends and Produce arising thereon and therefrom, shall be by such Trustees applied in like Manner as is herein-before directed with respect to the Money so to be paid into the Bank of *England* in the Name of the Accountant General of the Court of Exchequer, but without obtaining or being required to obtain any Order of the same Court touching the Application thereof.

XLI. Provided also, and be it further enacted, That where such Money shall not amount to Twenty Pounds, then and in every such Case the same shall be paid to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments for which such Money shall be agreed or awarded to be paid, for his, her, or their own Use and Benefit; or in case of Infancy, Idiocy, Lunacy, or other Incapacity, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, to and for the Use and Benefit of such Person or Persons respectively entitled thereto. When less than 20*l.*

XLII. And be it further enacted, That in case any Sum or Sums of Money shall be agreed or awarded to be paid for or in respect of any Lands, Tenements, or Hereditaments required for the Purposes of this Act, to any Person or Persons, who shall refuse to accept the same, or who shall refuse to execute a Conveyance or Assignment of the Premises required for the Purposes of this Act, or who shall not be able to make a good Title thereto to the Satisfaction of the said Company, or who cannot be found, or who are not known or cannot be discovered, then and in every such Case it shall be lawful for the said Company to order the said Sum or Sums of Money so agreed or awarded to be paid as aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court; which said Court, on the Application of any Person making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying therein for what and for whose Use the same is or are received, to such Person or Persons as shall pay any Sum or Sums of Money into the Bank of *England* as aforesaid. In case of not making out Titles, or Persons entitled cannot be found.

Persons in Possession presumptively entitled.

XLIII. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, in pursuance of this Act, for or in respect of any Lands, Tenements, or Hereditaments, or of any Estate, Right, Title, or Interest in any Lands, Tenements, or Hereditaments required for the Purposes of this Act, or to any Bank Annuities or Government or Real Securities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities or Government or Real Securities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time they were so required, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities or Government or Real Securities to be purchased with such Money, and also the Capital of such Bank Annuities or Government or Real Securities, shall be paid, applied, and disposed of accordingly, unless it shall be made to appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

The Court may order reasonable Expences of Purchases to be paid by the Company.

XLIV. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments required for the Purposes of this Act, the Money awarded to be paid for or in respect of the same shall be required to be paid into the Bank of *England*, or to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Company out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Company may let or sell Lands not wanted.

XLV. And be it further enacted, That it shall be lawful for the said Company of Proprietors to let, sell, or dispose of any Part or Parts of such Houses, Buildings, Lands, Tenements, and Hereditaments to be purchased by virtue of this Act, as may not be necessary to be retained for effecting the Purposes thereof, together with all or any Part or Parts of the Erections, Buildings, and Improvements which shall be built and made in and upon the same respectively, either together or in Parcels, by public Auction or private Contract, as they shall find most convenient and advantageous, to such Person or Persons as shall be willing to contract, agree for, rent, or purchase the same; and such Conveyances and Leases from the said
Company

Company shall be valid and effectual, any thing in this Act contained, or any Law, Statute, or Custom to the contrary thereof notwithstanding: Provided always, that the said Company, before they shall sell and absolutely dispose of any such Buildings, Land, or Ground, shall first offer to sell the same to the Person or Persons whose Lands or Premises shall immediately adjoin the Buildings, Lands, or Ground so proposed to be sold as aforesaid; and such Person or Persons, in case he, she, or they shall be desirous of purchasing the same, shall signify such his, her, or their Desire in that Behalf to the said Company, through their Clerk, within One Calendar Month after such Offer of Sale shall have been made; and in case such Person or Persons shall refuse or decline to avail himself, herself, or themselves of such Offer, or shall neglect or omit to signify his, her, or their Desire to purchase such Buildings, Lands, Tenements, or Hereditaments, for the Space of One Calendar Month, then and in every such Case an Affidavit made and sworn before a Master or Master Extraordinary in the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the said Counties of the Town of *Newcastle-upon-Tyne, Northumberland, Durham, or Cumberland,* by some Person or Persons not interested in the same Buildings, Lands, Tenements, or Hereditaments, stating that such Offer was made by or on behalf of the said Company, and that such Offer was refused or declined or was not accepted and agreed to by the Person or Persons to whom the same was made, within the Space of One Calendar Month from the Day or Time of making the same, shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made, and was refused or declined, or was not accepted and agreed to, within the Time aforesaid, by the Person or Persons to whom such Offer was made, as the Case may be; and in case such Person or Persons shall be desirous of purchasing the same, and he, she, or they, and the said Company, shall differ or not agree with respect to the Price thereof, then and in such Case the Price or Prices thereof shall be ascertained by a Jury in the Manner by this Act directed with respect to the disputed Value of Premises to be purchased by the said Company, and in pursuance thereof; and the Expence of hearing and determining such Difference shall be borne and paid in like Manner as in and by this Act is directed with respect to Purchases made by the said Company, *mutatis mutandis*; and the Money produced by the Rent of such Buildings and Hereditaments, and by the Sale or Sales thereof which may be made by the said Company as aforesaid, shall be applied to the Purposes of this Act.

Lands intended to be resold to be first offered to the Owners of adjoining Lands.

XLVI. Provided always, and be it further enacted, That upon Payment of the Money which shall arise from such Sale or Sales of such Buildings, Lands, Tenements, or Hereditaments, or any Part or Parcels thereof, it shall be lawful for the Treasurer or Treasurers for the Time being of the said Company to sign and give Receipts for the same respectively; which Receipts shall be sufficient Discharges to any Person or Persons for the Purchase Money of such Buildings, Lands, Tenements, or Hereditaments, or any Parts or Parcels thereof as shall be sold, or for so much thereof as in such Receipts respectively shall be expressed to be received; and such Person or Persons shall not afterwards be answerable or accountable for any Loss, Misapplication,

Treasurer, upon Payment of Money, to give Receipts.

application, or Nonapplication of such Purchase Money, or any Part thereof, and shall not be bound to inquire or ascertain whether such Demise or Sale be authorized by this Act.

Empowering
the Company
to purchase
30 Acres of
Land.

XLVII. And whereas it may tend to the public Advantage and Accommodation if the said Company be empowered to purchase an additional Quantity of Land, not exceeding Thirty Statute Acres, and also to purchase any Messuages or other Buildings, for the Purpose of making, erecting, forming, and providing any Coal or other Yards, Staiths, Wharfs, Machinery, Messuages, Warehouses, and other Buildings and Conveniences for the Purposes of this Act; be it therefore enacted, That it shall and may be lawful for the said Company, and they are hereby authorized and empowered, to contract with any Person or Persons, Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, who shall be willing to sell the same, for the Purchase of any Parcel or Parcels of Land, Messuages, Buildings, or Hereditaments, not exceeding in the whole Thirty Statute Acres, in such Place or Places as shall be deemed eligible or convenient, for the Purpose of making, erecting, forming, and providing any Coal or other Yards, Staiths, Wharfs, Machinery, Messuages, Warehouses, and other Buildings and Conveniences for the Purposes of receiving, lodging, depositing, or keeping any Goods, Merchandizes, or other Things carried or conveyed, or intended to be carried and conveyed, upon the said Railways or Tramroads, or for making any convenient Roads, Avenues, or Ways leading thereto, or for any other Purposes whatsoever connected with the said Railways or Tramroads which the said Company shall judge requisite and necessary; and it shall be lawful for all Bodies Politic, Corporate, and Collegiate, Corporations Aggregate and Sole, and all other Persons whomsoever, to sell and grant or convey to the said Company and their Successors any Parcel or Parcels of Land, Messuages, Buildings, and Hereditaments whatsoever, for the Purposes last aforesaid, or any of them, in the same Manner as is herein-before directed concerning Lands, Messuages, Buildings, and Hereditaments required for the Purpose of forming, making, and maintaining the said Railways or Tramroads, and that without inquiring or ascertaining, or being bound to inquire or ascertain, that the Lands and Hereditaments so sold, granted, or conveyed to the said Company and their Successors for the Purposes last aforesaid, or any of them, will not, together with other Lands and Hereditaments previously purchased by the said Company for the same Purposes, or any of them, amount to or make up a greater Quantity of Land than Thirty Statute Acres in the whole.

Company not
to purchase
Premises for
certain Pur-
poses within
the Barony
of Gilsland.

XLVIII. Provided always, and be it enacted, That nothing in this Act contained shall authorize the said Company to purchase, make, erect, form, or provide any Yards, Staiths, Wharfs, Warehouses, or Buildings for the Deposit or Sale of Coals or Lime, within the Barony of *Gilsland*, without the Licence and Consent of the said Earl of *Carlisle*, his Heirs or Assigns, Lords of the said Barony.

The Com-
pany may
sell Lands

XLIX. And be it further enacted, That it shall and may be lawful for the said Company, and they are hereby authorized and empowered, from Time to Time and at any Time or Times hereafter,
to

to sell and dispose of such additional Lands, Tenements, and Hereditaments as they are hereby authorized and empowered to purchase, and shall have actually purchased, for the Purposes of this Act, or so much and such Part or Parts of the same Lands, Tenements, and Hereditaments, together with any Erections, Buildings, and Improvements which shall be built and made in and upon the same, as the said Company shall think proper, and either together or in Parcels, by public Auction or private Contract, as shall be thought advisable or expedient, to any Person or Persons who shall be willing to become the Purchaser or Purchasers thereof, and again from Time to Time to contract for the Purchase of any other Messuages, Lands, Tenements, and Hereditaments more eligible or convenient for the Purposes aforesaid, or any of them, and afterwards to sell and dispose of the same as aforesaid, so that the total Number or Quantity of Acres to be purchased by the said Company of Proprietors for any of the Purposes herein-before mentioned shall not exceed at any one Time the Quantity or Number of Acres by this Act specified or allowed for the same Purposes.

not required for the Purposes of this Act, and afterwards purchase and sell again.

L. Provided always, and be it further enacted, That it shall not be lawful for the said Company to purchase from any Corporation, Feoffees in Trust, Executors, Administrators, Guardians, Committees, or other Trustees or Persons for or on behalf of Infants, Lunatics, Idiots, Femes Covert, and other Trust, nor from Tenants in Tail, for Life, or for any limited or qualified Estate or Interest, nor from Persons to whom or for whose Benefit Lands are limited in strict Settlement, or whose Lands are subject to a Jointure or Jointures or Dower, nor from other Persons being under legal Disability or Incapacity, neither from all of such Corporations and Persons together, nor from any of them separately, more than Thirty Statute Acres of Land in addition to the Land hereby authorized to be purchased for the making and completing the said Railways or Tramroads; and in case the said Company shall so purchase such Thirty Statute Acres, and afterwards sell the Whole or any Part thereof, it shall not be lawful for the said Company to purchase of or from the same or any other Corporation, Feoffees in Trust, Executors, Administrators, Guardians, Committees, or other Trustees or Persons for or on behalf of Infants, Lunatics, Idiots, Femes Covert, and other Cestuique Trust, Tenants in Tail, for Life, or any limited or qualified Estate or Interest, or any Persons to whom or for whose Benefit Lands are limited in strict Settlement, or whose Lands are subject to a Jointure or Jointures or Dower, or from other Persons being under legal Disability or Incapacity, nor for the same nor any other Corporation, Feoffees in Trust, Executors, Administrators, Guardians, Committees, or other Trustees for or on behalf of Infants, Lunatics, Idiots, Femes Covert, and other Cestuique Trusts, Tenants in Tail, for Life, or any limited or qualified Estate or Interest, or Persons to whom or for whose Benefit Lands are limited in strict Settlement, or whose Lands are subject to a Jointure or Jointures or Dower, or other Persons being under legal Disability or Incapacity, to sell to the said Company, any other Lands in lieu or instead of those Thirty Statute Acres, or any Part thereof, so sold or disposed of by the said Company.

Company not to have more than Thirty Acres of Land in addition to Land required for Railway from any incapacitated Person.

The Word
"grant," in
Conveyances
from the
Company, to
amount to
certain Cove-
nants.

LI. And be it further enacted, That in all Conveyances to be made by the said Company under or by virtue or in pursuance of the several Powers and Authorities to them hereby given, the Word "grant" shall amount to and be construed and adjudged, in all Courts of Judicature, to be express Covenants to the Grantees or other Purchasers, his, her, or their Heirs, Executors, Administrators, or Assigns, from the said Company, for themselves and their Successors, that they the said Company, notwithstanding any Act done by them, were at the Time of the Execution of such Conveyance seised of the Hereditaments and Premises thereby granted of an indefeasible Estate of Inheritance in Fee Simple, free from all Incumbrances, that the Purchaser or Purchasers thereof, his, her, or their Heirs or Assigns, shall quietly enjoy the same against the said Company, their Successors and Assigns, and all claiming under them, and be indemnified and saved harmless by the said Company and their Successors from all Incumbrances committed by the said Company, and also for further Assurance of such Hereditaments and Premises by the said Company, their Successors and Assigns, and all claiming under them, unless the same shall be restrained and limited by express particular Words contained in such Conveyances or any of them; and such Purchasers or Grantees, and his, her, and their several Heirs, Executors, Administrators, and Assigns respectively, shall and may, in any Action or Actions to be brought, assign a Breach or Breaches thereupon, as they might do in case such Covenants were expressly inserted in such Conveyances.

The whole
Expences to
be subscribed
before the
Work is
commenced.

LII. And whereas the probable Expence of making the said Railways or Tramroads and other Works hereby authorized to be made will amount to the Sum of Three hundred thousand Pounds, and the Sum of Two hundred and forty thousand Pounds, being Four Fifth Parts thereof, has been already subscribed by several Persons, under a Contract binding themselves, their Heirs, Executors, Administrators, and Assigns, for the Payment of the several Sums by them subscribed respectively; be it further enacted, That the whole of the said Sum of Three hundred thousand Pounds shall be subscribed in like Manner before any of the Powers given by this Act shall be put in force.

Company to
raise Money
amongst
themselves
for making
the Railways,
&c.

LIII And be it further enacted, That it shall be lawful for the said Company to raise and contribute amongst themselves, in such Proportions as they shall think proper, a competent Sum of Money for making and completing the said Railways or Tramroads, and the Inclined Planes, Ways, Yards, Quays, Wharfs, Bridges, Piers, Arches, Embankments, deep Cuttings, Tunnels, and other Works belonging or requisite thereto, and for erecting, purchasing, and providing Houses, Warehouses, Toll Houses, and other Buildings, Landing Places, Weighing Beams, Cranes, Fire Engines, Steam Engines, and other Engines and Machines, and other Works and Conveniences, not exceeding in the whole the Sum of Three hundred thousand Pounds, except as herein-after mentioned; and the same shall be divided into Shares of One hundred Pounds each, and such Shares shall be numbered, beginning with the Number One, in regular or arithmetical Progression ascending, whereof the Common Excess or Difference

Difference shall always be One; and every such Share shall always be distinguished by the Number to be applied to the same; and the said Shares shall be and are hereby vested in the several Persons so raising and contributing to the same, and their several and respective Executors, Administrators, and Assigns, to their and every of their proper Use and Benefit, proportionably to the Sum they shall severally raise and contribute; and all Bodies Politic, Corporate, and Collegiate, and all Persons, and their several and respective Successors, Executors, Administrators, and Assigns, who shall severally subscribe for One or more Share or Shares, or such Sum or Sums as shall be demanded in lieu thereof, towards carrying on and completing the said Undertaking, and other the Purposes of the said Subscription, shall be entitled to and receive, at such Time and Times as the said Company or their Directors shall at a General or Special Meeting, to be convened for that Purpose as Meetings on other Occasions are directed to be convened, direct and appoint, the entire and net Distribution of an equal proportionable Part, according to the Money so by them respectively paid, of the net Profits and Advantages which shall and may arise and accrue by the Rates and other Sums of Money to be raised, recovered, and received by the said Company by the Authority of this Act; and every Body Politic, Corporate, or Collegiate, Person and Persons, having such Property in the said Undertaking as aforesaid, shall bear and pay a proportionable Sum towards carrying on the same, in manner herein directed and appointed.

LIV. And be it further enacted, That all the Shares and Proportions of all Bodies Politic, Corporate, or Collegiate, and all other Person or Persons, of and in the said Undertaking, or the Joint Stock or Fund of the said Company, shall be deemed Personal Estate, and be transmissible as such, and not of the Nature of Real Property.

Shares to be
Personal
Property.

LV. And be it further enacted, That the several Persons who have subscribed or who shall hereafter subscribe to advance any Money for or towards making and maintaining the said Railways or Tramroads and other Works hereby authorized to be made, and for other the Purposes of this Act, shall and they are hereby required to pay the Sum or Sums of Money by them respectively subscribed, or such Parts or Proportions thereof as shall from Time to Time be called for by the said Company, or by the Directors of the said Company named and appointed as herein-after mentioned, under and by virtue of the Powers and Directions of this Act, at such Times and Places as shall be directed by the said Company or by the said Directors; and in case any Person or Persons shall refuse or neglect to pay the same at the Time and in manner required for that Purpose, it shall and may be lawful for the said Company to sue for and recover the same, with Interest thereon, after the Rate of Five Pounds *per Centum per Annum*, from the Day appointed for Payment thereof up to the Time when the same shall be actually paid.

Compelling
Payment of
Subscrip-
tions.

LVI. And be it further enacted, That all and every Body and Bodies Politic, Corporate, or Collegiate, and other Person or Persons, who shall by virtue of this Act have subscribed for or shall become entitled to any Share or Shares in the said Undertaking, his, her, or their

Subscribers
to be deemed
Proprietors.

Scale of
voting.

their or respective Successors, Executors, Administrators, and Assigns, shall be deemed a Proprietor of every such Share; and every Body and Bodies Politic, Corporate, or Collegiate, and other Person or Persons, who shall be such Proprietor or Proprietors, shall in respect of Five of such Shares have One Vote, in respect of Ten of such Shares Two Votes, in respect of Fifteen of such Shares Three Votes, in respect of Twenty or any greater Number of such Shares Four Votes, in the Annual and Special General Meetings to be held as herein-after appointed for carrying on the said Undertaking, or relative thereto; but no such Proprietor or Proprietors of a less Number of Shares than Five Shares shall be entitled to have any Vote in such Meetings as aforesaid; and no Corporation, Partnership, or Individual shall be entitled to more than Four Votes, notwithstanding such Corporation, Partnership, or Individual may be possessed of a greater Number of Shares than Twenty Shares in the said Undertaking; and such Vote or Votes may be given by such Proprietor or Proprietors in Person, or in case such Proprietor or Proprietors shall be a Body Politic, Corporate, or Collegiate, or Peer of the Realm, a Female, or a Holder of Thirty Shares and upwards, then either in Person or by Proxy, constituted under the Seal of such Body Politic, Corporate, or Collegiate, or the Hands of such other Person or Persons, every such Proxy being a Proprietor of the said Undertaking; and every such Vote by Proxy shall be as good and sufficient, to all Intents and Purposes, as if such Principal had voted in Person; the Appointment of which Proxies may be made according to the Form following; (that is to say,)

Form of
Proxy.

‘ I *A.B.* of _____, one of the Proprietors of the *New-*
‘ *castle and Carlisle* Railway Company, do hereby appoint *C.D.*
‘ of _____ to be my Proxy, in my Name and in my Absence
‘ to vote or give any Assent or Dissent to any Business, Matter, or
‘ Thing relating to the said Company that shall be mentioned or pro-
‘ posed at any Meeting of the Proprietors of the said Company, in
‘ such Manner as the said *C.D.* shall think proper, according to his
‘ Opinion and Judgment, for the Benefit of the said Company, or any
‘ thing appertaining thereto. In witness whereof I have hereunto
‘ set my Hand, the _____ Day of _____.’

All Questions
to be decided
by a Majority
of Votes and
Proxies.

And every Election of Directors of the said Company, and every Question, Matter, and Thing whatsoever which shall be proposed, discussed, or considered in any Annual or Special General Meeting of the said Company to be held by virtue of this Act, shall be finally determined by the Majority of Votes and Proxies then present; and at every such Meeting the Chairman shall not only be entitled to vote as a Proprietor, but, in case of an Equality of Votes, shall also have the decisive or casting Vote.

The Person
whose Name
stands first as
a joint Pro-
prietor with
others to be
deemed the
Owner, and
entitled to
vote.

LVII. And be it further enacted, That whenever Two or more Persons shall be jointly possessed of or entitled to any Share or Shares in the said Undertaking, the Person whose Name shall stand first in the Books of the said Company as Proprietor of such Share or Shares shall, for the Purposes of this Act, be deemed and taken to be the Owner or Proprietor of such Share or Shares; and all Notices hereby required to be given to the Owner or Proprietor of any Share or Shares in the said Company shall or may be given or sent to such
Person

Person whose Name shall so stand first in the Books of the said Company; and such Notice to such Person shall be deemed and taken to be a sufficient Notice to all the Owners or Proprietors of such Share or Shares, for all the Purposes for which such Notices are intended to be given; and such Owners or Proprietors shall be entitled to give their Vote or Votes in respect thereof by the Person whose Name shall stand first in the Books of the said Company as Proprietor of such Share or Shares, and whose Vote shall, either in Person or by Proxy, on all Occasions be deemed and allowed to be the Vote for or in respect of the whole Property in such Share or Shares, without Proof of the Concurrence of the other Proprietor or Proprietors of such Share or Shares.

LVIII. And be it further enacted, That in case any Proprietor or Proprietors entitled to vote at such Meetings as aforesaid shall be a Lunatic or Lunatics or a Minor or Minors, such Lunatic or Lunatics shall or may vote at such Meeting or Meetings by his, her, or their Committee, or any One of such Committee, and such Minor or Minors shall and may vote by his, her, or their Guardians, or any One of such Guardians; and such Committee or Guardian may vote by Proxy, and may also vote in Right of his own Shares, as well as in the Character of Committee for any Lunatic or Lunatics, or of Guardian of any Minor or Minors, on the same Occasion.

Lunatics and Minors to vote by Committees or Guardians.

LIX. And for the better securing to the several Proprietors of the said Undertaking their respective Shares therein, be it further enacted, That the said Company shall and they are hereby required, at their First or some subsequent General Meeting, to cause the Names and proper Additions of the several Persons who shall then be entitled to Shares in the said Undertaking, with the Number of Shares which they are then respectively entitled to hold, and the Amount of the Subscriptions paid thereon, and also the proper Number by which every Share shall be distinguished, to be fairly and distinctly entered in a Book to be kept by the Clerk of the said Company, and after such Entry made to cause their Common Seal to be affixed thereto; and shall also cause a Certificate or Ticket, with the Common Seal of the said Company affixed thereto, to be delivered to every such Subscriber, on Demand, specifying the Share or Shares to which he, she, or they is or are entitled in the said Undertaking, every such Proprietor paying to the Clerk of the said Company One Shilling, and no more, for every such Certificate or Ticket; and such Certificate or Ticket shall be admitted in all Courts whatsoever as *primâ facie* Evidence of the Title of such Subscriber, his or her Executors, Administrators, or Assigns, to the Share or Shares therein specified; but the Want of such Certificate or Ticket shall not hinder or prevent the Proprietor of any of the said Shares from selling or disposing thereof; which said Certificate or Ticket may be in the Form following; (that is to say,)

Names of Proprietors to be entered, and Certificates of their Shares delivered to them.

‘ The *Newcastle-upon-Tyne* and *Carlisle* Railway Company.

Form of Certificate.

‘ Number

‘ THESE are to certify, That _____ of _____ is a Proprietor of the Share or Shares numbered _____ of the *Newcastle-upon-Tyne* and *Carlisle* Railway Company,
 [Local.] 20 G _____ pany,

‘ by _____ of _____, do assign unto the
 ‘ said _____, his [*or her*] Executors,
 ‘ Administrators, and Assigns, the said Undertaking, and all and
 ‘ singular the Rates, Tolls, and Profits arising by virtue of the said
 ‘ Act, and all the Estate, Right, Title, and Interest of the said
 ‘ Company in and to the same, to hold unto the said
 ‘ his [*or her*] Executors, Administrators, and Assigns, until the said
 ‘ Sum of _____, together with Interest for the same after the Rate
 ‘ of _____ for every One hundred Pounds by the Year,
 ‘ shall be fully paid and satisfied. Given under our Common Seal
 ‘ this _____ Day of _____ in the Year of our
 ‘ Lord _____.’

And all and every the Person or Persons to whom such Mortgage or Assignment shall be made shall be equally entitled, one with the other, to his, her, or their Proportion or Proportions of the said Rates and Premises, according to the respective Sums in such Mortgages or Assignments mentioned to be advanced, without any Preference by reason of the Priority of Date of any such Mortgage or Assignment, or on any other Account whatsoever; and an Entry or Memorial of every such Mortgage or Assignment, containing the Number and Date thereof, and the Name or Names of the Person or Persons, with their proper Additions, to whom the same shall have been made, and of the Sum borrowed, together with the Rate of Interest to be paid thereon, shall, within Fourteen Days next after the Date thereof, be entered in a Book or Books to be kept by the Clerk of the said Company of Proprietors; which said Book or Books may be perused at all reasonable Times by any of the Proprietors or Creditors of the said Undertaking, or other Persons interested therein, without Fee or Reward; and all and every Person or Persons to whom any such Mortgage or Mortgages, Assignment or Assignments, shall have been made as aforesaid, or who shall be entitled to the Money due thereon, may from Time to Time transfer his, her, or their Right and Interest therein to any Person or Persons whomsoever; which Transfer may be in the Words or to the Effect following; (that is to say,)

Persons taking such Assignments to be entitled to their respective Proportions of the Rates.

‘ I [*or We*] _____ of _____ do hereby
 ‘ in consideration of the Sum of _____ made
 ‘ paid by _____ of _____ do hereby
 ‘ transfer a certain Mortgage, Number _____ made
 ‘ by the Company of Proprietors of the *Newcastle-upon-Tyne* and
 ‘ *Carlisle* Railway, to _____ bearing Date the
 ‘ _____ Day of _____ for securing the Sum of
 ‘ _____ and Interest, and all my [*or our*] Right and
 ‘ Property therein, to the said _____ his
 ‘ [*or her*] Executors, Administrators, and Assigns. Dated this
 ‘ _____ Day of _____ in the Year of our
 ‘ Lord _____.’

Form of Transfer of Mortgage.

And every such Transfer shall within Twenty-eight Days after the Date thereof be produced to the Clerk of the said Company, who shall cause an Entry or Memorial to be made thereof in the same Manner as the original Mortgages or Assignments, for which the said Clerk

Clerk shall be paid such Sum as the said Company shall appoint, not exceeding Two Shillings and Sixpence; and after such Entry made, but not till then, every Transfer shall entitle such Assignee or Assignees, his, her, or their Executors, Administrators, and Assigns, to the full Benefit thereof and Payment thereon; and every such Assignee or Assignees may assign the same again, and so *toties quoties*; and it shall not be in the Power of any Person or Persons who shall have made such Transfer to make void, release, or discharge the same, or any Sum or Sums of Money thereon due or thereby secured, or any Part thereof.

Interest of Money borrowed to be paid in preference to Dividends.

LXII. And be it further enacted, That the Interest of the Money which shall be raised by Mortgage as aforesaid shall be paid half-yearly to the several Persons entitled thereto, in preference to any Interest or Dividends due and payable by virtue of this Act to the said Company or any of them, and shall from Time to Time be fully paid and discharged or provided for, before the yearly or other Interest or Dividends due to the said Proprietors or any of them shall be paid, made, or provided; and in case the same or any Part thereof shall be behind and unpaid by the Space of Twenty-one Days next after the same shall become due and payable as aforesaid, and the same shall not be paid within Seven Days next after Demand thereof in Writing shall have been made to the said Company, or left at the Office of the said Company, it shall be lawful for Two or more Justices of the Peace acting in and for the said Counties of *Newcastle-upon-Tyne, Northumberland, Durham, or Cumberland* respectively, and they are hereby required, on Request to them made by or on behalf of any Mortgagee or Mortgagees whose Interest shall be so in arrear, by an Order under their Hands to appoint One or more Person or Persons to receive the Whole or such Part or Parts of the said Rates as are liable to pay such Interest so due and unpaid as aforesaid; and the Money so to be received by such Person or Persons is hereby declared to be so much Money received by or to the Use of such Person or Persons to whom such Interest shall be then due, until the same, together with the Costs and Charges of recovering and receiving the Rates, shall be fully satisfied and paid; and after such Interest and Costs shall have been paid and satisfied, the Power and Authority of such Receiver and Receivers for the Purposes aforesaid shall cease and determine; or otherwise the said Interest so due and unpaid as aforesaid shall be sued for and recovered, with Costs, by an Action of Debt in any of His Majesty's Courts of Record at *Westminster*.

Notice to be given of paying off Mortgages.

LXIII. Provided always, and be it further enacted, That no Sum of Money so lent and advanced on Mortgage shall be paid off or discharged (save and except with the Consent of the Person or Persons so lending and advancing such Sum or Sums of Money) unless Three Calendar Months previous Notice shall have been given to the Person or Persons lending and advancing such Sum or Sums of Money, or left at his, her, or their last or usual Place or Places of Abode, of such the Intention of the said Company to pay off and discharge the same; and upon the Payment of the Principal and Interest secured by every such Mortgage the same shall be forthwith cancelled.

LXIV. Provided always, and be it further enacted, That no Person to whom any such Mortgage or Assignment shall be made shall be deemed a Proprietor of any Share, or shall be capable of acting or voting as such at any Meeting of the said Company, for or on account of his or her having lent or advanced any Sum or Sums on such Mortgage or Assignment.

No Mortgagee to be deemed a Proprietor.

LXV. And be it further enacted, That in case the said Company shall raise the Whole or any Part of the said additional Sum of One hundred thousand Pounds by Mortgage, and shall afterwards be required or be desirous to pay off and shall pay off all or any Part of the Principal Sum or Sums secured or intended to be secured by such Mortgages as aforesaid, then and in every such Case it shall and may be lawful for the said Company, and they are hereby authorized and empowered, immediately or at any Time or Times thereafter again to raise any Sum or Sums of Money which together with the Sum or Sums remaining upon such Mortgages as aforesaid shall not exceed the Sum of One hundred thousand Pounds, and so from Time to Time as often as the same shall happen; but so nevertheless that the said Company shall not in any Event borrow upon Mortgage more than the Sum of One hundred thousand Pounds in the whole at any one Time.

In case Mortgages are paid off, Company may raise the Amount again.

LXVI. And be it further enacted, That all the Money to be raised by the said Company by virtue of this Act shall be laid out and applied, in the first place, for and towards the Payment, Discharge, and Satisfaction of all Costs, Charges, and Expences in applying for, obtaining, and passing this Act, and all other Expences preparatory and relating thereto, and all the Residue and Remainder of such Money for and towards purchasing Lands and Grounds, making, completing, and maintaining the said Railways or Tramroads, Wharfs, Warehouses, Machines, and other Works, and other the Purposes of this Act.

Application of Money to be raised.

LXVII. And be it further enacted, That the said Company of Proprietors shall meet together at some convenient Place within the Town of *Newcastle-upon-Tyne* aforesaid, within Three Calendar Months next after the passing of this Act, between the Hours of Ten and Three of the Clock, and shall then and there proceed in the Execution of this Act, and shall and may adjourn such Meeting from Time to Time and from Place to Place as they shall think fit; and after the said First General Meeting of the said Company of Proprietors there shall be a General Meeting of the said Company on the Fifteenth Day of the Month of *March* in each and every Year, or within the Space of Fourteen Days next following, and also such and so many Special General Meetings of the said Proprietors as shall be called by the Directors as herein-after provided, of which said Annual General Meetings and Special General Meetings Ten Days public Notice at the least shall be given by Advertisement in One or more Newspaper or Newspapers usually circulated at *Newcastle-upon-Tyne* aforesaid, and in One or more Newspaper or Newspapers usually circulated at *Carlisle* aforesaid, and which said Notice shall specify the Purpose for which any such Special General Meeting is

First and other General Meetings.

[*Local.*]

20 H

called;

called; and all such Annual and Special General Meetings may be adjourned from Time to Time and from Place to Place as shall be found expedient.

Treasurer
and Clerk to
be appointed.

LXVIII. And be it further enacted, That the said Company of Proprietors shall at their said First General Meeting, or at some Adjournment thereof, elect and choose a Treasurer and a Clerk for transacting the Business of the said Company; and it shall be lawful for the said Company, at any subsequent Annual or Special General Meeting to be holden as herein-before directed, from Time to Time to remove and displace such Treasurer and Clerk, or either of them, or any Person or Persons who shall be hereafter elected and appointed to their respective Offices, and shall also from Time to Time elect and choose, in manner aforesaid, any other Person or Persons to act as Treasurer and Clerk of the said Company in the Room of such of the said Officers as shall happen to die, or to resign, or to be removed from their respective Offices; and it shall be lawful for the said Company to allow such Salaries or other Emoluments to the said Officers, or either of them, as they shall from Time to Time fix and determine upon: Provided always, that the said Company shall and they are hereby required to take sufficient Security from every Person who shall hereafter be appointed Treasurer of the said Company, for the faithful Execution of his Office, before he shall enter thereupon.

Treasurer to
give Security.

The same
Person not to
be Clerk and
Treasurer.

LXIX. Provided always, and be it further enacted, That it shall not be lawful for the said Company to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, to be the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of such Treasurer or of his Partner, to be the Clerk of the said Company; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of such Clerk or of his Partner, shall act as Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of such Treasurer, or the Clerk or other Person in the Service or Employ of the Partner of such Treasurer, shall act as Clerk in the Execution of this Act, or if any Treasurer shall hold any Place of Profit or Trust under the said Company other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

General
Meetings
may make
Bye Laws.

LXX. And be it further enacted, That the said Company shall have full Power and Authority from Time to Time, at any such Annual or Special General Meeting as aforesaid, to fix and order

what Remuneration, if any, shall be allowed to the Directors, and to make such Rules, Orders, and Bye Laws as to them shall seem right and proper for the good Government of the said Company of Proprietors, their Officers, Agents, and Workmen, for making, maintaining, and using the said Railways or Tramroads and other Works, and all Conveniences, Matters, and Things belonging or relating thereto, and also for and concerning all such Goods and Commodities as shall be conveyed thereon, and also for the well-governing of all Persons who shall be employed in the conveying of any Goods, Wares, and Merchandizes, and other Articles and Things, upon the said Railways or Tramroads, or any of them, and generally for the Management of the said Undertaking in all respects whatsoever, and from Time to Time to alter or repeal such Bye Laws, Orders, and Regulations, or any of them, and to make others, and to impose and inflict such reasonable Fines and Forfeitures upon all Persons offending against the same, as to the major Part of the Proprietors composing such Meetings shall seem meet, not exceeding the Sum of Five Pounds for any Offence, such Fines and Forfeitures to be levied and recovered by such Ways and Means as herein-after mentioned; which said Rules, Bye Laws, and Orders, being reduced into Writing under the Common Seal of the said Company, shall be printed or painted on Boards, and affixed and continued on the Front of the several Toll Houses to be erected on the said Railways or Tramroads, and shall from Time to Time be renewed as often as the same, or any Part thereof, shall be obliterated, defaced, or destroyed; and such Rules, Bye Laws, and Orders shall be binding upon and observed by all Parties, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act under the same; provided such Rules, Bye Laws, and Orders be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, or to any Directions in this Act contained; and all such Rules, Bye Laws, and Orders shall be subject to Appeal in manner herein after mentioned.

LXXI. And be it further enacted, That it shall be competent for every Annual General Meeting, if a Majority of the Proprietors and of the Proxies then present shall require it, to call for and examine the Accounts of the said Company, and of the Directors, and of the Treasurer, Receivers, or Collectors of the Rates, and other Officers of the said Company, but no Vote or Votes by Proxy shall be given or have any Power in or as to the Audit and Settlement of Accounts.

Annual Meetings may call for Accounts.

LXXII. And be it further enacted, That the said Company of Proprietors, at such First General Meeting, to be held as herein-before is mentioned, or at some Meeting or Meetings to be held by Adjournment from such said First General Meeting, shall choose and elect Thirty of the said Proprietors, who at the Time of such Election shall respectively be possessed in their own Right of Ten Shares at the least in the said Undertaking, to be Directors to manage the Affairs of the said Company, Three of whom shall be nominated and appointed by the Earl of *Carlisle*, his Heirs or Assigns, Lords of the said Barony of *Gilsland*, and the remaining Twenty-seven shall be elected and chosen

First General Meeting to choose Directors.

chosen by the other Proprietors present at such Meeting, by themselves or by their Proxies, in which Election the said Earl, his Heirs or Assigns, Lords of the said Barony, shall have no Vote; and of the Thirty Directors so nominated and elected as aforesaid Seven shall be competent to act; and the several Persons so to be nominated and elected the first Directors shall continue in Office and be respectively Directors until the Annual General Meeting of the said Company which shall be held in the Month of *March* in the Year of our Lord One thousand eight hundred and thirty-two, and until others shall be nominated and elected in their Stead in pursuance of this Act.

Rotation of
Directors.

LXXIII. And be it further enacted, That at the General Meeting to be held in the Month of *March* which will be in the Year of our Lord One thousand eight hundred and thirty-two, Ten of the Directors who shall be so nominated by the said Earl of *Carlisle*, his Heirs or Assigns, Lords of the said Barony, or elected by the said Company as aforesaid, to be chosen by Lot among themselves, shall go out of Office, and cease to be Directors of the said Company, and Ten Proprietors duly qualified shall be nominated by the said Earl of *Carlisle*, his Heirs or Assigns, Lords of the said Barony of *Gilsland*, or elected by the said Company to be Directors in their Place and Stead, according as the Directors going out of Office may be of those nominated by the said Earl, his Heirs or Assigns, Lords of the said Barony, or of those elected by the said Company; and at the General Meeting to be held in the Month of *March* which will be in the Year One thousand eight hundred and thirty-three, Ten other of the Directors who shall be so nominated and elected as aforesaid, to be determined by Lot among themselves, shall go out of Office and cease to be Directors of the said Company, and their Places be supplied in like Manner; and at the General Meeting to be held in the Month of *March* which will be in the Year One thousand eight hundred and thirty-four, the remaining Ten of the Directors who shall be so nominated or elected as aforesaid shall go out of Office and cease to be Directors of the said Company, and their Places be supplied in like Manner; and at the General Meeting to be held in the Month of *March*, in every subsequent Year, Ten of the Directors who shall have been longest in Office shall go out of Office and cease to be Directors of the said Company, and their Places be supplied in like Manner.

Directors
going out of
Office to be
re-eligible.

LXXIV. Provided always, and be it further enacted, That every Director who shall by Rotation or otherwise go out of Office on any annual Day of Election shall be eligible to be immediately re-appointed by the said Earl of *Carlisle*, his Heirs or Assigns, Lords of the said Barony of *Gilsland*, or re-elected by the said Company.

No Person
holding
Office under
the Company
capable of
being a Di-
rector.

LXXV. Provided always, and be it further enacted, That no Person holding any Office, Place, or Employment, or being concerned or interested in any Contract or Contracts, under the said Company, shall be capable of being chosen a Director of the said Company.

LXXVI. And

LXXVI. And be it further enacted, That when and so often as any Director to be nominated or elected by virtue of this Act shall die, or shall resign, or shall become disqualified or incompetent to act as a Director, or cease to be a Director from any Cause than that of going out of Office by Rotation, it shall, in case he shall be one of the Directors nominated by the Earl of *Carlisle*, his Heirs or Assigns, be lawful for the said Earl, his Heirs or Assigns, Lords of the said Barony of *Gilsland*, immediately to nominate some other Person, qualified as aforesaid, to be a Director in his Stead; but in case the Person so ceasing to be a Director as aforesaid shall be one of those elected by the said Company, it shall be lawful for the remaining Directors to elect some other Proprietor, duly qualified, to be a Director; and every such Proprietor so elected to fill up any such Vacancy shall continue in Office so long only as the Person in whose Place or Stead he may be elected would have been entitled to have continued had he lived or remained in Office.

For supply-
ing Vacancies
in Direction.

LXXVII. And be it further enacted, That Twenty or more Proprietors of the said Company, holding in the Aggregate Two hundred Shares or upwards in the said Undertaking, may at any Time, by Writing under their Hands left at the Office of the said Company, require the said Directors to call a Special General Meeting, so as such Requisition fully express the Objects for which such Special General Meeting is required to be called; and in case of Neglect or Refusal of the said Directors to call such Meeting for the Space of Twenty-one Days after such Notice given as aforesaid, the same may be called by such Proprietors by giving Fourteen Days Notice thereof in One or more Newspaper or Newspapers usually circulated at *Newcastle-upon-Tyne* and at *Carlisle* aforesaid respectively; and the said Company are hereby authorized to meet in pursuance of such Notice, and such of them as shall be present shall proceed to the Execution of the Powers by this Act given to the said Company with respect to the Matters so specified in such Notice; and all Acts of the Proprietors, or of the major Part of them, met together at every such Special General Meeting, shall be as valid with respect to the Matters specified in such Notice as if the same had been done at an Annual General Meeting at the Time herein-before appointed for holding the same.

Meetings of
Proprietors
may be spe-
cially con-
vened.

LXXVIII. And be it further enacted, That no Business shall be transacted at any Special General Meeting other than the Business for which it shall have been called; and no other Business shall be transacted at any adjourned Annual or Special General Meeting than the Business left unfinished at the Meeting from which such Adjournment took place.

Business at
Special and
Adjourned
General
Meetings.

LXXIX. Provided always, and be it further enacted, That if at any Annual or Special General Meeting there shall not be Twenty Persons present who shall be possessed of or entitled to at least Two hundred Shares in the said Undertaking, within One Hour from the Time appointed for such Meeting, no Choice of Directors shall be made, nor shall any Business be transacted at that Time; but in such Case there shall be another Meeting of the said Company of Proprietors at the

General
Meetings for
transacting
Business to
consist of
Proprietors
having 200
Shares.

[Local.]

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same

same Place at the Expiration of Seven Days; and if a sufficient Number of Proprietors shall not then attend, the said General Meeting shall stand adjourned to the Seventh Day next following, and so from Time to Time, as often as the same shall happen, until at such General Meeting there shall be a sufficient Number of Proprietors present, when the Meeting shall proceed to Business, and not before; and the Directors for the Time being shall continue to act and have the same Powers as they had and were possessed of until new Directors shall be appointed as aforesaid.

Chairman
and Deputy
Chairman of
Directors
how to be
chosen.

LXXX. And be it further enacted, That the Directors present at the First Meeting of Directors which shall be holden next after the First General Meeting of the said Company, and so at the First Meeting of the Directors which shall be holden next after the Annual Meeting in the Month of *March* in each and every Year, or at the First Meeting holden next after the Election of the Ten Directors in the Place of the like Number of Directors hereby required to go out of Office by Rotation as aforesaid, or the Majority of the Directors then present, shall choose out of the Directors of the said Company a Chairman and Deputy Chairman of the said Directors: Provided always, that when and so often as the Chairman or Deputy Chairman to be chosen by virtue of this Act shall die, or resign, or become disqualified to act, it shall be lawful for the Directors, in like Manner, at the Meeting to be held next after such Vacancy, to choose some other of the said Directors to be Chairman or Deputy Chairman; and every such Chairman or Deputy Chairman so to be chosen as last aforesaid to fill such Vacancy shall continue in his Office so long only as the Person in whose Place or Stead he may be so elected would have been entitled under the Provisions of this Act to have continued if such Death, Resignation, or Disqualification had not happened.

At Meetings
of the Com-
pany, Chair-
man or De-
puty Chair-
man of Di-
rectors to
preside.

LXXXI. And be it further enacted, That at all Annual and Special General Meetings of the said Company the Chairman of the said Directors, or in his Absence the Deputy Chairman of the said Directors, or in his Absence any One of the Directors of the said Company to be chosen at any such Meeting, or in the Absence of all the Directors any Proprietor to be chosen at such Meeting, shall preside as Chairman.

Directors, or
Chairman
or Deputy
Chairman of
Directors,
contracting
for Work, &c.,
disqualified.

LXXXII. Provided always, and be it further enacted, That if any Person who shall be elected Director of the said Company, or Chairman or Deputy Chairman of the said Directors, shall hold any Office or Place of Trust or Profit under the said Company, save such as shall be appointed Members of Committees as herein-after mentioned, and save such as shall be appointed Secretary or Clerk to the said Company, or shall either directly or indirectly be concerned in any Contract for any Article to be used or consumed by the said Company, or shall at any Time cease to be a Proprietor of Ten Shares in the said Undertaking, every such Person shall thereby be disqualified from voting or acting at any Meeting of such Directors, and his Office shall thereupon become vacant.

LXXXIII. And

LXXXIII. And be it further enacted, That the Directors for the Time being shall have the Custody of the Common Seal of the said Company, and shall have full Power and Authority to meet and adjourn from Time to Time and from Place to Place, and also at any Time to call Special General Meetings of the said Company for any Purpose they may think proper, and to appoint the Times and Places of holding Annual or Special General Meetings; and all Questions, Matters, and Things which the Directors for the Time being of the said Company are by this Act authorized to determine shall be finally determined by the Votes of the Majority of such Directors present at any Meeting of them (the whole Number present in any Case not being less than Seven); and such Directors shall have full Power and Authority to direct and manage all and every the Affairs of the said Company, as well in contracting for and purchasing Lands, Messuages, Tenements, or other Hereditaments, and Engines and Materials, for the Use of the said Undertaking, as in employing, ordering, and directing the Works and Workmen, and in nominating, appointing, electing, placing, or displacing all and every the Officers, Engineers, Agents, Servants, and Workmen of the said Company, (except the Treasurer and Clerk herein-before directed to be appointed by a General Meeting of the said Company,) with such Salaries, Gratuities, or Recompences as to the said Directors shall seem proper, and, upon the Death or Removal or displacing of any of the said Officers and Servants, from Time to Time another or others to appoint in his or their Place or Places; and in making all Contracts and Bargains touching the said Undertaking, the said Directors may require such Security to be given to the said Company of Proprietors from any Officer or Officers or other Person, for the faithful Execution of their respective Duties, as they may think proper or reasonable; and no Director, although he may be a Proprietor of many Shares in the said Undertaking, shall have more than One Vote at any Meeting of the said Directors, except the Chairman of such Meeting, who, in case of an equal Division, shall always have a second or casting Vote, although he may have given One Vote before; and every such Meeting of Directors shall keep a regular Minute and Entry of their Proceedings, and from Time to Time make report of their Proceedings to the said Annual General Meetings, and, if required, to the Special General Meetings of Proprietors, and shall obey their Orders and Directions; and the said Directors shall keep or cause to be kept full and true Accounts of all Monies disbursed and Payments made by the said Directors, and by all and every Person and Persons employed by and under them, and of all and every Sum and Sums of Money which they shall receive on behalf of or in respect of such Undertaking from any Collector or Collectors of the said Rates, or other Officer or Officers, or from any other Person or Persons whomsoever employed in or having any Concerns, Dealings, or Transactions with the said Undertaking, or in or with any Part or Parts thereof, and shall regularly write, insert, and enter, or cause to be written, inserted, and entered, in a Book or Books to be from Time to Time provided at the Expence of the said Company for that Purpose, Notes, Minutes, or Copies, (as the Case shall require,) of every such Contract, Bargain, Receipt, and Disbursement, and of other their Orders and Proceedings; which Book or Books shall be deposited with and kept locked up under the

Powers of
Directors,
and Regu-
lations as to
their Pro-
ceedings.

the Care and Direction of the said Directors : Provided always, that every Proprietor shall at all reasonable Times have free Access thereto for his Inspection.

Officers to
account.

LXXXIV. And be it further enacted, That every Officer and Person who shall be appointed or employed by virtue of this Act shall from Time to Time, when thereunto required by the said Directors or by the said Company of Proprietors, make out and deliver to the said Directors, or to such Person or Persons as they shall for that Purpose appoint, a true and perfect Account, in Writing under his or her Hand, of all Monies which shall have been by him or her had, collected, or received, and how and to whom and for what Purpose the same and every Part thereof hath or have been disposed of, together with Vouchers and Receipts for such Payments ; and every such Officer or Person shall and is hereby required to pay all such Monies as upon the Balance of such Account shall appear to be owing from him or her to such Person or Persons as the said Directors or the said Company shall appoint to receive the same ; and if any such Officer or Person shall refuse or neglect to render such Account, or to produce and deliver up the Vouchers and Receipts relating to the same, or to pay the Balance thereof, when thereunto required in manner aforesaid, or shall refuse or neglect to deliver up to the said Directors or to the said Company, or to such Person or Persons as they shall respectively appoint, within Seven Days after being thereunto required by the said Directors or by the said Company, or by such other Person or Persons, all Books, Papers, and Writings in his or her Custody or Power relating to the Execution of this Act, then and in every such Case, Complaint being made thereof by the said Directors or by the said Company, or by any Person on their Behalf, to any Justice of the Peace for the Town and County of *Newcastle-upon-Tyne*, or the Counties of *Northumberland*, *Durham*, and *Cumberland*, or any of them respectively, such Justice may and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Officer or Person to be brought before him, and upon his or her appearing, or not being to be found, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Accounts, if produced, in such Manner as the said Directors or the said Company might have done ; and if upon the Confession of the Officer or Person against whom such Complaint shall be made, or by the Oath of any credible Witness, (which Oath the said Justice is hereby authorized to administer,) it shall appear to such Justice that any of the Monies which shall have been collected and received shall be in the Hands of or be owing from such Officer or Person, such Justice may and he is hereby empowered, upon Nonpayment thereof, by Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person ; and if no Goods or Chattels shall be found sufficient to answer and satisfy the said Monies, and the Charges of taking and making such Distress, and of selling the same, or if such Officer or Person shall not appear before such Justice at the Time and Place appointed for that Purpose, or if appearing shall refuse or neglect to make out and deliver to such Justice such Account in Writing as aforesaid, or to produce and deliver to the said

said Justice the several Vouchers and Receipts relative to such Accounts, or to deliver up such Books, Papers, and Writings as aforesaid, then and in any of the Cases aforesaid the said Justice may and he is hereby authorized and required, by Warrant under his Hand, to commit such Officer or Person to the House of Correction or Common Gaol of the said Town and County of *Newcastle*, or of the said Counties of *Northumberland*, *Durham*, or *Cumberland*, there to remain without Bail or Mainprize until he or she shall have delivered up the Vouchers and Receipts relating thereto, and shall have paid all the Money which shall appear to be in the Hands of or owing from him or her, and the reasonable Charge of such Distress and Sale (if any) as shall in that respect have been made, or until he or she shall have compounded with the said Directors or with the said Company for such Money and Charges, and paid the Composition Money to the said Directors or the said Company, (and which Composition the said Directors and the said Company are hereby respectively empowered to make,) and shall have delivered up all such Books, Papers, and Writings as aforesaid, or have given Satisfaction in respect thereof to the said Directors or to the said Company: Provided always, that no Person who shall be committed for Want of sufficient Distress only shall be detained in Prison for any longer Space of Time than Six Calendar Months.

LXXXV. And be it further enacted, That the Orders and Proceedings of every Meeting, as well of the Annual and Special General Meeting of the Company as of the Directors, shall be entered in a Book or Books to be provided and kept for that Purpose, and shall be signed by the Chairman of each respective Meeting; and such Orders and Proceedings, when so entered and signed, shall be deemed and taken to be original Orders and Proceedings, and shall be allowed to be read in Evidence in all Courts, and before all Judges, Justices, and others.

Orders and Proceedings to be entered in a Book.

LXXXVI. Provided always, and be it further enacted, That all Notices herein directed to be given of any Annual or Special General Meeting of Proprietors, or of any Adjournment thereof respectively, or to any of the said Proprietors, and not herein otherwise provided for, shall be signed by the Chairman or Deputy Chairman of the Directors of the said Company, or by the Clerk of the said Company, and shall be given by Advertisement to be inserted in some Newspaper usually printed or circulated in the Town of *Newcastle-upon-Tyne* aforesaid, and in some Newspaper usually printed or circulated in the City of *Carlisle*, or by Letter from the Clerk or Treasurer of the said Company sent by Post to or left at the usual Place of Abode of the Proprietors respectively; and that such Notices, when so published and given, shall be deemed and considered the same as personal Notices.

Notice of Meetings.

LXXXVII. And be it further enacted, That the Clerk of the said Company shall, in a proper Book or Books to be provided by the said Company for that Purpose, enter and keep a true Account of the Places of Abode of the several Proprietors of the said Undertaking, and of the several Persons who shall from Time to Time

Clerk of the Company to keep a List of Proprietors.

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become

become Proprietors of or be entitled to any Share or Shares therein ; and every Proprietor of the said Undertaking shall and may at all convenient Times have recourse to and peruse and inspect the same *gratis*, and may demand and have Copies thereof, or any Part thereof, paying at and after the Rate of Four-pence for every Seventy-two Words so to be copied ; and if any such Clerk shall refuse to permit any Proprietor to inspect or peruse any such Book or Books at all convenient Times and Seasons, or refuse to make any such Copy or Copies within a reasonable Period at the Rate aforesaid, he shall for every such Offence forfeit and pay the Sum of Five Pounds, for the Benefit of the said Undertaking.

Directors
may appoint
a temporary
Clerk or
Treasurer.

LXXXVIII. And be it further enacted, That in case any Treasurer or Clerk of the said Company shall die or be removed from or quit the Service of the said Company, it shall be lawful for the said Company at any Annual or Special General Meeting, or for the Directors of the said Company, to appoint any other fit and proper Person or Persons to execute such Office or Offices in the Place of the Person or Persons who shall so die or be removed from or quit the Service of the said Proprietors ; and in case any such new Appointment shall be made by the said Directors, the same shall only continue until the next Annual General Meeting of the said Proprietors, when the Appointment of such Person or Persons to such respective Office or Offices shall either be confirmed, or such other fit Person or Persons appointed to succeed to such Office or Offices as the said Proprietors at such Annual General Meeting shall think proper.

Power of
Directors to
make Calls.

LXXXIX. And be it further enacted, That the said Directors shall have Power from Time to Time to make such Call or Calls of Money from the Subscribers to and Proprietors of the said Undertaking, to defray the Expences of or to carry on the same, as they from Time to Time shall find wanting and necessary for those Purposes, so that no such Call shall exceed the Sum of Twenty Pounds upon each Share which any Person or Persons shall or may be possessed of or entitled unto in the said Undertaking, and such Calls shall not be made but at the Distance of Three Calendar Months at least from each other, and Twenty-one Days Notice at the least shall be given of all such Calls as aforesaid by Advertisement in some One or more of the Newspapers usually circulated in the Town of *Newcastle-upon-Tyne* and in the City of *Carlisle* aforesaid respectively ; which Monies so called for shall be paid to such Person or Persons and in such Manner as the said Directors shall from Time to Time direct and appoint, for the Use of the said Undertaking ; and every Proprietor or Proprietors of any Share or Shares in the said Undertaking, his, her, or their Executors or Administrators, shall pay his, her, or their rateable Proportions of the Monies to be called for as aforesaid to such Person or Persons and at such Time and Place as the said Directors shall from Time to Time direct and appoint ; and if any Person or Persons shall neglect or refuse to pay his, her, or their rateable or proportionable Part or Share of the said Money so called for as aforesaid, at the Time and Place to be appointed as aforesaid, it shall be lawful for the said Company or for the said
Directors

In case of
Neglect to
pay Calls,
Directors
may sue for
them ;

Directors to sue for and recover the same, together with Interest after the Rate of Five Pounds for One hundred Pounds *per Annum* from the Day appointed for Payment thereof up to the Time the same shall be actually paid, in any of His Majesty's Courts of Record, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Wager, or Protection of Law, or more than One Imparlance, shall be allowed; or the said Company or the said Directors may and they are hereby authorized to declare the Shares belonging to any Person refusing or neglecting to pay any such Calls in manner as aforesaid to be forfeited to and for the Use and Benefit of the other Proprietors of the said Undertaking; and all such forfeited Shares shall be disposed of by the said Directors in manner by this Act directed: Provided nevertheless, that no Advantage shall be taken of any Forfeiture of any Share or Shares in the said Undertaking until Notice in Writing under the Hand of the Clerk or Treasurer of the said Company shall have been given or sent by the Post to or left at the usual Place or Places of Abode of the Owner or Owners of such Share or Shares respectively, nor until the Declaration of Forfeiture of the said Directors shall have been confirmed at the next Annual General Meeting of the said Company which shall be held after the Expiration of Three Calendar Months from the Day on which such Notice of Forfeiture shall have been given; and after such Forfeiture shall be confirmed the said Meeting shall have Power to direct the said Directors to dispose of the Shares so forfeited.

or declare the Shares to be forfeited.

No Advantage to be taken of Forfeiture of Shares, without Notice.

XC. And be it further enacted, That in any Action to be brought by the said Company or by the said Directors against any Owner or Owners of any Share or Shares in the said Undertaking, to recover any Sum or Sums of Money due and payable to the said Company for or by reason of any Call or Calls made by virtue of this Act, it shall be sufficient for the said Company or the said Directors to declare and allege that the Defendant or Defendants, being a Proprietor or Proprietors of such or so many Share or Shares in the said Undertaking, is or are indebted to the said Company in such Sum or Sums of Money, as the Call or Calls in arrear shall amount to, for such and so many Call or Calls of such or so many Sum or Sums of Money upon such or so many Share or Shares belonging to the said Defendant or Defendants (as the Case may happen to be), whereby an Action hath accrued to the said Company or the said Directors by virtue of this Act, without setting forth the special Matter; and on the Trial of such Action it shall only be necessary to prove that the Defendant or Defendants at the Time of making such Call or Calls was or were a Proprietor or Proprietors of some Share or Shares in the said Undertaking, and that such Call or Calls was or were in fact made, and that such Notice thereof was given as is directed by this Act, without proving the Appointment of the Directors who made such Call or Calls, or any other Matter whatsoever; and the said Company and the said Directors shall thereupon be entitled to recover what shall appear due, unless it shall appear that any such Call exceeded Twenty Pounds for each Share of One hundred Pounds, or was made within the Distance of Three Calendar Months from

Proceedings in Actions for Calls.

from the last preceding Call, or without Notice given in any Newspaper as aforesaid.

If the Purchase Money for such Shares shall be more than sufficient to pay the Arrears of Calls, and Interest and Expences thereon, the Surplus to be paid to the Owner.

XCI. Provided always, and be it further enacted, That in case the Money produced by the Sale of any such Share or Shares as shall be forfeited by reason of the Nonpayment of any Call or Calls as herein authorized shall be more than sufficient to pay all such Arrears or Calls as aforesaid, and legal Interest thereon, and the Expence attending the Sale or Sales, the Surplus of such Money shall be paid to the Person or Persons to whom such Share or Shares shall have belonged, on Demand: Provided also, that the said Company or their Directors shall not by virtue of this Act sell or transfer, or direct to be sold and transferred, any more of such Shares of such Defaulter or Defaulters in payment of Calls than shall be sufficient, as near as may be at the Time of such Call, to pay the Arrears due from such Defaulter or Defaulters for or on account of such Call or Calls, and the Interest and Expences attending the same; and from and after Payment of all and every such Call or Calls, and the Interest and Expences as aforesaid, any Share or Shares vested in the said Company as aforesaid, which shall remain in their Hands unsold, shall revert to and again become the Property of the Person or Persons to whom such Share or Shares have belonged immediately before such Forfeiture as aforesaid, in such Manner as if such Calls had been duly and regularly paid.

For ascertaining the Proprietorship of Shares in certain Cases.

XCII. And whereas, in Cases where the Proprietor or Proprietors of One or more Share or Shares in the said Undertaking shall die, become insolvent or bankrupt, or go out of the Kingdom, or shall transfer his, her, or their Right and Interest to some other Person or Persons, and no Register shall have been made of the Transfer thereof with the Clerk of the said Company, it may not be in the Power of any Officer acting for the said Company to ascertain who is or are the Proprietor or Proprietors of such Share or Shares, in order to give him, her, or them, or his, her, or their Executors, Administrators, Successors, or Assigns, Notice or Notices of Calls to be made on such Share or Shares, or to maintain any Action or Actions, or Suit or Suits, or other Proceedings against him, her, or them, or his, her, or their Executors, Administrators, Successors, or Assigns, for the Recovery of the same; be it therefore enacted, That in case the Right and Property of any Share or Shares in the said Undertaking shall pass from the original Subscriber or Subscribers, or any Proprietor or Proprietors thereof, to any other Person or Persons, by any other legal Means than by a Transfer or Assignment thereof in the Form and Manner herein specified or herein otherwise provided, an Affidavit or solemn Affirmation in Writing shall be made and sworn to or sollemnly affirmed to by Two credible Persons before a Master or Master Extraordinary in Chancery, or any One of His Majesty's Justices of the Peace for the Counties of the Town of *Newcastle-upon-Tyne*, *Northumberland*, *Durham*, or *Cumberland*, stating the Manner in which such Share or Shares hath or have been passed to such other Person or Persons, his, her, or their Executors, Administrators, Successors, or Assigns; and such Affidavit or Affirmation shall be delivered to and left with the Clerk of the said

said Company, to the Intent that he may preserve the same, and enter and register the Name or Names of every such other Proprietor or Proprietors in the Register Book or List of Subscribers and Proprietors of the said Undertaking to be kept in the Office of the said Company; and in case after Thirty Days Notice in Writing shall have been given by the said Directors, under the Hand of the Clerk or Treasurer of the said Company, to the Person or Persons stated or claiming in such Affidavit or Affirmation to be the Owner or Owners of such Share or Shares, or left at his, her, or their last or usual Place of Abode, to pay his, her, or their Proportion of Money to be called for as aforesaid, such Person or Persons, his, her, or their Executors, Administrators, Successors, or Assigns, shall not have paid such his, her, or their Proportion as aforesaid, it shall be lawful for the said Company, at any Annual or Special General Meeting after the Expiration of such Notice, to declare the same Share or Shares to be forfeited; and in such Case the same shall become forfeited, and shall and may be sold and disposed of in such Manner as the said Company at any such Meeting or Meetings shall direct, or otherwise become consolidated in the general Fund of the said Company; and in case there shall be no such Affidavit or Affirmation made and filed as aforesaid, then and in that Case such Notice as is herein-before directed to be given shall be served upon or left at the last Place of Abode of the Executors or Administrators of such Proprietor so dying, or of the Assignees or Trustees of such Proprietor so becoming bankrupt or insolvent, or, in the Event of the Share or Shares being disposed of as aforesaid, of the last Person appearing in the Book of the said Company to have been possessed of the same; and in case any Proprietor or Proprietors shall go out of the Kingdom, such Notice shall be sent to him through the General Post Office, directed to him at such Place Abroad where such Proprietor or Proprietors shall be staying or residing, or shall be last known to have staid or resided; and in all or any of such Cases, and after such Notices, on Default being made, the said Shares shall be forfeited in manner aforesaid; except only in case of the Proprietor or Proprietors being Abroad the Share or Shares shall not be forfeited until the Expiration of Three Calendar Months after the Day on which such Notice shall have been put into the General Post Office.

XCIII. Provided also, and be it further enacted, That no Proprietor in arrear for any Call shall at any Meeting be allowed to vote or give his Voice in the Agitation of any Question respecting the Concerns of the said Company, either personally or by Proxy, until such Time as he shall have paid all such Arrears as may be due from him in respect of such Calls, although the Time limited for Payment thereof may not have expired.

Proprietors
in arrear
not to vote.

XCIV. And be it further enacted, That the Directors shall keep a regular Minute or Entry of their Proceedings, and from Time to Time make Reports to and be subject to the Examination and Control of the said Annual and Special General Meetings of the said Proprietors as aforesaid, and shall pay due Obedience to all such Orders and Directions in and about the Premises as shall from Time

Directors to
be under
Control of
General
Meetings.

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to

accept and take the said Share [*or* Shares], subject to the same Rules, Orders, Restrictions, and Conditions. As witness our Hands and Seals, the
Day of .

And on every such Sale the said Deed of Assignment (being executed by the Seller or Sellers and the Purchaser or Purchasers of such Share or Shares) shall be kept by the said Purchaser or Purchasers for his, her, or their Security, after the Clerk of the said Company shall have entered in a proper Book or Books to be kept for that Purpose a Memorial of such Transfer and Sale for the Use of the said Company, and have testified and indorsed the Entry of such Memorial on the said Deed of Sale and Transfer, for which no more than Two Shillings and Sixpence shall be paid; and the said Clerk is hereby required to make such Entry or Memorial accordingly; and until such Entry or Memorial shall have been made and entered as above directed such Purchaser or Purchasers shall have no Part or Share of the Profits of the said Undertaking, nor any Interest for such Share or Shares paid to him, her, or them, nor any Vote or Votes in respect thereof as a Proprietor or Proprietors of the said Undertaking.

Memorial of Transfer to be entered by the Clerk.

XCVII. And be it further enacted, That no Person or Persons shall sell or transfer any Share or Shares which he, she, or they shall possess in the said Undertaking, after any Call shall have been made by the said Directors for any Sum or Sums of Money in respect of such Share or Shares, unless he, she, or they at the Time of such Sale or Transfer shall have paid or discharged to the Treasurer of the said Company, or to such Person or Persons as the said Directors shall appoint to receive the same, the whole and entire Sum of Money which shall have been called for in respect of each Share so sold or transferred.

After a Call no Share to be sold until Call shall be paid.

XCVIII. And in order to ascertain the Amount of the clear Profits of the said Undertaking, be it further enacted, That the said Company of Proprietors or the Directors of the said Company shall and they are hereby required from the passing of this Act to cause a true, exact, and particular Account to be kept, and annually made up and balanced on the Thirty-first Day of *December* in each Year, of the Money collected and received by or for the Use of the said Company by virtue of this Act, and of the Charges and Expences attending the erecting, making, supporting, maintaining, and carrying on the said Works and of all other the Receipts and Expenditure of the said Company; and at the next Annual General Meeting of the Proprietors of the said Undertaking to be from Time to Time holden as aforesaid, or at some Adjournment thereof, a Dividend shall be made out of the clear Profits of the said Undertaking, unless such Annual Meeting shall declare otherwise; and such Dividend or Dividends shall be at and after the Rate of so much *per Centum* upon the several Sums invested by the Members thereof in the Joint Stock of the said Company, as such Meeting or Meetings shall think fit to appoint and determine.

Accounts to be balanced annually, and Division of Profits made.

XCIX. Pro-

Directors
may declare
intermediate
Dividends.

XCIX. Provided always, and be it further enacted, That notwithstanding any thing herein-before contained it shall be lawful for the said Directors, and they are hereby authorized and empowered, to declare One or more Dividend or Dividends at such intermediate Times between the said Annual General Meetings as the said Directors shall think fit.

Company
may allow
4l. per Cent.
Interest on
Sums invest-
ed previous
to Dividend
of Profits.

C. Provided always, and be it further enacted, That it shall and may be lawful for the said Company, or the Directors thereof, out of their Capital and Joint Stock, to pay and allow to the Proprietors of Shares in the said Undertaking Interest at the Rate of Four Pounds *per Centum per Annum* on all and every the Sum and Sums of Money which they shall have respectively paid in consequence of Calls from Time to Time made by virtue of this Act, until Annual Dividends of Profits to the Extent of Four Pounds *per Centum per Annum* upon the several Sums of Money invested in the Joint Stock of the said Company shall be made.

Regulation
as to Acquisi-
tion of Shares.

CI. And whereas by the Marriage or Death of the Proprietors of Shares in the said Undertaking it may be difficult to ascertain to whom the Dividends arising or becoming due upon such Shares ought to be paid or shall belong; be it therefore enacted, That before any Person or Persons who shall claim any Part of the Profits of the said Undertaking in right of Marriage shall be entitled to receive the same, or be entitled to vote in respect of any Shares, an Affidavit or solemn Affirmation in Writing, containing a Copy of the Register of such Marriage, or other Particulars of the Celebration thereof, shall be made and sworn to or solemnly affirmed by Two credible Persons before a Master or Master Extraordinary in Chancery, or any One of His Majesty's Justices of the Peace, and shall be transmitted to the Clerk of the said Company, who shall file the same, and make an Entry thereof in the Book or Books which shall be kept by the said Clerk for the Entry of Transfers or Sales of Shares in the said Company; and before any Person or Persons who shall claim any Part of the Profits of the said Undertaking by virtue of any Bequest or Will, or in the Course of Administration, shall be entitled to receive the same, or be entitled to vote in respect of any Share, the said Will, or the Probate thereof, or the Letters of Administration, shall be produced and shown to the said Clerk, or a Copy of so much of such Will as shall relate to the Share or Shares of the Testator or Intestate shall be made and sworn to or solemnly affirmed to by the Executor or Executors of the said Will, or the Administrator or Administrators of the Intestate, before a Master or Master Extraordinary in Chancery, or any One of His Majesty's Justices of the Peace as aforesaid, and shall also be transmitted to the said Clerk, who shall file and enter the same as herein-before mentioned; and in all Cases, other than herein-before mentioned, when the Right and Property of any Share or Shares of the said Company shall pass from the Proprietor or Proprietors thereof to any other Person or Persons by any other legal Means than by a Transfer and Assignment thereof as herein directed, an Affidavit or solemn Affirmation in Writing shall be made and sworn to or solemnly affirmed to by Two credible Persons
before

fore a Master or Master Extraordinary in Chancery, or any One of His Majesty's Justices of the Peace as aforesaid, stating the Manner in which such Share or Shares hath or have passed to such other Person or Persons; and such Affidavit or solemn Affirmation shall be transmitted to the Clerk of the said Company, who shall thereupon enter and register the Name or Names of every such new Proprietor or Proprietors in the Register Book or List of Proprietors of the said Company; and the Clerk of the said Company shall be entitled to receive, for each and every of such Entries as is herein-before directed, the Sum of Two Shillings and Sixpence, and no more.

CII. And be it further enacted, That the Receipt or Receipts of the Person or any One of the Persons in whose Name or Names any Share or Shares in the said Undertaking shall stand in the Books of the said Company shall from Time to Time be a sufficient Discharge to the Treasurer or Treasurers for the Time being of the said Company for any Dividend or Dividends, Sum or Sums of Money, which in such Receipt or Receipts shall be acknowledged to be received for or in respect of such Share or Shares, notwithstanding any Uses, Trusts, Intents, or Purposes upon or to which such Share or Shares shall be then settled or assigned.

Receipt of the Person in whose Name Share stand to be good.

CIII. And be it further enacted, That in all Cases where the Money shall be payable under the Provisions of this Act to any Proprietor in the said Undertaking who shall be a Minor under the Age of Twenty-one Years, the Receipt of the Parent or Guardian for the Time being of such Minor shall be a sufficient Discharge to the said Company and their Treasurer for the same.

Receipts of Parents or Guardians of Minors to be a sufficient Discharge.

CIV. And in consideration of the great Charges and Expences which the said Company must necessarily incur and sustain in making and maintaining the said Railways or Tramroads and other the Works hereby authorized to be made and maintained, be it enacted, That it shall be lawful for the said Company, from Time to Time and at all Times hereafter, to ask, demand, take, recover, and receive, to and for the Use and Benefit of the said Company, for the Tonnage of all Goods, Commodities, Wares, Merchandizes, Articles, Matters, and Things which shall be carried or conveyed upon or along the said Railways or Tramroads, or upon or along any Part thereof respectively, the Rates, Tolls, and Duties hereafter mentioned; (that is to say,)

Rates of Tonnage:

For all Dung, Compost, and Lime to be used as Manures, and all other Manures, and all Materials for the Repair of the public Roads or Highways, any Sum not exceeding One Penny *per* Ton *per* Mile:

For all Coals, Limestone to be used otherwise than as Manure, Ironstone, Iron Ore, and all other Mineral Ores, Timber, Deals, Building, Pitching, and Paving Stones, and Clay, any Sum not exceeding One Penny Halfpenny *per* Ton *per* Mile:

For all Coke, Culm, Charcoal, Flags, Bricks, Tiles, and Slates, Lead, Iron, and other Metals, any Sum not exceeding Two-pence *per* Ton *per* Mile:

[*Local.*]

20 M

For

For all Corn, Grain, Flour, Hay, and all other Agricultural Produce, any Sum not exceeding Two-pence Halfpenny *per Ton per Mile*:

For all Sugar, Dyewoods, and Groceries, Cotton and other Wool, Hides, Drugs, manufactured Goods, and all other Wares, Merchandize, Matters, or Things, any Sum not exceeding Three-pence *per Ton per Mile*.

Where Rates do not amount to 6*d.* per Ton, Company authorized to receive 6*d.* per Ton.

CV. Provided always, and be it further enacted, That in all Cases where any of the above-mentioned Articles, Matters, or Things shall be carried and conveyed along or upon the said Railways or Tramroads for so short a Distance that the above-mentioned Tonnage Rates shall not amount to the Sum of Sixpence *per Ton*, the said Company shall be at liberty and they are hereby authorized and empowered to demand and receive the Sum of Sixpence *per Ton* thereon; any thing in this Act contained to the contrary thereof notwithstanding.

Power to take Tolls for Coaches and other Carriages going along the Railways.

CVI. And be it further enacted, That it shall be lawful for the said Company, from Time to Time and at all Times hereafter, to ask, demand, take, recover, and receive, or cause to be asked, demanded, taken, recovered, and received, to and for the Use and Benefit of the said Company, for and in respect of Coaches, Chariots, Chaises, Cars, Gigs, Landaus, Waggons, Carts, or other Carriages which shall be used upon the said Railways or Tramroads for the Conveyance of Passengers or Cattle, the several Tolls herein-after mentioned; (that is to say,)

For every Person passing in or upon any such Carriage for any Distance not exceeding Five Miles, the Sum of Sixpence; for any Distance exceeding Five Miles, and not exceeding Ten Miles, the Sum of One Shilling; for any Distance exceeding Ten Miles, and not exceeding Fifteen Miles, the Sum of One Shilling and Sixpence; for any Distance exceeding Fifteen Miles, and not exceeding Twenty Miles, the Sum of Two Shillings; for any Distance exceeding Twenty Miles, and not exceeding Twenty-five Miles, the Sum of Two Shillings and Sixpence; for any Distance exceeding Twenty-five Miles, and not exceeding Thirty Miles, the Sum of Three Shillings; for any Distance exceeding Thirty Miles, and not exceeding Forty Miles, the Sum of Three Shillings and Sixpence; for any Distance exceeding Forty Miles, and not exceeding Fifty Miles, the Sum of Four Shillings; and for any Distance exceeding Fifty Miles, the Sum of Five Shillings:

For every Horse, Mule, Ass, or other Beast of Draught or Burthen, and for every Ox, Cow, Bull, or Neat Cattle, carried in or upon any such Carriage, for any Distance not exceeding Fifteen Miles, the Sum of Two Shillings and Sixpence; and for any Distance exceeding Fifteen Miles, and not exceeding Forty Miles, the Sum of Four Shillings; and for any Distance exceeding Forty Miles, the Sum of Six Shillings:

For every Calf, Sheep, Lamb, or Pig carried in or upon any such Carriage for any Distance, the Sum of Nine-pence.

CVII. And

CVII. And be it further enacted, That in all Cases where there shall be a Fraction of a Ton, a Proportion of the Rates shall be demanded and taken for such Fraction, according to the Number of Quarters of a Ton contained in such Fraction; and when there shall be a Fraction of a Quarter of a Ton, such Fraction shall be deemed and considered as a Quarter of a Ton; and in all Cases where there shall be a Fraction of a Mile in the Distance which any Waggon, Cart, or other Carriage shall pass upon the said Railways or Tramroads, the Rates of Tonnage which shall be demanded and taken for the Conveyance of Goods shall be after the Rate of the Number of Quarters of Miles which the said Waggon, Cart, or other Carriage shall have passed, and when there shall be a Fraction of a Quarter of a Mile such Fraction shall be deemed and considered as One Quarter of a Mile; and in order to ascertain and calculate with greater Precision and Facility the Distance for which Tonnage shall be demanded and taken upon the said Railways or Tramroads, the said Company shall cause the said Railways or Tramroads to be measured, and Stones or other conspicuous Marks to be set up and for ever maintained at the Distance of One Quarter of a Mile from each other, with proper Inscriptions.

Regulations
as to frac-
tional Parts
of a Ton or
Mile.

CVIII. And be it further enacted, That it shall be lawful for the said Company, and they are hereby authorized and required, to carry and convey over, along, and upon the said Railways or Tramroads, or any Part thereof respectively, all such Goods, Wares, and Merchandize, Articles, Matters, and Things, as shall be offered to them for that Purpose, and to ask, demand, receive, and recover, to and for the Use and Benefit of the said Company, for such Carriage and Conveyance as aforesaid of all Goods, Wares, Merchandize, Articles, Matters, or Things carried and conveyed along and upon the same, for the whole Length or Distance thereof, exclusive of the several Rates herein-before authorized to be charged and received as and for Tonnage and Tolls, any Sum of Money not exceeding the following Sums; (that is to say,)

Company to
carry Goods,
&c., and to
charge for
Carriage.

For all Lime, Limestone, Ironstone, Iron Ore, and other Mineral Ores, and all Sorts of Dung, Compost, and Manure, and all Materials for the Repair of the public Roads, and all Stone, Sand, Clay, Building, Pitching, and Paving Stones, Tiles, and Slates, and also for all Timber, Staves, and Deals, not exceeding Twelve Shillings *per* Ton:

For all Sugar, Corn, Grain, and Flour, Dyewoods, Lead, Iron, and other Metals, not exceeding Fourteen Shillings *per* Ton:

For all Cotton and other Wool, Hides, Drugs, Groceries, and manufactured Goods, not exceeding Sixteen Shillings *per* Ton:

For all Wines, Spirits, Vitriol, Glass, and other hazardous Goods, not exceeding Twenty Shillings *per* Ton: And,

For any Distance short of the whole Length of the said Railways or Tramroads, not exceeding a rateable Proportion of such several Sums according to the Distance: And,

For all Coal, Coke, Culm, Charcoal, and Cinders carried or conveyed along the same or any Part thereof, any Sum not exceeding Three-pence *per* Ton *per* Mile: And,

For

For all Persons, Cattle and other Animals, such reasonable Charge as shall from Time to Time be determined by the said Company.

Company not to be compelled to receive less than 2s. per Ton for short Distances.

CIX. Provided always, and be it further enacted, That in all Cases where any Article, Matter, or Thing shall be carried or conveyed along the said Railways or Tramroads for so short a Distance that the Rate or Sum of Money authorized by this Act to be demanded or received for the Carriage of the same shall not amount to the Sum of Two Shillings *per* Ton, the said Company shall be at liberty and they are hereby authorized and empowered to demand and receive the Sum of Two Shillings *per* Ton thereon; any thing in this Act contained to the contrary thereof notwithstanding.

As to Bridge across the Tyne at Scotswood.

CX. And be it further enacted, That it shall and may be lawful for the said Company, if they shall see fit, to construct the Bridge by which the said Railways or Tramroads shall cross the River *Tyne* near to a Place called *Scotswood*, in the County of *Northumberland*, in such Manner that there shall be a Roadway for the Passage of Horses, Carriages, Cattle, and Foot Passengers, which shall remain open for such Passage so long as the said Company shall see fit, unless a certain Corporation called the *Scotswood* Bridge Company shall receive the Authority of Parliament for building and shall actually build a Bridge across the River *Tyne*, at or near *Scotswood* aforesaid, within Two Years after the passing of this Act.

If the Scotswood Bridge Company erect a Bridge within Two Years, no other Bridge to be erected for general Passage within a certain Distance.

CXI. Provided always, and be it further enacted, That if the said Corporation called the *Scotswood* Bridge Company shall purchase the Ferry at *Scotswood* herein-after mentioned, and shall erect a Bridge over the River *Tyne* at or near *Scotswood* aforesaid, and open the same for Carriages, Horses, and Foot Passengers, within Two Years after the passing of this Act, it shall not be lawful for the said Company hereby established to erect, within the Distance of One thousand Yards of the said Bridge so erected by the said *Scotswood* Bridge Company, any other Bridge for the Passage of Horses, Cattle, or Foot Passengers, nor for the Passage of Carriages, save Railway Carriages properly constructed; and if the said Company hereby established shall suffer or permit Horses, Cattle, Foot Passengers, or Carriages, other than Carriages so constructed as aforesaid, and the Horses drawing the same, and the Drivers attending the same, and the Passengers thereon, to pass along any Bridge that may be erected within the Distance aforesaid for the Passage of Railway Carriages, every such Person or Persons so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

As to Bridge across the Eden.

CXII. And be it further enacted, That it shall and may be lawful for the said Company established by this Act, if they shall see fit, to construct the Bridge by which the said Railways or Tramroads shall cross the River *Eden*, at or near *Corby* in the County of *Cumberland*, in such Manner that there shall be a Roadway for the Passage of Horses, Carriages, Cattle, and Foot Passengers, which shall remain open for such Passage so long as the same Company shall see fit.

CXIII. And

CXIII. And be it further enacted, That in case the said Corporation called the *Scotswood* Bridge Company shall fail in building a Bridge at or near *Scotswood* aforesaid within Two Years after the passing of this Act, and if the said Company hereby established shall construct the Bridge by which the said Railways or Tramroads shall cross the River *Tyne*, near to *Scotswood* aforesaid, in such Manner that there shall be a Roadway for the Passages of Horses, Carriages, Cattle, and Foot Passengers, and if the said Company hereby established shall construct in like Manner the Bridge by which the said Railways or Tramroads shall cross the River *Eden* at or near *Corby* aforesaid, then and in either of the said Cases, and when and so soon as either of the said Bridges at *Scotswood* or *Corby* so constructed as aforesaid shall be erected and built, it shall be lawful for the said Company established by this Act from Time to Time, and at all Times thereafter, to cause to be demanded, received, or taken for Pontage, as or in the Name of a Toll, before or after any Passage over any such Bridge by the said Roadway shall be permitted, any Sums of Money not exceeding the several Sums following; (that is to say,)

Power to take Pontage on the Roadway formed for general Passage.

For Six or more Horses or other Beasts drawing any Coach, Chariot, Landau, Berlin, Chaise, Calash, or Hearse, the Sum of Two Shillings :

For Three or Four Horses or other Beasts drawing any Coach, Chariot, Landau, Berlin, Chaise, Calash, or Hearse, the Sum of One Shilling and Sixpence :

For Two Horses or other Beasts drawing any Coach, Chariot, Landau, Berlin, Chaise, Calash, Chair, or Hearse, the Sum of One Shilling :

For One Horse or other Beast drawing any Coach, Calash, Chaise, or Chair, the Sum of Sixpence :

For Four or more Horses or other Beasts drawing any Wain, Dray, Cart, or Carriage, the Sum of Eight-pence :

For Three Horses or other Beasts drawing any Wain, Dray, Cart, or Carriage, the Sum of Sixpence :

For Two or more Horses or other Beasts drawing any Wain, Dray, Cart, or Carriage, the Sum of Four-pence :

For One Horse or other Beast drawing any Wain, Dray, Cart, or Carriage, the Sum of Two-pence :

For every Horse, Mule, or Ass, laden or unladen, and not drawing, the Sum of One Penny :

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of Ten-pence *per* Score, and so in proportion for any greater or less Number :

For every Drove of Calves, Swine, Sheep, or Lambs, the Sum of Five-pence *per* Score, and so in proportion for any greater or less Number :

For every Foot Passenger, One Penny.

CXIV. And be it further enacted, That it shall and may be lawful for the said Company, from Time to Time and at all Times after the Completion of the said Bridges at *Scotswood* and *Corby* aforesaid, and in consideration of the extraordinary Expence thereof, to cause to be demanded, received, or taken, as and for Pontage, before or after

Power to take Pontage on the Railway, over and above the Tonnage.

[*Local.*]

20 N

Passage

Passage over either of the said Bridges by the said Railways or Tramroads, over and above the Tolls or Duties herein-before mentioned and authorized to be taken for Passage along the said Railways or Tramroads, the several Tolls or Duties following; (that is to say,) the same Tolls and Duties as the said Company are by this Act authorized to demand, receive, and take for the Passage along the said Railways or Tramroads for the Space of Three Miles, of Goods, Commodities, Wares, Merchandizes, Articles, Matters, and Things, and of Coaches, Chariots, Chaises, Cars, Gigs, Landaus, Waggon, Carts, and other Carriages which shall be used on the said Railways or Tramroads for the Conveyance of Passengers or Cattle.

Pontage
vested in the
Company.

CXV. And be it further enacted, That the said respective Tolls, Duties, or Pontage shall be and are hereby vested in the said Company, and shall be demanded, collected, levied, recovered, and applied in such and the same Manner and with the same Restrictions as the Tolls or Duties payable for Passage along the said Railways or Tramroads are by this Act directed to be collected, levied, recovered, and applied.

Power of
Re-entry.

CXVI. And be it further enacted, That in case all or any of the Tolls or Duties arising by virtue of this Act shall be demised or let to farm to any Person or Persons in any Manner whatsoever, and the Lessee or Lessees, Farmer or Farmers thereof, shall neglect or refuse to perform the Terms and Conditions on which the same shall be so demised or let; or in case the Rent or Rents agreed to be paid by such Lessee or Lessees, Farmer or Farmers, or any Part or Instalment thereof, shall be in arrear or unpaid for the Space of Seven Days next after any of the Days on which the same ought to be paid pursuant to the Lease, Agreement, or Contract for demising or letting the same Tolls or Duties; or in case any temporary or other Collector of the said Tolls and Duties shall be discharged from his Office by virtue of this Act, or shall die, abscond, or absent himself, and any such Collector who shall be so discharged, or the Wife, Widow, or any of the Children or Family, or other Representatives of any Collector who shall die, abscond, absent himself, or be discharged, or any other Person or Persons, shall refuse to deliver up the Possession of any Toll House or Toll Houses, Weighing Machine or Weighing Machines, or other Building or Buildings, with the Gardens and other Appurtenances thereto respectively belonging, to be erected, built, constructed, or set up by virtue of this Act, for the Space of Three Days after Demand thereof made in Writing, given or left at such Toll House, Weighing Machine, or Buildings, or at any of such Toll Houses, Weighing Machines, or Buildings, which shall be or have been in the Possession or Occupation of such Collector or other Person or Persons, such Demand in Writing to be signed by any Two or more of the Directors (although not assembled at a Meeting), or by the Clerk or Treasurer for the Time being of the said Company; or in case any such Lease, Agreement, or Contract shall in any other Manner become void; then and in any of the said Cases it shall be lawful for any Two or more Justices of the Peace for the said Town and County of *Newcastle-upon-Tyne*, or for the said Counties of *Northumberland*, *Durham*, and *Cumberland* (within their
respective

respective Jurisdictions), upon Application made by the said Directors or by the Treasurer or Clerk for the Time being of the said Company, by Warrant under their respective Hands and Seals, to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to enter upon and take Possession of every or any such Toll House, Weighing Machine, or other Building, with the Gardens and all other the Appurtenances thereto belonging, and to remove and put such Lessee or Lessees, Farmer or Farmers, or other the Person or Persons who shall be found therein, together with his, her, or their Goods, from and out of the same and the Possession thereof, and from the Collection of such Tolls and Duties, and to put the said Company or any of them, or their new Lessee, Farmer, or Collector, Lessees, Farmers, or Collectors, into the Possession thereof; and thereupon it shall be lawful for the said Directors, if they shall see fit, to vacate and determine the Lease, Contract, or Agreement (if any) which was previously subsisting, and the same shall accordingly be utterly void, to all Intents and Purposes, (save as to the Covenants and Agreements for Payment of the Rent or Rents thereby reserved, or other unperformed or broken Obligations, Covenants, or Agreements on the Lessee's Part,) as if such Lease, Contract, or Agreement had never been made; and it shall be lawful for the said Company or Directors in every such Case again to demise or let to farm the said Tolls and Duties to any other Person or Persons, or cause them to be collected in such and the same Manner as if no former Demise, Contract, or Agreement had been made relative thereto.

CXVII. And be it further enacted, That it shall be lawful for the said Company at any Time of their General Meetings, from Time to Time as they shall see convenient, to compound and agree for any Term, not exceeding One Year at any One Time, with any Person or Persons for all or any of the said Rates, Tolls, Pontage, and Duties hereby made payable upon the Whole or any Part or Parts of the said Railways or Tramroads, Bridge or Bridges.

Power to compound for Tolls.

CXVIII. And whereas *William Ord* of *Whitfield Hall* in the said County of *Northumberland*, Esquire, claims to be seised of or entitled to a certain ancient Ferry over the River *Tyne*, near to *Scotswood* aforesaid, called *Scotswood Ferry*: And whereas *Henry Howard* of *Corby Castle* in the County of *Cumberland*, Esquire, claims to be seised of or entitled to a certain other ancient Ferry over the River *Eden* called *Corby Ferry*: And whereas the Emoluments and Profits of the said Two respective Ferries may be lessened or taken away in case of the Erection of the said Bridges so constructed as aforesaid at or near the said Ferries, and it is just and reasonable that the Owner or Owners, Proprietor or Proprietors of the said respective Ferries should be protected from Loss in consequence thereof; be it therefore enacted, That the said Company shall and may and they are hereby authorized and empowered to treat, contract, and agree with the Owner or Owners, Proprietor or Proprietors of the said respective Ferries, and their respective Heirs and Assigns, for the Purchase of the said respective Ferries, Emoluments, and Profits; and in case of such Purchase the said Ferries respectively shall be conveyed to and vested in the said Company in the same Manner and

Purchase of Ferries.

and Form as herein-before mentioned with respect to Lands, Tenements, and Hereditaments purchased for the said Undertaking.

Satisfaction to be made to Owners of Ferries for Damage sustained.

CXIX. Provided always, and be it further enacted, That the Owner or Owners, Proprietor or Proprietors of such respective Ferries, and all and every Body and Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, and Tenant or Tenants for Life, and Tenant or Tenants in Fee Tail, General or Special, or for Years determinable on any Life or Lives whatsoever, in Possession, Remainder, Reversion, Expectancy, or otherwise, and all Feoffees in Trust, Executors, Administrators, Femes Covert, Husbands, Guardians, Committees, Trustees, and all and every other Person or Persons, who is or are seised, possessed of, or interested in any Ferries, Tolls, Rights, or Privileges which may be injured or prejudiced by means or in consequence of the Erection of the said Bridges, may accept and receive such Satisfaction for the Value of such Ferries, and for the Damage to be sustained by building the said Bridges, as shall be agreed upon by and between the said Parties interested respectively, or any of them, and the said Company; and in case the said Parties so interested, or any of them, and the said Trustees, cannot agree as to the Amount or Value of such Ferries, or for Satisfaction for Damages to be sustained, the same shall be settled and ascertained by a Jury to be summoned in the Manner herein-before directed; and the Decision of such Jury shall be final and conclusive; and the Monies assessed by the said Juries shall be paid, applied, and disposed of in such and the like Manner as any Sum or Sums of Money to be paid for the Purchase of any Lands, Tenements, or Hereditaments for the Purposes of making the said Railways or Tramroads are herein-before directed to be paid, applied, and disposed of.

The Bridges not to be deemed County Bridges.

CXX. And be it further enacted, That the said Bridges, though constructed as aforesaid, shall not be adjudged or taken to be County Bridges, or to subject the Counties of *Northumberland*, *Durham*, or *Cumberland* to the repairing, amending, or supporting the same; any Law or Statute to the contrary thereof notwithstanding.

No Ferry to be used within a certain Distance of Bridges.

CXXI. And be it further enacted, That from and after either of the said Bridges at *Scotswood* or *Corby* shall have been made passable and opened for Carriages, Horses, and Passengers, and from and after the Purchase by the said Company of the said Ferries respectively, no Ferries shall be set up or used by any Person or Persons across either of the said Rivers *Tyne* or *Eden*, within the Distance of Six hundred Yards of any such Bridge; and if any Person or Persons (except the said Company of Proprietors, or other Person or Persons acting under their Authority,) shall use any Boat, Barge, or other Vessel in ferrying or conveying any Carriages or Cattle, or Person or Persons, Goods, Wares, or Merchandize, or other Things, for Hire, across the said Rivers or either of them, within the Distance aforesaid, not being the Owner or Owners, Occupier or Occupiers of Land on each Side of the said Branches of the said River where such Boat, Barge, or other Vessel shall be used, every Person or Persons so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

XII. And

CXXII. And be it further enacted, That the Bridge over which the said Railways or Tramroads shall pass the River *South Tyne* at or near to a Place called the *West Boat*, in the County of *Northumberland*, shall not be so constructed as to admit of the Passage of any other Carriages than Carriages properly constructed for passing along the said Railways or Tramroads; and that if any Person or Persons other than the Owners or Persons attending the said Railway Carriages, and Persons travelling in or upon the same, shall pass over the said last-mentioned Bridge on Foot or on Horseback, every Person or Persons so offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings.

As to Bridge near the West Boat.

CXXIII. And be it further enacted, That it shall be lawful for the said Company from Time to Time, and as often as they shall think fit, to lessen and reduce all or any of the Rates, Tolls, and Duties herein-before by this Act authorized to be taken for the Use and Benefit of the said Company, and afterwards from Time to Time again to raise, advance, and vary the same or any of them, so as not at any Time to exceed the Amount herein-before set forth and authorized to be collected.

Power to reduce Tolls.

CXXIV. Provided always, and be it further enacted, That it shall and may be lawful for the said Company from Time to Time, at any General Meeting of the said Company to be held as is herein-before directed, to make such Bye Law or Bye Laws for ascertaining and fixing the Price or Sum or Sums of Money to be charged or taken for the Carriage of any Parcel (not exceeding Five hundred Pounds Weight) upon the said Railways or Tramroads, or upon any Part thereof respectively, and from Time to Time to repeal, alter, and vary the said Rates, as to them shall seem fit and expedient.

Company empowered to fix the Price of small Parcels.

CXXV. Provided always, and be it further enacted, That the said Company shall from Time to Time cause to be painted on Boards, and affixed and stuck up, and continued and renewed as often as the same shall be obliterated and defaced, upon every public Wharf, and upon every Stop Gate or Toll House on the said Railways or Tramroads, in some conspicuous Place, in large and legible Characters, an Account or List of the several Rates, Tolls, and Duties which the said Company shall from Time to Time so direct and appoint to be taken, and of the Price or Prices, Sum and Sums of Money, so allowed to be taken for the Carriage of all and every such Parcel and Parcels not exceeding Five hundred Pounds Weight as aforesaid, upon the said Railways or Tramroads, or any Part thereof respectively; and in case any Owner or Master of any Waggon or other Carriage, or other Person, passing upon the said Railways or Tramroads, or any Part thereof respectively, or any Collector of the Rates, Tolls, or Duties aforesaid, shall, after such Account or List shall be affixed and stuck up as aforesaid, demand or take more than the Price or Sum or Sums of Money therein specified and ascertained, such Owner, Master, Collector, or other Person as aforesaid shall forfeit any Sum not exceeding Five Pounds.

List of Tolls to be affixed in conspicuous Places.

Persons demanding more than the proper Rate of Carriage subject to Penalty.

Tolls only payable whilst Board remains.

CXXVI. Provided always, and be it further enacted, That it shall not be lawful for the said Company to demand or take, or cause to be demanded or taken, any Tolls for or in respect of any Goods, Articles, Manufactures, or Things, Carriages, Passenger, Horse, Mule, Ass, or other Beast, but for and during such Time as the Board so painted as aforesaid shall remain affixed to the public Wharf, Stop Gate, or Toll House at which the same Tolls shall be demanded.

Penalty on Persons defacing Boards.

CXXVII. And be it further enacted, That if any Person or Persons shall wilfully or maliciously pull down, deface, or destroy any Board whereon any Rules, Orders, Bye Laws, Tolls, or Rates shall be painted, he, she, or they shall, on Conviction, forfeit and pay to the said Company a Sum not exceeding Five Pounds, to be levied and applied as other Penalties are by this Act directed to be levied and applied.

For preventing Toll Collectors misbehaving.

CXXVIII. And be it further enacted, That every Toll Collector shall and he is hereby required to place his Christian and Surname painted on a Board in legible Characters in the Front or some other conspicuous Part of the Stop Gate, Toll House, or Toll Gate, immediately on his coming on Duty, each of the Letters of such Names to be at least Two Inches in Length, and of a Breadth in proportion, and painted either in White Letters on a Black Ground or Black Letters on a White Ground, and shall keep the same so placed during the whole Time he shall be upon Duty; and if any Collector of the same Tolls, Rates, or Duties shall not place such Board as aforesaid, and keep the same there during the Time he shall be such Collector as aforesaid, or shall demand or take a greater or less Toll, Rate, or Duty from any Person than he shall be authorized to do by virtue of the Powers of this Act, or of the Orders and Resolutions of the said Company made in pursuance thereof, or shall demand or take a Toll, Rate, or Duty from any Person or Persons who shall be exempt from the Payment thereof, and claim such Exemption, or shall refuse to permit or suffer any Person to read, or shall in anywise hinder any Person or Persons from reading, the Inscriptions on the Board to be affixed and placed as aforesaid, or shall refuse to tell his Christian or Surname to any Person who shall demand the same, on having paid the said Tolls, Rates, or Duties, or any of them, or shall in answer to such Demand give a false Name or Names, or, upon the legal Toll, Rate, or Duty being paid or tendered, shall unnecessarily detain, or wilfully obstruct, hinder, or prevent any Goods, Carriage, or Passenger from passing through any Turnpike or Toll Gate, or shall make use of any scurrilous or abusive Language to any Treasurer, Clerk, Engineer, or other Officer, or to any Passenger, then and in every such Case every such Toll Collector shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Recovery of Rates.

CXXIX. And be it further enacted, That the Tolls, Rates, and Duties herein authorized to be taken shall be paid to such Person or Persons, at such Place or Places, and upon or near the said Railways or Tramroads, in such Manner, and under such Regulations, as the said Company at some Annual or Special General Meeting or Meetings, or as the Directors, shall, by Notice to be annexed to the Account or List of Tolls, Rates, and Duties, direct or appoint; and
in

in case of Refusal or Neglect of Payment of such Rates, Tolls, or Duties, or any Part thereof, on Demand, to the Person or Persons appointed to receive the same as aforesaid, it shall and may be lawful to and for the Person or Persons to whom such Rates, Tolls, or Duties ought to have been paid, and he and they is and are hereby empowered, to seize the Goods or other Things, and Carriages for the Conveyance of Passengers, Cattle, or Goods, for or in respect whereof any such Rates, Tolls, or Sums ought to have been paid, or any Part thereof, and detain the same until such Payment shall be made, together with reasonable Charges for such Seizure and Detention; and if such Goods, Carriages, or other Things shall not be redeemed within Five Days next after the taking thereof, the same shall be appraised and sold as the Law directs in Cases of Distress for Rent.

CXXX. Provided always, and be it further enacted, That if any Dispute shall arise concerning the Amount of the Rates, Tolls, or Duties due, or the Charges occasioned by any Distress to be taken by virtue of this Act, it shall be lawful for the Collector or Person distraining to detain such Distress until the Amount of the Rates, Tolls, or Duties due, and the Charges of seizing, distraining, keeping, or selling such Distress, as the Case shall happen, shall be ascertained by some Justice of the Peace for the Town and County or County in which such Distress shall be made, who, upon Application made to him for that Purpose, shall examine the said Matter upon Oath of the Parties or other Witness or Witnesses, and determine the Amount of the Rates, Tolls, or Duties due; and it shall be lawful for such Justice to assess and award such Costs to be paid by either of the Parties to the other of them as he shall think just and reasonable; and in case of Nonpayment thereof, on Demand, such Costs shall be levied by Distress and Sale of the Goods and Chattels of the Party directed to pay the same, by Warrant under the Hand and Seal of such Justice.

As to Disputes about the Amount of Tolls.

CXXXI. And be it further enacted, That it shall be lawful for the said Company at any Time of their General Meetings, by Writing under their Common Seal, at any Time or Times to let to farm the Rates, Tolls, and Duties hereby made payable, or any Part or Parts thereof, upon the Whole or any Part or Parts of the said Railways or Tramroads, Bridge or Bridges, unto any Person or Persons, for any Term or Time which they shall think proper, not exceeding Three Years from the Commencement of any Lease; and every such Lease shall be valid and effectual; and the Lessee or Lessees thereof, and also such Person or Persons as such Lessee or Lessees shall appoint to collect and receive the Rates, Tolls, and Duties so let, shall, during the Continuance of any such Lease, be deemed Collectors of the Rates so let, but for the proper Use of such Lessee or Lessees, and shall have the same Power and Authority for collecting and recovering the same as if they had been appointed for that Purpose by the said Company; provided that public Notice of the Intention to let the said Rates, Tolls, and Duties, or any Part thereof, shall be given by the said Directors, or by the Clerk of the said Company of Proprietors, by Advertisement published in some Newspaper or Newspapers circulated within the said Town of *Newcastle-upon-Tyne*, and

Company empowered to lease the Rates.

Notice of the Intention to let the same to be given.

and Counties of *Northumberland* and *Cumberland*, at least Thirty Days prior to any General Meeting at which the said Rates, Tolls, and Duties, or any Part thereof, are proposed to be let as aforesaid.

Owners of Waggon
to give an Account
of Lading.

CXXXII. And for the better ascertaining and more easily collecting of the said Rates, Tolls, and Duties, be it further enacted, That the Owner or Owners or Person or Persons having the Care of any Waggon or other Carriage passing upon the said Railways or Tramroads, or upon any Part thereof respectively, shall, upon Demand, give an exact and true Account in Writing, signed by him or them, to the Collectors of the said Rates and Tolls, at the Place or Places where they shall attend for that Purpose, of what Quantity of Goods and other Things as aforesaid shall be in such Waggon or other Carriage, and with respect to such Waggon or other Carriage, from whence brought, and where the same are intended to be unladen or left; and if the Goods or other Things contained in any such Waggon or other Carriage shall be liable to the Payment of different Rates, then such Owner or other Person or Persons shall specify the Quantities liable to each or any of the said Rates; and in case he or they shall neglect or refuse to give and deliver such an Account, or to produce his or their Bill of Lading, to any Collector demanding the same, or shall give a false Account, or shall deliver any Part of his Lading or Goods at any other Place than is mentioned in such Account, with an Intent to avoid the Payment of the said Rates, Tolls, or Duties, or any Part of them, and shall thereof be convicted by any Justice of the Peace for the said Town and County of *Newcastle-upon-Tyne*, or for the said Counties of *Northumberland*, *Durham*, or *Cumberland*, within their respective Jurisdictions, every Person so offending shall for every such Offence forfeit and pay to the said Company any Sum not exceeding Forty Shillings for every Ton of Goods and other Things, and so in proportion for any less Quantity than a Ton, which shall be in such Waggon or other Carriage, of which such Account shall be so refused to be given, or which shall be fraudulently delivered out as aforesaid, as the Case shall happen to be, over and above the Rate, Toll, or Duty to which such Articles or Things may be liable.

For ascertaining
Weight of
Tonnage.

CXXXIII. And for better ascertaining the Tonnage of Goods and other Things to be charged with the Payment of such Rate as aforesaid, be it further enacted, That One hundred and twelve Pounds Weight shall, for the Purposes of this Act, be deemed, rated, or estimated as for One Hundred Weight, and that Twenty such Hundred Weight shall be deemed, rated, or estimated as for One Ton; and for ascertaining the Tonnage of Stone and Timber, that Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Beech, and Ash, and Fifty Cubic Feet of all other Timber, shall, for the Purposes of this Act, be deemed, rated, or estimated as for One Ton Weight; any Usage to the contrary notwithstanding.

If any Difference,
Collector may
weigh or
measure
Waggon.

CXXXIV. And be it further enacted, That if any Difference shall arise between any Collector of the said Rates, Tolls, and Duties, or any Toll Keeper, or any Officer or Servant of the said Company, and the Owner or Person having the Charge of any Waggon or other Carriage, or the Owner of any Goods or other Things, it shall be
lawful

lawful for any such Collector to stop and detain any such Waggon or other Carriage, and to weigh, measure, and gauge, or cause to be weighed, measured, and gauged, such Waggon or other Carriage and all such Goods and other Things as shall be therein respectively contained; and in case the same shall, upon such weighing, measuring, or gauging, appear to be of greater Weight or Quantity than what is set forth or contained in the Account given thereof as aforesaid, then the Owner or Person giving in such Account shall pay the Costs and Charges of such weighing, measuring, and gauging; all which Costs and Charges, upon Refusal of Payment thereof, on Demand, shall and may be recovered and levied by such Ways and Means, and in such Manner, as the said Rates, Tolls, and Duties are hereby appointed to be recovered and levied; but if such Goods or other Things shall appear to be of the same or less Quantity or Weight than the same shall by such Account appear to be of, then the said Collector shall pay the Costs and Charges of such weighing, measuring, or gauging, and also pay to such Owner or Person, or to the Owner or Owners of such Goods or other Things, such Damage as shall appear to any Justice of the Peace for the Town and County or County in which such weighing, measuring, or gauging shall be made, and Detention take place, on the Oath of any credible Witness (which Oath such Justice is hereby authorized to administer), to have arisen from such Detention; and in default of immediate Payment thereof by the Collector, the same may be recovered by Distress and Sale of the Goods of the said Company or of the said Collector, by Warrant under the Hand and Seal of such Justice, rendering the Overplus (if any, upon Demand), after deducting the Costs of such Distress and Sale, to the said Company.

CXXXV. And for the better Regulation of the Owners of Waggon and other Carriages, and others employed by and under them respectively, and for the more easy Detection of any thing by them done contrary to the Directions of this Act, be it further enacted, That the Owner or Owners of every Waggon or other Carriage passing along the said Railways or Tramroads shall cause his, her, or their Name or Names, and Place of Abode or Place or Office of Business, and the Number of his or their Waggon or other Carriage, to be entered with the Clerk of the said Company, and shall also cause such Name or Names and Number to be painted in large White Capital Letters and Figures on a Black Ground, Two Inches high at least, and of a proportionate Breadth, on some conspicuous Part on the Outside of every such Waggon or other Carriage, so as to be always open to View, and shall permit and suffer every such Waggon or other Carriage to be gauged, weighed, and measured, at the Expence of the said Company, whenever it shall be required by them, or any Person or Persons by them appointed for that Purpose, and shall mark in like Manner the Weight and Gauge of every such Waggon or other Carriage on some conspicuous Part on the Outside thereof; and every Owner or Owners or other Persons having the Care of any Waggon or other Carriage, or who shall conduct the same upon the said Railways or Tramroads without having such Waggon or other Carriage previously gauged, weighed, and measured, or without having such Gauge and Weight and such Names

Owners to
put their
Names on
the Outside
of their
Waggons.

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and

and Figures marked thereon respectively as herein-before directed, or who shall alter, erase, or deface such Gauge and Weight and Names and Figures, or any of them, or any Part thereof, or shall fix thereon any false Gauge, Weight, Name, or Figure, or who shall refuse to permit and suffer such Waggon or other Carriage to be gauged, weighed, and measured, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds nor less than Forty Shillings.

Owners of
Waggons to
be account-
able for
Damage
done by their
Servants.

CXXXVI. And be it further enacted, That the Owner or Owners of every Waggon or other Carriage passing upon the said Railways or Tramroads shall be, and he, she, and they is and are hereby respectively made answerable for any Trespass, Damage, Spoil, or Mischief that shall be done by his, her, or their Waggon or other Carriage, or by any of the Waggoners or Drivers or other Person or Persons belonging to or employed in or about the same respectively, to the said Railways or Tramroads, or to any Bridges, Wharfs, Engines, Embankments, deep Cuttings, Inclined Planes, Tunnels, or other Works or Conveniences made or to be made by virtue of this Act, either by the loading or unloading of any Waggon or other Carriage, or by any Means whatsoever; and the said Owner or Owners of such Waggon or other Carriage shall for every such Damage, upon Conviction of any such Person or Persons before some Justice of the Peace, either by the Confession of the Party or Parties offending, or upon the Oath or Oaths of some credible Witness or Witnesses, (which Oath or Oaths such Justice is hereby empowered to administer,) pay to the Person injured the Damages to be ascertained by such Justice, provided that such Damages do not exceed the Sum of Twenty Pounds, and also shall, over and above such Damages, forfeit and pay to the Informer any Sum not exceeding Five Pounds, and all the Costs, Charges, and Expences attending such Conviction; which Damages, Penalties, and Costs shall be levied by Distress and Sale of the Goods and Chattels of the Owner or Owners of any such Waggon or Carriage, by Warrant or Warrants under the Hand and Seal of such Justice; and the Overplus (if any), after such Penalty, Damages, and the Costs and Charges of such Distress and Sale have been deducted, shall be returned, upon Demand, to the Owner or Owners of such Goods and Chattels; or if the Damages shall exceed the Sum of Twenty Pounds, then and in such Case the Owner or Owners of such Waggon or other Carriage may be sued and prosecuted for the same in any of His Majesty's Courts of Record; and if a Verdict or Judgment shall be given against him, either on Proof made, or by Default, or upon Demurrer, the Plaintiff in any such Case shall recover his Damages thereby sustained, with full Costs of Suit.

Owners to
recover back
from their
Servants any
Sum paid
for their
Neglect, &c.

CXXXVII. Provided always, and be it further enacted, That in case the Owner or Owners of any Waggon or other Carriage passing upon the said Railways or Tramroads shall be compelled to pay any Penalty or to make Satisfaction for any Damages by reason of any wilful Act, Neglect, or Default of his, her, or their Servant or Servants, or Waggoners or Drivers, then and in such Case every such Servant or Waggoner or Driver shall be liable to pay such Penalty or Satisfaction for Damages, with the Costs attending the same, to

such

such Owner or Owners; and in case of Nonpayment thereof on Demand, and Oath made by such Owner or Owners of the Payment by him, her, or them of such Penalty or Satisfaction, and that the same hath not been repaid to him, her, or them by such Servant or Servants, Waggoner or Waggoners, or Drivers, such Oath to be made before some Justice of the Peace for the County or Place in which such Penalty was incurred, the same Penalty and Satisfaction shall be levied, by Warrant under the Hand and Seal of such Justices, by Distress and Sale of the Goods and Chattels of such Servant or Servants, Waggoner or Driver, together with all Costs and Charges attending such Distress and Sale; and the said Penalty and Satisfaction, when recovered, shall be paid to such Owner or Owners in discharge of such Penalty and Satisfaction so by him, her, or them paid for the wilful Neglect or Default of such Servant or Servants, Waggoner or Driver as aforesaid; and in case no sufficient Distress can be had, such Justice shall and is hereby required to commit such Servant or Servants, Waggoner or Driver, to the Common Gaol or House of Correction for the said County or Place, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months.

CXXXVIII. And be it further enacted, That if any Person or Persons shall suffer the Loading of any Waggon or other Carriage using the said Railways or Tramroads to extend more than Two Feet over and beyond the Flanch or Lip of each or either Wheel of such Waggon or other Carriage, the Owner or Owners or other Person or Persons having the Care thereof shall forfeit and pay for every such Offence a Sum not exceeding Five Pounds nor less than Forty Shillings.

Loading of
Waggons, not
to extend
more than
Two Feet
over the
Wheel.

CXXXIX. And be it further enacted, That if any Person shall throw any Gravel, Stones, or Rubbish, or any Matter or Thing, upon any Part of the said Railways or Tramroads to be made by virtue of this Act, or shall wilfully obstruct, hinder, or prevent any Person in the Execution of this Act, or shall do any other Act, Matter, or Thing to obstruct the free Passage of the said Railways or Tramroads, or any Part thereof respectively, every Person so offending in any of the Cases aforesaid shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds nor less than Forty Shillings.

Penalty on
Persons ob-
structing the
free Course
of the Rail-
ways.

CXL. And be it further enacted, That if any Person shall wilfully and maliciously, and to the Prejudice of the said Undertaking, injure, damage, break, throw down, destroy, steal, carry or take away any Part of the said Railways or Tramroads or other Works to be erected and made by virtue of this Act, every Person so offending, and being thereof lawfully convicted, shall be subject and liable to the like Pains and Penalties as in Cases of Felony; and the Court by and before whom such Person shall be tried and convicted shall have Power and Authority to cause such Person to be transported for the Term of Seven Years, or, in Mitigation of such Punishment, such Court may, if they think fit, award such Sentence as the Law directs in Cases of Petit Larceny.

Penalty on
destroying
Works.

CXLI. And

Company to regulate the Passage on the Railways.

CXLI. And be it further enacted, That it shall be lawful for the said Company from Time to Time to make such Rules, Orders, and Regulations as they shall think proper for or relating to Waggons or other Carriages, and also for the Loading thereof respectively, passing along or using the said Railways or Tramroads, or any Part thereof respectively, and other Works; and all such Rules, Orders, and Regulations shall be binding upon and be conformed to by the Owners or Persons having the Care or Conduct of such Waggons or other Carriages, upon pain of forfeiting a Sum not exceeding Forty Shillings for every Default.

Penalty on obstructing the Use of the Railways.

CXLII. And be it further enacted, That if any Waggon or other Carriage, or any Goods, Merchandize, Article, Matter, or Thing, shall be placed or suffered to remain in any Part of the said Railways or Tramroads or other Works, so as to obstruct the Passage thereof, and the Person or Persons having the Care of such Waggon or other Carriage, Goods, Merchandize, Article, Matter, or Thing, shall not immediately upon Request made remove the same, he or they shall forfeit for every such Offence any Sum not exceeding Forty Shillings for every Hour such Obstruction shall continue after the making of such Request; and it shall be lawful for every Agent or Officer of or belonging to the said Company to cause any such Waggon or other Carriage, Goods, Merchandize, Article, Matter, or Thing, to be unladen, if necessary, and to be removed in such Manner as shall be proper for preventing such Obstruction, and to detain any Waggon or other Carriage, Goods, Merchandize, Article, Matter, or Thing, or any Part thereof, until the Charges occasioned by the Removal shall be paid; and the said Company shall not, nor shall any Officer, Agent, or other Servant of or belonging to the said Company, be liable or accountable for any accidental Damage, Loss, or Injury occasioned by any such unloading, or by any such Removal, or for any Delay occasioned thereby, nor in any other Way, save and except for wilful Damage done to any Waggons or other Carriage or to any Article so unladen or removed, nor shall they be liable for the safe Custody of any Waggon or other Carriage, or any Article, Matter, or Thing, that shall be so removed, unless the same shall be detained by the said Company as aforesaid, and then only so long a Time as the same shall be detained.

Company to make and erect Gates, &c. under the Direction of Justices of the Peace.

CXLIII. And be it further enacted, That the Company of Proprietors shall, at their own Expence, Costs, and Charges, after any Part of the said Railways or Tramroads shall be laid out or formed, make, erect, and set up, and from Time to Time maintain and support, such and so many convenient Gates in and upon the said Railways or Tramroads, and also all such Bridges, Arches, Hollows, Culverts, Hedges, Fences, Ditches, Drains, together with necessary Gates and Stiles and other Passages, (such Gates being made to open from the said Railways or Tramroads,) over and under or by the Side of, or leading to and into and upon the said Railways or Tramroads, of such Dimensions and in such Manner as Two or more Justices of the Peace for the said Town and County of *Newcastle-upon-Tyne*, or for the said Counties of *Northumberland*, *Durham*, or *Cumberland* (within their respective Jurisdictions), shall from Time to Time

judge

judge necessary and appoint, in case there shall be any Dispute about the same, for protecting the Lands and Grounds through which such Railways or Tramroads shall be made from Trespass, or the Cattle or other Property of the Owners or Occupiers thereof from estraying or escaping thereout, by reason of such Railways or Tramroads or other Works authorized by this Act, and for conveying from the Lands adjoining or lying near to the said Railways or Tramroads the Water which otherwise might or would be obstructed by the same, to the Prejudice of such Lands, and otherwise for the Use and Benefit of the Owners or Occupiers of the Lands through which the said Railways or Tramroads shall pass, and which shall be affected or prejudiced thereby; and all such Gates, Bridges, Arches, Hollows, Culverts, Hedges, Fences, Ditches, Drains, and Passages so to be made as aforesaid shall, from Time to Time and at all Times thereafter, be supported, maintained, and kept in sufficient Repair and Condition by the said Company; and for the Purpose of enabling the said Company to form, make, erect, and set up such Gates, Bridges, Arches, Hollows, Culverts, Hedges, Fences, Ditches, Drains, and Passages, and from Time to Time to maintain and support the same, the said Company, their Deputies, Stewards, Agents, Surveyors, and Workmen, are hereby authorized and empowered to enter into and upon all Lands and Grounds adjoining the said Railways or Tramroads, and to lead and carry the Materials for making or repairing such Gates, Bridges, Arches, Hollows, Culverts, Hedges, Fences, Ditches, Drains, and Passages, in Carts and other Carriages, across or along such Lands or Grounds, doing as little Damage as may be to the same; and in case the said Company shall refuse or neglect to make, erect, or set up such Gates, Bridges, Arches, Hollows, Culverts, Hedges, Fences, Ditches, Drains, and Passages as herein-before directed, or to maintain and support the same, or any of them, when erected, set up, and made, in manner aforesaid, for the Space of Twenty Days next after the Time to be appointed for those Purposes respectively by such Justices, then and in every such Case it shall be lawful for the Owners or Occupiers of the said Lands or Hereditaments, who shall find himself, herself, or themselves aggrieved by such Neglect or Refusal, to make, erect, and set up such Gates, Bridges, Arches, Hollows, Culverts, Hedges, Fences, Ditches, Drains, and Passages as the said Justices shall have before directed or appointed to be made, erected, and set up as aforesaid, and to maintain, repair, and support the same from Time to Time as Occasion shall require, so that in making and maintaining such Gates, Bridges, Arches, Hollows, Culverts, Hedges, Fences, Ditches, Drains, and Passages as aforesaid, the said Railways or Tramroads, or any Buildings and other Things hereby authorized to be made and erected by the said Company, shall not be obstructed or injured for any longer Space of Time or in any other Manner than shall be necessary for the doing thereof; and all the reasonable Costs and Charges thereof, to be settled and allowed by the said Justices, shall be repaid to the respective Owners or Occupiers of the said Lands and Hereditaments who shall have so erected and made, repaired or maintained, such Gates, Bridges, Arches, Hollows, Culverts, Hedges, Fences, Ditches, Drains, and Passages as aforesaid, by the said Company, within the Space of Ten Days next after the same shall have been so settled and allowed,

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and an Account and Demand in Writing shall have been delivered and made thereof to and from the said Company; and in default of Payment of the said Costs and Charges within the Time aforesaid, the said Justices shall and they are hereby required, by Warrant under their Hands and Seals, to levy the said Costs and Charges by Distress and Sale of any of the Goods and Chattels of the said Company, for the Use of the Person or Persons to whom such Costs and Charges shall have been allowed, rendering to the said Company the Overplus (if any), after deducting the reasonable Charges of making such Distress and Sale, to be settled by the said Justices; and every or any of the said Owners or Occupiers, upon Refusal or Neglect by the said Company to pay the said Costs and Charges as aforesaid, shall and may also have such and the like Remedies against them or any of them for the Recovery thereof, by Action at Law to be commenced and prosecuted in such Manner as in other Cases is by this Act directed.

Owners of Lands empowered to erect Gates, &c. on Insufficiency of those erected by the Company.

CXLIV. Provided always, and be it further enacted, That if the Owners or Occupiers of any Lands or other Hereditaments through which the said Railways or Tramroads shall be made do, or shall at any Time or Times hereafter, apprehend that any of the Gates, Bridges, Arches, Hollows, Culverts, Hedges, Fences, Ditches, Drains, and Passages respectively which the said Justices shall have so directed or appointed to be made by the said Company, are insufficient, either in their Number or as to their Situation, for the commodious Use and Occupation of the respective Lands and Hereditaments through which the said Railways or Tramroads shall pass, then and in any such Case it shall be lawful for any such Owners or Occupiers, with the Consent and Approbation of the said Company, upon Request made to them, or in case of their Refusal for the Space of Fourteen Days next after such Request, then with the Consent and Approbation of the said Justices, to make, fix, and erect, at their own Costs and Charges, any other Gates, Bridges, Arches, Hollows, Culverts, Ditches, Hedges, Fences, Drains, and Passages of the same or like Construction or Form with those made and erected by the said Company, in, upon, along, or near to the said Railways or Tramroads, in such Places as shall be found and adjudged most necessary and convenient for the better Use, Cultivation, Improvement, or Occupation of such Lands or Hereditaments, and to repair and support the same, at their own Costs and Charges, as Occasion shall require, so that the Passage through or along the said Railways or Tramroads be not prevented or obstructed thereby for any longer Space of Time or in any other Manner than the same would necessarily have been if such Gates, Bridges, Arches, Culverts, Ditches, Hedges, Fences, Drains, and Passages had been made or erected by the said Company.

Owners and Occupiers of adjoining Lands to pass along Railways without Payment of Toll.

CXLV. Provided always, and be it further enacted, That it shall be lawful for the Owners and Occupiers of the respective Lands or Grounds through which the said Railways or Tramroads, or any of them, shall be made, and for their Servants and Workmen, not damaging or obstructing the same or the Passage thereof, at all Times, for the Purpose of occupying the same Lands, without Pay-

ment of any Toll or Tonnage, to pass and repass, and to lead or drive any Carriage, Horse, Mule, or Ass, Cow or any other Neat Cattle, Sheep, Swine, or any other Beast, directly over and across such Part of the said Railways or Tramroads, or any of them, as shall be made, or upon the said Lands or Grounds respectively, and also along the said Railways or Tramroads, or any of them, but so far only as their own Lands extend, and so as not to damage or injure the said Railways or Tramroads.

CXLVI. And be it further enacted, That all Persons shall have free Liberty to use with Carriages all Roads, Ways, and Passages as are made under and by virtue of this Act, for the Purpose of conveying Goods, Wares, Merchandize, or any other Things, or Passengers or Cattle, to or from the said Railways or Tramroads, and every Part thereof, and also to pass upon and use the said Railways or Tramroads with Carts, Waggon, or other Carriages properly constructed as herein-after mentioned, upon Payment only of such Rates, Tolls, and Sums as shall be demanded by the said Company, not exceeding the respective Rates, Tolls, or Sums herein-before mentioned, and subject to the Rules and Regulations which shall from Time to Time be made by the said Company by virtue of the Powers herein granted.

Passage on Railways to be free on Payment of Tolls.

CXLVII. And be it further enacted, That if any Person or Persons (save and except the said Proprietors, and the Agents or Servants employed by them, and by them only for the Purposes of the said Railways,) shall ride, lead, or drive, or cause to be ridden, led, or driven, upon such Railways or Tramroads, or on any Part thereof respectively, save the Roadway which may be made at the said several Bridges at *Scotswood* and *Corby* aforesaid, without the Licence and Consent of the said Company, any Horse, Mule, or Ass, or shall lead or drive, or cause to be led or driven thereon, any Cow or other Neat Cattle, Sheep, Swine, or any other Beast or Animal, (except only in directly crossing the same at Places to be appointed for that Purpose, and in passing along the same for the necessary Occupation of the respective Lands through which the said Railways or Tramroads may be laid,) he or they shall forfeit and pay to the said Company any Sum not exceeding Forty Shillings nor less than Twenty Shillings.

Railways not to be used as a Passage for Horses or other Cattle.

CXLVIII. And whereas it might be very injurious to the said Railways, and the Works thereof, and inconvenient and dangerous to the Public, if the said Railways or Tramroads by this Act authorized to be made were permitted to be used by Persons on Foot; be it therefore enacted, That if any Person or Persons shall travel or pass on Foot upon the said Railways or Tramroads, save the Roadway which may be made at the said several Bridges at *Scotswood* and *Corby* aforesaid, without the Licence and Consent of the said Company, (except for the Purpose of attending any Waggon, Cart, or Carriage under his or their Care, and also except the Owners or Occupiers of any of the Lands or Grounds adjoining the said Railways or Tramroads, their Families, Agents, or Servants, in passing across or along the same for the necessary Occupation of the respective Lands or Grounds through which the said Railways may be made,) every Person so offending shall

Railways not to be used as a Foot-path.

shall for every such Offence forfeit and pay to the said Company any Sum not exceeding Forty Shillings.

No Waggon to pass, unless constructed as directed by the Company.

CXLIX. And be it further enacted, That no Person or Persons whosever shall pass upon the said Railways or Tramroads with any Waggon or other Carriage whatsoever, unless the same shall be constructed agreeably to the Orders and Regulations of the said Company; which Orders and Regulation shall be fixed on a conspicuous Part of every Toll House erected on such Railways or Tramroads for the collecting of the Rates and Tolls by this Act imposed (except in crossing or passing along the same for the convenient Occupation of the adjacent Grounds, or in passing along any public or private Carriage Road which may happen to cross the said Railways or Tramroads); and if any Person or Persons whosever shall pass upon any Part of the said Railways or Tramroads with any Waggon or other Carriage not constructed in the Manner herein-before directed or referred to (except as aforesaid), he, she, or they so offending shall for every Offence forfeit to the said Company any Sum not exceeding Ten Pounds nor less than Five Pounds.

Weight allowed to be carried.

CL. And be it further enacted, That no Waggon or other Carriage shall carry at any one Time along or over any Part of the said Railways or Tramroads, including the Weight of such Waggon or Carriage, more than Four Tons Weight, and for the Tonnage or Carriage of which the said Company are hereby authorized to receive and take such Rate or Rates as they may from Time to Time direct or appoint, not exceeding Four-pence *per Ton per Mile*; and no Piece of Timber, Stone, Machinery, or other Article exceeding the Weight of Four Tons, including the Weight of the said Waggon or other Carriage, shall be carried upon or along the said Railways or Tramroads, or any Part thereof respectively, without the special Licence of the said Company or their Agents, and for the Tonnage or Carriage of which the said Company or their Agents are hereby authorized to receive and take such Rate or Tonnage as they or he may deem reasonable and proper.

Gates to be shut and fastened after Waggon shall have passed through.

CLI. And be it further enacted, That all and every Person and Persons opening any Gate set up across the said Railways or Tramroads shall, and he, she, and they is and are required, as soon as he, she, or they, and the Waggon or other Carriage, shall have passed through the same, to shut and fasten the said Gate; and every Person neglecting so to do shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings, to be levied and recovered as herein-after mentioned; and the Money arising by such Forfeiture or Forfeitures shall be applied in manner following; (that is to say,) One Half Part thereof shall be paid to the Informer, and the Residue thereof to the Poor of the Township or Parish wherein such Offence shall be committed.

Not to injure the Earl of Carlisle's Railway.

CLII. And whereas the said Earl of *Carlisle* hath laid out and expended large Sums of Money in making and constructing extensive Railways or Tramroads in and over divers Parts of his Estates, situate within

within the Barony of *Gilsland* in the said County of *Cumberland*, for the Purpose of conveying Coal, Ores, and Minerals from the Mines belonging to the said Earl within the said Barony, and for other Purposes; be it therefore enacted, That nothing in this Act contained shall extend to authorize the said Company, in constructing the said Railways or Tramroads by this Act authorized to be made, to render necessary any Variation or Alteration in the Lines or Levels of the said Railways or Tramroads of the said Earl, or otherwise to injure the same, unless the said Company shall, at their own Ex-
pence, make every such Variation or Alteration in the said Railways or Tramroads of the said Earl as may be rendered necessary for the future full, free, and convenient Use and Enjoyment thereof, or otherwise, in the Option of the said Earl, his Heirs or Assigns, shall make full Satisfaction in manner herein-before mentioned for all such Injury as may be thereby occasioned to the said Railways or Tramroads of the said Earl; and where it shall be found necessary to cross the said Railways or Tramroads of the said Earl, the said Company shall from Time to Time repair all Damage which may be thereby occasioned thereto; and that the said Company shall at their own Ex-
pence make and construct, and at all Times hereafter maintain and keep in repair, such Openings in the Ledges or Flanches of the said Railways or Tramroads by this Act authorized to be made as may be necessary or convenient for effecting a Communication with the Railways or Tramroads of the said Earl.

CLIII. And be it further enacted, That nothing herein contained shall extend to prevent the Owners and Occupiers of the respective Lands or Grounds lying or adjoining or near to the said Railways or Tramroads, or any of them, or any other Person or Persons whomsoever, from laying down, either upon their own Lands or upon the Lands of other Persons, with the Consent in Writing of such other Persons, any Collateral or Branch Railways or Tramroads or common Roads from their respective Lands or Grounds, to communicate with or to go and pass into and from the said Railways or Tramroads by this Act authorized to be made, or any of them, nor for making, at their own Ex-
pence, such Openings in the Ledges or Flanches of the said Railways or Tramroads as may be necessary and convenient for effecting such Communication; and the said Company shall not receive any Tonnage for the passing of any Goods or other Things along such Branch Railways or Tramroads so to be made by any such Owner or Occupier or Person or Persons as aforesaid; but such Owners or Occupiers may use such Collateral or Branch Railways or Tramroads and common Roads for the Benefit of themselves and of all and every other Person and Persons to whom they may from Time to Time give Leave, and in such Way and for such Purpose as they may require, so that such Branch Railways or Tramroads and common Roads do no Injury to and do not prevent the free Passage over and along the said Railways or Tramroads hereby authorized to be made by the said Company.

Allowing the Owners of Land to make Branches to communicate with the Railways.

CLIV. Provided always, and be it further enacted, That nothing herein contained shall extend to prevent the Owner or Owners of any Land or Ground lying adjoining or near to the said Railways or
[Local.] 20 R Tramroads

Roads may be made across the Railways by

the Owners
of adjoining
Land.

Tramroads from making any Railway, Tramroad, common Road, or Watercourse to, from, or across the said Railways or Tramroads hereby authorized to be made, and to use such Tramroad, Railway, common Road, or Watercourse for the Benefit of themselves and of all and every other Person and Persons to whom they may from Time to Time give Leave, and in such Way and for such Purpose as they may require, so that such Tramroad, Railway, common Road, or Watercourse do no Injury to and do not prevent the free Passage over, upon, and along the said Railways or Tramroads hereby authorized to be made by the said Company.

Company
may contract
for the Works.

CLV. And be it further enacted, That the said Company, or such Person or Persons as they shall for that Purpose appoint, is and are hereby authorized to contract and agree with any Person or Persons for making the said Railways or Tramroads, or any Part or Parts thereof, or any other of the Works hereby authorized to be made or done by the said Company, in such Manner, and for such Sum and Sums of Money, and under such Regulations and Restrictions, as the said Company shall think proper; and all Contracts in Writing for any of the Purposes aforesaid shall be binding on the said Company and all other the Parties thereto, and their respective Successors, Heirs, Executors, or Administrators; and Actions and Suits may be maintained thereon, and Damages and Costs recovered, against the said Company or either of the Parties failing in the Execution thereof.

Company to
make suffi-
cient Water-
ing Places for
Cattle, and
Drains to
carry Water
off the Lands.

CLVI. And be it further enacted, That the said Company of Proprietors shall and they are hereby required, at their own proper Costs and Charges, to make proper Watering Places for Cattle in all Cases where, by means of the said Railways or Tramroads or other Works, the Cattle of any Person or Persons occupying Lands adjacent thereto shall be deprived of their ancient Watering Place, and to supply the same at all Times with Water from such Rivers, Brooks, Streams, or Springs of Water as would have supplied the Cattle of such Person or Persons if the said Railways or Tramroads had not been made, or from any other Source or Feeder which can readily be obtained for that Purpose; and it shall be lawful for the said Company of Proprietors from Time to Time to make such and so many Watercourses and Drains by the Side of or along or under the said Railways or Tramroads, or in, through, over, and across any Lands or Grounds thereto adjoining, of such Dimensions, and in such Manner, and with such proper and convenient Bridges over the same respectively, as any Two or more Justices of the Peace for the said Town and County of *Newcastle-upon-Tyne*, or for the Counties of *Northumberland*, *Durham*, and *Cumberland* (as the Case may require), shall from Time to Time judge necessary and appoint, (in case there shall be any Dispute about the same,) for the Purpose of conveying Water from such Rivers, Brooks, or Springs, or other Sources or Feeders, to the said Watering Places respectively; and all such Bridges, Watercourses, Drains, and other Passages shall from Time to Time be supported, maintained, cleansed, scoured, and kept in good and sufficient Repair by the said Company of Proprietors; and if at any Time after Twenty Days Notice in Writing shall by or on behalf of any Owner or Oc-

cupier of Land adjoining or lying near to the said Railways or Tramroads be given to the said Company of Proprietors, that the said Bridges, Drains, Watercourses, or other Passages, or any of them, is or are not made, or, being made, is or are not cleansed, maintained, and repaired, according to the true Intent and Meaning of this Act, it shall be lawful for any Person or Persons to apply for and obtain an Order in Writing from any One or more Justices of the Peace for the said Town and County of *Newcastle-upon-Tyne*, or for the said Counties of *Northumberland*, *Durham*, or *Cumberland* (as the Case may require), from Time to Time, as often as there shall be Occasion, and the said Justices are hereby authorized and empowered, at their Discretion, to make and grant such Orders as aforesaid, enabling such Person or Persons to make or cleanse and repair such Bridges, Watercourses, Drains, or other Passages accordingly; and the reasonable Expences thereof (to be ascertained by such Justices) shall be defrayed by the said Company of Proprietors; and in case of Neglect or Refusal to satisfy and defray such Expences for the Space of Seven Days after Demand thereof made upon the said Company of Proprietors, or upon their Clerk or Treasurer, such Expences shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company, in the same Manner as any other Costs and Charges may by virtue of this Act be levied and recovered from the said Company: Provided always, that such Owner or Occupier of the said contiguous Lands shall, at the Time of giving such Notice as aforesaid, have his or her own Ditches, Drains, and Watercourses leading to or from the Watercourses, Drains, or other Passages therein directed to be made as aforesaid, and each and every of them, sufficiently cleansed and opened to convey the Water to and from the same.

CLVII. And be it further enacted, That in Cases wherein it may be necessary to serve any Notice or Notices, or any Writ or Writs, or other legal Proceedings upon the said Company, Service thereof respectively upon any Two of the Directors of the said Company, or left at their last or usual Places of Abode, or upon the Clerk or Treasurer of the said Company, or at his last or usual Place of Abode, or at the Office of the said Company, or in case the same respectively shall not be found or known, then Service upon any other Agent or Officer employed by the said Company, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Company.

Directing what shall be good Service of Notice on the Company.

CLVIII. And be it further enacted, That in all Cases wherein it may be requisite or necessary for the said Company of Proprietors to give any Notice or Notices to any Corporation or to any Person or Persons whomsoever, under the Provisions or Directions contained in this Act, such Notice or Notices shall be in Writing, signed by Two of the Directors or by the Clerk or Clerks for the Time being of the said Company, without being required to be under the Common Seal of the said Company.

Notices to be given by the Company.

CLIX. Provided always, and be it further enacted, That in case the said intended Railways or Tramroads shall not have been completed

If Railways are not completed in Ten Years,

Powers to cease, except as to such Part (if any) as shall be completed.

pleted and made (unless prevented by inevitable Accidents) within the Space of Ten Years, to be computed from the passing of this Act, then and from thenceforth all the Powers, Authorities, and Privileges given by this Act shall cease and determine, save only and except as to so much (if any) of the said intended Railways or Tramroads and Works as shall have been declared and certified to have been completed within the said Term by the Justices of the Peace of the said Town and County of *Newcastle-upon-Tyne*, and Counties of *Northumberland*, *Durham*, and *Cumberland* respectively, assembled at any Quarter Sessions of the Peace to be holden in and for the said Counties, or any of them, at any Time before the Expiration of the said Term of Ten Years, or within Six Calendar Months next after the Expiration thereof, upon the Evidence of One or more Witness or Witnesses, upon Oath, to be produced before them for that Purpose.

If Railways are abandoned by the Company, the Land to revert to the former Owners.

CLX. Provided always, and be it further enacted, That if the said Railways or Tramroads hereby authorized to be made, or any Part thereof respectively, shall at any Time hereafter be abandoned or given up by the said Company, or shall not, for the Space of Two Years after the Expiration of the said Term of Ten Years, be used and employed as a Railway or Tramroad, then and in such Case the Land or Ground so purchased or taken by the said Company for the Purposes of this Act, or the Part or Parts thereof over which the said Railways or Tramroads, or any Part or Portion of such Railways or Tramroads which shall be so abandoned or given up by the said Company, shall pass, shall vest in the Owner or Owners of the Land adjoining that which shall be so abandoned or given up, in manner following; (that is to say,) one Moiety thereof in the Owner or Owners of the Land on the one Side, and the other Moiety thereof in the Owner or Owners of the Land on the other Side thereof.

For compelling Witnesses to attend.

CLXI. And be it further enacted, That if any Person or Persons who shall be summoned as a Witness or Witnesses to attend and give Evidence before any Justice of the Peace touching any Matter or Facts contained in any Information or Complaint laid or made by virtue of this Act, either on the Part of the Prosecutor or the Person or Persons accused, shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, having been paid or tendered a reasonable Sum for his, her, or their Costs and Charges, without a reasonable Excuse for his, her, or their Refusal or Neglect, or appearing shall refuse to be examined upon Oath (or, in case of a Quaker or Quakers, upon solemn Affirmation,) or to give Evidence before such Justice of the Peace, then and in either of the said Cases every such Person shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, to be recovered in like Manner as any Penalty imposed by this Act may be recovered.

Clerk of the Company may grant Releases to Witnesses.

CLXII. And be it further enacted, That in all Actions, Suits at Law or in Equity, and in all Proceedings under this Act or otherwise, for any Claim or Compensation against or for or on behalf of the said Company, and also in all Prosecutions commenced and instituted by or on behalf of the said Company, and in all Arbitrations, References, or other Proceedings in or consequent upon or arising out

out of any such Actions and Suits or Proceedings, it shall be lawful for the Clerk for the Time being of the said Company in his own Name, for and on behalf of the said Company, to make, sign, seal, execute, and deliver all and every such general or other Release or Releases as may be deemed necessary for the Purpose of exonerating, releasing, and discharging all and every or any Person or Persons who shall or may be produced as a Witness or Witnesses in any such Actions, Suits, Prosecutions, Arbitrations, References, or other Proceedings as aforesaid, from all or any Claims or Demands which may be necessary to be released by the said Company to qualify such Person or Persons to give Evidence as a Witness or Witnesses in any such Actions, Suits, Prosecutions, Arbitrations, References, or other Proceedings aforesaid, and also to do any other Act, Matter, or Thing in any such Actions, Suits, Prosecutions, Arbitrations, References, or other Proceedings, which any Plaintiff or Defendant may do in any Action, Suit, or Prosecution, Arbitration, Reference, or other Proceedings; and every such Release, Act, Matter, and Thing respectively shall be as valid and effectual in all respects, and to all Intents and Purposes whatsoever, as if the same were made under the Seal of the said Company.

CLXIII. And be it further enacted, That when and as often as any Sum of Money shall be directed or ordered to be paid by any Justice of the Peace, in pursuance of this Act, as or by way of Compensation or Satisfaction for any Materials or Costs, or for any Damage, Spoil, or Injury of any Nature or Kind soever done or committed by the said Company, or any Person acting by or under their Authority, and such Sum of Money shall not be paid by the said Company to the Party or Parties entitled to receive the same within Twenty-one Days after Demand in Writing shall have been made from the said Company, in pursuance of the Direction or Order made by such Justice, and in which Demand the Order of such Justice shall be stated, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Company by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice, which Warrant any such Justice is hereby authorized and required to grant under his Hand and Seal, on Application made to him for that Purpose by the Party or Parties entitled to receive such Sum of Money as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned, on Demand, to the said Company, or to their Treasurer for the Time being, as the Case may be: Provided always, that it shall be lawful for such Treasurer to retain, out of any Monies which he shall have received or shall receive in pursuance of this Act, all such Damages, Costs, Charges, and Expences as he shall have sustained or have been put unto by virtue of any such Warrant as aforesaid.

In case of Nonpayment of Compensation for Damages, &c., the same to be levied by Distress of the Goods of the Company or their Treasurer.

Damages and Charges, in case of Dispute, to be settled by Justices.

CLXIV. And be it further enacted, That where any Damages or Charges are directed or authorized to be paid or recovered in addition to any Penalty for any Offence in this Act mentioned, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be settled and determined by the Justice or Justices of the Peace by or before whom any Offender shall be convicted of any such Offence, who is and are hereby authorized and required, on Nonpayment thereof, to levy such Damages by Distress and Sale of the Offender's Goods and Chattels in manner by this Act directed for the levying of any Penalties or Forfeitures.

Justices may proceed by Summons in the Recovery of Penalties.

CLXV. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before any Justice of the Peace, it shall be lawful for the Justice of the Peace before whom Complaint shall be made for any Offence committed against the Act to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed in the Recovery of the same, although no Information in Writing shall have been exhibited or taken before such Justice; and all such Proceedings by Summons, without Information in Writing, shall be as good, valid, and effectual, to all Intents and Purposes, as if an Information in Writing had been exhibited.

Recovery and Application of Penalties.

CLXVI. And be it further enacted, That all Penalties and Forfeitures by this Act inflicted or authorized to be imposed, or by any Rule, Order, or Bye Law made in pursuance thereof, (the Manner of levying and recovering whereof not being herein otherwise particularly directed,) may, in case of Nonpayment thereof, be recovered in a summary Way by the Order and Adjudication of any One Justice of the Peace for the said Town and County of *Newcastle-upon-Tyne*, or for the said Counties of *Northumberland*, *Durham*, and *Cumberland* (within their respective Jurisdictions), on Complaint to him for that Purpose exhibited by the Oath or Affirmation of any Person or Persons, or on the Confession of the Party offending (which Oath or Affirmation such Justice is hereby authorized to administer); and in default of Payment of such Penalties or Forfeitures the same shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of such Justice, (which Warrant such Justice is hereby empowered and required to grant,) rendering the Overplus (if any), on Demand, to the Party or Parties whose Goods and Chattels shall be so distrained (the reasonable Charges of such Distress and Sale being first deducted); and one Moiety of the Penalties and Forfeitures, when recovered, shall be paid to the Informer, and the other Moiety thereof shall be paid to the Treasurer of the said Company, for the Use and Benefit of the said Company, unless such Penalties or Forfeitures shall be incurred by the said Company, in which Case the same shall be paid, one Moiety to the Informer, and the other Moiety to the Overseers of the Poor of the Parish or Place within which the Offence shall be committed, to be applied by such Overseers for the Benefit of the Poor of such Parish or Place; and in case such Penalties and Forfeitures shall not be
forthwith

forthwith paid on Conviction, it shall be lawful for such Justice, and he is hereby authorized and required, to order the Offender or Offenders so convicted to be detained and kept in safe Custody until Return can conveniently be made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice, for his, her, or their Appearance before such Justice, or before some other Justice of the Peace for the said Town and County of *Newcastle-upon-Tyne*, or for the said Counties of *Northumberland*, *Durham*, or *Cumberland* (within their respective Jurisdictions), on such Day or Days as shall be appointed for the Return of such Warrant of Distress (such Day or Days not being more than Seven Days from the taking of any such Security), and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, or in case it shall appear to such Justice, either upon the Confession of the Offender or Offenders, or otherwise, that he, she, or they hath or have not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expences could be levied if a Warrant of Distress were issued, such Justice shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit such Offender or Offenders to the Common Gaol or House of Correction for the County or Place where such Offence shall be committed, there to remain for any Time not exceeding Three Months, unless such Penalty or Forfeiture shall be sooner paid and satisfied, and all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justice, or shall otherwise be discharged by due Course of Law.

CLXVII. And be it further enacted, That where any Distress shall be made for any Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall be afterwards committed by him or them, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in an Action upon the Case.

Remedy of
Persons ag-
grieved by
Irregularity
in Distress.

CLXVIII. And be it further enacted, That it shall and may be lawful to and for any Collector, Surveyor, or other Officer of the said Company, and such Person or Persons as he shall call to his Assistance, to seize and detain any Person or Persons, being unknown to such Collector, Surveyor, or other Officer, who shall commit any Offence or Offences against this Act, and to convey him, her, or them before any Justice or Justices of the Peace for the said Town and County of *Newcastle-upon-Tyne*, or for the said Counties of *Northumberland*, *Durham*, or *Cumberland*, (within their respective Jurisdictions,) without any other Warrant or Authority than this Act for so doing; and

For securing
transient
Offenders.

and such Justice or Justices of the Peace respectively is and are hereby respectively required to proceed and act with respect to such Offender or Offenders according to the Provisions of this Act.

Form of
Conviction.

CLXIX. And for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That every Justice of the Peace before whom any Person shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn up according to the following Form, or any other Form to the same Effect, as the Case shall happen; (*videlicet,*)

‘ } **BE** it remembered, That on the Day
‘ to wit. } of in the Year of our Lord
‘ *A.B.* is convicted before me *C.D.*, One of His Majesty’s Justices
‘ of the Peace for the County of [*specifying*
‘ *the Offence, and the Time and Place when and where the same was com-*
‘ *mitted, as the Case may be,*] contrary to an Act passed in the Tenth
‘ Year of the Reign of King *George* the Fourth, intituled [*here set*
‘ *forth the Title of this Act*]. Given under my Hand and Seal the
‘ Day and Year first above written.’

Persons ag-
grieved may
appeal to
the Quarter
Sessions.

CLXX. And be it further enacted, That any Corporation, Person or Persons, who may think himself, herself, or themselves aggrieved by any Order or Judgment made or given in pursuance of any Rule, Bye Law, or Order of the said Company, or by any Order, Judgment, or Determination of any Justice or Justices of the Peace relating to any Matter or Thing in this Act mentioned or contained, may, within Three Calendar Months next after such Order, Judgment, or Determination shall have been made or given, appeal to the Justices of the Peace at any General or Quarter Sessions to be held for the County where the Cause of Appeal shall happen to arise, first giving Fourteen Days Notice in Writing of such Appeal, and of the Nature thereof, to the Person or Persons appealed against, and within Seven Days after such Notice entering into Recognizance before some Justice of the Peace for such County, with Two sufficient Sureties, conditioned to try such Appeal, and abide the Order and Award of the said Court thereon; and the said Justices shall, in a summary Way, either hear and determine the said Complaint at such General Quarter Sessions, or, if they think proper, adjourn the Hearing thereof to the following General Quarter Sessions of the Peace to be held for such County; and the Justices may, if they see Cause, mitigate any Penalty or Forfeiture, and may order any Money to be returned which shall have been levied in pursuance of such Rule, Bye Law, Order, or Determination, and may also order any such further Satisfaction to be made to the Party injured as they shall judge reasonable, and may also order such Costs to be paid to the Party aggrieved by the Party aggressing as they in their Judgment shall think just and reasonable.

Authenti-
cated Bye
Laws to be
Evidence.

CLXXI. Provided always, and be it further enacted, That in all Cases of Prosecution for Offences against the said Rules, Orders, and Bye Laws, the Production of a written or printed Paper, purporting to be the Rules, Orders, and Bye Laws of the said Company, and
i
authenticated

authenticated by having the Common Seal of the Company affixed thereto, shall be Evidence of the Existence of such Rules, Orders, and Bye Laws; and it shall be sufficient to prove that a Board, painted according to the Directions of this Act, purporting to be a Copy of such Bye Laws, Rules, Orders, and Regulations, hath been affixed and published in manner by this Act directed, and, in case of its being afterwards displaced or damaged, hath been replaced by another such Board as soon as conveniently might be, in some conspicuous Place upon or near adjoining the Place where the Offence was committed, unless Proof shall be adduced by the Defendant that such Board is not a Copy of such Bye Laws, Rules, Orders, and Regulations, or hath not been duly kept up and generally continued at or near the said Railways or Tramroads and Wharfs in manner by this Act directed.

CLXXII. And be it further enacted, That no Proceedings to be had and taken in pursuance of this Act shall be quashed or vacated for Want of Form, or be removed by Certiorari, or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere, any Law or Statute to the contrary notwithstanding.

Proceedings
not to be
quashed for
Want of
Form.

CLXXIII. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action or other Proceedings commenced against any Corporation or Person or Persons for any thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant Seven Days before such Action be commenced of such intended Action or other Proceeding, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in any such Action or other Proceeding if Tender of sufficient Amends hath been made to him, her, or them, or to his, her, or their Attorney, by or on behalf of the Defendant, before such Action brought, nor unless such Action or other Proceeding shall be brought or commenced within Three Calendar Months next after the Fact committed, or in case there shall be a Continuation of Damages, then within Three Calendar Months next after the doing or committing such Damage shall have ceased, and not afterwards, and shall be laid and brought in the County where the Matter in dispute or Cause of Action shall arise, and not elsewhere; and the Defendant or Defendants in such Action, Suit, or Information shall and may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear to have been so done, or if any such Action, Suit, or Information shall have been brought before Fourteen Days Notice shall have been given, or after Satisfaction made or tendered as aforesaid, or after the Time so limited for bringing the same, or in any other County or Place than as aforesaid, then and in every such Case the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become Nonsuit, or suffer a Discontinuance of his, her, or their Action or other Proceeding, after the Defendant or Defendants shall have appeared, or if a Verdict shall pass against the Plaintiff or

Limitation
of Actions.

Plaintiffs, or if, upon Demurrer or otherwise, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Costs, and shall have such Remedy for recovering the same as any Defendant hath for recovering Costs of Suit in any other Case by Law.

As to the
Plantation
of James
Kirsopp.

CLXXIV. Provided also, That where the said Railways or Tramroads shall pass the Plantation of *James Kirsopp* Esquire, North of the *Spital* in the County of *Northumberland*, a Space not exceeding in the broadest Part Eighteen Feet in Breadth shall be taken from the said Plantation for the Purpose of the said Railways or Tramroads, and a good and sufficient Wall of Stone, for the Support of the Bank there, shall be erected and for ever afterwards maintained by and at the Expence of the said Company; and if the common Highway lying on the North Side of the said Plantation shall before the making of the said Railways or Tramroads be stopped up as an useless Highway, and the Soil thereof shall become vested in the said *James Kirsopp*, then the said Company shall, with the Consent of the said *James Kirsopp*, his Heirs or Assigns, in Writing, make the said Railways or Tramroads on the Site of the said Highway; and in such case only so much and such Part of the said Plantation of the said *James Kirsopp* adjoining the said Highways shall be taken for the Purpose of the said Railways or Tramroads as shall be necessary to make such Railways or Tramroads of the requisite Breadth, and in that Case the Portion of the said Plantation so taken for the Purpose aforesaid shall be supported and walled as aforesaid.

As to the
Lands of
James Kir-
sopp and
John Hodg-
son, Esq.

CLXXV. Provided always, and be it further enacted, That nothing herein contained shall extend to authorize or empower the said Company of Proprietors to take or use any Part of the Lands of the said *James Kirsopp*, in the Parish of *Hexham* in the said County of *Northumberland*, or of *John Hodgson* Esquire, in the Township of *Elswick* in the County of *Northumberland*, for any of the Purposes of this Act, other than and except for the Railways or Tramroads hereby authorized to be made, without the Consent of the said *James Kirsopp* and *John Hodgson* respectively, or their respective Heirs or Assigns.

As to the
Lands of
Peregrine
Edward
Towneley,
Esq.

CLXXVI. Provided always, and be it further enacted, That nothing herein contained shall extend to authorize or empower the said Company of Proprietors to take or use any Part of such of the Lands of *Peregrine Edward Towneley* Esquire, in the several Townships of *Stella* and *Ryton* in the County of *Durham*, as extend between *Blaydon Burn* on the East, and the Road called the *Peth Lane*, leading from the Village of *Ryton* to *Newburn Ferry*, on the West, for any of the Purposes of this Act, other than and except for the Railways or Tramroads of the Breadth of Twenty-two Feet of Roadway, and the Wharfs and Landing Places hereby authorized to be made, or to take and use in the whole, for such Wharfs or Landing Places, more than Two hundred Yards of the same Lands in Length, along the Shore of the River *Tyne*, without the Consent of the said *Peregrine Edward Towneley*, his Heirs or Assigns, such Two hundred Yards to be in such Place or Places (except the Quay or Wharf in the Occupation

pation of the Governor and Company for smelting Lead) between the said Burn called *Blaydon Burn*, and the West End of *Towneley Staith*, as shall be pointed out by the said *Peregrine Edward Towneley*, his Heirs or Assigns, and such Two hundred Yards not to be used or taken without such Consent, unless the said Railways or Tramroads shall be made from the Town of *Newcastle* aforesaid to the said *Blaydon Burn*; and that the said Company shall not without such Consent erect on such Wharfs or Landing Places any Buildings or Erections exceeding Ten Feet in Height, save Cranes.

CLXXVII. Provided always, and be it further enacted, That nothing herein contained shall extend to authorize or empower the said Company to take or use any Part of the Lands or Grounds of *Charles Bacon* Esquire, in the Township of *Riding* in the Parish of *Bywell Saint Andrew* in the County of *Northumberland*, or of the Lands or Grounds of *Charles Bacon Grey* Esquire, in the Township of *Broomhaugh* in the said Parish of *Bywell Saint Andrew*, for any of the Purposes of this Act, other than and except for the Railways or Tramroads by this Act authorized to be made; and the said Company shall take and use so much only in Breadth of the said Lands and Grounds as shall be sufficient for a Double Railway or Tramroad, and the Mounds and Batteries necessary for the Formation and Support of the same; and in case there shall be any Difference between the said Company of Proprietors and the said *Charles Bacon* and *Charles Bacon Grey*, as to what Breadth shall be sufficient for that Purpose, then such Difference shall be determined by Two indifferent Persons, one to be appointed by each Party; and in case such Two Persons cannot agree in Opinion, then by a Third Person or Umpire, to be appointed by such Two indifferent Persons; nor shall the said Company deviate within such Lands in any degree from the Line laid down on the Plan deposited in the Offices of the Clerks of the Peace aforesaid, without the Consent in Writing of the said *Charles Bacon* and *Charles Bacon Grey* respectively, and their respective Heirs or Assigns.

As to the
Lands of
Charles
Bacon and
Charles
Bacon Grey.

CLXXVIII. Provided also, and be it further enacted, That the said Company shall, within Six Calendar Months next after the said Railways or Tramroads shall be made through the said Lands and Grounds of the said *Charles Bacon* and *Charles Bacon Grey*, unless the said *Charles Bacon* and *Charles Bacon Grey*, their Heirs or Assigns, shall make their Election otherwise, under the Clause next herein-after contained, form and make, and for ever afterwards maintain and keep on such Lands, between the Line of the said Railways or Tramroads and the River *Tyne*, a Mound of Earth Twenty-four Feet broad at the Base on the Level of the said Railways or Tramroads, and Six Feet broad at the Top, and Six Feet in Height above the Level of the said Railways or Tramroads; and that the same Mound, which shall be the Property of the said *Charles Bacon* and *Charles Bacon Grey*, their Heirs or Assigns, so far as their respective Lands or Grounds extend, shall be planted with Trees or Shrubs by and at the Expence of the said Company, in such Manner as shall be prescribed and directed by the said *Charles Bacon* and *Charles Bacon Grey*, their Heirs or Assigns; and the said Company shall make such

Company
shall form a
Mound by
the Side of
the Railway
in Mr. Ba-
con's and
Mr. Grey's
Lands.

such Communications through the said Mound, and across or under the said Railways or Tramroads, not exceeding Three in Number, as the said *Charles Bacon* and *Charles Bacon Grey*, their Heirs or Assigns, shall require.

Power to
Mr. Bacon
and Mr. Grey
to call for a
Reference.

CLXXIX. Provided always, and be it further enacted, That it shall and may be lawful for the said *Charles Bacon* and *Charles Bacon Grey*, their Heirs or Assigns, within Twelve Calendar Months next after the passing of this Act, to declare in Writing, addressed and delivered to the Chairman for the Time being of the Directors of the said Company, their Intention to relinquish the Benefit of the Clause lastly herein-before contained, and to signify their Desire that it should be referred to Two Persons, one to be appointed by the said *Charles Bacon* and *Charles Bacon Grey*, their Heirs or Assigns, and the other by the said Company, and in case such Two Persons shall not agree, then to a Third Person or Umpire appointed by such Two Persons, to ascertain and determine whether, without injuring the said Railways or Tramroads, or making the same less useful and beneficial to the Public, and without deviating from the Line laid down as aforesaid, further than is authorized by this Act with the Consent of the said *Charles Bacon* and *Charles Bacon Grey*, their Heirs or Assigns, any and what Plan can be adopted whereby the same Railways or Tramroads can be carried through the said Lands of the said *Charles Bacon* and *Charles Bacon Grey* in any Manner more acceptable to the said *Charles Bacon* and *Charles Bacon Grey*, at a Cost not exceeding in the whole the Sum of Five thousand Pounds, then and in such Case the said Company shall and will, at their own Expence, execute such Plan instead of acting on the Clause lastly herein-before contained, and for that Purpose the said Company are hereby authorized and empowered to deviate in any Manner in the Lands of the said *Charles Bacon* and *Charles Bacon Grey* respectively, having first procured their respective Consents in Writing: Provided always, that if the said Two Persons to whom the Appointment of the said Third Person or Umpire is hereby given cannot agree in making such Appointment, then in every such Case it shall be lawful for the said Two Persons to refer the said Appointment of such Umpire to the Senior Judge who shall have gone the Northern Circuit immediately preceding the Occasion of the said Appointment, and the said Judge is hereby authorized, upon such Reference, to nominate and appoint the said Umpire.

The Branch
not to be
executed
without the
Consent of
J. Hodgson,
Esq.

CLXXX. Provided always, and be it further enacted, That the said Branch Railway or Tramroad commencing at the said Place called *Elswick Dean*, and terminating at the West Side of the said Street called *Thornton Street*, shall not be made without the Consent in Writing of *John Hodgson* Esquire, his Heirs or Assigns, for that Purpose first had and obtained.

Saving the
Tolls of the
Corporation
of Newcastle.

CLXXXI. Provided always, and be it further enacted and declared, That nothing in this Act contained shall extend, or be deemed or construed to extend, to prejudice, diminish, alter, or take away any of the Tolls or Duties payable to the Mayor and Burgesses of the Town of *Newcastle-upon-Tyne* in the County of the Town of *Newcastle-upon-Tyne*,

Tyne, commonly called the Thorough Toll otherwise the Great Toll; and that it shall and may be lawful for the said Mayor and Burgesses, their Successors and Assigns, to ask, demand, and receive, in respect of all Cattle, Goods, Wares, and Merchandizes which shall be brought on the said Railways or Tramroads within or carried thereon out of the Liberties of the same Town, the same Tolls and Duties which they the said Mayor and Burgesses are entitled to receive in respect of Cattle, Goods, Wares, and Merchandizes brought into and carried out of the said Town of *Newcastle-upon-Tyne* by the Avenue called the *West Gate*, and, in case of Nonpayment thereof, to use and exercise the same Powers and Rights for levying and recovering the same which they the said Mayor and Burgesses now possess and are entitled to use and exercise in respect of the Great Toll otherwise the Thorough Toll aforesaid.

CLXXXII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded. Public Act.

The SCHEDULE referred to by the foregoing Act.

Town and County of NEWCASTLE UPON TYNE.

Township of Saint Nicholas, in that Part of the Parish of Saint Nicholas which is situate in the Town and County of Newcastle upon Tyne.

OWNERS.	LESSEES.	OCCUPIERS.	DESCRIPTION OF PROPERTY.
The Company of Masons of the Town of Newcastle upon Tyne -	Thomas Crawhall -	Thomas Crawhall -	Quay or Wharf, and Yard.
Ditto - - -	George Shadforth and Robert Todd }	George Shadforth and Robert Todd - - }	Timber Yard, Office, and Shed.

County of NORTHUMBERLAND.

The Township of Westgate in the Parochial Chapelry of Saint John, in that Part of the Parish of Saint Nicholas which is situate in the County of Northumberland.

Robert Clayton, Esq ^r , William Clayton, and William Armstrong -	William Armstrong	William Armstrong -	Timber Yard and Sheds.
George Anderson, Esq ^r , or Robert Clayton, Esq ^r , William Clayton, and William Armstrong -	- - -	- - -	An Occupation Road and a Public Footpath leading from the Town and County of Newcastle-upon-Tyne to Elswick in the County of Northumberland.
Robert Clayton, Esq ^r , William Clayton, and William Armstrong -	William Armstrong	William Armstrong -	Quay or Wharf.
Robert Clayton, William Clayton, and William Armstrong -	William Armstrong	John Dickinson jun ^r }	Quay or Wharf, and Yard, with Part of the Shore or Bed of the River Tyne.
Isaac Cookson sen ^r , Isaac Cookson jun ^r , and William Cuthbert }	- - -	William Armstrong }	Part of the Shore or Bed of the River Tyne, used as a Landing for Timber.
Ditto - - -	Isaac Cookson sen ^r , Isaac Cookson jun ^r , and William Cuthbert -	Richard Parker, William Fordyce, James Lockwood, William Hutchinson, John Leighton, John Henshaw or John Morral, Isaac Cookson senior, Isaac Cookson junior, and William Cuthbert, Samuel James, Thomas Lee, Richard Morrison, and Thomas Tate or William Armstrong -	Gardens, Part of the Banks.

OWNERS.	LESSEES.	OCCUPIERS.	DESCRIPTION OF PROPERTY.
Isaac Cookson sen ^r , Isaac Cookson jun ^r , and William Cuthbert	- - -	- - - -	An Occupation Road.
Ditto -	Samuel Walker, Henry Walker, Joshua Walker, Joseph Need Walker, Samuel Walker Parker, William Parker, and Edward Samuel Walker, carrying on Trade under the Firm of Messrs. Walker, Parker, Walker, and Co. - -	Priscilla Atkinson, John Ryder, Wal- ter Tate, Thomas Black, Robert Gee, William Wilson, William English, Stephen Garret, Margaret Hastings, Matthew English, John Nevins, Wil- liam Harrison, and John Redpath.	Gardens, Part of the Banks.

Township of Elswick in the Parochial Chapelry of Saint John, in that Part of the Parish of Saint Nicholas which is situate in the County of Northumberland.

John Hodgson, Esq ^r -	Messrs. Walker, Parker, Walker, & Co. - -	Messrs. Walker, Par- ker, Walker, & Co. - -	Quay or Wharf, with Barrow- way thereon.
Ditto - -	Ditto - -	Ditto - -	Occupation Road leading from the Quay last mentioned to the Smelting Furnace.
Ditto - -	Ditto - -	Ditto - -	Smelting Furnace.
Ditto - -	Ditto - -	Ditto - -	Stone Wall or Buttress.
Ditto - -	- - -	George Shadworth and Robert Todd -	Part of the Shore or Bed of the River Tyne, used as a Landing for Timber.
Ditto - -	The Lessees of Elswick Colliery, viz ^t Joseph Lamb, Humble Lamb, and John Buddle, Esquires	The said Lessees of Elswick Colliery -	Old Coal Spout and Gears, with Part of the Shore or Bed of the River Tyne.
Ditto - -	Ditto - -	Ditto - -	Grass Field, with Occupation Road therein.
Ditto - -	- - -	George Musgrave -	Garden or Banks, with a Part of the Shore or Bed of the River Tyne.
Ditto - -	- - -	- - -	A public Road or Footway from Newcastle to Low Elswick and Lemington, and used as an Occupation Road.
Ditto - -	- - -	- - -	A public Road or Footway leading from Newcastle to Low Elswick and Leming- ton, and used as an occupa- tion Road.
Ditto - -	- - -	John Hodgson, Esq ^r , or George Mus- grave - -	Quay Wall and Buttress.
Ditto - -	- - -	John Hodgson, Esq ^r	Boathouse and Shore.

OWNERS.	LESSEES.	OCCUPIERS.	DESCRIPTION OF PROPERTY.
John Hodgson, Esq ^r	Edward Bilton, William Henry Bilton, John Stanton, Philip Holmes Stanton and Elizabeth his Wife, John Stokoe, Thomas Milner, and Ann Bilton, carrying on Trade under the Firm of Messrs. Bilton & Co.	Messrs. Bilton & Co.	Quay or Wharf.
Ditto	The Lessees of Elswick Colliery above named	The Lessees of Elswick Colliery above named	Quay and Wharf.
Ditto	The Lessees of Elswick Colliery before named	The Lessees of Elswick Colliery before named	Coal Spout and Gears.
Ditto	Ditto	Joseph Stokoe, Nicholas Scott, Robert Brown, and William Ramsay	Cottage and Gardens.
Ditto	Ditto	Jonas Cranson	Garden.
Ditto	-	John Hodgson, Esq ^r , or Francis Nicol, George Henderson, and John Forrest	Boat Landing and vacant Ground Part of the Shore or Bed of the River Tyne.
Ditto	Addison Langhorn Potter	Francis Nichol, George Henderson, and John Forrest	Cottages.
Ditto	The Lessees of Elswick Colliery before named	The Lessees of Elswick Colliery before named	Quay or Wharf, and Coal Spout, with the Gears attached thereto.

The Township of Benwell in the Parochial Chapelry of Saint John, in that Part of Saint Nicholas which is situate in the County of Northumberland.

William Ord, Esq ^r	-	-	Ralph Hopper	Garden.
Ditto	-	-	Ditto	Grass Field and Occupation Road therein.
Ditto	-	-	Ditto	Quay and Boat Landing.
John Buddle, Esq ^r	Thomas Heppel and Robert Lister	Thomas Heppel and Robert Lister	Thomas Heppel and Robert Lister	Quay or Wharf with Part of the Shore or Bed of the River Tyne.
Ditto	Ditto	Ditto	Ditto	Fire Brick Manufactory, with Kilns and drying Sheds.
Ditto	The Lessees of Benwell Colliery, viz. Aubone Surtees, William Villiers Surtees, George Dunn sen ^r , John Buddle, and George Thomas Dunn	The Lessees of Benwell Colliery before named	The Lessees of Benwell Colliery before named	Quay or Wharf, with vacant Ground.
Ditto	Ditto	Ditto	Ditto	Coal Staith and Depôt, with the Ongates and Offgates attached thereto.
Ditto	Ditto	Robert Enis, Roger Robson, and George Stokoe	Robert Enis, Roger Robson, and George Stokoe	Gardens.
Ditto	Ditto	-	-	Occupation Road, with vacant Ground.

OWNERS.	LESSEES.	OCCUPIERS.	DESCRIPTION OF PROPERTY.
John Buddle, Esq ^r	The Lessees of Benwell Colliery, viz. Aubone Surtees, William Villiers, Surtees, George Dunn senr, John Buddle, and George Thomas Dunn - -	The Lessees of Benwell Colliery above named - -	Stone Pier or Abutment attached to the Offgate.
Ditto -	Ditto -	Ditto - -	Occupation Road and vacant Ground.
John Walker, Esq ^r	Christopher Myers, John Myers, William Robson, Thomas Shaw, and Richard Hoyle, carrying on Trade under the Firm of Mess ^{rs} Christopher Myers & Co. - -	Christopher Myers -	A Garden.
Ditto -	Ditto -	Christopher Myers & C ^o - -	Grass Croft or Garth, with a Barrow-way, an Occupation Road, and a Gut or Waste Watercourse therein.
Thomas James, Esq ^r	- - -	Henry Harrot -	Grass Field called the Haugh, with Occupation Roads and a public Footway therein.
Ditto -	Henry Harrott -	James Daghish and George Barber -	Garden Ground.
Ditto -	Ditto - -	William Henderson -	Ditto.
William Ord, Esq ^r	George Burn -	Thomas Henderson, Edward Errington, and William Reed -	Gardens.
Ditto -	- - -	- - -	A public Road or Footway leading from Newcastle upon Tyne to Scotswood and Lemington, and used also as an Occupation Road.
Ditto -	The Lessees of Benwell Colliery before named.	Thomas Henderson, Edward Errington, Ralph Green, William Reed, Edward Towns, and William Heron -	Cottages.
Ditto -	- - -	George Burn -	Occupation Road to Quay or Landing Place.
Ditto -	Nathaniel Grace, John Grace, John Carr, Francis Peacock, and John Straker - -	Nathaniel Grace -	Plantation.
Ditto -	- - -	- - -	Occupation Carriage Road, leading from the River Tyne to Benwell.
Ditto -	- - -	Hannah Cox -	Garden.
Matthew Montague, Esq ^r	- - -	Thomas Waller, underlet to William Corbett, Mary Turnbull, John Richardson, George Towns, and Matthew Wilson - -	Gardens.

A public Road or Footway leading from Newcastle upon Tyne to Lemington; and used also as an Occupation Carriage Road.

OWNERS.	LESSEES.	OCCUPIERS.	DESCRIPTION OF PROPERTY.
County of DURHAM.			
<i>The Township of Winlaton, in the Parish of Ryton.</i>			
Sir Tho ^s John Clavering, } Bar ^t - - -	- - -	- - -	A Public Road or Footway leading from the Scotswood Ferry Boat to Blaydon, and used also as an Occupation Carriage Road.
Thomas Richard Beau- } mont, Esq ^r , and Diana } his Wife - - -	- - -	William Johnson, } Mary Heppel, James } Mitford, and William } Marshall - - -	Garden.
Miss Ann Simpson -	John Hawdon.	Anthony Snowball and } John Hawdon - - -	Garden Ground.
Thomas Richard Beau- } mont, Esq ^r , and Diana } his Wife - - -	- - -	John Sawyers, Mary } Stobbs, and George } Henderson - - -	Garden Ground, with a private Footpath leading thereto.
Mary Dowager Countess } of Strathmore, Henry } Jadis, James Farrer, } James Farrer Stead- } man, James Dundas, } and Sir John Dean } Paul, Bar ^t , Trustees } of the Will of the late } John Earl of Strath- } more; John Marquis } of Bute, William Mor- } ton Pitt, Esq ^r , and Ann } Simpson, Spinster - }	John Mulcaster } and Robert Hall } sen - - -	James Allison, Robert } Hall jun ^r , George } Allison, and David } Pentland - - -	Garden Ground.
Ditto - - -	- - -	Thomas Reay and } William DGLISH - }	Ditto.
John Wright, Robert } Scurfield, and Thomas } Pemberton, Trustees } of the Marriage Settle- } ment of Dame Jane } Peat - - -	- - -	William Snowball, } Charles Hoggot, and } John Armstrong - }	Ditto.
Peregrine Edward } Towneley, Esq ^r - }	- - -	John Armstrong, } Charles Stokoe, Ed- } ward Foster, John } Watson, Ralph Wat- } son, Isabella Spour, } and William Aiston }	Ditto.
Ditto - - -	- - -	William Carr, Abra- } ham Spark, Thomas } Gray, Andrew Ais- } ton, Joseph Foster, } Samuel Gardner, } and George Gardner }	Gardens.
Thomas Richard Beau- } mont, Esq ^r , and Diana } his Wife - - -	- - -	William Aiston, Wil- } liam Valance, An- } drew Aiston, and } Thomas Gray - }	Ditto.
Ditto - - -	- - -	William Hawdon -	Private Road to Foundry.
Ditto - - -	- - -	Thomas Wilson -	Garden.
Matthias William Dunn, } Esq ^r - - -	- - -	Andrew Spour and } Thomas Barron - }	Garden Ground.
Peregrine Edward } Towneley, Esq ^r - }	- - -	Sarah Gardner, Wil- } liam Henderson, } William Lamb, and } Joseph Lee - - }	Ditto.

OWNERS.	LESSEES.	OCCUPIERS.	DESCRIPTION OF PROPERTY.
Peregrine Edward Towneley, Esq ^r - }	- - -	John Aiston - -	Garden.
Ditto - - }	Michael Dunn and Addison Langhorn Potter - }	Edward Newbiggin -	Ditto.

The Township of Stella, in the Parish of Ryton.

Peregrine Edward Towneley, Esq ^r - }	- - -	William Douglas and Mary Armstrong - }	Vacant Ground, with Part of the Shore or Bed of the River Tyne used as a Boat Landing.
Ditto - - - }	- - -	The Governor and Company for Smelting Lead - - }	Quay or Wharf.
Ditto - - -	- - -	- - -	Occupation Road leading from Stella to the Boat Landing and Lead Wharf.
Ditto - - - }	Robert Edington and Caleb Mark }	Robert Edington and Caleb Mark - - }	Malthouse and Kilns.
Ditto - - -	Ditto - - -	Thomas Barker - -	Garden.
Ditto - - - }	- - -	William Douglas and Mary Armstrong - }	Stable and vacant Ground.
Ditto - - - }	- - -	George Hancock and Joseph Cowan - }	Quay or Wharf, with private Road thereto, and vacant Ground.
Ditto - - -	- - -	William Forster - -	Cottage and Garden.
Ditto - - - }	- - -	William Galley, William Reay, and Mary Armstrong - }	Garden Ground.
Ditto - - -	- - -	- - -	Banks in Grass.
Ditto - - - }	George Silvertop, Esq ^r - }	George Dunn, George Thomas Dunn, Matthias William Dunn, and Cuthbert Dunn }	Staith and Depôt, with the Ongates and Offgates attached thereto.
Ditto - - -	Ditto - - -	Ditto - - -	Vacant Ground and Occupation Road.
Ditto - - -	Ditto - - -	Ditto - - -	Boat Building Yard, Plank Steamer, Sawpit, and vacant Ground.
Ditto - - -	- - -	- - -	Boat Landing, with an Occupation Road thereto.
Ditto - - - }	- - -	Roger Humble, John Emerson, and Edward Emerson - }	Cottage and Warehouse.
Ditto - - - }	- - -	Matthias William Dunn and Roger Humble - - }	Quay or Wharf.
Ditto - - -	- - -	Matthias William Dunn	Limekiln and vacant Ground.
Ditto - - - }	- - -	Edward Emerson, Esq ^r - - }	Yard or vacant Ground adjoining Foundry.

The Township of Ryton, in the Parish of Ryton.

Peregrine Edward Towneley, Esq ^r - }	- - -	Matthias William Dunn - - }	Plantation or Woodland.
Humble Lamb, Esq ^r - -	- - -	Samuel Dodd - - }	Grass Field and Occupation Road therein.
Peregrine Edward Towneley, Esq ^r - }	- - -	Edward Newbiggin -	Arable Field and Woodland.
Ditto - - -	- - -	Ditto - - -	Woodland.

OWNERS.	LESSEES.	OCCUPIERS.	DESCRIPTION OF PROPERTY.
<i>The Township of Crawcrook, in the Parish of Ryton.</i>			
Miss Ann Simpson -	- - -	Matthew Greener -	{ Vacant Ground and Occupation Road therein. Occupation Road to Farm. Grass Field and Garden. Woodland. Arable Land, with the Banks partially covered with Trees and Underwood.
Ditto -	- - -	Ditto -	
Humble Lamb, Esq ^r -	- - -	George Glendinning -	
Ditto -	- - -	John Milburn -	
Ditto -	- - -	Ditto -	
County of NORTHUMBERLAND.			
<i>The Township of Wylam, in the Parish of Ovingham.</i>			
Miss Ann Simpson -	- - -	William Greener -	Garden.
Ditto -	- - -	Ditto -	{ Vacant Ground or Banks and Ferry Boat Landing, with Footpath.
Ditto -	- - -	- - -	
Ditto -	- - -	Miss Ann Simpson -	{ Public Footway leading from Prudhoe to Wylam Ferry. Woodlands and Shore of the River Tyne.
<i>The Township of Prudhoe Castle, in the Parish of Ovingham.</i>			
Lord Prudhoe -	- - -	John Prudhoe -	{ Arable Field with Occupation Road to the Farm.
Ditto -	- - -	Lord Prudhoe -	
His Grace the Duke of Northumberland } -	- - -	William Lawes, Esq ^r {	Plantation. Grass Field and Occupation Road.
<i>The Township of Prudhoe, in the Parish of Ovingham.</i>			
His Grace the Duke of Northumberland, or Thomas Humble, Esq ^r , or Charles William Bigge, Esq ^r } -	- - -	- - -	{ Vacant Ground or Banks, partly covered with Trees and Underwood, with an Occupation Road leading to Master's Close, which is extra-parochial, or reputed so to be.
<i>The Township of Eltringham, in the Parish of Ovingham.</i>			
Thomas Humble, Esq ^r -	- - -	- - -	Private Road.
Ditto -	- - -	Thomas Humble, Esq ^r -	A Plantation and Underwood.
Ditto -	- - -	Ditto -	Plantation and Brook therein.
Ditto -	- - -	Ditto -	Ditto.
Ditto -	- - -	Jane Cook -	Garden.
Ditto -	- - -	Ditto -	Ditto.
Ditto -	- - -	Thomas Humble, Esq ^r -	Plantation.
<i>The Eastern Portion of the Township of Old Ridley, in the Parish of Bywell Saint Peter.</i>			
Robert Surtees, Esq ^r -	- - -	Thomas Ridley -	{ Arable Field with Occupation Road therein. Plantation.
Ditto -	- - -	Ditto -	

OWNERS.	LESSEES.	OCCUPIERS.	DESCRIPTION OF PROPERTY.
<i>The Township of Stocksfield Hall, in the Parish of Bywell Saint Andrew.</i>			
Thomas Wentworth } Beaumont, Esq ^r - }	- - -	- - -	Occupation Road to Stocksfield Hall.
<i>The Western Portion of the Township of Old Ridley, in the Parish of Bywell Saint Peter.</i>			
William Battie Wrightson, Esq ^r - }	- - -	Thomas Reay -	House and Garden.
Thomas Wentworth } Beaumont, Esq ^r - }	- - -	Joseph Todd -	Occupation Road.
Ditto - - -	- - -	Thomas Wentworth } Beaumont, Esq ^r - }	Plantation.
Ditto - - -	- - -	Ditto - - -	Ditto.
<i>The Township of Broomley, in the Parish of Bywell Saint Peter.</i>			
Thomas Wentworth } Beaumont, Esq ^r - }	- - -	Thomas Wentworth } Beaumont, Esq ^r - }	Plantation.
William Battie Wrightson, Esq ^r - }	- - -	John Newton - -	Ditto.
Ditto - - -	- - -	Ditto - - -	Ditto.
Ditto - - -	- - -	Ditto - - -	Arable Field, with a small Plantation on the West Side thereof.
<i>The Township of Broomhaugh, in the Parish of Bywell Saint Andrew.</i>			
Matthew Potts, Esq ^r -	- - -	Jonathan Angus -	Plantation.
Ditto - - -	- - -	Ditto - - -	Farmhouse and Outbuildings.
Ditto - - -	- - -	Ditto - - -	Plantation.
Ditto - - -	- - -	Ditto - - -	Grass Field and Occupation Road therein.
Hugh Shields - - -	- - -	John Storey - - -	Occupation Road and Part of Grass Field.
Ralph Wake - - -	- - -	Mary Telford - - -	Two Cottages and Garden, partly unoccupied.
Hugh Shields - - -	- - -	John Storey - - -	Orchard.
William Johnson and } Henry Jefferson - }	- - -	Alexander Davison -	Cottage and Garden.
Charles Bacon Grey, Esq ^r -	- - -	Charles Bacon Grey, } Esq ^r - }	Plantation.
Ditto - - -	- - -	John Lishman -	Garden.
<i>The Township of Riding, in the Parish of Bywell Saint Andrew.</i>			
Charles Bacon, Esq ^r -	- - -	Thomas Newbiggin -	Small Plantation and Brook therein.
Ditto - - -	- - -	Ditto, and Charles } Bacon, Esq ^r - }	Arable Field, with Plantation at the North Side thereof.
George Bainbridge, Esq ^r -	- - -	George Bainbridge, } Esq ^r - }	Plantation.
Ditto - - -	- - -	Ditto - - -	Ditto.

[Local.]

OWNERS.	LESSEES.	OCCUPIERS.	DESCRIPTION OF PROPERTY.
<i>The Township of Corbridge, in the Parish of Corbridge.</i>			
Thomas Cowing and George Patterson, Trustees of the Will of George Cowing -	- - -	Mary Cowing -	Arable Field, with an Occupation Road therein.
Thomas Snowball -	- - -	John Beaumont alias John Bowman, and Robert Beaumont alias Robert Bowman -	Orchard.
<i>The Township of Dilston, in the Parish of Corbridge.</i>			
The Commissioners and Governors of Greenwich Hospital -	- - -	The Commissioners and Governors of Greenwich Hospital -	Plantation.
Ditto -	- - -	Robson Lambert -	Occupation Road.
Ditto -	- - -	The Commissioners and Governors of Greenwich Hospital -	Plantation.
Ditto -	- - -	Ditto -	Ditto.
Ditto -	- - -	John Benson -	Occupation Road.
The Commissioners and Governors of Greenwich Hospital -	- - -	The Commissioners and Governors of Greenwich Hospital -	Plantation.
Ditto -	- - -	Hugh Pearson -	Nursery Ground.
Ditto -	- - -	Ditto -	Orchard.
<i>The Township of Hexham, in the Parish of Hexham.</i>			
Thomas Dodd and Mable his Wife -	- - -	Barnabas English -	Woodland.
Thomas Richard Beaumont, Esq ^r , and Diana his Wife -	- - -	Thomas Richard Beaumont, Esq ^r , and Diana his Wife -	Plantation.
Ditto -	- - -	Ditto -	Ditto, with Brook therein.
John Bell, Esq ^r -	- - -	John Bell, Esq ^r -	Garden.
John Bell -	- - -	John Bell -	Plantation.
Mrs Eleanor Jefferson, Thomas Jefferson, Bridget Jefferson, and Ann Jefferson -	- - -	Joseph Robson, Flour Dealer -	Garden Ground.
Thomas Richard Beaumont, Esq ^r , and Diana his Wife -	- - -	John Robson -	Garden.
Sarah Robson of Hexham -	- - -	Joseph Robson, Gardener -	Ditto.
Thomas Richard Beaumont, Esq ^r , and Diana his Wife -	- - -	Joseph Robson, Flour Dealer -	Ditto.
Ditto -	- - -	John Moore -	A Piece or Parcel of Garden Ground.
Thomas Brown -	- - -	William Hunter -	Ditto.
The Rev ^d Jonathan Walton -	- - -	John Robson -	Ditto.
Mrs Sarah Robson of Millhouse -	- - -	William Hunter -	Ditto.
John Nicholson and Ann Ridley -	- - -	William Porteous -	Ditto.

OWNERS.	LESSEES.	OCCUPIERS.	DESCRIPTION OF PROPERTY.
Margaret Thompson Churchwardens and Overseers of the Poor of Hexham	- - -	Margaret Thompson	A Piece or Parcel of Garden Ground.
William Hindmarsh	- - -	William Cutter	Ditto.
James Kirsopp, Esq ^r , and Ralph Riddell, Esq ^r , Trustees of the Will of the late Tho- mas Stokoe, deceased, and Clara Stoke, Widow	- - -	Robert Hedley	Ditto.
John Bell, Esq ^r	- - -	Lionel Newton	Ditto.
James Porteous	- - -	James Porteous, James Renwick, Richard Dawson, and Robert Hedley	Ditto.
Thomas Richard Beau- mont, Esq ^r , and Diana his Wife	- - -	James Porteous	Ditto.
William Sharp and James Donaldson Bell, Trustees of the Will of the late M ^{rs} Jane Mc Kersey, or George William Sharp	- - -	Ann Garland	Ditto.
Thomas Weatherell	- - -	Thomas Renwick	Ditto.
Ditto	- - -	Edward Shield	Ditto.
Ditto	- - -	Ditto	Ditto.
Thomas Richard Beau- mont, Esq ^r , and Diana his Wife, Lord and Lady of the Manor	- - -	Ann Slater, John Bell, Isabella Rid- ley, and Isabella Mayor alias Isabella Marrs	Cottage.
Ditto	- - -	Thomas Richard Beaumont, Esq ^r , and Diana his Wife	Tyne Green Common.
James Porteous	- - -	Ditto	Cockshaw Burn.
Thomas Richard Beau- mont, Esq ^r , and Diana his Wife	- - -	James Porteous	House and Garden.
Thomas Cowan	- - -	Ditto	Banks and Underwood called Broken Braes.
John Gibson	- - -	John Wears	House and Garden.
	- - -	John Gibson	Cottage, Garden, and Croft, with Part of the Banks and Bed of the River Tyne.

The West-quarter Township (commonly called the West-quarter of Hexhamshire), in the Parish of Hexham.

An Occupation Carriage Road and public Footway leading from Tyne-Green to the Heddon-on-the-Wall and Greenhead Turnpike Road:

James Kirsopp, Esq^r - | - - - | James Kirsopp, Esq^r - | Plantation.

The Township of Netherwarden otherwise Low Warden, in the Parish of Warden.

William Kirsopp, Heir at Law of the late William Kirsopp, or Ann Kirsopp, Widow, his Mother and Guar- dian	- - -	Isabella Cutter, under- let to Hannah Will- son, and Margaret Armstrong	Garden.
Ditto	- - -	Ditto	Ditto.
Ditto	- - -	Peter Rumney Crawford	Ditto.

OWNERS.	LESSEES.	OCCUPIERS.	DESCRIPTION OF PROPERTY.
William Kirsopp, Heir at Law of the late William Kirsopp, or Ann Kirsopp, Widow, his Mother and Guardian	Peter Rumney Crawford	Peter Rumney Crawford	Garden.
Ditto - -	Ditto - -	Ditto - -	House and Outbuildings and Occupation Road.
Ditto - -	Ditto - -	Ditto - -	Garden.
Ditto - -	- -	Ditto - -	Vacant Ground.
Nicholas Leadbitter, Esq ^r	- -	John Kirsopp	Cottage.
Ditto - -	- -	Matthew Thompson, underlet to Robert Bruce - -	A Cottage and Garden.
<i>The Township of Four-Stones, in the Parish of Warden.</i>			
The Commissioners and Governors of Greenwich Hospital	- - -	Richard Heslop -	Cottages and Gardens.
<i>The Township of Allerwash, in the Parish of Warden.</i>			
The Commissioners and Governors of Greenwich Hospital	- - -	- - -	Occupation Road.
Ditto - -	- - -	Robert Reid -	Allerwash Mill, House, and Garden.
Ditto - -	- - -	Ditto - -	Grass Croft, with a Mill Dam therein.
Ditto - -	- - -	John Robson -	Banks of River South Tyne, with Plantation.
Ditto - -	- - -	Ditto - -	Grass Field, with Limekiln therein.
Ditto - -	- - -	Ditto - -	Banks of River South Tyne, with Plantation.
Ditto - -	- - -	Ditto - -	Limestone Quarry.
Ditto - -	- - -	Ditto - -	Banks of River South Tyne, with Plantation or Underwood.
Ditto - -	- - -	The Commissioners and Governors of Greenwich Hospital	Plantation, with a Brook and Occupation Road therein.
Ditto - -	- - -	Ditto - -	Plantation, with Bank and Shore of River.
<i>The Township of Brokenheugh, in the Chapelry of Haydon, in the Parish of Warden.</i>			
The Commissioners and Governors of Greenwich Hospital	- - -	The Commissioners and Governors of Greenwich Hospital	Plantation, with a Brook therein called Midgehouse Burn.
Ditto - -	- - -	Anthony Wailes -	Occupation Road.
Ditto - -	- - -	Anthony Wailes, and Part underlet to William Telford, Margaret Craig, and Thomas Atkinson -	Garden Ground.
<i>The Township of Haydon Bridge (North Side), in the Chapelry of Haydon, in the Parish of Warden.</i>			
The Commissioners and Governors of Greenwich Hospital	- - -	The Commissioners and Governors of Greenwich Hospital	Nursery Ground.
Ditto - -	- - -	Ditto - -	Ditto.
William Ashton alias William Eshton	- - -	Thomas Cook -	Garden.

OWNERS.	LESSEES.	OCCUPIERS.	DESCRIPTION OF PROPERTY.
<i>Township of Haydon Bridge.</i>			
John Stoker - - -	- - -	John Stocker - - -	Garden.
The Commissioners and Governors of Green- wich Hospital - - }	- - -	The Commissioners and Governors of Greenwich Hospital }	Nursery Ground.
<i>The Township of Lipwood, in the Chapelry of Haydon, in the Parish of Warden, in the County of Northumberland.</i>			
The Commissioners and Governors of Green- wich Hospital - - }	- - -	Joseph Maughan - - }	Grass Field, and Limekiln therein.
Ditto - - -	- - -	Ditto - - -	Limestone Quarry.
Ditto - - -	- - -	Thomas Errington - -	Garden.
Thomas Coats - - -	- - -	Thomas Coats - - -	Ditto.
<i>The Township of Whinnetley, in the Chapelry of Haydon, in the Parish of Warden, in the County of Northumberland.</i>			
Nicholas Maughan, Esq ^r - - -	- - -	- - -	Banks of the River South Tyne, partly planted with Trees.
Ditto - - -	- - -	Nicholas Maughan, Esq ^r - - -	Plantation.
Ditto - - -	- - -	Nicholas Maughan, Innkeeper - - -	Cottage, Stable, and Garden.
Ditto - - -	- - -	Ditto - - -	Garden.
The Commissioners and Governors of Green- wich Hospital - - }	- - -	John Coulson - - -	Garden.
Ditto - - -	- - -	Ditto - - -	Vacant Ground and Occupa- tion Road.
Ditto - - -	- - -	The Commissioners and Governors of Greenwich Hospital }	Plantation.
<i>The Township of Thorngrafton, in the Parish of Haltwhistle, in the County of Northumberland.</i>			
The Commissioners and Governors of Green- wich Hospital - - }	- - -	The Commissioners and Governors of Greenwich Hospital }	Banks and Plantation.
John Davidson, Esq ^r - - -	- - -	John Davidson, Esq ^r }	Plantation, Banks and Shore of the River South Tyne.
Sir Edward Blackett, Bart. - - -	- - -	Sir Edward Blackett, Bart. - - -	Ditto.
The County of North- umberland - - -	- - -	- - -	The North Abutment of the Bridge called Ridley Hall Bridge, over the River South Tyne.
John Davidson, Esq ^r - - -	- - -	Thomas Thompson - -	Plantation and Brook.
Ditto - - -	- - -	Edward Woodman - -	Garden.
Ditto - - -	- - -	- - -	Vacant Ground, with Occupa- tion Road.
Ditto - - -	- - -	Thomas Thompson }	Vacant Ground, with Water- course for Mill.
Ditto - - -	- - -	- - -	Plantation.
Andrew Mallabar, Chris- topher Mallabar, and George Mallabar, and Margaret Mallabar, Widow, and Robert Carrick and Mary his Wife - - -	- - -	Mary Hudspeth - - -	Cottage.
Ditto - - -	- - -	William Stonebank - -	Cottage and Garden.

[Local.]

OWNERS.	LESSEES.	OCCUPIERS.	DESCRIPTION OF PROPERTY.
<i>The Township of Henshaw, in the Parish of Haltwhistle, in the County of Northumberland.</i>			
Sir Edward Blackett, } Baronet - - }	- - -	Elizabeth Nicholson	Grass Field, with Course of Waste Water and Occupation Road therein.
Peter Devin and Isabella his Wife } - - - }	- - -	Archibald Goodfellow	Grass Field and small Plantation.
William McKay and Mary his Wife } - - - }	- - -	William McKay	Arable Field and small Plantation.
Thomas Heslop and Esther his Wife } - - - }	- - -	Thomas Heslop	Ditto.
John Ridley and Hannah Ridley, or the one of them } - - - }	- - -	John Ridley	Plantation, and Banks of the River South Tyne.
Ditto - - -	- - -	George Mitchell	Garden.
Sir Thomas John Clavering, Baronet } - - - }	- - -	Thomas Ridley	Grass Field, with a Brook and Occupation Road therein.
Sir Edward Blackett, } Baronet - - }	- - -	John Pickering	Garden.
Sir Thomas John Clavering, Baronet } - - - }	- - -	Thomas Ridley	Field, partly in Grass and partly Arable, with Occupation Road therein.
Nicholas Lowes - - -	- - -	Nicholas Lowes	Grass Field, and Hovel therein.
Sir Edward Blackett and Sir Thomas John Clavering, Baronets } - - - }	- - -	- - -	Occupation Road for the Use of their respective Farms.
Nicholas Lowes - - -	- - -	Nicholas Lowes	Farm Yard or Fold.
Sir Thomas John Clavering, Baronet } - - - }	- - -	Thomas Nixon	Garden.
Ditto - - -	- - -	Ditto	Plantation.

The Township of Melkridge, in the Parish of Haltwhistle, in the County of Northumberland.

Sir Edward Blackett, } Baronet - - }	- - -	- - -	Occupation Road and a public Footpath to Shankfoot Ford.
Ditto - - -	- - -	Sir Edward Blackett, } Baronet - - }	Plantation, with Scars, broken Ground, and Part of Shore of River South Tyne.
William Carrick, Esquire - - -	- - -	William Carrick, } Esquire - - }	Plantation, with Scar, broken Ground, and Part of Shore of River South Tyne.
Ditto - - -	- - -	Henry Burn - - -	Garden.
Robert Liddell senior - - -	- - -	Robert Liddell junior - - -	Plantation.
Jane Atkinson and Mary Atkinson } - - - }	- - -	Christopher Stoker or } Christopher Stokoe }	Arable Field, with Plantation and Underwood therein.
Elizabeth Batey - - -	- - -	- - -	Occupation Road.
James Pollard, Esquire - - -	- - -	Margaret Tweddell, } Thomas Marshall, } and John Carr, Re- } presentatives of the } late Edward Twed- } dell - - - }	Plantation, with the Banks of the River South Tyne, and Shore thereof.

The Township of Haltwhistle, in the Parish of Haltwhistle, in the County of Northumberland.

Miss Elizabeth Cuthbertson and Thomas Andrews } - - - }	- - -	Miss Elizabeth Cuthbertson and James Paterson } - - - }	Garden and Grass Croft.
Reverend Nathaniel John Hollingsworth } - - - }	- - -	Reverend Nathaniel John Hollingsworth } - - - }	Grass Field, with Plantation.

OWNERS.	LESSEES.	OCCUPIERS.	DESCRIPTION OF PROPERTY.
Reverend Nathaniel } John Hollingsworth - }	- - - - - {	Reverend Nathaniel } John Hollingsworth {	Grass Field, with Two small Plantations at the East Angle thereof.
Reverend Henry Wastell } John Blenkinsopp Coul- } son, Esquire - - }	- - - - - {	Thomas Heslop - } John Blenkinsopp } Coulson, Esquire - }	Garden and Fold. Plantation.
Ditto - - - - -	- - - - -	Ditto - - - - -	Ditto.
Ditto - - - - -	- - - - -	Ditto - - - - -	Plantation, with a Brook therein.

Township of Featherstone, in the Parish of Haltwhistle, in the County of Northumberland.

Thomas Blenkinsopp -	- - - - -	Thomas Blenkinsopp -	Woodland.
Ditto - - - - -	- - - - -	Ditto - - - - -	Plantation.

The Township of Blenkinsopp, in the Parish of Haltwhistle.

John Blenkinsopp Coul- } son, Esquire - - }	- - - - - {	John Blenkinsopp } Coulson, Esquire }	Plantation.
Ditto - - - - -	- - - - -	Ditto - - - - -	Lawn or Park.
Thomas Blenkinsopp -	- - - - -	Thomas Blenkinsopp -	Woodland.
John Blenkinsopp Coul- } son, Esquire - - }	- - - - - {	Thomas Coulson - }	Occupation Road to College Farm.
Ditto - - - - -	- - - - -	Sarah Dove, underlet } to John Telford - }	Garden.
Ditto - - - - -	- - - - -	John Smith - - - - -	Ditto.
Ditto - - - - -	- - - - -	David Graham - - - - -	Ditto.
Ditto - - - - -	- - - - -	Sarah Dove - - - - -	Farm Yard.
Ditto - - - - -	- - - - -	Ditto - - - - -	Ditto.
Ditto - - - - -	- - - - -	John Blenkinsopp } Coulson, Esquire - }	Plantation.
Ditto - - - - -	Catherine Johnson -	Catherine Johnson -	Stable.
Ditto - - - - -	Ditto - - - - -	Ditto - - - - -	Garden.
Ditto - - - - -	Ditto - - - - -	Ditto - - - - -	Vacant Ground.
Ditto - - - - -	- - - - -	Robert Hetherington -	Garden.
Thomas Forrester -	- - - - -	Thomas Forrester -	Occupation Road.

The Township of Thirlwall, in the Parish of Haltwhistle.

George Stephenson } Mounsey, Esquire - }	- - - - -	- - - - -	A Footway to Thirlwall Castle.
Earl of Carlisle -	- - - - -	- - - - -	Footway.
Ditto - - - - -	- - - - -	- - - - -	Occupation Road.
George Stephenson } Mounsey, Esquire, } Charles Bailes, Esquire, } and Ann Kirsopp - }	- - - - -	- - - - -	Occupation Road to Baron House.
Earl of Carlisle -	- - - - -	Edward Bell - - - - -	Footway.
Edward Blackburn -	- - - - -	Nicholas Smith - - - - -	Garden.

County of CUMBERLAND.

The Township of Upper Denton, otherwise Over Denton, in the Parish of Upper Denton, otherwise Over Denton.

William Richardson -	- - - - -	William Bell - - - - -	Garden.
John Elliot - - - - -	- - - - -	John Elliot - - - - -	Ditto.

The Township of Banks, in the Parish of Abbey Lanercost.

Thomas Whitfield -	- - - - -	William Routledge -	Woodland.
Ditto - - - - -	- - - - -	Ditto - - - - -	Occupation Road.

OWNERS.	LESSEES.	OCCUPIERS.	DESCRIPTION OF PROPERTY.
<i>The Township of Nether Denton, in the Parish of Nether Denton.</i>			
Earl of Carlisle and William Hutton - }	- - -	- - -	Occupation Road.
Robert Mounsey, Esquire	- - -	- - -	Ditto.
Earl of Carlisle -	- - -	Joseph Potts -	Ditto.
Ditto -	- - -	Archibald Gillesby -	Ditto.
<i>The Township of Naworth, in the Parish of Brampton.</i>			
Earl of Carlisle -	- - -	Earl of Carlisle -	Woodland.
Ditto -	- - -	Ditto -	Plantation.
Ditto -	- - -	Ditto -	The Earl of Carlisle's Rail- road.
Mary Graham -	- - -	Mary Graham -	
Earl of Carlisle -	- - -	Earl of Carlisle -	Ditto.
<i>The Township of Farlam West, in the Parish of Farlam.</i>			
John Railton -	- - -	George Carruthers -	Garden.
Earl of Carlisle -	- - -	Ditto -	Ditto.
<i>The Township of Talkin, in the Parish of Hayton.</i>			
Earl of Carlisle -	- - -	Earl of Carlisle -	Occupation Road.
Ditto -	- - -	Ditto -	Plantation.
Ditto -	- - -	Ditto -	Ditto.
Ditto -	- - -	Ditto -	Occupation Road.
<i>The Township of Hayton, in the Parish of Hayton.</i>			
Thomas Henry Graham, } Esquire - - - }	- - -	- - -	Occupation Road to Quarry.
Ditto - - -	- - -	Thomas Henry Gra- } ham, Esquire - }	Plantation.
James Hudson -	- - -	- - -	Occupation Road.
Thomas Henry Graham, } Esquire - - - }	- - -	Thomas Henry Gra- } ham, Esquire - }	Plantation.
Churchwardens and } Overseers of the Pa- } rish of Hayton - }	- - -	Churchwardens and } Overseers of the } Parish of Hayton - }	Garden belonging to the Workhouse.
<i>The Township of Fenton and Faugh, in the Parish of Hayton.</i>			
Elizabeth Proud -	- - -	Elizabeth Proud -	Millrace.
Earl of Carlisle -	- - -	- - -	Footway.
Ditto -	- - -	Thomas McKnight -	Millrace
Ditto -	- - -	Ditto -	Ditto.
Joseph Brown of Home	- - -	- - -	Occupation Road leading to the Lands of James Graham, Esquire.
<i>The Township of Corby, in the Parish of Wetheral.</i>			
John Birkett -	- - -	John Birkett -	Plantation.
Anthony Langcake -	- - -	Anthony Langcake -	Ditto.
Isaac Lancaster -	- - -	Isaac Lancaster -	Ditto.
William Ellwood -	- - -	William Ellwood -	Ditto.
William Robinson -	- - -	Joseph Dixon -	Garden.
Henry Howard, Esquire -	- - -	Henry Howard, Esquire -	Plantation.

OWNERS.	LESSEES.	OCCUPIERS.	DESCRIPTION OF PROPERTY.
Jane Hodgson - -	- - -	Jane Hodgson - -	Plantation.
Ditto - - -	- - -	Ditto - - -	Ditto.
Henry Howard, Esquire, } Lord of the Manor - }	- - -	- - -	Waste or Common.
Henry Howard, Esquire	- - -	Thomas Hind - {	Grass Field, with a Plantation therein.
Ditto - - -	- - -	Ditto - - -	Plantation.
Ditto - - -	- - -	Henry Howard, Esquire	Woodland.
Ditto - - -	- - -	Ditto - - -	Ditto.

The Township of Wetheral, in the Parish of Wetheral.

Dean and Chapter of } Carlisle - - }	Tullie Joseph Corn- thwaite, Esquire	} Jacob Vipond - -	Island.
Ditto - - -	Ditto - - -	Ditto - - -	Milldam.
Ditto - - -	Ditto - - -	Ditto - - -	Occupation Road to Mill.
Henry Howard, Esquire	- - -	Henry Howard, Esquire	Plantation.
Margaret Lawson, an } Infant, or Jane Lawson, her Mother and Guar- } dian - - - }	- - -	{ Margaret Lawson, an } Infant, or Jane } Lawson, her Mother } and Guardian - }	Woodland.
John Smith, Joseph } Hall, and John Rail- } ton - - - }	- - -	- - -	Occupation Road.
John Robinson and } Michael Collin - }	- - -	- - -	Ditto.
William Dobinson	- - -	Richard Graham - {	Garth, Yard, or vacant Ground.

The Township of Scotby, in the Parish of Wetheral.

Richard Lowry, Esquire	- - -	- - -	{ Occupation Road to the Property of Richard Lowry, Esquire.
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The Township of Botchergate, in the Parish of Saint Cuthbert, Carlisle.

Admiral William Taylor	- - -	- - -	An Occupation Road.
Thomas Halton, Esquire	- - -	Thomas Halton, Esquire	Garden.
Dean and Chapter of } Carlisle - - }	John Studholme - {	{ Mary Studholme and } Esther Studholme - }	Ditto.
John Heysham, M.D. -	- - -	{ Jacob Cowen, Robert } Cowen, and George } Cowen - - }	Timber and Stack Yard.

The Township of Caldewgate, in the Parish of Saint Mary, Carlisle.

Ann Bowman - - -	- - -	Thomas Anson - -	Garden.
Carlisle Canal Company	- - -	Carlisle Canal Company	Vacant Ground
John Armstrong - -	- - -	William Smith - -	Garden.
Occupation Road leading from the Bowness Road to Two Closes belonging to George Blamire, Esquire.	- - -	James Birrell - -	Slate Yard.
Carlisle Canal Company	- - -	Richard Porter, Wil- liam Porter, and } Robert Porter, un- } derlet to Susan } Waugh - - - }	Timber Yard.

[Local.]

OWNERS.	LESSEES.	OCCUPIERS.	DESCRIPTION OF PROPERTY.
Carlisle Canal Company	- -	{ Richard Porter, William Porter, and Robert Porter - }	Yard.
Ditto - -	- -	William Gate - -	Slate and Timber Yard.
Ditto - -	- -	Thomas Gill - -	Ditto.
Ditto - -	- -	{ John Hewitt and Jonathan Nelson - }	Ditto.
Ditto - -	- -	Paul Nixon - -	Alabaster Yard.
Ditto - -	- -	{ Carlisle Canal Company - }	Canal Wharf.

THE BRANCH, commencing at or near a certain Place called Elswick Dean, in the County of Northumberland, and terminating on the West Side of a certain Street called Thornton Street, in the same County.

The Township of Elswick, in the Parochial Chapelry of Saint John, in that Part of the Parish of Saint Nicholas which is situate in the County of Northumberland.

OWNERS.	LESSEES.	OCCUPIERS.	DESCRIPTION OF PROPERTY.
John Hodgson, Esqr. -	- - -	George Musgrave -	{ Grass Field, with an Occupation Road and public Footway therein.
Ditto - -	- - -	{ Joseph Lamb, Humble Lamb, and John Buddle - }	{ Grass Field, with Occupation Road therein.
Ditto - -	- - -	Joseph Gray -	{ Brick Garth, Clayhole, and Drying Ground.
Ditto - -	- - -	Ditto - -	{ Arable Land, with Occupation Road therein.

The Township of Westgate, in the Parochial Chapelry of Saint John, in that Part of the Parish of Saint Nicholas which is situate in the County of Northumberland.

George Anderson, Esquire	- - -	- - -	Occupation Road.
Ditto - -	- - -	George Cutter -	Yard or vacant Ground.
Ditto - -	- - -	Robert Nesbit -	Garden.