



ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

Cap. cclxiii.

An Act for making Docks at *Jarrow Slake* in the
River *Tyne*. [22d July 1847.]

WHEREAS an Act was passed in the Fifth Year of the
 Reign of Her present Majesty, intituled *An Act for com- 5 & 6 Vict.*
pleting the Railway Communication between the Towns of c. 80.
Newcastle-upon-Tyne and Darlington, by a Railway to be called "The
Newcastle and Darlington Junction Railway," with a Branch to the
City of Durham: And whereas another Act was passed in the
 Session of Parliament holden in the Sixth and Seventh Years of the
 Reign of Her present Majesty, intituled *An Act to authorize certain 6 & 7 Vict.*
Alterations in a Portion of the Line of the Great North of England c. 8.
Railway, and for vesting the same in the Newcastle and Darlington
Junction Railway Company: And whereas another Act was passed
 in the Session of Parliament holden in the Seventh and Eighth Years
 of Her present Majesty, intituled *An Act for authorizing the Sale 7 & 8 Vict.*
of the Durham Junction Railway to the Newcastle and Darlington c. 27.
Junction Railway Company, and for enabling the said Company to
make a Station at Gateshead, with a Bridge and Approaches to con-
nect the said last-mentioned Railway with the Town of Newcastle-upon-
Tyne; and for other Purposes: And whereas another Act was passed
 in the Session of Parliament holden in the Eighth and Ninth Years
 of the Reign of Her present Majesty, intituled *An Act for enabling 8 & 9 Vict.*
the c. 92.
 [Local.] 42 X

9 & 10 Vict.
c. 242.

the Newcastle and Darlington Junction Railway Company to purchase the Brandling Junction Railway, and to enable the said Company to make certain Branch Railways, Stations, and Works; and for other Purposes: And whereas another Act was passed in the Session of Parliament holden in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act for enabling the Great North of England Railway Company to lease and also to sell their Railway to the Newcastle and Darlington Junction Railway Company, and to authorize the raising of additional Money by the said last-mentioned Company for those and other Purposes:* And whereas, under the Provisions of the said lastly-recited Act the Name and Style of the *Newcastle and Darlington Junction Railway Company* was changed into that of "*The York and Newcastle Railway Company:*" And whereas the making of a Dock or Docks, Quays, Basins, Locks, Cuts, Approaches, and other suitable Works connected therewith, at or near to a Place called *Jarrow Slake*, on the South Side of the River *Tyne*, within the Port of *Newcastle* and in the County of *Durham*, would be a great public Advantage, and the *York and Newcastle Railway Company* are willing to make and execute the same at their own Expence; but the same cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in the present Parliament assembled, and by the Authority of the same, That the Lands Clauses Consolidation Act, 1845, the Railways Clauses Consolidation Act, 1845, and "*The Harbours, Docks, and Piers Clauses Act, 1847,*" shall respectively (except so far as the same respectively are altered by or are inconsistent with this Act) be incorporated with and form Part of this Act, and together with the same shall be construed as One Act.

8 & 9 Vict.
cc. 18. and
20. and
10 & 11 Vict.
c. 27. ex-
tended to
this Act.

Extending
Powers of
York and
Newcastle
Railway Acts
to this Act.

II. And be it enacted, That all the Provisions, Matters, and Things contained in the said Acts of the *York and Newcastle Railway Company*, so far as the same are now unrepealed, and except such of them as are by this Act or any Statute repealed, altered, or otherwise provided for, and except so far as such Provisions, Matters, and Things are inconsistent with the said Lands Clauses Consolidation Act, and the said Railways Clauses Consolidation Act, and the said Harbours, Docks, and Piers Clauses Act, 1847, or any of them, shall extend to this Act, and shall operate with respect to the Docks and Works hereby authorized to be made, and other the Purposes of this Act, as fully and effectually as if the same Provisions, Matters, and Things were repeated and re-enacted in this Act with reference to such Purposes.

Short Title.

III. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use the Expression "*The Tyne Docks Act, 1847.*"

Power to
raise addi-
tional Capital
by Creation

IV. And whereas the estimated Expence of making the said intended Docks and other Works is One hundred and fifty thousand Pounds; be it enacted, That the additional Capital of the said Com-
pany

pany shall be One hundred and fifty thousand Pounds, and that it shall be lawful for the said Company to raise the same by creating new Shares.

V. And be it enacted, That the Capital so to be raised by the Creation of new Shares shall be considered as Part of the general Capital of the said *York and Newcastle* Railway Company, and shall be subject to the same Provisions in all respects, with reference to the Payment of Calls, or the Forfeiture of Shares on Nonpayment of Calls, or otherwise, as if it had been Part of the original Capital, except as to the nominal Amount or Value of such Shares, and the proportionate Dividends thereon respectively, and except as to any special Advantages in favour of or other Regulations in relation to such Shares which may be resolved on by any General or Special General Meeting of the said Company, and except as to the Amount and Time of making and of Payment of Calls on such new Shares, which the Directors of the said Company shall fix from Time to Time as they shall think fit; and such new Shares shall be disposed of in such Manner as the said Company shall at any General or Special General Meeting direct.

VI. And be it enacted, That it shall be lawful for the said Company, in addition to the Sums authorized to be borrowed by them by their said recited Acts, to borrow on Mortgage or Bond any Sum not exceeding in the whole the Sum of Fifty thousand Pounds, but no Part of such Sum shall be borrowed until the whole of the said Capital or Sum of One hundred and fifty thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up.

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

VIII. And be it enacted, That the Clauses and Provisions of the Companies Clauses Consolidation Act, 1845, with respect to the borrowing of Money, and to the Conversion of the borrowed Money into Capital, and to the Consolidation of the Shares into Stock, shall extend to and be incorporated with this Act for the Purposes thereof.

IX. And be it enacted, That the said Company may, if they think fit, receive from any of the Shareholders willing to advance the same all or any Part of the Monies payable upon their respective Shares beyond the Sums actually called for; and upon the Money so paid in advance, or so much thereof as from Time to Time shall exceed the Amount of the Calls made upon the Shares in respect of which such Advance shall have been made, the said Company may pay Interest, at such Rate, not exceeding Five Pounds *per Centum per Annum*,

Annum, as the Shareholders paying such Sums in advance and the said Company shall agree upon.

For recovering Calls from Shareholders resident in Scotland.

X. And be it enacted, That if any Shareholder residing in *Scotland* shall fail to pay the Amount of any Call made upon him by the said Company in respect of any Share held by him in the said Company, it shall be lawful for the said Company to proceed against him in *Scotland*, and to sue for and recover the Amount of such Call, or to declare such Share forfeited, in such Manner as is by "The Companies Clauses Consolidation (*Scotland*) Act, 1845," provided in regard to Shareholders of any Company in *Scotland*.

As to Votes of Proprietors of new Shares.

XI. And be it enacted, That the Proprietors of any new Shares created under the Powers of this Act shall be entitled to such Number of Votes in respect thereof as the nominal Amount represented by such Shares would have entitled them to if such Shares had been original Shares in the Undertaking of the said *York and Newcastle* Railway; and no Proprietor shall be entitled to any Vote unless possessed of some Share or Shares representing One hundred Pounds at least in the Capital Stock of the said Company.

Plans, and Power to make Docks according thereto.

XII. And whereas Plans and Sections of the said Docks showing the Site and Lines and Levels thereof, and also Books of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of the Lands upon or through which the same are intended to be made or pass, have been deposited with the Clerks of the Peace of the County of *Durham* and the County of the Town of *Newcastle-upon-Tyne*; be it enacted, That, subject to the Provisions in this and the said Acts contained, it shall be lawful for the said Company to make and maintain the said Docks, with all Locks, Basins, Cuts, and other suitable Works connected therewith, in the Lines and upon the said Lands and within the Limits of Deviation delineated on the said Plans and described in the said Books of Reference, and to purchase, take, and use such of the said Lands as shall be necessary for such Purpose; and it shall also be lawful for the said Company to make, build, alter, and maintain upon the said Lands such Warehouses, Storehouses, and Works as they may deem necessary for the Security and Accommodation of Passengers, and of any Goods, Merchandise, or Things shipped or unshipped within the said Docks, Quays, or other Works made under the Authority of this Act.

As to Position of Pier Heads.

XIII. And be it enacted, That the Position of the Pier Heads of the Entrance to and the Plan of the Docks shall before the Commencement of the same, or any of the Works connected therewith, be submitted to the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, for Approval, and the same Works shall not be constructed in any other Manner than such as the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, shall approve of.

As to Diversion of River

XIV. And be it enacted, That the Company shall, so far as they lawfully may, divert the Mouth of the River *Don* at its Junction with

with the River *Tyne* to the Extent of Ten Chains Westward of its present Course, and shall construct and for ever after keep in repair a Half-tide Wall between the Channel of the River *Tyne* and the Slake from the said Docks Westward to the East Side of the River *Don* so diverted, and such Diversion and Half-tide Wall shall be in such a Position and of such Dimensions as may be required by the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, and shall be according to such Plans as the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, shall approve of.

Don, and
Construc-
tion of Half-
tide Wall.

XV. And be it enacted, That if the said Works hereby authorized to be constructed, or any Part or Parts thereof, shall be abandoned by the Company, it shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, to abate, fill up, and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly.

Works aban-
doned to be
restored.

XVI. And whereas the Works and Manufactories at present possessed by the *Jarrow* Chemical Company in the Township of *Westoe* may, by the Construction of the said Docks and Works therewith connected, be deprived of their Frontage to the River *Tyne*, and of other valuable Rights, Privileges, and Facilities for carrying on the said Chemical Works, and it is just and reasonable that special Provisions should be made for the Protection of the said Chemical Works; be it enacted, That the said *York and Newcastle* Railway Company shall, simultaneously with the Construction of the said Docks and other Works, at their own Expence, construct a Cut or Canal to communicate with the River *Tyne*, with all necessary Mooring Posts and Rings for the convenient Use of the same, along the East Side of the said Docks, in the Situation and Direction and of the Width (not being less than Eighty Feet) and Length and Depth shown upon the said Plans and Sections herein-before referred to, with all proper Walls, Sluices, and other Works connected therewith, and shall at all Times thereafter maintain the same in good Repair, of the same Depth and Dimensions as aforesaid; and the Eastern Wall of the said Cut or Canal, from a Point opposite the Western Extremity of the Northern Boundary of the *Jarrow* Chemical Works to the South End of the said Cut or Canal, as shown upon the said Plans, shall be carried to a Height corresponding with the Level of the present Quay Wall of the Works now used as the *Jarrow* Chemical Works, the same being Three Feet or thereabouts above High-water Mark of Spring Tides as shown upon the said Section; and the said Company shall also make and maintain at the South End of the said Cut or Canal Two Sluices, each Three Feet square, and other necessary Works, for scouring and cleansing the said Cut or Canal and the Approach to the said Docks on the Line "T. S." as shown on the said Plan, if made, shall be formed by a Swing Bridge having a clear Space of Twenty-six Feet over the central Part of the said Cut or Canal; and the said Bridge shall

A Cut or
Canal to be
made on the
East Side of
the Docks
for the Ac-
commoda-
tion of the
Jarrow
Chemical
Company.

shall be opened and shut by and at the Expence of the said Company at all Times when necessary for the Passage of Craft navigating the said Cut or Canal, and for all other Purposes for which the said Cut or Canal may be used; and it shall be lawful for the Owners, Lessees, and Grantees for the Time being of the Quays, Buildings, and Premises now in the Occupation of the said *Jarrow* Chemical Company adjoining and lying on the East Side of the said Cut or Canal, their Servants and Workmen, exclusively to use the said Cut or Canal, in common with the said Company as herein-after mentioned, for the Navigation of Ships, Lighters, and other Craft, and for floating Timber, and for all other Purposes which they may think fit, without being liable to the Payment of any Tolls or Dues whatsoever to the said Company: Provided nevertheless, that the Ships, Lighters, and other Craft belonging to or used by or for the said *Jarrow* Chemical Company or their Assigns, or the Owners, Lessees, or Grantees for the Time being of the said Quays, Buildings, and Premises, and frequenting and lying at or moored to the said Quays, Buildings, and Premises, and the said Timber, shall not at any Time occupy more of the Breadth of the said Cut or Canal adjoining the said Quays, Buildings, and Premises than would be sufficient for a double Line of Vessels, and on the other hand the Company shall not be entitled to occupy more of the said Breadth of the said Cut or Canal on the West Side thereof than would be sufficient for a single Line of Vessels, and such Ships, Lighters, and Craft, and floating Timber, shall be moored and unmoored and moved and placed as not to obstruct or impede the Navigation of the said Cut or Canal.

Access to be
given to
Docks.

XVII. And be it enacted, That the said Company shall and they are hereby required to permit the Owners, Lessees, and Grantees of the said Quays, Buildings, and Premises occupied by the said *Jarrow* Chemical Company as aforesaid, and their Workmen and Servants, to have direct Access at all reasonable Times, under the Direction of the Dock Master, by a sufficient Road at the South End of the said Cut or Canal, for Carts, Waggons, and other Carriages to, from, and between the said Quays, Buildings, and Premises, and the said Docks, for the Purpose of the Conveyance of and loading and unloading Goods and other Articles in the said Docks, and at the Quays and Warehouses belonging to or connected therewith.

Regulations
as to Dock
not appli-
cable to
Canal.

XVIII. Provided always, and be it enacted, That nothing in this Act contained for the Regulation and Management of the said Docks, and of the Vessels and their Crews, and Parties frequenting the same, shall be applicable to the said Cut or Canal and other Works herein provided for the Use of the Owners, Lessees, or Grantees of the said Quays, Buildings, and Premises now in the Occupation of the said *Jarrow* Chemical Company; and the Parties in possession of the same shall not, in the Use of the said Canal or Cut and the Approach thereto, be subject to the Control of the Police, or of the Dock Master, or any other Persons in the Service of the Company having charge of the said Docks, or be subject to any Bye Laws, or to any other Provisions of a like Kind in this Act contained.

XIX. And

XIX. And whereas by the Formation of the said Cut or Canal and other Works a triangular Portion of the *Jarrow Slake* will be reclaimed by the Company, and will lie between the Canal and the Line of the present Quay Wall of the said Quays, Buildings, and Hereditaments, as shown upon the said Plan; be it enacted, That the said Portion of the *Slake* so reclaimed shall be acquired by and at the Expence of the Company, and shall be reserved for and appropriated to the sole Use of the Owners, Lessees, and Grantees of the said Premises now in the Occupation of the *Jarrow Chemical Company* as aforesaid, and shall at all Times hereafter be held and enjoyed by the said *Jarrow Chemical Company* and their Assigns during the Existence of their present Term, Estate, and Interest, and afterwards, at the Expiration of the said Term, Estate, and Interest, by the Occupiers of the said Premises for the Time being, on Payment of a fixed Rent for the same to the Company of Five Pounds *per Annum*.

Certain Ground reclaimed from *Jarrow Slake* to be reserved for *Chemical Company*.

XX. And whereas Loss and Injury will or may from Time to Time arise to the said *Jarrow Chemical Company*, as well during the Formation of the said Dock, Canal, and other Works, as during any future Alteration or Repairs of the same, and it is just and reasonable that they should receive Compensation in respect of the same; be it enacted, That the said *Railway Company* shall from Time to Time make to the said *Jarrow Chemical Company* full Compensation for all Damage, Loss, and Injury sustained by them by reason of the Exercise of the Powers by this Act vested in the said Company; and the Amount of such Compensation shall from Time to Time be settled and determined, when claimed by the said *Chemical Company*, in the Manner provided by the *Lands Clauses Consolidation Act, 1845*, and the *Railways Clauses Consolidation Act, 1845*, for determining Questions of Compensation with regard to Lands purchased or taken under the Provisions thereof, and all the Provisions of the said last-mentioned Acts shall be applicable to determining the Amount of any such Compensation, and to the enforcing the Payment or other Satisfaction therefor.

Railway Company to make Compensation to *Chemical Company*.

XXI. And be it enacted, That, save in so far as herein specifically or otherwise provided, the Right and Claims of the Owners, Lessees, and Grantees of any Lands, Quays, Buildings, or Premises now in the Occupation of the said *Jarrow Chemical Company*, for Compensation and Damages, by reason of the Formation of the said Dock, Canal, and other Works, and for Injury which may thereby be sustained by them, shall be and the same are hereby reserved entire.

Compensation to *Chemical Company* reserved.

XXII. And be it enacted, That the Quantity of Land to be taken for extraordinary Purposes shall not exceed Twenty Acres, in addition to the Lands which the said Company are by this and the said recited Acts or any of them authorized to take and hold: Provided always, that no Land beyond the Limits of Deviation laid down on the Plans deposited as herein-before mentioned shall be taken by the Company for any Purpose without the Consent of the Owners thereof.

Land for extraordinary Purposes.

XXIII. And

Limits to compulsory Powers.

XXIII. And be it enacted, That the Powers of the Company for the compulsory Purchase or taking of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing thereof.

Period for Completion of Works.

XXIV. And be it enacted, That the Docks authorized by this Act to be made shall be completed within Six Years from the passing of this Act, and on the Expiration of that Period the Powers by this and the said Lands Clauses Consolidation Act, the said Railways Clauses Consolidation Act, and the said Harbours, Docks, and Piers Clauses Act granted to the said Company for executing the said Docks, or otherwise in relation thereto, shall cease to be exercised, except as to such Docks as shall then be completed.

Dean and Chapter of Durham may make Water Passages.

XXV. Provided always, and be it enacted, That it shall and may be lawful for the Dean and Chapter of the Cathedral Church of *Durham*, and their Lessees, Grantees, or Assigns, at their own Expence, to make and use Water Passages, not exceeding Three in Number, with proper Sluices connected therewith, passing from and out of the said Docks into that Part of *Jarrow Slake* which lies on the West Side of the said Docks and of the Road herein-after authorized to be made, and from Time to Time to draw Water from the said Docks for the supplying of any Timber or other Ponds which may be made by the said Dean and Chapter, their Lessees, Grantees, or Assigns, such Water Passages not exceeding Ten Feet in Width, and being substantially and effectually arched or covered throughout the whole Extent or Breadth of the Land or Works of or belonging to the said Company, and such Timber or other Ponds, with the Water Passages and Sluices connected therewith, being constructed so and in such Manner as not to draw more Water from the said Docks than may be requisite for the proper working of the same Ponds: Provided always, that such Water Passages shall be made only in some Place or Places lying between the South-west Angle of the said Docks and a Point towards the North not being more than Five hundred Yards from the said South-west Angle.

Road to be constructed upon Land appropriated by the Dean and Chapter.

XXVI. Provided also, and be it enacted, That it shall be lawful for the said Dean and Chapter, and their Lessees, Grantees, or Assigns; and they are hereby required, to appropriate a Parcel of Land Sixty Feet wide, extending along the North and West Sides of and immediately adjoining to the Land hereby authorized to be purchased by the said Company, to be used as a Road in common by the said Dean and Chapter, and their Lessees, Grantees, or Assigns, and the said Company; and that it shall be lawful for the said Company and they are hereby empowered and required well and effectually to make and form the said Road, and to raise the Level of the Ground to a sufficient Height for that Purpose; and the said Road, when so made and formed, shall be maintained at the Expence of the said Company, so long as the said Company alone shall use the same Road, and at the joint and equal Expence of the said Company and of the said Dean and Chapter, and their Lessees, Grantees, or Assigns, so long as the same shall be used in common by

by the said Company and the said Dean and Chapter, and their Lessees, Grantees, or Assigns.

XXVII. And with respect to the Powers and Duties of Dock Masters, be it enacted, That their Powers shall extend to the said Docks, and the Basins, Locks, and Approaches thereto, and for One hundred Yards measured into the River *Tyne* from the Centre of the Entrance into the said Dock, and that in addition to the Duties and Authorities prescribed by the said Harbours, Docks, and Piers Clauses Act, 1847, the said Dock Masters shall have full Power and Authority to direct and control the Bridges over the Locks and Approaches, the mooring, unmooring, moving, or removing of all Rafts of Timber and other floating Goods coming into, going out of, lying or being in the said Docks, Basins, Locks, or Approaches; either as to the Time, Rotation, and Manner of their Entrance into, lying in, or going out of the same, or their Position, loading, and discharging therein, and the Time or Times of opening or shutting the several Gates thereof; and in case the Owner, Servant, or other Person having the Care of any Rafts of Timber or other floating Goods shall refuse or neglect to obey any such Order or Direction, after Notice to him or them given, it shall be lawful for the said Dock Masters and their Assistants to moor, unmoor, move, or remove such Rafts or other Goods within the Docks, or within any Lock, Basin, or Approach made by the said Company, and the Charges and Expences thereof respectively shall be repaid, together with any Sum not exceeding the Sum of Five Pounds for each Offence, by the Owner, Servant, or other Person having charge of the same, and may be recovered by the said Company, in case of Nonpayment thereof on Demand, by such Ways and Means as Penalties are by the said recited Acts or any of them to be recovered: Provided always, that such Directions be in nowise contrary or repugnant to any Law or Regulation of Customs, and that no Powers hereby conferred on such Dock Master shall be deemed and taken to authorize such Dock Master to do any Act in any way contrary to or interfering with any Law or Regulation of Customs.

Powers and Duties of Dock Master.

XXVIII. And be it enacted, That the said Company shall have Power to demand and receive, for or in respect of any Ship or Vessel which shall or may enter the said Docks, the several Sums hereinafter mentioned; (that is to say,)

Company entitled to a Tonnage Rate on Ships and other Vessels.

For every Ship or Vessel trading to or from or using the said Dock from or to any Port or Place in the United Kingdom, or the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, for every Ton, the Sum of Sixpence:

For every *British* Ship or Vessel trading to or using the said Dock from any Port or Place not in the United Kingdom (except as aforesaid), for every Ton, the Sum of Nine-pence:

For every Foreign Ship or Vessel trading to or from or using the said Dock from or to any Port or Place, for every Ton, the Sum of One Shilling and Sixpence:

Four Weeks without any further Charge:

[*Local.*]

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After

After remaining in the Dock Four Weeks, if whole or partially laden, Three Farthings *per Ton per Week* :

If light, One Halfpenny *per Ton per Week* :

Any Ship or Vessel loading or discharging Goods (Coals, Culm, and Cinders excepted,) to or from any Port in the United Kingdom or *Ireland* (including the Channel Islands), Three-pence *per Ton per Week* :

Any Ship or Vessel lying up in the Dock, for the first Four Weeks, Four-pence *per Ton* :

After that Period, One Halfpenny *per Ton per Week*.

Exemption from Tonnage Rates.

XXIX. Provided always, and be it enacted, That all Vessels entering the said Dock in Ballast or without any Cargo, and going out of the same within Four Weeks laden only with Coals, Culm, or Cinders, shall be exempted from the said Tonnage Rate; but if such Vessels be laden partly with Coal, Culm, or Cinders, and partly with Goods or Merchandize, the said Tonnage Rate shall be charged in the Proportion which the said Vessel is laden with Goods and Merchandize.

Company entitled to Charges for docking and undocking.

XXX. And be it enacted, That the said Company shall be likewise entitled to demand and receive the Charges for docking and undocking herein-after mentioned; (that is to say,)

For or in respect of any Ship or Vessel above Fifty and under One hundred and fifty Tons Register, Seven Shillings and Sixpence each Way :

Of One hundred and fifty Tons and under Two hundred and twenty Tons Register, Ten Shillings each Way :

Of Two hundred and twenty Tons and under Two hundred and sixty Tons Register, Twelve Shillings and Sixpence each Way :

Any Ship or Vessel of Two hundred and sixty Tons Register and upwards, Fifteen Shillings each Way :

All Keels and Craft not exceeding Fifty Tons Register entering and leaving the Docks for the Purpose of discharging or loading Merchandize, One Shilling and Three-pence each Way.

Company to demand the Dues herein mentioned.

XXXI. And be it enacted, That the said Company shall have Power to demand and receive for and in respect of all Goods whatsoever which shall be imported into or exported from the said Docks the several Dues next herein-after mentioned; (that is to say),

Dues on Goods.

For every Ton of Goods by Measurement or otherwise (except as herein-after excepted) to or from any Port or Place in <i>Great Britain</i> or <i>Ireland</i> , <i>per Ton</i>	-	-	-	0	6
To or from any other Port or Place, <i>per Ton</i>	-	-	-	1	0
Excepting Coals, Culm, Coke, and Cinders, the Dues on which, at <i>per Ton</i> , shall be	-	-	-	0	4
Bricks, Slate, and Stones, <i>per Ton</i>	-	-	-	0	3
Bullion or Specie, <i>per Cwt.</i>	-	-	-	1	0

Cattle

Cattle and Carriages.						s.	d.
Horses	-	-	-	-	-	2	0
Oxen, Cows, and Bulls	-	-	-	-	-	1	6
Ponies, Mules, and Asses	-	-	-	-	-	1	0
Calves	-	-	-	-	-	0	4
Deer	-	-	-	-	-	0	8
Lambs, Sheep, and Goats	-	-	-	-	-	0	2
Pigs	-	-	-	-	-	0	2
Carriages with Four Wheels	-	-	-	-	-	5	0
Carriages with Two Wheels	-	-	-	-	-	3	0

XXXII. And be it enacted, That the said Company shall have Tolls on
Passengers. Power to demand and receive, for and in respect of all Passengers who shall land on or embark from any Quay or other Works belonging to the said Company, the Tolls next herein-after mentioned; (that is to say,)

For every Passenger or Person who shall land or embark from or in any Boat or undecked Vessel, for each and every Time, One Penny :

For every Passenger or Person who shall land or embark from or in any Ship or decked Vessel, for each and every Time, Sixpence :

For every Box, Trunk, Bale, Bag, Basket, or Parcel of Passengers Luggage, Two-pence :

For every Person who shall use any Quay belonging to the Company for the Purpose of walking for Exercise, Pleasure, or otherwise, *per* Day, One Penny.

XXXIII. And be it enacted, That the said Company shall have Dues for
Water. Power to demand and take for any Water supplied by the said Company, to or for any Vessels, the Dues next herein-after mentioned; (that is to say,)

For every Tun of Two Pipes or Four Hogsheads of Water supplied to any Vessel, not exceeding, *per* Tun, Two Shillings.

XXXIV. And be it enacted, That it shall be lawful for the Rates for
Cranes and
Weighing
Machines. Company to demand and take, for the Use of any Warehouses, Wharfs, Staiths, Spouts, Drops, Cranes, and Weighing Machines erected by the Company, of and from the Owner or Person having the Charge of any Coals, Culm, Coke, Cinders, Goods, Articles, or Things deposited therein, or loaded or unloaded, weighed or measured by means thereof, such reasonable Dues or Rates as the Company shall from Time to Time appoint.

XXXV. And be it enacted, That any Person who shall obstruct or Penalty for
obstructing
Constables
from enter-
ing Vessels. aid in obstructing any Constable or other Person having Instructions from the Company or their Dock Master from entering into or being in any Vessel within the said Docks for the Purpose of searching for or extinguishing any Fire, Candles, or Light in or suspected to be in such Vessel, contrary to the Provisions of this Act, or of any Bye Law made in pursuance thereof, or for the Purpose of discovering any Theft or Embezzlement suspected to have been committed therein,
or

or of quelling any Disturbance, or for any Purpose authorized by this Act, or any Bye Law made in pursuance thereof, shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Power to
appoint
Meters and
Weighers.

XXXVI. And be it enacted, That it shall be lawful for the Company to appoint and license a sufficient Number of Persons to be Meters and Weighers in the said Docks.

Commis-
sioners of
Railways
may require
Incon-
veniences
and Evils to
be remedied.

XXXVII. And be it enacted, That if at any Time after the passing of this Act it shall appear to the Commissioners of Railways to be necessary for the Interests of the Public, it shall be lawful for the said Commissioners to require the said *York and Newcastle* Railway Company to proceed forthwith to the Correction or Prevention of any Inconveniences or Evils by the Commissioners specified; and upon the Failure or Inability of the said Company to comply with the Requisitions of the said Commissioners within the Period of Six Months from the Date of such Requisition in the Particulars aforesaid, it shall be lawful for the said Commissioners to serve the said Company with Notice to introduce into Parliament in the then existing Session, if Parliament should then be sitting, and if not in the then next ensuing Session, a Bill or Bills for amending this Act in such Particulars as aforesaid, and thereupon the said *York and Newcastle* Railway Company shall and they are hereby required to introduce such Bill or Bills accordingly, and duly to prosecute the same; in default whereof it shall be lawful for the said Commissioners to introduce or prosecute, as the Case may be, such Bill at the Expence of the said *York and Newcastle* Railway Company.

The Dock
to be kept
open and in
good Repair.

XXXVIII. And be it enacted, That the said *York and Newcastle* Railway Company shall and they are hereby expressly directed and required, from Time to Time and at all Times from and after the Completion of the Undertakings hereby authorized to be made and maintained, to keep and maintain the same and every Part thereof, and all the Works thereto belonging, well and sufficiently repaired and in good Order and Condition, so that the said Dock, and the Entrances, Staiths, Wharfs, Shipping Places, and other Works respectively connected therewith, and every Part thereof, may be at all Times kept open and navigable for the Use of all Persons desirous to enter, use, and navigate the same, and that without any unnecessary Hindrance, Interruption, or Delay, but subject nevertheless to the Provisions and Restrictions in this Act contained for the Recovery of the Rates or Dues payable in respect thereof.

Penalty for
giving undue
Preference.

XXXIX. And be it enacted, That the said *York and Newcastle* Railway Company, its Agents and Servants, shall not give any undue Preference to Persons or Goods which shall have passed or shall be intended to pass along the said *York and Newcastle* Railway, or any Railway communicating therewith, or to Vessels carrying such Goods, as against other Persons or other Goods of a like Nature or Vessels carrying such other Goods, or to any Persons, Vessels, or Goods whatsoever as against any other Persons, other similar Vessel, or other similar Goods whatsoever, as respects the Use of the Dock,
Staiths,

Staiths, Wharfs, or any of the Conveniences thereunto belonging, or as respects the Dues, Tolls, Rates, and Charges to be taken by the said Company, either as regards the Amount thereof or otherwise; and in case the said Company, its Agents or Servants, shall give any such undue Preference, the said Company shall for every such Offence forfeit and pay the Sum of Ten Pounds, to be recovered and applied in manner directed by the said Railways Clauses Consolidation Act.

XL. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from the Estates, Rights, Interests, Privileges, Franchises, or Authority of the Mayor, Aldermen, and Burgesses of the Borough of *Newcastle-upon-Tyne*, and their Successors, nor to prohibit, defeat, alter, or diminish any Power, Authority, or Jurisdiction which at the Time of the passing of this Act the said Mayor, Aldermen, and Burgesses, as Conservators of the River *Tyne*, did or might lawfully claim, use, or exercise.

Saving the Rights of the Corporation as Conservators of the River *Tyne*.

XLI. And be it enacted, That nothing herein contained shall extend to prejudice or affect the Right and Title of the Mayor, Aldermen, and Burgesses of the Borough of *Newcastle-upon-Tyne* to the Dues and Duties, Rights and Privileges, to which they are by Law entitled, and that the same Dues and Duties, Rights and Privileges, shall be payable and paid, used and exercised, for or in respect of all Ships, Vessels, Coal, Culm, Cinders, Ballast, Goods, Merchandize, Articles, and Things laden or delivered in the said Docks, as if the same had been laden or delivered in any other Part of the Port of *Newcastle*.

Port Dues reserved to the Corporation of *Newcastle*.

XLII. And be it enacted, That nothing herein contained shall extend to prejudice or affect the Right and Title of the Master, Pilots, and Seamen of the *Trinity House* of *Newcastle-upon-Tyne* in the County of *Newcastle-upon-Tyne* to the Dues and Duties to which they are by Law entitled, and that the same Dues and Duties shall be payable and paid for or in respect of all Ships or Vessels, Goods, Merchandize, Articles, and Things, laden and delivered in the said Docks, as if the same had been laden or delivered in any other Part of the Port of *Newcastle-upon-Tyne*.

Saving the Right to Dues of the *Trinity House* of *Newcastle-upon-Tyne*.

XLIII. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

Interpretation of Act.

The Word "Vessel" shall include Ship, Lighter, Vessel, Barge, Craft, and Boat:

The Words "Rates" or "Dues" shall extend to and include any Sums of Money, Rates, or Dues payable to the Company pursuant to this Act:

The Word "Docks" shall mean any Dock, Lock, Approach, and Basin of the said Company:

The Expression "the Company" shall mean "the *York and Newcastle Railway Company*."

[*Local.*]

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XLIV. And

Expences of
Act.

XLIV. And be it enacted, That all Costs, Charges, and Expences connected with the passing of this Act shall be paid by the Directors of the said Company out of the first Monies that shall come to their Hands after the passing thereof.

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

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

Railways to
be subject to
Provisions of
any future
general Act.

XLVI. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the *York and Newcastle Railway Company* from the Provisions of any general Act relating to Railways which may hereafter pass during the present or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act.

Public Act.

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

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