



ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

Cap. cliii.

An Act for making a Railway from the *Port Carlisle* Railway in the Township of *Drumburgh* to or near to the *Coat* Lighthouse in *Silloth Bay* in the Parish of *Holme Cultram* in the County of *Cumberland*, and also a Dock and Jetty at *Silloth Bay*; and for making Arrangements with the *Port Carlisle* Dock and Railway Company; and for other Purposes. [16th July 1855.]

WHEREAS the making of a Railway from the *Port Carlisle* Railway in the Township of *Drumburgh* in the Parish of *Bowness* in the County of *Cumberland* to or near to the *Coat* Lighthouse, near *Silloth Bay* in the Parish of *Holme Cultram* in the said County, and the Construction of a Dock at *Silloth Bay* aforesaid, with a Pier or Jetty extending into the Sea, for the landing and embarking of Passengers and Goods, would be attended with local and public Advantage: And whereas the Persons herein-after named, with others, are willing, at their own Expense, to carry such Railway and Dock Undertaking into execution; but the same cannot be effected without the Authority of Parliament: May it therefore

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please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

8 & 9 Vict.
cc. 16. 18.
and 20. and
10 & 11 Vict.
c. 27. in-
corporated.

I. That the several Acts of Parliament following, (that is to say,) "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," "The Railways Clauses Consolidation Act, 1845," and "The Harbours, Docks, and Piers Clauses Act, 1847," shall be incorporated with and form Part of this Act, and with the same shall be construed as One Act.

Short Title.

II. That in citing this Act for any Purpose whatever it shall be sufficient to use the Expression "The *Carlisle and Silloth Bay Railway and Dock Act, 1854.*"

Subscribers
incorporated.

III. That *Peter James Dixon* of *Houghton Hall* in the County of *Cumberland*, Esquire, *John Dixon* of *Knells* in the said County, Esquire, *John Hewson* of the City of *Carlisle*, Esquire, *Joseph Rome* of the same City, Merchant, *Joseph Hope* of the same City, Wine Merchant, *Robert Ferguson* of the same Place, Manufacturer, *John Irving* of the same Place, Merchant, *William Parker* of the same Place, Manufacturer, *Robert Creighton* of the same Place, Timber Merchant, *John William Marshall* of *Patterdale Hall* in the County of *Westmorland*, Esquire, and *Thomas Twentyman Railton* of *Carlton* in the County of *Cumberland*, Esquire, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Railway, Dock, Pier, or Jetty and other Works herein-after mentioned, and for such Purposes shall be incorporated by the Name of "The *Carlisle and Silloth Bay Railway and Dock Company*," and by that Name shall be a Body Corporate, with perpetual Succession, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, within the Restrictions herein and in the said incorporated Acts contained.

Capital.

IV. And whereas the estimated Expense of making the said Railway and Works constituting the Railway Undertaking of the Company is Sixty-eight thousand Pounds, and the estimated Expense of constructing the said Dock and Pier or Jetty and other Works constituting the Dock Undertaking of the Company is Eighty thousand Pounds: Be it enacted, That for the Purposes of this Act the Sum of Seventy-five thousand Pounds shall be deemed the Share Capital of

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of the Company for the Purposes of the Railway Undertaking of the Company, and the Sum of Ninety thousand Pounds shall be deemed the Share Capital of the Company for the Purposes of the Dock Undertaking of the Company, making together the Sum of One hundred and sixty-five thousand Pounds; and all and every Part of the Moneys so to be raised shall be applied only in carrying into execution the Objects and Purposes of this Act, in the following Proportions, that is to say, Seventy-five thousand Pounds exclusively in constructing the said Railway, and Ninety thousand Pounds exclusively in constructing the said Dock.

V. That the Number of Shares into which the said Capital of One hundred and sixty-five thousand Pounds shall be divided shall be Six thousand six hundred, and the Amount of each Share shall be Twenty-five Pounds. Number and Amount of Shares.

VI. That Two Pounds Ten Shillings *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and Two Months at the least shall be the Interval between successive Calls, and that One Half of the Amount of a Share shall be the utmost aggregate Amount of the Calls to be made in any One Year upon such Share. Calls.

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

VIII. That it shall not be lawful for the Company, out of any Money by this Act authorized to be raised for the Purpose of such Act, to pay or deposit any Sum of Money which by any Standing Order of either House of Parliament, now in force or hereafter to be in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining any Act authorizing the Company to construct any other Railway or execute any other Work or Undertaking. Deposit for future Bills not to be paid out of the Company's Capital.

IX. That it shall be lawful for the Company to borrow on Mortgage or Bond any Sum not exceeding in the whole the Sum of Power to borrow Money.
Twenty-

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Twenty-five thousand Pounds on the Credit of the Railway Undertaking of the Company, and the Sum of Thirty thousand Pounds on the Credit of the Dock Undertaking of the Company; but no Part of either of the said Sums shall be borrowed until the whole of the said Capital or Sum of One hundred and sixty-five thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up; and all and every Part of the Moneys so to be borrowed on Mortgage or Bond shall be applied only in carrying into execution the Objects and Purposes of this Act relating to the Undertaking on the Credit of which the same shall have been borrowed.

Number and Qualification of Directors.

X. That the Number of Directors shall be Eleven, and the Qualification of a Director shall be the Possession in his own Right of Ten Shares in the Undertaking.

Power to reduce the Number of Directors.

XI. That it shall be lawful for the Company from Time to Time to reduce the Number of Directors, provided that the reduced Number be not less than Six.

First Directors.

XII. That the before-named *Peter James Dixon, John Dixon, John Hewson, Joseph Rome, Joseph Hope, Robert Ferguson, John Irving, William Parker, Robert Creighton, John William Marshall, and Thomas Twentymen Railton* shall be the First Directors of the Company,

Election of Directors at First Ordinary Meeting.

XIII. That the Directors appointed by this Act shall continue in Office until the First Ordinary Meeting to be held after the passing of the Act; and at such Meeting the Shareholders present, personally or by Proxy, may either continue in Office the Directors appointed by this Act, or any Number of them, or may elect a new Body of Directors, or Directors to supply the Places of those not continued in Office, the Directors appointed by this Act being eligible as Members of such new Body.

Subsequent Election of Directors.

XIV. That at the First Ordinary Meeting to be held in the Year next after the Year in which such last-mentioned Directors shall have been appointed or elected, the Shareholders present, personally or by Proxy, shall elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions in "The Companies Clauses Consolidation Act, 1845," contained; and the several Persons elected at any such Meeting, being neither removed, nor disqualified, nor having resigned, shall continue to be Directors until others are elected in their Stead, in manner provided by the said last-mentioned Act.

XV. That

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XV. That the Quorum of a Meeting of Directors shall be Quorum. Three.

XVI. That the Number of Directors of which Committees appointed by the Directors shall consist shall be not more than Three, and the Quorum of any such Committee shall be Two. Committee of Directors.

XVII. That the Newspaper in which Advertisements relating to the Affairs of the Company are to be inserted shall be some Newspaper published in the County of *Cumberland*. Newspaper for Advertisements.

XVIII. That it shall be lawful for the Company to make and maintain the Railway and Dock, Pier or Jetty, and other Works herein-after mentioned, with all proper Works, Stations, Approaches, and Conveniences connected therewith; (that is to say,) Line of Railway and Works.

A Railway commencing by a Junction with the Line of the *Port Carlisle* Railway at a Point distant about Two hundred and eighty Yards to the Eastward of *Drumburgh Bridge*, over the Line of the said *Port Carlisle* Railway in the Township of *Drumburgh* in the Parish of *Bowness* in the County of *Cumberland*, and terminating at or in the Dock herein-after described and intended to be constructed near to the *Coat Lighthouse* near *Silloth Bay* in the Parish of *Holme Cultram* in the County of *Cumberland*, which said intended Railway and Works will be made in or pass through the several Parishes, Townships, or extra-parochial or other Places following, or some of them; that is to say, the Townships of *Drumburgh* and *Fingland* in the Parish of *Bowness* and the said Parish of *Bowness*, the Township of *Wampool* in the Parish of *Aikton* and the said Parish of *Aikton*, the Parish of *Kirkbride*, and the Township of *Holme East Waver*, *Holme Abbey*, *Holme Saint Cuthbert*, and *Holme Low*, in the Parish of *Holme Cultram*, and the said Parish of *Holme Cultram*, all in the County of *Cumberland*:

A Dock, together with all proper Basins, Wharves, Quays, Piers, Jetties, Tramways, Bridges, Lock Gates, Sluices, Moorings, Staiths, Drops, Shipping and Landing Places, Sheds, Warehouses, Buildings, Works, and Conveniences connected therewith, within the said Township of *Holme Low* and Parish of *Holme Cultram*, and distant about One thousand five hundred Yards from the *Coat Lighthouse* near *Silloth Bay*, and to be constructed upon certain Lands bounded on or towards the North, East, and South by the Lands of *Charles Jolliffe* Esquire, and on or towards the West by the Sea in *Silloth Bay*, and upon the Bed and Shore of the Sea adjoining the said Lands, with Communications between the said Dock and the Sea in *Silloth Bay*, with all necessary Gates, Bridges, and other Works connected therewith:

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A Pier

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A Pier or Jetty within the said Township of *Holme Low* and Parish of *Holme Cultram*, commencing at or near the South Side of the Entrance of the said Dock, and extending thence into the Sea at *Silloth Bay* aforesaid, and upon the Bed and Shore of the Sea adjoining the Site of the said Dock, with all necessary Landing Places and Conveniences connected therewith.

Power to make Railway according to deposited Plans.

XIX. And whereas Plans and Sections of the intended Railway and Dock, Pier or Jetty, and other Works, showing the 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 through or upon which the same are intended to pass or be made, or which may be required for the Purposes of the Undertaking, have been deposited with the Clerk of the Peace for the County of *Cumberland*: Be it enacted, That, subject to the Provisions in this and the said Acts incorporated herewith contained, it shall be lawful for the Company to make and maintain the said Railway and Works in the Lines and upon the Lands delineated on the said Plans and described in the said Books of Reference, and according to the Levels defined on the said Sections, and to enter upon and use such of the said Lands as shall be necessary for such Purpose.

Power to construct Dock and Pier according to deposited Plans.

XX. That, subject to the Provisions in this and the said Acts incorporated herewith contained, it shall be lawful for the Company to make and maintain the Dock, Pier, or Jetty in the Situations and upon the Lands delineated upon the said Plans and described in the said Book of Reference, and according to the Levels shown on the said Sections, and within the Limits shown on the said Plans to make and maintain all such Cuts, Locks, Gates, Bridges, Quays, Works, and Conveniences as they may think necessary for the Purposes of the said Dock, Pier, and Jetty, and to enter upon, take, and use such of the said Lands as they shall deem necessary for the Purposes aforesaid.

Company may deviate to the Extent marked on the Plans.

XXI. That, notwithstanding anything in "The Harbours, Docks, and Piers Clauses Act," and "Railways Clauses Consolidation Act," contained, it shall be lawful for the Company, in constructing the said Dock, Pier, and Jetty, and other Works, and the Railway Approaches thereto, to deviate to the Extent of the Limits of Deviation marked on the said Plans.

Period for Completion of Dock Undertaking.

XXII. That the Dock Undertaking and Works hereby authorized shall be completed within Seven Years after the passing of this Act, and on the Expiration of such Period the Powers by this Act and the Acts incorporated herewith given to the Company for constructing the

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the said Dock Undertaking and Works shall cease to be exercised, except as to so much of the Works as shall be then completed.

XXIII. That previously to commencing to construct the said Dock Works or Jetty, or the Bridges or Crossings over the *Wampool* and the *Waver*, or the Works respectively connected therewith, the Company shall deposit at the Admiralty Office detailed Plans, Sections, and Working Drawings of the said Dock Works, Jetty, and the Bridges or Crossings over the *Wampool* and the *Waver*, and the Works respectively connected therewith, and of the Sites thereof respectively, and such Dock Works, Jetty, Bridges, Crossings, and Works shall be constructed only of such Materials and according to such Plans, Sections, and Working Drawings as shall have been previously approved of by the Lord High Admiral of the United Kingdom of *Great Britain and Ireland*, or the Commissioners for executing the Office of Lord High Admiral aforesaid, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty; and in case the said Dock Works, Jetty, Bridges, Crossings, and Works, or any Part thereof, shall be commenced or completed without such Approval, or not in conformity therewith, then the said Lord High Admiral or the said Commissioners shall be at liberty to abate and remove or alter the same, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due to the Crown, and be recoverable accordingly, with Costs of Suit.

Plans affecting certain Waters to be submitted to Admiralty.

XXIV. That if at any Time or Times the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral, shall deem it expedient to order a local Survey and Examination of such Works or of the intended Site thereof, the Company shall defray the Costs of every such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the Company, and if not paid upon Demand may be recovered as a Debt due to the Crown, with the Costs of Suit, or may be recovered, with Costs, as a Penalty is or may be recoverable from the Company.

Admiralty may order a Survey at the Expense of the Company.

XXV. That if any Work to be constructed by the Company in, under, over, across, or through any tidal Water or navigable River, or if any Portion of the Work which affects any such Water or navigable River, or Access thereto, shall be abandoned, or suffered to fall into Disuse or Decay, it shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, to abate 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

Works affecting tidal Waters abandoned, &c. may be removed by Admiralty at Expense of Company.

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from the Company to the Crown, and be recoverable accordingly, with Costs of Suit.

Lights to be hung out at Night during the Construction of certain Bridges.

XXVI. That during the Construction of the said Bridges or Crossings, or any or either of them, and Works respectively connected therewith, the Company shall cause to be hung out or exhibited, every Night from Sunset to Sunrise, a Light, to be kept burning by and at the Expense of the Company, for the Navigation and safe Guidance of Vessels, and after the Completion of each and every of the said Bridges or Crossings the Company shall, if at any Time and as long as so required by the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, by Writing under the Hand of the Secretary of the Admiralty, cause to be hung out or exhibited upon or near to the Centre of each and every of the said Bridges or Crossings, every Night from Sunset to Sunrise, a good and sufficient Light, to be kept burning by and at the Expense of the Company, for the Navigation and safe Guidance of Vessels, and which Lights shall be from Time to Time altered by the Company in such Manner, and be of such Description, and be so used and placed, as the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, shall by Writing under the Hand of the Secretary of the Admiralty approve of; and in case the Company shall neglect to exhibit and keep either of such Lights burning as aforesaid, they shall forfeit and pay for every such Neglect the Sum of Ten Pounds.

Power to cross certain Roads on a Level.

XXVII. That, subject to the Provisions in "The Railways Clauses Consolidation Act" contained in reference to the crossing of Roads on a Level, it shall be lawful for the Company, in the Construction of the Railway by this Act authorized to be made, to carry the same across and on the Level of the several Roads numbered on the Plans deposited as herein-before mentioned as follows; (that is to say,)

Number on Plan.	Parish.	Description of Roads.
102	Holme Cultram	- Public Carriage Road.
205	Holme Cultram	- Public Carriage Road.
237	Holme Cultram	- Public Carriage Road.

Company to erect a Station or Lodge at Points of crossing, and abide by Rules, &c. of Board of Trade.

XXVIII. That for the greater Convenience and Security of the Public the Company shall erect and permanently maintain either a Station or Lodge at the several Points where the said Railway crosses the before-mentioned Roads on the Level; and the Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Roads on the Level, or with regard to the Speed at which Trains shall pass such Roads, as shall from Time

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to Time be made by the Board of Trade; and if the Company shall fail to erect or at all Times maintain any such Station or Lodge, or to appoint a proper Person to watch or superintend the Crossing at any such Point or Station, or to observe or abide by any such Rule or Regulation as aforesaid, they shall for every such Offence be liable to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day such Offence shall continue after such Penalty of Twenty Pounds shall have been imposed.

XXIX. That it shall be lawful for the Board of Trade, if it shall appear to them to be necessary for the Public Safety, at any Time, either before or after the Railway by this Act authorized to be made shall have been completed and opened for public Traffic, to require the Company, within such Time as the Board of Trade shall direct, and at the Expense of the Company, to carry any or either of the before-mentioned Roads either under or over the Railway by means of a Bridge or Arch, in lieu of crossing the same on the Level, and to execute such other Works as under the Circumstances of the Case shall appear to the Board of Trade the best adapted for removing or diminishing the Danger arising from any such level Crossing.

Board of Trade may require a Bridge to be erected in lieu of level Crossing.

XXX. That the prescribed Quantity of Land which the Company may purchase for the extraordinary Purposes connected with the Railway Undertaking mentioned in the "Railways Clauses Consolidation Act, 1845," shall not exceed Fifteen Acres.

Land for extraordinary Purposes.

XXXI. That the Railway shall be completed within Five Years from the passing of this Act, and on the Expiration of such Period the Powers by this Act granted to the Company for executing the Railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

Period for Completion of Railway Works.

XXXII. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth and Tenth Years of Her present Majesty, Chapter 20, a Sum of Five thousand one hundred Pounds, being One Tenth Part of Three Fourths of the Amount of the Estimate of the Expense of the Railway Undertaking authorized by this Act, has been deposited with the Court of Chancery in *England* in respect of the Application to Parliament for this Act: Be it enacted, That, notwithstanding anything contained in the said recited Act, the said Sum of Five thousand one hundred Pounds so deposited as aforesaid in respect of the Application for this Act, or the Interest or Dividends of such Sum of Money, shall not, except upon the Execution and Deposit of such Bond as herein-after mentioned, be paid or transferred to or on the Application of the Person or Persons or the Majority of the Persons named in the Warrant or

Securing the Completion of the Railway within the Time limited.

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Order issued in pursuance of the said Act, or the Survivors or Survivor of them, unless the said Company shall, previously to the Expiration of the Period limited by this Act for Completion of the Railway hereby authorized to be made, either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the said Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by means of Shares for the Purposes of the said Railway Undertaking, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if the said Period shall expire before the said Company shall either have opened the said Railway for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the said Sum of Money deposited as aforesaid, and the Interest and Dividends thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*: Provided, that at any Time after the passing of this Act, if a Bond in twice the Amount of the said Sum of Five thousand one hundred Pounds shall have been executed by the said Company, with One or more Sureties, (such Bond to be prepared to the Satisfaction of and such Surety or Sureties to be approved by the Solicitor to the Lords Commissioners of Her Majesty's Treasury,) conditioned for Payment to Her Majesty, Her Heirs or Successors, of the said Sum of Five thousand one hundred Pounds if the said Company shall not, within the Time limited for the Completion of the said Railway, either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee that the said Company have paid up One Half of the Amount of the said Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if such Bond shall have been deposited with the said Solicitor to the said Lords Commissioners, then such Sum of Money, and the Interest or Dividends thereof, shall be paid to or on the Application of the Person or Persons or the Majority of the Persons named in such Warrant or Order as aforesaid, or the Survivor or Survivors of them, and it shall not be necessary to produce any Certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding; and the Moneys to be recovered upon any such Bond shall be dealt with in like Manner as the said Sum of Money and the Interest or Dividends thereof would have been dealt with under this Act if such Bond had
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not been executed and deposited as aforesaid; and the Certificate of the said Solicitor to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Lords of the said Committee that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

XXXIII. That it shall be lawful for the Company to demand and receive, in respect of Passengers, and of the several Articles, Matters, and Things, and of the several Descriptions of Animals herein-after mentioned, conveyed on the Railway or any Part thereof, any Tolls not exceeding the following; that is to say, Power to take Tolls hereafter mentioned.

For all Dung, Compost, and all Sorts of Manure, Lime and Limestone, Ironstone and Iron Ore, and all undressed Materials for the Repair of public Roads or Highways, *per Ton per Mile* not exceeding One Penny; and if conveyed in Carriages belonging to or provided by the Company, an additional Sum *per Ton per Mile* not exceeding One Halfpenny:

For all Pig Iron, Iron not manufactured into Utensils or into other Articles or Merchandise, Pitching and Paving Stones, and other kind of Stones, Bricks, Tiles, Draining Pipes, Slates, Clay, and Sand, *per Ton per Mile* not exceeding Twopence; and if conveyed in Carriages belonging to or provided by the Company, an additional Sum *per Ton per Mile* not exceeding One Penny:

For all Sugar, Grain, Corn, Flour, Hides, Hemp, Dyewoods, Earthenware, Timber, Deals, Lead, Ore, Metals (except Pig Iron), *per Ton per Mile* not exceeding Threepence; and if conveyed in Carriages belonging to or provided by the Company, an additional Sum *per Ton per Mile* not exceeding One Penny:

For all Coals, Coke, Culm, and Cinders, *per Ton per Mile* not exceeding One Penny Halfpenny; and if conveyed in Carriages belonging to or provided by the Company, an additional Sum *per Ton per Mile* not exceeding One Halfpenny:

For the like Articles, Goods, and Things which shall be intended for Shipment, *per Ton per Mile* not exceeding One Penny; and if conveyed in Carriages belonging to or provided by the Company, an additional Sum *per Ton per Mile* not exceeding One Halfpenny:

For all Vitriol, *per Ton per Mile* not exceeding Fourpence; and if conveyed in Carriages belonging to or provided by the Company, an additional Sum *per Ton per Mile* not exceeding One Penny:

For all Cotton and all other Wools, Drugs, manufactured Goods, and all other Wares, Merchandise, Articles, Matters, and Things not before enumerated, *per Ton per Mile* not exceeding Threepence Halfpenny; and if conveyed in Carriages belonging to or provided by the Company, an additional Sum *per Ton per Mile* not exceeding One Penny:

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For every Carriage, of whatever Description, and not being a Carriage adapted and used in travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform not belonging to the Company, any Sum not exceeding Fivepence *per* Mile; and a like Sum of One Penny Halfpenny *per* Mile for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh; and if conveyed on a Truck or Platform belonging to or provided by the Company, an additional Sum *per* Mile not exceeding Twopence:

For every Passenger conveyed in a First-class Carriage, *per* Mile not exceeding Twopence; and if conveyed in or upon any Carriage belonging to or provided by the Company, any additional Sum *per* Mile not exceeding One Penny:

For every Passenger conveyed in a Second-class Carriage, *per* Mile not exceeding One Penny Halfpenny; and if conveyed in or upon any Carriage belonging to or provided by the Company, an additional Sum *per* Mile not exceeding One Halfpenny:

For every Passenger conveyed in a Third-class Carriage (except by the Government Trains), *per* Mile not exceeding One Penny; and if conveyed in or upon any Carriage belonging to or provided by the Company, an additional Sum *per* Mile not exceeding One Farthing:

For every Horse, Mule, Ass, or other Beast of Draught or Burden, *per* Mile not exceeding Fourpence; and if conveyed in or upon any Carriage belonging to or provided by the Company, an additional Sum *per* Mile not exceeding One Penny:

For every Ox, Cow, Bull, or Neat Cattle, *per* Head *per* Mile not exceeding Twopence; and if conveyed in or upon any Carriage belonging to or provided by the Company, an additional Sum *per* Mile not exceeding One Penny:

For every Calf, Pig, Sheep, Lamb, or other small Animal, *per* Head *per* Mile not exceeding Three Farthings; and if conveyed in or upon any Carriage belonging to or provided by the Company, an additional Sum *per* Mile not exceeding One Farthing.

Tolls for
propelling
Power.

XXXIV. That the Toll which the Company may demand for the Use of Engines for propelling Carriages on the Railway shall not exceed One Penny *per* Mile for each Passenger or Animal, or for each Ton of Goods or other Articles, in addition to the several other Tolls or Sums by this Act authorized to be taken

Regulations
as to Tolls.

XXXV. That the following Provisions and Regulations shall be applicable to the fixing of such Tolls; (that is to say,)

For Articles or Persons conveyed on the Railway for a less Distance than Four Miles the Company may demand Tolls as for Four entire Miles:

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For a Fraction of a Mile beyond Four Miles or beyond any greater Number of Miles the Company may demand Tolls on Merchandise for such Fraction in proportion to the Number of Quarters of a Mile contained therein; and if there be a Fraction of a Quarter of a Mile, such Fraction shall be deemed a Quarter of a Mile; and in respect of Passengers every Fraction of a Mile beyond any integral Number of Miles shall be deemed a Mile:

For a Fraction of a Ton the Company may demand Toll according to the Number of Quarters of a Ton in such Fraction, and if there be a Fraction of a Quarter of a Ton such Fraction shall be deemed a Quarter of a Ton:

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

With respect to Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Teak, Beech, or Ash, and Fifty Feet of any other Timber, shall be deemed One Ton Weight, and so in proportion for any smaller Quantity.

XXXVI. And with respect to small Packages, and single Articles of great Weight, be it enacted, That, notwithstanding the Rate of Tolls prescribed by this Act, the Company may lawfully demand the Tolls following; (that is to say,)

Tolls for
small Parcels
and Articles
of great
Weight.

For the Carriage of small Parcels the Company may demand for Parcels not exceeding Seven Pounds Weight any Sum not exceeding Fourpence:

For Parcels exceeding Seven Pounds and not exceeding Fourteen Pounds, any Sum not exceeding Eightpence:

For Parcels exceeding Fourteen Pounds and not exceeding Twenty-eight Pounds, any Sum not exceeding One Shilling and Fourpence:

For Parcels exceeding Twenty-eight Pounds and not exceeding Fifty-six Pounds, any Sum not exceeding Two Shillings:

And for Parcels exceeding Fifty-six Pounds and less than Five hundred Pounds the Company may demand any Sum which they may think fit: Provided always, that Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages:

For the Carriage of any One Boiler, Cylinder, or single Piece of Machinery, or single Piece of Stone or Timber, or other single Article, the Weight of which, including the Carriage, shall exceed Five Tons but shall not exceed Eight Tons, the Company may demand such Sum as they think fit, not exceeding the Sum of One Shilling *per Ton per Mile*:

[*Local.*]

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For

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

Passengers
Luggage.

XXXVII. That every Passenger travelling upon the Railway may take with him his ordinary Luggage, not exceeding One hundred and twelve Pounds in Weight for First-class Passengers, One hundred Pounds in Weight for Second-class Passengers, and Sixty Pounds in Weight for Third-class Passengers, without any Charge being made for the Carriage thereof.

Limiting
Charges for
Conveyance
of Pas-
sengers.

XXXVIII. That it shall not be lawful for the Company to demand or receive any greater Sum in respect of the Carriage of Passengers conveyed on the Railway by this Act authorized than Threepence *per* Passenger *per* Mile in respect of any Passenger travelling in a First-class Carriage, Twopence *per* Passenger *per* Mile in respect of any Passenger travelling in a Second-class Carriage, and One Penny Farthing *per* Passenger *per* Mile in respect of any Passenger travelling in a Third-class Carriage, including the Charges for the Use of Carriages and locomotive Power, and all other Charges incidental to such Conveyance, unless in the Case of Passengers travelling by Special Trains.

Limiting
Charges for
the Convey-
ance of
Goods and
Cattle.

XXXIX. That it shall not be lawful for the Company to charge, in respect of the several Articles, Matters, and Things and of the several Descriptions of Animals herein-after mentioned, conveyed on the Railway by this Act authorized, any greater Sum, including the Charges for the Use of Carriages, Waggon, or Trucks, and for locomotive Power, and all other Charges incidental to such Conveyance, than the several Sums herein-after mentioned; (that is to say,)

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

For all Pig Iron, Iron not manufactured into Utensils or into other Articles or Merchandise, Pitching and Paving Stones, and other kinds of Stone, Bricks, Tiles, Draining Pipes, Slates, Clay, and Sand, *per* Ton *per* Mile Threepence:

For all Sugar, Grain, Corn, Flour, Hides, Hemp, Dyewoods, Earthenware, Timber, Deals, Lead Ore, Metals (except Pig Iron), *per* Ton *per* Mile Fourpence:

For all Coals, Coke, Culm, and Cinders, *per* Ton *per* Mile Twopence:

For the like Articles, Goods, and Things which shall be intended for Shipment, *per* Ton *per* Mile One Penny Halfpenny:

For

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For all Vitriol, *per Ton per Mile* Fivepence :

For all Cotton and all other Wools, Drugs, manufactured Goods, and all other Wares, Merchandise, Articles, Matters, and Things not before enumerated, *per Ton per Mile* Fourpence Halfpenny :

For every Carriage, of whatever Description, and not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, Sixpence *per Mile*; and for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh, One Penny Halfpenny *per Mile* :

For every Horse, Mule, Ass, or other Beast of Draught or Burden, *per Mile* Fivepence :

For every Ox, Cow, Bull, or Neat Cattle, *per Head per Mile* Threepence :

For every Calf, Pig, Sheep, Lamb, or other small Animal, *per Head per Mile* One Penny.

XL. That nothing herein contained shall be held to prevent the Company from taking any increased Charges, over and above the Charges herein-before limited, for the Conveyance of Goods of any Description, by Agreement with the Owners or Persons in charge of such Goods, either in respect of the Conveyance of such Goods, other than small Parcels, by Passenger Trains, or by reason of any other special Service performed by the Company in relation to such Goods. Company may take increased Charges by Agreement.

XLI. That the Dock Undertaking of the Company shall be deemed to be comprised within the following Limits or Boundaries ; Limits of Dock Undertaking.
(that is to say,)

A Line commencing at a Point in the Fence on the West or North-west Side of the Arable Field numbered 265 in the said Parish of *Holme Cultram* on the Plans deposited as herein-before mentioned, distant Twenty-two Yards or thereabouts from the South-west Corner of the said Field, and drawn in a North-westerly Direction for the Length or Distance of Three hundred and three Yards or thereabouts to the North-west Corner of the Arable Field numbered 282 in the said Parish of *Holme Cultram* on the said Plans, and thence produced down to Low-water Mark on or towards the North or North-east :

So much of the said Fence on the West or North-west Side of the said Arable Field numbered 265 in the said Parish of *Holme Cultram* on the said Plans as lies between the Commencement of the said last-mentioned Line and the South-west Corner of the said Field, the Fences on the West or North-west Sides of the Arable Field numbered 266, of the Pasture Fields numbered respectively

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respectively 267, 269, and 270, of the Arable Fields numbered respectively 271, 272, and 273, of the Pasture Fields numbered respectively 274 and 275, and of the Arable Field numbered 276, in the Parish of *Holme Cultram* on the said Plans, and so much of the Fence on the West or North-west Side of the Pasture Field numbered 277 in the said Parish of *Holme Cultram* on the said Plans as extends from the North-west Corner of the said Field to a Point in the said Fence distant Eighty-seven Yards or thereabouts from the said North-west Corner on or towards the East or South-east :

A Line commencing at the last-mentioned Point, and forming with the Portion of the said Fence on the West or North-west Side of the said Pasture Field numbered 277 in the said Parish of *Holme Cultram* on the said Plans lying between the said Point and the North-west Corner of the said Field an Angle towards the North or North-west of One hundred and seven Degrees, and drawn in a Westwardly Direction for the Length or Distance of Six hundred and thirty-three Yards or thereabouts to the Division between the Rabbit Warren numbered 286 and the Sea Shore numbered 288 in the said Parish of *Holme Cultram* on the said Plans, and another Line commencing at the Termination of the last-mentioned Line, and forming therewith an Angle towards the North or North-east of One hundred and forty Degrees, and drawn in a North-westwardly Direction down to Low-water Mark on or towards the South or South-west :

And by Low-water Mark on or toward the West or North-west :

Which said Boundaries on the North or North-east, East or South-east, and South or South-west are shown by a dotted Line on the said Plans, being the same as the Limits of Deviation of the said Dock and Jetty shown upon the said Plans ; and within the Limits aforesaid it shall be lawful for the Company to exercise all the Powers and Authorities by this Act vested in them in reference to the Dock Undertaking of the Company.

Power to
maintain
Docks, &c.

XLII. That it shall be lawful for the Company from Time to Time to keep in repair the Piers, Jetties, Breakwaters, Quays, Wharfs, Slips, Walls, Banks, Locks, Weirs, Sluices, Tunnels, Cuts, Channels, and other Works belonging to the Company, and to do, execute, and perform all such other Acts, Matters, and Things in and upon the Land or Ground belonging to them, and in and upon the Beach or Strand and in the Channel of *Silloth Bay*, as they shall think necessary and proper for maintaining the said Dock and Pier or Jetty, and for making the same fit for the Reception, Accommodation, and Security of Vessels resorting thereto, and for the more convenient lading and unlading of such Vessels, and for facilitating the Access to and increasing the Convenience or Security of the said Docks or Basins, and for preventing
Mud,

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Mud, Gravel, Soil, Filth, and other Matters from stopping up and injuring the same, and also to erect and build such Warehouses and other Buildings for the Reception and safe Custody of Goods, Wares, and Merchandise, and all such Dwelling Houses and Conveniences as shall be necessary for the Purposes of the Dock of the Company.

XLIII. That it shall be lawful for the Company to demand and take, Dock Rates. in respect of every Vessel entering into any Dock of the Company, and of any Goods, Wares, and Merchandise, Articles, Matters, and Things, brought, loaded, or discharged within any Dock of the Company, any Sum not exceeding the several Rates following; (that is to say,)

For every Vessel from any Port or Place in *Great Britain, Ireland, the Isle of Man, or any of the Islands of Guernsey, Jersey, Alderney, and Sark*, which shall enter into any such Dock, any Sum not exceeding the Sum of Ninepence *per Ton*:

For every Vessel from any other Port or Place which shall enter any such Dock, any Sum not exceeding Three Shillings *per Ton*:

For every Vessel which shall remain in any such Dock for a longer Period than One Month, any Sum not exceeding Threepence *per Ton* for each entire Month such Vessel shall so remain:

Which several before-mentioned Rates shall be payable by the Master of the Vessel:

For all Goods, Wares, Merchandises, Corn, Grain, Timber, Cattle, or other live Stock not conveyed along the Railway authorized by this Act for the Distance of Six Miles or upwards, and which shall be loaded in or upon or discharged from or out of any Vessel lying in any such Dock, any Sum not exceeding One Shilling and Sixpence *per Ton*:

For every Raft of *American, Baltic, or other Foreign Timber* brought into any such Dock, in addition to the last-mentioned Rate or Duty, any Sum not exceeding Two Shillings *per Ton*:

Which several before-mentioned Rates shall be payable by the Owner of the Goods and other Articles liable to such Rates.

XLIV. And whereas the Company may erect Wharfs, Staiths, and Cranes for the loading and landing and Sheds for the Protection of Goods, Wares, Merchandise, and Commodities at the said Dock, and in or near *Carlisle*: Be it enacted, That it shall be lawful for the Company, from Time to Time and at all Times hereafter, to ask and demand, take and receive, for their own Use, for every Ton of Goods, Wares, Merchandise, Commodities, and other Things which shall be

Rates for the Use of Wharfs and Cranes.

[Local.]

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loaded

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loaded from or landed upon any of the said Wharfs or Staiths, and which shall remain thereupon, or under any Sheds belonging to the Company, not more than Forty-eight Hours, any Sum not exceeding Threepence, and for every Day or Part of a Day that they shall so remain after the first Forty-eight Hours such further Sum, not exceeding One Penny, as the Company shall determine: Provided always, that nothing herein contained shall authorize the Owners to keep any Goods, Wares, Merchandise, or Commodities upon any such Wharfs or Staiths for a longer Time than shall be allowed by the Byelaws of the Company.

Rates for
the Use of
Warehouses.

XLV. That it shall be lawful for the Company to demand and take, for the Use of any Warehouses and Weighing Machines erected by the Company, from the Owner or Person having Charge of any Goods, Articles, or Things deposited therein, or weighed or measured by means thereof, such reasonable Rates as the Company shall for the Time being appoint.

Limits with-
in which the
Harbour
Master may
exercise his
Authority.

XLVI. That the Limits within which the Powers of the Harbour and Dock Master for the Regulation of the Harbour and Dock shall be exercised shall be the Limits of the Dock Undertaking of the Company and One hundred Yards from such Limits into the Waters of *Silloth Bay*.

Officers of
Customs to
have free
Access to
Docks with-
out Payment
of Toll.

XLVII. That it shall be lawful for all Officers of Customs, being in the Execution of their Duty, to have free Ingress and Egress into and out of the said Dock and Premises, and through the Gates and Entrances of the same, and also freely to pass with their Vessels and Boats through the Locks and Water Communications of the said Dock and Premises, at all Times (provided the State of the Tide and Water Communications of the said Dock and Premises will admit of such passing), without Payment of any Toll or Sum for so doing.

Power to
appoint
Weighers
and Meas-
urers.

XLVIII. That it shall be lawful for the Company to appoint and license a sufficient Number of Persons to be Meters and Weighers within or in the Dock.

Power to
erect Light-
houses and
place Buoys.

XLIX. That the Company shall have full Power and Authority from Time to Time to contract and agree for the Purchase or Hire of any Lands, Tenements, and Hereditaments, with the Consent of the Owner thereof, in any Situation in the County of *Cumberland* near to *Silloth Bay*, for the Purpose of erecting or maintaining One or more Lighthouse or Lighthouses or other Beacons or Sea-marks thereon, for the Safety of Vessels navigating to and from the said Dock, and shall also

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also have full Power and Authority, with the Consent of the Master and Elder Brothers of the Corporation of the *Trinity House, Deptford Strond*, to make and maintain such Lighthouses, Beacons, and Sea-marks, and also with the like Consent to set up such Poles or other Marks, in and near the Channel of *Silloth Bay*, and to lay down such Warping and Mooring Buoys, with their necessary Anchors and Tackling, and from Time to Time remove, and, with the like Consent, to alter such Lighthouses, Beacons, Sea-marks, Floating Lights, Buoys, Poles, and other Marks, and to erect, place, or lay down others in their Stead, as to the said Company shall appear necessary or advantageous for the Protection of or for facilitating the Navigation to and from the said Dock.

L. That all Communications between the Railway hereby authorized and the *Port Carlisle* Railway, and all such Openings in the Ledges or Flanches thereof as may be necessary or convenient for effecting such Communication, shall be made under the Direction and Superintendence of the Engineer for the Time being of the *Port Carlisle* Dock and Railway Company, at the Expense of the Company incorporated by this Act.

As to Junction with *Port Carlisle* Railway.

LI. That it shall be lawful for the Company incorporated by this Act, and for the *Port Carlisle* Dock and Railway Company, to make and enter into Contracts and Agreements for the Use by the said Companies of any Station or Stations and Depôts belonging to or to be made and acquired by the said Companies or either of them, and generally to enter into and carry into effect such Arrangements in reference thereto, and for the proper and convenient Construction thereof, and the Payment and Apportionment of the Expense of constructing and maintaining the same, and the Rates and other Remuneration to be paid for the Use thereof, as may be mutually agreed upon between the said Two Companies; and every such Contract, Agreement, or Arrangement may contain such Covenants, Clauses, Powers, Provisions, and Conditions as may be mutually agreed on between the said Two Companies.

Powers to enter into Agreements with the *Port Carlisle* Dock and Railway Company for the Use of Stations.

LII. Provided always, That, for the Purpose of better enabling the Company incorporated by this Act and the *Port Carlisle* Dock and Railway Company to carry into effect any Arrangements to be entered into between them for the Construction and Maintenance of any Station at or near *Carlisle, Drumburgh, or Silloth Bay*, for the joint Use of the said Companies, it shall be lawful for either of the said Companies to sell and for the other of them to purchase any Lands purchased or to be purchased or acquired by either of them for

Company may purchase Lands for Purposes of Joint Stations.

the

The Carlisle and Silloth Bay Railway and Dock Act, 1855.

the Construction of any Station and Works at *Carlisle, Drumburgh,* or *Silloth Bay*, upon such Terms, and subject to such Rights of using the same Lands, and any Station and Works to be constructed thereon by either of the said Companies, and to the Payment by either of the said Companies to the other of them of such Rent or other Remuneration for using the same, as may be mutually agreed upon between the said Companies.

Power for
the Port
Carlisle and
Silloth Bay
Railway
Companies
to enter into
Agreements
for certain
Purposes.

LIII. That the *Port Carlisle Dock and Railway Company* and the *Carlisle and Silloth Bay Railway and Dock Company* may from Time to Time enter into Agreements with respect to the following Purposes or any of them; that is to say,

The Use and Working by the *Port Carlisle Dock and Railway Company* of all or any Part of the *Carlisle and Silloth Bay Railway*, and the Use of the Works and Conveniences belonging thereto:

The Use and Working by the *Carlisle and Silloth Bay Railway and Dock Company* of all or any Part of the *Port Carlisle Railway*, and the Use of the Works and Conveniences belonging thereto:

The Conveyance by either of the said Companies upon their own Line of Railway of the whole or any Part of the Traffic upon the Railway of the other of the said Companies:

The Division and Apportionment in either Case of such Traffic between the said Companies:

The Supply of any Rolling or Working Stock required by either Company for such Purposes:

The Use or Purchase by either of the said Companies of any Rolling or Working Stock belonging to the other of them or any Part thereof:

The Management, Maintenance, and Repair of the Railway so agreed to be worked:

The Costs and Expenses of such Working, Management, Maintenance, and Repairs:

The forwarding, Interchange, and Transmission upon or over the respective Railways of the said Companies of any Passenger or other Traffic which may be conveyed upon and from the Railway of either Company or any Part thereof to and along the Railway of the other Company or any Part thereof:

The Collection, Delivery, and general Conduct of such Traffic:

The fixing of the Tolls, Rates, and Charges to be levied or taken by the said Companies in respect of the Traffic conveyed on their several Railways or any Part thereof respectively, not exceeding the maximum Tolls, Rates, and Charges authorized by the Acts of Parliament relating to the said Railways respectively:

The

The Carlisle and Silloth Bay Railway and Dock Act, 1855.

The Collection, taking, and levying of the said Tolls, Rates, and Charges :

The Division between the said Companies of the Receipts arising from the Traffic upon their respective Railways or any Part thereof respectively, subject to any Deductions to be made therefrom, or any Rent or other Consideration to be paid by either of the said Companies to the other of them, by virtue of the said Agreement.

LIV. That any such Agreement shall not be for more than Ten Years ; and no such Agreement shall have any Operation until the same shall have been approved of by the Board of Trade ; and no such Agreement as aforesaid shall in any Manner alter, affect, increase, or diminish any of the Tolls, Rates, or Charges which the said Companies shall for the Time being be respectively authorized and entitled to demand and receive from any Person or any other Company, but all other Persons and Companies shall, notwithstanding any such Agreement, be entitled to the Use and Benefit of the Railways to which the said Agreement may relate, upon the same Terms and Conditions, and on Payment of the same Tolls, Rates, and Charges, as they would have been in case no such Agreement had been entered into : Provided always, that the said Board shall not approve such Agreement without being satisfied that the same has been duly assented to by the Shareholders of the several Companies Parties thereto, in Special Meeting assembled for that Purpose.

Duration of such Agreement, which must be approved by Board of Trade;

not to affect Persons not Parties thereto.

LV. That the said Companies may by any such Agreement as aforesaid appoint a Joint Committee composed of such Number of Directors of the said Companies as the said Companies may think proper, and from Time to Time may alter or vary any such Committee as Occasion may require, and may regulate the Proceedings of such Committee, and delegate to such Committee all such Powers of the said Companies respectively as may be necessary for carrying into effect the Purposes of such Agreement ; and every such Joint Committee so appointed shall have and may exercise the Powers so for the Time being delegated to them in like Manner as the same might have been had and exercised by the said Companies respectively, or their respective Directors.

Appointment of Joint Committee for carrying the Agreement into effect.

LVI. That at the Expiration of the said Agreement or of any future Agreement the said Companies, with the Consent in Special Meeting of the Shareholders of such Companies respectively, and subject to the Approval of the Board of Trade, may from Time to

Agreement may be renewed, with the Approval of the Board of Trade, but

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Time

The Carlisle and Silloth Bay Railway and Dock Act, 1855.

public
Notice must
be first given.

Time enter into a further Agreement for not more than Ten Years from the Expiration of the preceding Agreement, for all or any of the Purposes aforesaid; provided, that before such Companies shall enter into any such further Agreement as aforesaid they shall give Notice of their Intention to enter into such Agreement by Advertisements in a Form to be approved of by the Board of Trade, inserted once in each of Three successive Weeks in some Newspaper published or circulating in each County in which any Part of the Railway or Railways to which such proposed Agreement relates is situated; and every such Notice shall set forth within what Time and in what Manner any Company or Person aggrieved by such proposed Agreement, and desiring to object thereto, may bring such Objections before the Board of Trade; and no such Agreement shall be valid at Law or in Equity until the same shall have been approved of by the Board of Trade.

Agreement
not valid
until ap-
proved.

Working
Arrange-
ments, &c.
not to take
effect, unless
approved by
Three Fifths
of the Share-
holders.

LVII. That none of the Powers and Provisions of this Act with respect to the Use, working, or managing of the Railway of either of the said Companies by the other of the said Companies, or with respect to the Interchange of Traffic between the said Companies, shall have any Operation or Effect unless and until the Contracts or Arrangements intended to be made for such Purposes respectively shall have been submitted to and approved by a Majority of not less than Three Fifths of the Votes of the Shareholders present, personally or by Proxy, at a Meeting of the Company specially convened for that Purpose.

Meeting how
to be con-
vened.

LVIII. That such Meeting shall be called by Advertisements inserted once at least in Two successive Weeks in a Morning Newspaper published in *London*, and in some Newspaper of the County in which the principal Office of the Company is situate, the last of which Advertisements shall be published not less than Seven Days before such Meeting, and also by a Circular addressed to each Shareholder entitled to vote at Meetings of the Company, to be served in the Manner prescribed by "The Company's Clauses Consolidation Act, 1845," with respect to Notices requiring to be served by the Company upon the Shareholders.

Traffic on
both Lines
not to be
subject to
Four Mile
Clauses on
both Lines.

LIX. That in estimating the Toll or Charge to be paid during the Continuance in force of any such Contract or Agreement as aforesaid, in respect of Articles or Persons conveyed for short Distances partly upon the *Port Carlisle* Railway and partly upon the Railway by this Act authorized, it shall not be lawful to demand and take such Tolls or Charges as for Four entire Miles in respect of
the

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the Distance traversed on the *Port Carlisle* Railway, and also as for Four entire Miles in respect of the Distance traversed on the Railway by this Act authorized, but such Tolls or Charges may be taken as for Six Miles in respect of short Distances of less than Six Miles traversed on Portions of both the said Railways.

LX. And whereas the Railway authorized by this Act will form a Junction with the *Port Carlisle* Railway in the Township of *Drumburgh*, and it is necessary to make Provision for facilitating the Transmission of Traffic between the said Railways: Be it therefore enacted, That in order, as far as practicable, to facilitate the Transmission of Traffic passing to or from the *Carlisle and Silloth Bay* Railway from or to any Places on or beyond the Railways belonging to the *Port Carlisle* Dock and Railway Company, without undue Interruption or Delay, the said *Port Carlisle* Dock and Railway Company shall and they are hereby required to afford at all Times such reasonable and proper Facilities and Accommodation upon the Lines of Railway, and at the several Stations belonging to them, and to perform such Services in the Transmission of such Traffic upon the said last-mentioned Lines, as shall effectually secure the Objects aforesaid; and the said *Port Carlisle* Dock and Railway Company shall make such Arrangements for booking at their Stations all Passengers, Animals, Goods, Parcels, and other Traffic which may be offered thereat for Transmission over the Railways belonging to them, or any Part thereof, to any Part of the *Carlisle and Silloth Bay* Railway, as shall be necessary for the Convenience of such Traffic, and the due and punctual Transmission thereof, and shall account from Time to Time to the *Carlisle and Silloth Bay* Railway and Dock Company for such Proportion of the Sums received by them at their said Stations in respect of such Traffic as the *Carlisle and Silloth Bay* Railway and Dock Company may be entitled to receive in respect of the Passage of such Traffic over the *Carlisle and Silloth Bay* Railway or any Part thereof, and shall also, if required by the *Carlisle and Silloth Bay* Railway and Dock Company, carry on such Traffic in Carriages, Waggon, and Trucks belonging to or to be supplied by the *Carlisle and Silloth Bay* Railway and Dock Company, so that no Change of Carriage shall be required in the Transmission of any Traffic to or from the *Carlisle and Silloth Bay* Railway from or to any Part of the Railways belonging to the *Port Carlisle* Dock and Railway Company.

For facilitating Transmission of Traffic between the *Carlisle and Silloth Bay* Railway and the *Port Carlisle* Railway.

LXI. That all Differences which may arise between the *Carlisle and Silloth Bay* Railway and Dock Company and the *Port Carlisle* Dock and Railway Company with reference to the Nature and Extent

Differences as to the Facilities to be afforded of

The Carlisle and Silloth Bay Railway and Dock Act, 1855.

or the Tolls to be charged to be referred to Arbitration.

of the Facilities and Accommodation to be afforded, the Services to be performed, and the Arrangements to be made as aforesaid, or with reference to the Amount of the Tolls, Charges, or other Consideration to be paid by the said *Carlisle and Silloth Bay* Railway and Dock Company to the said *Port Carlisle* Dock and Railway Company in respect of the Transmission of the Traffic herein-before mentioned, or with reference to any Matters of Detail connected with the Subjects aforesaid, shall from Time to Time be settled by Arbitration in the Manner provided by the "Railways Clauses Consolidation Act, 1845," with respect to the Settlement of Disputes by Arbitration.

In case of Facilities being provided for Transmission of Traffic over a comparatively expensive Line, Arbitrators to adjust the Charges accordingly.

LXII. That the Arbitrators or Umpire, as the Case may be, shall not be limited, as respects their or his Award of the Sums so to be paid by the said *Carlisle and Silloth Bay* Railway and Dock Company in respect of the Matters aforesaid, to the maximum Tolls or Charges prescribed by the Act relating to the said *Port Carlisle* Railway, nor shall such Arbitrators or Umpire make their or his Award with reference to the Charges made or to be made by the said *Port Carlisle* Dock and Railway Company as Carriers over the said *Port Carlisle* Railway, but such Arbitrators or Umpire shall and may award such Tolls, Charges, Rent, and other Consideration as they or he shall consider fair, having regard to any special Circumstances, so as to leave to each Company the due Remuneration for the Use of its own Line: Provided always, that no such Adjustment of Tolls and Charges as aforesaid shall in any Manner alter, affect, increase, or diminish any of the Tolls or Charges which the said Companies shall for the Time being be respectively authorized and entitled to demand and receive from any Person or any other Company, but that all other Persons and Companies shall, notwithstanding any such Adjustment, be entitled to the Use and Benefit of the Railways in respect of which such Adjustment shall have been made, upon the same Terms and Conditions, and on Payment of the same Tolls or Charges, as they would have been in case no such Adjustment had been made.

Railway not exempt from Provisions of General Acts.

LXIII. That nothing herein contained shall be deemed or construed to exempt the Railway or the Company from the Provisions of any General Act relating to this Act, or of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during this or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act, and of the Rates for small Parcels.

LXIV. That

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LXIV. That nothing in this Act contained shall be deemed or taken to exempt the Dock or the Company from the Provisions of "The Merchant Shipping Law Amendment Act, 1853," or of "The Merchant Shipping Act, 1854," or of any General Act relating to Docks or Dues of Shipping now in force or which may be passed during the present or any future Session of Parliament, or from any future Revision or Alteration, under the Authority of Parliament, of the Tolls, Rates, Dues, or Duties by this Act authorized, or the Rates for small Parcels.

Dock not exempt from Provisions of General Acts.

LXV. That if upon Complaint made to the Board of Trade by any Person interested, in Writing under his Hand, it shall appear to the Board of Trade that there is reasonable Ground for believing that the Accounts of the Company relating to the Dock Undertaking of the Company have not been duly kept, or that any Tolls, Rates, or Duties relating to such Dock Undertaking have been improperly or unfairly levied by them, the Board of Trade may appoint an Auditor to examine the said Accounts of the Company, and examine into the Matters so complained of, and to report to them thereon; and the Company shall, upon Demand, produce to such Auditor all or any of their Accounts, Books, Deeds, Papers, Writings, and other Documents relating to the Dock Undertaking of the Company, and afford to him all reasonable Facilities for examining and comparing the same; and in case any such Complaint be found to be true, the reasonable Expenses of such Auditor shall be paid by the Company out of the Dock Rates and Charges authorized to be levied under the Authority of this Act; but if such Complaint be not found to be true, the reasonable Expenses of such Auditor shall be paid by the Complainant; and in either Case such Expenses may be recovered, with Costs of Suit, as a Debt due to the Crown or as a Penalty.

Board of Trade may appoint an Auditor to examine Accounts.

LXVI. That nothing whatsoever contained in this Act or in any of the Acts herein referred to shall extend to authorize the Company to purchase, take, use, or otherwise interfere with any Foreshore, Mudland, Sands, or other Land, Soil, Tenements, or Hereditaments, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners or Commissioner for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, first had and obtained for that Purpose, and which such Commissioners or Commissioner are and is hereby authorized and empowered to give, or to divest, prejudice, diminish, alter, or take away any of the Estates, Rights, Privileges, Powers,

Saving the Rights of the Crown.

[*Local.*]

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The Carlisle and Silloth Bay Railway and Dock Act, 1855.

Powers, or Authorities which now are or hereafter may be vested in or enjoyed by Her Majesty, Her Heirs or Successors.

Expenses of
Act.

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

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