



ANNO VICESIMO & VICESIMO PRIMO

VICTORIÆ REGINÆ.

Cap. cxiv.

An Act to amend and enlarge some of the Provisions of “*The Blyth and Tyne Railway Consolidation and Extensions Act, 1854* ;” to authorize the Relinquishment of a Branch Railway authorized by that Act, and the Construction of other Railways and Works in connexion with the *Blyth and Tyne Railway*. [10th August 1857.]

WHEREAS by “*The Blyth and Tyne Railway Consolidation and Extensions Act, 1854*,” (in this Act called “the Act of One thousand eight hundred and fifty-four,”) the *Blyth and Tyne Railway Company* were authorized to raise by means of Shares the Sum of Two hundred and sixty thousand Pounds, and by Mortgage or Bond the Sum of Sixty thousand Pounds: And whereas by such Act certain Branches and Extensions were authorized to be made and completed, and amongst others the following; that is to say, a Branch Railway from the Main Line of the *Blyth and Tyne Railway* to join the *York, Newcastle, and Berwick Railway* (now the *North-eastern Railway*) near to the Town of *Morpeth*, in such Act and herein-after distinguished as the “*Morpeth Branch* ;” a Branch
[*Local.*] 19 B Railway

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Railway from the Main Line of Railway in the Township of *Seaton Delaval* in the Parish of *Earsdon* to a Place called the *Dairy House* in such Act and herein-after called "The *Dairy House* Branch;" a Railway commencing from and out of the *Dairy House* Branch in the Township of *Hartley* in the Parish of *Earsdon*, and terminating in the Township of *Tynemouth* in the Parish of *Tynemouth*, on the North Side of that Part of the Turnpike Road from *North Shields* to *Tynemouth* which abuts upon the *Tynemouth* Station of the *North Shields* Branch of the *North-eastern* Railway, with a Tramway Communication across such Turnpike Road to the said Station, and which Railway is in such Act and herein-after distinguished as "The *Tynemouth* Extension;" and also a Railway commencing from and out of the said *Morpeth* Branch, at or near to *Bedlington* Colliery, and terminating by a Junction with the said *York, Newcastle, and Berwick* Railway (now the *North-eastern* Railway), at or near to the *Longhirst* Station in the Township of *Longhirst* in the Parish of *Bothal*, and which Railway is in that Act and herein-after distinguished as "The *Longhirst* Extension:" And whereas the Company have proceeded with the Execution of the said Act, and the several Railways thereby authorized to be made (except the *Longhirst* Extension) are either completed or in progress: And whereas it is expedient that the Construction of the *Longhirst* Extension should be relinquished, and in lieu thereof that the Company should be empowered to construct a Railway from and out of the *Morpeth* Branch to the *Warkworth* Harbour in the Township of *Amble* in the Parish of *Warkworth*: And whereas an Act was passed in the Seventeenth and Eighteenth Years of the Reign of Her present Majesty, intituled "The *Blyth* Harbour and Dock Act, 1854," for the Improvement of the Harbour of *Blyth* and the Formation of Docks there, and such Docks and other Works are now in progress; and it is expedient to empower the Company to construct a Branch Railway from the Main Line of the *Blyth and Tyne* Railway, to communicate with the Works of the said Dock Company and the Harbour of *Blyth*: And whereas the Company require Land for the Purposes of their Main Line of Railway, and for providing Station Accommodation, Sidings, and other Works, and it is expedient that the Company should be enabled to purchase the same: And whereas Plans describing the Line of the before-mentioned intended Railways, and the Lands in or through which the same may be made, and the Lands required for the Purposes of the Main Line of Railway, and for Stations, Sidings, Works, and Conveniences before mentioned, and Sections describing the Levels of the intended Railways, and Books of Reference containing the Names of the Owners, Lessees, and Occupiers of such Lands, have been deposited with the Clerk of the Peace for the County of *Northumberland*: And whereas the Company are by the Act of One thousand eight hundred and fifty-four required, upon the Request in Writing of the Local Board of Health of the Borough of *Tynemouth* under the Hand of their Clerk,

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Clerk, and within a certain Period therein specified, to carry the Roads referred to, as numbered 14 and 48, in the Parish of *Tynemouth*, over the Railway, under certain Penalties in case of Default: And whereas the said Local Board of Health made such Request as to both the said Roads: And whereas it is expedient that the Periods within which such Bridges are to be made should be extended in manner hereinafter expressed, and that the Construction of such Bridges should be compulsory upon the Company: And whereas the Capital which the Company hath raised and issued is divided into several Classes of Shares as follows; (that is to say,)

Two thousand Shares, of the nominal Value of Twenty-five Pounds each, called "Preference Shares," which by Agreement amongst all the Shareholders are entitled to a preferential Dividend of Ten Pounds *per Centum per Annum* upon their nominal Value of Twenty-five Pounds;

Four thousand Shares of the nominal Value of Twenty-five Pounds each, denominated "Ordinary Shares;"

Six thousand Shares of the nominal Value of Eighteen Pounds Six Shillings and Eightpence each, called "Extension Shares," upon which the Sum of Nine Pounds Six Shillings and Eightpence had on the Thirty-first Day of *December* One thousand eight hundred and fifty-six been called up, and which Extension Shares are Part of the additional Capital authorized to be raised by the Act of One thousand eight hundred and fifty-four:

And whereas the Company had on the Thirty-first Day of *December* One thousand eight hundred and fifty-six borrowed upon Mortgage the Sum of Forty-five thousand five hundred and fifty-seven Pounds: And whereas such Extension Shares and the Ordinary Shares are entitled to the same Rate of Dividend in proportion to the nominal Amount of the Capital represented by such Shares: And whereas the Company require a further Sum of Money in addition to the Capital they are so authorized to raise, and it is expedient that they should be empowered to raise the same by a further Issue of Extension Shares, and that Authority should be given to raise a further Sum upon Mortgage or Bond; and it is also expedient that other Provisions should be made with respect to the Regulation and Management of the Capital of the Company: And whereas it is expedient in other respects that the recited Acts should be amended and enlarged; but the Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

I. In this Act the Words "the Company" shall mean the *Blyth and Tyne Railway Company*; and the Word "Railway" shall mean the

Interpreta-
tion of
Terms.

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the Railway, Branches, and Extension Railways and Works by this Act to be made or maintained by such Company; the Word "Works" shall extend to Stations, Sidings, Approaches, Staiths, Shipping Places, and other Conveniences, unless there be something in the Subject or Context repugnant to such Construction.

Short Title.

II. In citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "The *Blyth and Tyne Railway Amendment Act, 1857.*"

8 & 9 Vict.
cc. 16., 18.,
& 20. incor-
porated.

III. "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," are incorporated with and form Part of this Act.

Company to
relinquish
Longhirst
Extension.

IV. The Company shall relinquish the *Longhirst* Extension authorized to be made by the Act of One thousand eight hundred and fifty-four, and the Powers of the Company for the compulsory Purchase of Land for such Extension, and for the Construction thereof, shall cease to be exercised.

Compensa-
tion to be
made where
Contracts
have been
entered into
and Notices
given.

V. In any Case where before the passing of this Act any Contract has been entered into or Notice given by the Company for purchasing any Lands which the Company were empowered to purchase for the Purpose of constructing the *Longhirst* Extension, the Company shall make to the Owners or Occupiers of and other Parties interested in such Lands full Compensation for all Injury or Damage sustained by such Owners, Occupiers, and other Parties by reason of such Purchase not being completed pursuant to such Contract or pursuant to such Notice, and the Amount and Application of such Compensation shall be determined in the Manner provided by "The Lands Clauses Consolidation Act, 1845," for determining the Amount and Application of the Compensation to be paid for Lands taken under the Provisions thereof: Provided also, that nothing herein contained shall prejudice or affect the Right of the Owner or Occupier of the Lands which the Company were so empowered to purchase as aforesaid to receive from the Company Compensation for any Damage that may have been occasioned by the Entry of the Company upon such Lands for the Purpose of surveying and taking Levels, and of probing or boring to ascertain the Nature of the Soil, pursuant to the Provisions for that Purpose in "The Lands Clauses Consolidation Act, 1845," contained.

Power to
construct
Works ac-
cording to
deposited
Plans.

VI. The Company may, subject to the Provisions of this Act and the Acts incorporated herewith, and to the Powers of Deviation contained in "The Railways Clauses Consolidation Act, 1845," make and maintain the Railways herein-after particularly described (with
all

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all proper Works connected therewith) 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 the Company may enter upon, take, and use such of the said Lands as shall be necessary for such Purposes, and may also for the Purposes of their Main Line of Railway, and the Works connected therewith, and for Stations, Sidings, Buildings, Works, and Conveniences required for the Purposes of the Company, or for the Accommodation of the Traffic upon their Railway, enter upon, take, and use such of the Lands delineated on the said Plans, and described in the Books of Reference thereto, and herein-after more particularly described, as the Company may require for all or any of such Purposes.

VII. The Railways which the Company may make under the Powers of this Act are: New Lines of Railway.

A Railway commencing by a Junction with the *Morpeth* Branch, near *Bedlington* Colliery, in the Parish of *Bedlington*, and terminating at or upon a certain Coal Staith or Coal Shipping Place in or near *Warkworth* Harbour in the Township of *Amble* and Parish of *Warkworth*, and which Railway is in this Act distinguished as the "*Warkworth* Extension:"

A Railway commencing by a Junction with the Main Line of the *Blyth and Tyne* Railway in the Parish of *Earsdon*, and terminating in Lands of the *Blyth* Harbour and Dock Company at the Boundary between the Two Enclosures numbered 22*a* and 23 on the said Plans, in the Parish of *Earsdon*, and which Railway is in this Act distinguished as "*The Blyth* Harbour Branch."

VIII. The Lands which the Company may purchase and take for the Purposes of their Main Line of Railway, and for Stations, Sidings, Buildings, Works, and Conveniences as aforesaid, are certain Lands situate between a certain public Road in the Parish of *Earsdon* and a certain Point upon the Main Line of Railway on the South Side of *Prospect Hill* in the Parish of *Tynemouth*; also certain other Lands in the Township of *Cowpen*, the Chapelry of *Horton*, and Parish of *Woodhorn*, commencing at a Point in the Township of *Cowpen* aforesaid, North-east of the Point of Intersection of an old Waggon Way, called the *Plessy* Old Waggon Way, with the *Blyth and Tyne* Railway, and terminating at another Point in the said Township of *Cowpen* where the Main Line to *Blyth* of the *Blyth and Tyne* Railway crosses the Boundary between the Townships of *Cowpen* and *Newsham* and *South Blyth*, and Part of which Lands respectively hereinbefore described form the Site of the Main Line of Railway, and the other Part immediately adjoins the same on both Sides thereof; also certain other Lands, fenced off or enclosed on the North, South, and Eastern Sides, and on the Western Side bounded by the *Blyth and Tyne* Railway, situated near *Percy Main* in the Parish of *Tynemouth*.

Lands to be purchased for the Main Lines, Stations, &c.

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IX. The

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Powers for compulsory Purchases limited.

IX. The Powers by this Act granted to the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the respective Periods following, to be computed from the passing of this Act; (that is to say,)

With respect to Lands required for the *Warkworth* Extension, Three Years;

With respect to Lands required for the other Works authorized by this Act, Two Years.

Not to take certain Lands in Earsdon without Consent.

X. The Company shall not enter upon, take, or use any of the Lands numbered from 23 to 61, both inclusive, in the said Plans, in the Parish of *Earsdon*, except with the Consent of the respective Owners and Occupiers thereof.

For Protection of the Lessees of Cramlington Colliery.

XI. Provided always, That the Company (without the Consent in Writing of the respective Owners of the Lands numbered on the said Plans 2, 2a, 20a, and 26, in the Parish of *Tynemouth*, and of *Joseph Lamb*, *Archibald Gilchrist Potter*, *Edward Potter*, *Henry Glasford Potter*, and *William Scott*, Esquires, Lessees or Proprietors of *Cramlington* Colliery, and of the *Cramlington* Railway, and their Successors in Title, so long as they or any of them shall be possessed of or entitled to any Interest or Easement in or over any of the same Lands,) shall not enter upon, take, or use any Part of those Lands within the Distance of Twenty Feet measured in an easterly Direction from the Westernmost Rail of the *Cramlington* Railway, as the same existed on the First Day of *January* One thousand eight hundred and fifty-seven.

Rights reserved by Section 10. of 17 & 18 Vict. c. lxxix. not to be prejudiced.

XII. This Act shall be without Prejudice to the Tenth Section of the Act of One thousand eight hundred and fifty-four, and to the Rights and Powers reserved by that Section, and that Section shall extend and apply to the Railways and Works by this Act authorized to be made, and to the Lands by this Act authorized to be taken, and to all Agreements and Contracts relating thereto made before the passing of this Act, as fully and effectually as it would have done if those Railways and Works had been included in and authorized to be made by the Act of One thousand eight hundred and fifty-four, and as if those Lands had been authorized by that Act to be taken for the Purposes thereof, and those Agreements and Contracts had been entered into before the passing of that Act.

Period for Completion of the Works.

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

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XIV. In case the Railways by this Act authorized to be constructed, or either of them, shall not be completed and opened for public Traffic within the Period of Five Years from the passing of this Act, then and from thenceforth it shall not be lawful for the Company or the Directors thereof to pay any Dividend to the Shareholders on the ordinary or unguaranteed Capital of the Company until such Railways respectively shall have been completed and opened for public Traffic.

If Railways not completed and opened for public Traffic within a limited Period, Payment of Dividends on ordinary Shares to be suspended.

XV. The Subscription Contract which, pursuant to the Standing Orders of Parliament, was entered into with respect to the Undertaking authorized by this Act previously to the Commencement of the last Session of Parliament, shall be as valid and shall be construed as if this Act had been passed in the said last Session.

Subscription Contract to be valid.

XVI. The Railways and Works hereby authorized to be constructed, together with the Approaches, Conveniences, and Works appertaining thereto, shall form Part of the *Blyth and Tyne Railway*.

Works to form Part of Blyth and Tyne Railway.

XVII. Previously to commencing the Crossing over the River *Wansbeck*, or the Works connected therewith, or any Work below High-water Mark in or at *Warkworth Harbour*, the Company shall deposit at the Admiralty Office Plans, Sections, and Working Drawings of the said Crossing and Works for the Approval of 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 such Crossing and Works shall be constructed only in accordance with such Approval.

Plans of Crossing of Wansbeck to be approved by Admiralty.

XVIII. During the Construction of the Crossing over the River *Wansbeck*, and Works 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.

Lights during Construction of Bridge over Wansbeck.

XIX. At or near *Warkworth Harbour*, where the Limits of Deviation extend below High-water Mark, the Railway and other Works connected therewith shall not deviate from the dark continuous Centre Line of Way marked on the Plan deposited at the Admiralty, without the previous Consent of the Lord High Admiral of the United Kingdom of *Great Britain and Ireland*, or the Commissioners for executing the Office of Lord High Admiral, to be signified in Writing under the Hand of the Secretary of the Admiralty, and then only in such Manner as may be mentioned in any such Consent.

As to Deviations from Centre Line.

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Power to Admiralty to order local Survey at Expense of Company.

XX. If at any Time or Times it shall be deemed expedient by the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral, to order a local Survey and Examination of any Works of the Company in, over, or affecting any tidal Water or River, 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.

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

XXI. If any Work to be constructed by the Company in, under, over, through, or across any tidal Water or River, or if any Portion of any Work which affects or may affect any such Water or 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 the Company to the Crown, and be recoverable accordingly, with Costs of Suit.

Tolls in respect of the Railways.

XXII. The Company may demand and receive for and in respect of the Railways hereby authorized the same Tolls and Charges as they are now authorized to demand and receive for and in respect of Traffic conveyed by them on the *Blyth and Tyne* Railway by the Act of One thousand eight hundred and fifty-four; and the Railways hereby authorized shall, for the Purposes of such Tolls and Charges, be considered as Part of the *Blyth and Tyne* Railway; and all the Provisions contained in such Act with reference to such Tolls and Charges shall be applicable to the Railways hereby authorized and the Traffic thereon.

Maximum Charges.

XXIII. Provided always, That the maximum Tolls and Charges to be demanded and received by the Company in respect of the said Railways hereby authorized shall in no Case exceed the maximum Tolls and Charges authorized by the said last-mentioned Act.

Certain Roads may be crossed on the Level.

XXIV. Subject to the Provisions of "The Railways Clauses Consolidation Act, 1845," and this Act, with respect to the crossing Roads on the Level, it shall be lawful for the Company to cross the following Roads on the Level with Two Lines of Railway; that is to say,

On the *Warkworth* Branch: 7 in the Parish of *Bothal*, 82 and 99 in the Parish of *Warkworth*.

XXV. For

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XXV. For the greater Convenience and Security of the Public the Company shall erect and permanently maintain either a Station or Lodge at the Points where the before-mentioned Roads shall be crossed 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 may from Time 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 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 such Day such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred.

Company to erect Station or Lodge where Roads crossed on the Level.

XXVI. It shall be lawful for the Board of Trade, if it shall appear to them necessary for the public Safety, at any Time, either before or after the Works hereby authorized to be made, or any of them, shall be completed and opened for public Traffic, to require the Company within such Time as the said Board shall direct, and at the Expense of the Company, to carry the herein-before mentioned Roads either under or over the Railway by means of Bridges or Arches, instead of crossing the same on the Level, or to execute such other Works as under the Circumstances of the Case shall appear to the said Board the best adapted for removing or diminishing the Danger arising from any such level Crossings.

Board of Trade may require Bridges instead of level Crossings.

XXVII. The Company may apply to the Construction of the Railways and Works authorized to be made by this Act so much of the Moneys raised or authorized to be raised under the Powers of the Act of One thousand eight hundred and fifty-four as shall not be wanted for the Purposes of the said last-mentioned Act, and as may be necessary for the Purposes of this Act.

Application of existing Capital.

XXVIII. It shall be lawful for the Company to raise, by creating new Shares, in addition to the Sums of Money which they are already authorized to raise by the Act of One thousand eight hundred and fifty-four, any further Sum of Money not exceeding in the whole the Sum of One hundred and ten thousand Pounds.

Power to raise additional Capital by new Shares.

XXIX. The Capital so to be raised by the Creation of new Shares shall be divided into Shares of such Amount as may be directed by the Order of any Ordinary or Extraordinary Meeting of the Company, and, subject to the Provisions herein-after contained, shall be considered as Part of the additional Capital of the Company authorized

New Shares to be considered as original Shares.

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to be raised by the Act of One thousand eight hundred and fifty-four, and shall be subject to the same Provisions and shall be dealt with in all respects as if it had been Part of such additional Capital, except as to the Times of making Calls thereon, and the Amount of such Calls, which respectively it shall be lawful for the Directors of the Company from Time to Time to fix as they shall think fit.

Limiting
Calls.

XXX. Three Pounds *per* Share shall be the greatest Amount of any One Call which shall be made in respect of such new Shares, and Three Months at the least shall be the Interval between successive Calls, and not more than Two Thirds of the Amount of any Share shall be called in any One Year.

Dividends on
new Shares.

XXXI. The Dividends upon the Shares to be created under the Powers of this Act shall be calculated upon the Amount of Calls paid thereon at the Time of the Declaration of such Dividend, and shall be subject to and regulated by the Provisions contained in the Act of 1854, and "The Companies Clauses Consolidation Act, 1845."

As to Votes
of Proprietors
of new
Shares

XXXII. 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 they had been possessed of original Shares in the Company.

Company
may attach
Dividends to
preferential
new Shares.

XXXIII. It shall be lawful for the Company, with the Assent of Three Fifths of the Votes at any General Meeting, to attach a Preference or Priority in the Payment of Dividends not exceeding in any Case Five Pounds *per Centum per Annum* on all or any of the Shares which the Company are hereby authorized to issue over the ordinary Shares of the Company, and upon such Terms as shall be by the Resolution of such Meeting defined.

Protecting
existing Preference
Shares.

XXXIV. Any Preference or Priority in the Payment of Dividend which may be granted in respect of any Shares issued by the Company under the Powers of this Act shall not prejudice or affect any Preference or Priority in the Payment of Interest or Dividends on any other Shares or Stock which shall have been granted by the Company in pursuance of, or which may have been created or confirmed by any previous Act of Parliament, or which may otherwise be lawfully subsisting.

Company
may include
several
Shares in
One Certificate.

XXXV. The Company shall not be required to issue a separate Certificate for each Share in the Capital of the Company, but the Company may, if they think fit, include in any Certificate any Number of Shares belonging to the same Proprietor or Proprietors, and any such Certificate may be in the Form set forth in Schedule A.

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of "The Companies Clauses Consolidation Act, 1845," with such Variations therein as may be deemed necessary for the Purpose of including therein Two or more Shares.

XXXVI. After the whole of the Money which the Company are by this Act authorized to raise by Shares shall have been subscribed for, and One Half thereof shall have been paid up, it shall be lawful for the Company to borrow on Mortgage or Bond such Sums of Money as shall from Time to Time be authorized to be borrowed by an Order of any Ordinary or Extraordinary Meeting of the Company, provided that such Sums of Money do not exceed in the whole Thirty-six thousand five hundred Pounds, in addition to the Sums which they are already authorized to borrow by virtue of the Act of One thousand eight hundred and fifty-four.

Power to borrow on Mortgage.

XXXVII. The Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the borrowing of Money, and the Conversion of borrowed Money into Capital, shall extend to the Money by this Act authorized to be borrowed.

Certain Provisions of 8 & 9 Vict. c. 16. as to borrowing extended to this Act.

XXXVIII. All and every Part of the Moneys by this Act authorized to be raised by Shares or Mortgage shall be applied only in carrying into execution the Objects and Purposes of this Act.

Application of Moneys raised under this Act.

XXXIX. All Mortgages or Bonds granted by the Company before the passing of this Act, and which shall be in force at the Time of the passing of this Act, shall, during the Continuance of such Mortgages or Bonds, have Priority over any Mortgage or Bond to be created under the Powers of this Act.

Former Mortgages and Bonds to have Priority.

XL. Notwithstanding anything in the Act of One thousand eight hundred and fifty-four contained to the contrary, or in the Section Thirty-one of the Act therein recited, or any Request made in pursuance thereof, the Period within which the said Roads numbered 14 and 48 shall be carried over the Railway shall be the First Day of *May* One thousand eight hundred and fifty-eight; and such Act and Section shall be construed as if that Period had with reference to those Roads respectively been expressly named in such Act and Section for the Completion of the Bridges for such Roads over the Railway; and such Bridges shall be completed within the Period aforesaid, and such Completion shall not be dependent upon any Request of the said Local Board of Health with reference to such Roads.

Period within which Bridges for Roads to be built.

XLI. The Company shall, within Twelve Months after Notice in Writing from the Lessees of a certain Mine in the Parish of *Bedlington*, called *Barrington Colliery*, construct a Siding from the *Wark-*

Siding to be made to *Barrington Colliery*.

worth

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worth Extension to the Branch Ends of the new Winning of such Colliery, such Siding and the Junction with the *Warkworth* Extension to be in such Situation or Line as may be agreed upon between the Company and such Lessees.

Interest not to be paid on Calls paid up.

XLII. 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.

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

XLIII. It shall not be lawful for the Company, out of any Money by this Act authorized to be raised for the Purposes of such Act, to pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament now in force or hereafter to be in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the Company to construct any other Railway or to execute any other Work or Undertaking.

Railway not exempt from Provisions of present and future General Acts.

XLIV. Nothing herein contained shall be deemed or construed to exempt the Railway from the Provisions 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 the recited Act and this Act, or of the Rates for small Parcels.

Expenses of Act.

XLV. All the Costs, Charges, and Expenses incurred by or on behalf of the Company in applying for, obtaining, and passing this Act, or preparatory or incident thereto, shall be paid by the Company.

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