



*The North-eastern Railway Company's (Lanchester Valley Branch) Act, 1857.*

Branch Railway and acquire for the Purposes of their Undertaking the additional Lands and Property herein-after mentioned or referred to: And whereas by "The *Dearness Valley* Railway Act, 1855," (Eighteen and Nineteen *Victoria*, Chapter One hundred and eighty,) the *Dearness Valley* Railway Company was incorporated for making a Railway from the *Bishop Auckland* Branch of the *North-eastern* Railway in the Township of *Elvet* to the Township of *Brandon* and *Byshottles*, all in the County of *Durham*, to be called "The *Dearness Valley* Railway," and by the same Act the *Dearness Valley* Railway Company and the Company were empowered to enter into Agreements with respect to the Working, Use, Management, and Maintenance by the Company of the *Dearness Valley* Railway and the Works connected therewith, and the Regulation, Management, Interchange, Working, and Transmission of Traffic upon or over the *Dearness Valley* Railway and the Railways of the Company, or any Part thereof respectively, and the Payment and also the Division and Apportionment between the said Companies of Tolls, Rates, and Duties received in respect of such Traffic, and of the Costs and Expenses of such Working, Use, Management, or Maintenance: And whereas the *Dearness Valley* Railway communicates with the *Bishop Auckland* Branch of the *North-eastern* Railway in the Township of *Elvet*, and it might be advantageous, and productive of Economy and greater Convenience to the Public, if the *Dearness Valley* Railway and the Works thereto belonging were united with the *North-eastern* Railway, and were vested in the Company as Part of their Undertaking, and it is expedient that the *Dearness Valley* Railway Company should be empowered to sell their Undertaking to the Company, and that the Company should be empowered to purchase the same, and to apply their authorized Corporate Funds for such Purpose: And whereas it is expedient that the Company should be empowered to raise a further Sum of Money, and that some of the Powers and Provisions of the said Acts should be altered and amended, and that further Powers should be granted to the Company; 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, in manner following; (that is to say,)

8 & 9 Vict.  
cc. 18. & 20.  
incorporated.

I. "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," so far as the same are not altered or otherwise provided for by this Act, shall apply to the Railway and Works by this Act authorized to be made, and shall be incorporated with and form Part of this Act.

II. And



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II. And whereas Plans showing the Line of the Railway and Works hereby authorized to be made, and the Lands in or through which the same are intended to pass or be made, and Plans of the additional Lands and Property proposed to be purchased compulsorily, and Sections showing the Levels of the said Railway, with a Book of Reference to such Plans, have been deposited with the respective Clerks of the Peace for the Counties of *Durham* and *Northumberland* and the West Riding of the County of *York*, according to and in whichever of the said Counties respectively such Lands are respectively situate: Therefore, subject to the Provisions in this Act, and "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," contained, it shall be lawful for the Company to make and maintain the Railway herein-after mentioned, with all proper Stations, Works, and Conveniences connected therewith, in the Line and upon the Lands delineated on the said Plans and described in the said Book of Reference, and according to the Levels shown by the said Sections, and to enter upon, purchase, take, and use such of the said Lands as shall be necessary for such Purpose; (that is to say,)

Power to make Railway according to deposited Plans.

A Railway commencing by a Junction with the *Bishop Auckland* Branch of the *North-eastern* Railway at or near the West End of the Viaduct over the River *Brownney* as now constructed in the Township of *Elvet* and Parish of *St. Oswald* in the County of *Durham*, and terminating on, at, or near the Scoria Heap on the West Side of the *Conside* Iron Works in the District of *Benfieldside*, Chapelry of *Medomsley*, Township of *Conside* and *Knitsley*, and Parish of *Lanchester*, all in the County of *Durham*:

And, subject as aforesaid, it shall also be lawful for the Company to enter upon, take, and use for the general Purposes of their Undertaking all or any of the following Lands and Property delineated on the said Plans and described in the said Book of Reference; (that is to say,)

In the County of *Durham*, certain Lands and Buildings situate as follows; (that is to say,)

In the Township and Parish of *Gateshead* and Borough of *Gateshead*, certain Lands and Houses, Parts whereof are near to the new Engine Stable of the Company at *Gateshead* aforesaid, and other Parts whereof are situate on the South Side of and adjoining the Line of the *North-eastern* Railway, and partly opposite to the said Engine Stable:

In the Townships of *Morton Grange*, *Newbottle*, *East Rainton*, and *Houghton-le-Spring*, and Parish of *Houghton-le-Spring*, certain Lands and Buildings adjoining or near to the *North-eastern* Railway and the *Fence Houses* Station thereof:

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In the Township and Parish of *Darlington*, certain Lands and Houses at or near to the Passenger and Goods Stations of the Company at *Darlington* aforesaid, and being partly to the South and partly to the North of such Stations, and on the East and West Sides of the *North-eastern* Railway there:

In the Townships of *Bishop Auckland* otherwise *Bondgate in Auckland* and *Pollard's Lands*, and Parish of *Saint Andrew Auckland*, certain Lands and Buildings situate partly on the East and partly on the West Sides of the *Bishop Auckland* Branch of the Company, and near to the Southern Terminus thereof:

In the West Riding of the County of *York*, certain Lands and Buildings situate as follows; (that is to say,)

In the Township of *Burton Salmon* and Parish of *Monk Fryston*, certain Lands situate South-west and West of the Bridge over the *North-eastern* Railway near the *Burton Salmon* Station, and on the North and South Sides of such Railway, including the Site of the Road from *Burton Salmon* to or under the said Bridge and to the said Station, and also certain Lands adjoining such Road on the East Side thereof, and to discontinue as a public Highway that Portion of the said Road the Site of which is so proposed to be taken and used by the Company:

In the Township and Parish of *Leeds*, certain Lands, Houses, and Buildings situate between *Shannon Street* and the *Leeds and Selby* Branch and *Marsh Lane* Station of the Company, and lying East of *Marsh Lane*, together with certain Buildings and Ground situate between *Eastfield Street* and the said Branch, including the Site of and Ground over which the Footpath passes from *Railway Street* and *Eastfield Street* aforesaid across the said Branch, and thence to *Cleveland Street*, and also Part of such last-mentioned Street and of *Plaid Row*:

In the Township of *Sharow* and Parish of *Ripon*, certain Ground lying on the East Side of and near to the *Ripon* Station of the *North-eastern* Railway, and on the North Side of the Road from *Thirsk* to *Ripon*:

And the Railway, Works, Lands, and Property constructed and acquired by the Company under the Authority of this Act shall for all Purposes become and be Part of their Undertaking.

New Occupation Road to be made for Lands at Burton Salmon.

III. The Company shall make and form a proper Occupation Road, of the Width of Twenty-four Feet, for the Fields numbered 9 and 10 on the said deposited Plans of the said additional Lands in the Township of *Burton Salmon*, along the South End of the Fields numbered 8 and 9 on the said Plans, to and into the Occupation Road numbered

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7 on the said Plans, and fence off the same from the Residue of such Fields; and no more Land than what is required for the Purposes of such new Occupation Road, and a Fence and Ditch on the North Side thereof, with suitable Entrance Gates for each of the said Fields, shall be taken from the said Fields; and from and after the Completion of such Occupation Road and Works the existing Occupation Roads and level Crossings over the *North-eastern Railway* between the *Doncaster and Tadcaster Turnpike Road* and the Fields numbered 9 and 10 shall cease to be used.

IV. The existing Road over and along the Road numbered 4 on the said deposited Plans of the said additional Lands in the Township of *Burton Salmon*, and thence across the Line of the *North-eastern Railway*, and under the *Doncaster and Tadcaster Turnpike Road*, and over and along the Road numbered 6 on the said Plans, shall and may, notwithstanding the Provisions in this Act contained, be used as Occupation Roads for the said Fields numbered 8, 9, and 10, and for those adjoining the said Road numbered 6, and all other Lands within the said Township which lie on the North Side of the said *North-eastern Railway*.

Road at Burton Salmon numbered 4 on the said deposited Plans continued as an Occupation Road.

V. Provided always, That the Company shall, at all Times after the Construction of the Bridge herein-after mentioned, preserve a free and uninterrupted Passage for Persons on Foot, but not otherwise, across their Railway and *Marsh Lane Station Ground at Leeds*, in a direct Line from the North-east End of *Richmond Road*, between *Railway Street* and *Eastfield Street*, on the one Side, and *Cleveland Street*, as proposed to be diverted, on the other Side, by the Construction of a new Bridge of not less than a clear Width of Sixteen Feet throughout, the Roadway whereof shall not exceed Sixteen Feet Four Inches in Height above the present Surface of the Rails of the Railway, and shall, if the Company think fit, have such Number of Posts, either at both Ends or at the North End, as will prevent the Use of the said Bridge by Carriages, Carts, or Animals; and the Approach thereto at the North End shall be by an Incline not exceeding One in Seven, and at the South End by Steps not exceeding Five in Number; and the Means of such Communication across the said Railway and Station Ground shall be interrupted for so long a Time only (not exceeding Three Months from the stopping up or Removal of the existing Bridge) as may be necessary for enabling the Company to construct such Works as they may think requisite for affording such permanent Means of Communication as aforesaid: Provided always, that if the Board of Surveyors of the Township of *Leeds* shall, before the Completion of such Bridge with Steps at the South End thereof, raise the Level of *Richmond Road*, *Railway Street*, and *Eastfield Street*, so as

Company to preserve a Passage for Persons on Foot across Railway and Marsh Lane Station Ground at Leeds.

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to admit of the Approach to such Bridge as constructed by the Company at the South End thereof being made with an Incline not exceeding One in Five, then and in such Case the Company shall, at the Request in Writing of the said Board of Surveyors, construct such Approach by an Incline accordingly, and not by Steps.

Power to alter the Rates of Inclination of certain Roads.

VI. At or near the Points at which the said Railway is intended to cross the Roads numbered as herein-after mentioned on the said deposited Plans of the said Railway, the Rates of Inclination of such Roads may be altered, so that the same when altered shall not exceed the respective Rates of Inclination herein-after mentioned; (that is to say,)

Number on Plan.	Township.	Proposed Inclination.
137	Lanchester - - -	1 in 8
1	Medomsley - - -	1 in 13
17	Conside and Knitsley - - -	1 in 9
25	Ditto - - - -	1 in 10
55	Ditto - - - -	1 in 14

Company not to interfere with Wear Valley Railway, except as may be necessary for passing under the same by a Bridge or Arch.

VII. It shall not be lawful for the Company or for any other Person, in the Execution of this Act, in any Manner, either permanently or temporarily, to enter upon, take, or use any of the Land or Property of the *Wear Valley* Railway Company, or the *Stockton and Darlington* Railway Company, as their Lessees, or in any Manner to alter, vary, or interfere with the Line of Railway belonging to the said *Wear Valley* Railway Company, and now in the Possession of the said *Stockton and Darlington* Railway Company, or any of the Works appertaining thereto, save only so far as may be necessary for the passing and erecting and maintaining an Arch or Bridge under the same Railway, as shown on the said Plans and Sections, which Arch or Bridge shall be made and constructed, at the Expense of the Company, in a substantial and workmanlike Manner, under the Direction and Superintendence and to the Satisfaction of the Engineer for the Time being of the *Stockton and Darlington* Railway Company, or of some other Person duly authorized by them for that Purpose, and shall for ever afterwards be maintained and kept in good and proper Repair by and at the Expense of the Company.

Disputes between the Company and the *Stockton and Darlington* Railway

VIII. In case of Dispute or Difference between the Company and the *Stockton and Darlington* Railway Company, as to the making or Construction of the said Arch or Bridge or other Works under or affecting the said last-mentioned Railway, or the Design, Form, Position, or Time of commencing the same, or as to any other Work, Matter,



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Matter, or Thing in any way connected therewith, the Matter so in dispute or difference shall from Time to Time, when and as the same shall arise, be referred, on the Application of either of the said Companies, to an Arbitrator, to be appointed by the Board of Trade, who shall settle and determine the Matter so in difference, and the Decision of such Arbitrator shall be binding on the said Companies; and it shall be competent for such Arbitrator in and by his Award to direct the said Companies or either of them to do or assent to all such Acts and Things as may be necessary or expedient for carrying his Award in the Premises into effect.

Company to be settled by Board of Trade Referee.

IX. The Company may from Time to Time, by Agreement, purchase any Quantity of Land for extraordinary Purposes, and either adjoining or near to their Railway or otherwise, as shall seem convenient, not exceeding Five Acres, in addition to the Land which they are at present or by this Act authorized to take for such Purposes.

Land for extraordinary Purposes.

X. The Powers of the Company for the compulsory Purchase or taking of Lands for the Purposes or Objects of this Act shall not be exercised after the Expiration of Three Years from the passing thereof.

Powers for compulsory Purchases limited.

XI. The Railway and the Works connected therewith by this Act 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, or the Acts incorporated herewith, granted to the Company for executing the same, or otherwise in relation thereto, shall cease to be exercised, except as to so much of such Railway and Works as shall then have been completed, and also except such Powers as are by the same Acts or any of them declared to be continued, or which may lawfully be exercised for a longer Period.

Period for Completion of Works.

XII. After the Expiration of Five Years from the passing of this Act, the Payment of any Dividend on the ordinary unguaranteed Capital of the Company shall be suspended until the Railway by this Act authorized shall have been completed and opened for Public Traffic.

If Railway not completed in Five Years, the Payment of Dividends on ordinary Capital to be suspended until the Line be opened.

XIII. It shall be lawful for the Company to raise by Contribution among themselves, or by the Admission of other Persons as Subscribers to their Undertaking, or in part by each of those Means, the Sum of One hundred and twenty thousand Pounds, in addition to the Sums of Money they are authorized to raise by any of their former Acts; and all and every Part of the Money so to be raised shall be applied

Power to raise additional Capital.

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applied to the Purposes of the Railway and Works connected therewith by this Act authorized, and to no other Purposes whatsoever.

Additional Capital to be divided into new Shares or Stock.

XIV. The Monies or Capital so to be raised shall be divided into new Shares or Stock, as the Company shall think fit, and such new Shares or Stock shall be of such nominal Value, and shall be issued and disposed of or distributed in such Manner, and (subject to the Provisions of this Act) upon such Terms, and subject to such Provisions and Restrictions, and with such Rights, as any General Meeting of the Company shall from Time to Time direct or authorize or attach thereto, and shall be considered as Part of the General Capital of the Company; and all the Clauses and Provisions of "The Companies Clauses Consolidation Act, 1845," which are incorporated with this Act, shall, so far as the same are applicable, apply to such new Capital and new Shares, and to the respective Proprietors thereof for the Time being, in the same Manner in all respects as if the same were, within the Meaning of the same Clauses and Provisions, original Capital and original Shares, except as to the Amount and Time of making and Payment of Calls, which (subject as herein-after mentioned) the Directors of the Company shall fix from Time to Time as they shall think proper.

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

XV. All the Clauses and Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the following Matters; (that is to say,)

With respect to the Construction of the Act, and of other Acts to be incorporated therewith;

With respect to the Distribution of the Capital of the Company into Shares;

With respect to the Transfer or Transmission of Shares;

With respect to the Payment of Subscriptions, and the Means of enforcing the Payment of Calls;

With respect to the Forfeiture of Shares for Nonpayment of Calls; and

With respect to the giving of Notices,

shall, so far as the same are not varied by the Provisions of this Act, be incorporated with and form Part of this Act, and apply to the Company and the Shareholders thereof, and to the Capital authorized by this Act.

Rights of new Shareholders to be in proportion to the Value of new Shares.

XVI. Subject to the Provisions of this Act, and to the Terms of Issue of any new Shares or Stock to be created thereunder, every Person who shall accept or become entitled to any such new Share or Stock shall in respect thereof be a Shareholder of the Company, and be considered to have subscribed towards the Capital thereof and of the



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the Undertaking to the Extent of the nominal Amount of the Shares so accepted by him in the Undertaking; and such new Shares or Stock shall confer on the respective Holders or Proprietors thereof Rights of voting and Qualifications in proportion to the aggregate nominal Value of such Shares or Stock, and not in proportion to the Number of such Shares, and for such Purposes every entire Sum of Fifty Pounds of such nominal Value of Shares or Stock shall be equivalent to One Share of Fifty Pounds in the original Capital of the Company; and no Shareholder shall vote in respect of any Number of such new Shares, or any Amount of such new Stock, which shall constitute a less Interest in the Capital of the Company than Fifty Pounds.

XVII. It shall be lawful for the Company, with the Approbation of Three Fifths at least of the Votes of the Proprietors present, in Person or by Proxy, at any Meeting of the Company specially convened for the Purpose, to guarantee to the Proprietors of the Shares or Stock to be created by virtue of this Act the Payment upon the Money actually paid up in respect of such of the said Shares or Stock as shall be held by such Proprietors respectively of any Dividend not exceeding Five Pounds *per Centum per Annum*, in preference to or so as to rank or be paid *pari passu* with (if so determined) the Payment of any Dividends upon any other Shares or Stock in the Company (except as in this Act subsequently provided); and such preferential Dividends may be guaranteed either permanently or for a limited Period or Periods, and shall be payable by such Instalments, upon such Conditions, and in such Manner, as any General Meeting of the Company may from Time to Time direct.

Power for Company to guarantee Dividends on new Shares or Stock.

XVIII. The Dividends or Interest (whether guaranteed as Preference or not) payable in respect of any such Shares or Stock shall be a Charge upon and shall be payable out of the joint net Revenue of the Company, prior to any Division of the Balance thereof, and Appropriation of the respective Shares of such Balance to the separate Accounts of or amongst the respective Classes of Proprietors of the other Stocks or Shares in the several Capital Stocks of the Company.

Dividends to be charged against joint Revenue.

XIX. Provided always, That any Preference or Priority in the Payment of Interest or Dividends which may be assigned to any Shares or Stock to be created by virtue of this Act shall not prejudice or affect any Preference or Priority in the Payment of Interest or Dividends which may have been assigned to any other Shares or Stock which shall have been granted by the Company in pursuance of or which may have been confirmed by any Act passed prior

Saving Rights of Holders of existing Preference Shares.

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to the passing of this Act, or which may otherwise be lawfully subsisting.

Calls.

XX. Provided also, That Twenty Pounds *per Centum* on the nominal Amount of a Share shall be the greatest Amount of any One Call which the Company may make on the Holders of Shares created in respect of the Money by this Act authorized to be raised, and Three Months at the least shall be the Interval between successive Calls.

Power to take like Tolls as are taken under 17 & 18 Vict. c. ccxi.

XXI. It shall be lawful for the Company and they are hereby authorized and empowered (subject, nevertheless, to the Provisions in this Act, and in "The *North-eastern Railway Company's Act, 1854*," contained,) to demand, receive, and take, for or in respect of Passengers, and of the several Articles, Matters, and Things, and of all Descriptions of Animals conveyed on the Railway by this Act authorized to be made, and also for the Use of Carriages and Locomotive Engines or other Power supplied by the Company thereon, such and the like Rates, Tolls, or other Charges as by "The *North-eastern Railway Company's Act, 1854*," are authorized to be demanded and received for the like Passengers, Animals, Articles, Matters, and Things conveyed on their Railways, and for the Use of the like Carriages and Locomotive Engines or other Power, as well for Ordinary as for Express Trains, supplied by the same Company on the same Railways, in like Manner as if the Railway hereby authorized had formed Part of the *North-eastern Railway* when the said last-mentioned Act was passed.

Power for Dearness Valley Railway Company to sell their Undertaking to North-eastern Railway Company, and for that Company to purchase same.

XXII. The *Dearness Valley Railway Company* may sell to the *North-eastern Railway Company*, who may purchase, the Undertaking, Railway, Lands, Works, and Property of the *Dearness Valley Railway Company*, for such Consideration and upon such Terms and Conditions as have been or may be sanctioned by Three Fifths of the Votes of the Shareholders of the Two Companies respectively present, personally or by Proxy, at a General Meeting of each of the Two Companies specially convened for the Purpose, and the Sale and Purchase shall take effect at the Time so sanctioned, but subject to all the existing Contracts, Debts, Liabilities, Engagements, and Obligations affecting the Undertaking or Property of the *Dearness Valley Railway Company*, or the same Company in respect thereof, and subject also to the Provisions of "The *Dearness Valley Railway Act, 1855*," and this Act respectively.

Undertaking and Property of Dearness

XXIII. On and from the Time for the Sale and Purchase taking effect, the Undertaking, Lands, Works, and Property, Monies, Chattels,



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Chattels, Choses in Action, Easements, Rights, Privileges, Powers, and Authorities of the *Dearness Valley* Railway Company, under "The *Dearness Valley* Railway Act, 1855," and this Act respectively, or otherwise howsoever, and the Benefit of all Contracts and Arrangements entered into by, with, or on behalf of the *Dearness Valley* Railway Company, shall be by this Act transferred to and vested absolutely in the *North-eastern* Railway Company, as Part of their Undertaking, Property, Powers, and Authorities, and be exercised and enjoyed by them as fully and effectually as the same might be exercised and enjoyed by the *Dearness Valley* Railway Company, if this Act were not passed; but subject to all such Contracts, Debts, Liabilities, Engagements, Obligations, and Provisions.

Valley Railway Company to vest in North-eastern Railway Company accordingly.

XXIV. Provided always, That such Transfer and Vesting shall be evidenced sufficiently and conclusively by a Deed of Transfer, under the respective Common Seals of the Two Companies duly stamped, and wherein the true Consideration for the Deed of Transfer shall be fully stated, and the Deed shall be in such Form as the *North-eastern* Railway Company require, and shall be executed when they so require.

Deed of Transfer.

XXV. Within Twenty-one Days after such vesting Notice thereof shall be inserted in the *London Gazette*, and thenceforth the *Dearness Valley* Railway Company shall be dissolved and cease to exist, except only for the Purposes of executing such Deed of Transfer, when so required, and of dividing amongst their Shareholders, or their Representatives, according to their respective Interests, the Money, if any, paid by the *North-eastern* Railway Company for such Purchase, or so much thereof as shall be so divisible.

Notice of vesting to be given in London Gazette.

XXVI. All Conveyances, Leases, Deeds, Appointments, Contracts, Agreements, Mortgages, Bonds, Covenants, and Securities made or entered into before such vesting, to, with, in favour of, by, or for the *Dearness Valley* Railway Company, or any Persons on their Behalf, shall, from and after such vesting, be and remain good, valid, and effectual in favour of, against, and with reference to the *North-eastern* Railway Company, and may be proceeded on and enforced by or against them in like Manner, to all Intents and Purposes, as if they had been Party to and executed the same, or had been named or referred to therein or privy thereto, instead of the *Dearness Valley* Railway Company, or any Persons on their Behalf.

Conveyances, Contracts, &c. to remain in full Force.

XXVII. Any Action, Suit, Prosecution, Arbitration, or other Proceeding whatsoever, commenced before such vesting, either by, with,

Actions not to abate.



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with, or against the *Dearness Valley* Railway Company, shall not abate or be discontinued or be prejudicially affected by reason of such vesting, but, on the contrary, shall continue and take effect in favour of or against, and may be enforced by or or against the *North-eastern* Railway Company, upon a Suggestion to be entered on the Proceedings, setting forth the Dissolution of the *Dearness Valley* Railway Company, and the Substitution of the *North-eastern* Railway Company in its Stead, in like Manner in all respects as the same would or might continue and take effect in favour of or against or be enforced by or against the *Dearness Valley* Railway Company if this Act were not passed.

Present and future Rights and Liabilities under *Dearness Valley* Railway Act saved.

XXVIII. Provided always, That everything before such vesting done, suffered, and confirmed respectively by or under "The *Dearness Valley* Railway Act, 1855," shall be as valid and effectual as if this Act were not passed, and such vesting and this Act respectively shall accordingly be subject and without Prejudice to everything so done, suffered, and confirmed respectively, and to all Rights, Liabilities, Claims, and Demands, both present and future, which, if such vesting had not happened, and this Act were not passed, would be incident to or consequent on any and everything so done, suffered, and confirmed respectively, and with respect to all such Things so done, suffered, and confirmed respectively, and all such Rights, Liabilities, Claims, and Demands, the *North-eastern* Railway Company shall after such vesting to all Intents and Purposes represent the *Dearness Valley* Railway Company: Provided always, that the Generality of this Enactment shall not be restricted by any special Provisions in this Act contained.

Power to apply Portion of Monies raised under existing or future Acts to the Purposes of this Act.

XXIX. It shall be lawful for the Company to appropriate and apply to the Purposes of the Railway and Works by this Act authorized, and to all or any other of the Objects and Purposes of this Act, any of the Monies which under and by virtue of their existing Acts, or of any other Act of the present Session of Parliament, they have raised, or are or may be authorized to raise, and which shall not be wanted for the Purposes of the said Acts: Provided always, that it shall not be lawful for the Company to appropriate for the Purposes of this Act any of such Monies which are or may be by such Acts or any of them specifically applicable to and required for any Works thereby authorized, and not yet completed; and no such Application of Capital to the Purposes of this Act shall take place unless the Consent of Three Fifths of the Shareholders in the Company present at a Meeting specially convened for the Purpose, either before or after the passing of this Act, shall have been obtained thereto.

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XXX. The Period within which the Company were by Section Twenty-nine of their Act, Ten and Eleven *Victoria*, Chapter Two hundred and eighteen, required to sell such Portions of the Lands therein mentioned or referred to as should not be used by them for the Purposes of that Act is hereby extended for the further Period of Ten Years from the passing of this Act: Provided always, that the Company shall not be required to sell any Portions of those Lands which have since been or shall hereafter be used for the Purposes of their Railways, or which are enclosed within the Triangle formed by their Railways to their *Paragon Street* Station at *Hull*, and by the *Bridlington* Branch Railway, or to which Access cannot be obtained, except by passing across their Railways, or as are so situate as that the Appropriation thereof for Building Purposes might injuriously affect the Use or Working of the Company's Railways at or near *Hull*, by interfering with the View of approaching Trains or of Signals.

Extending  
Period for  
Sale of cer-  
tain Lands  
at Hull.

XXXI. The Period limited for the Sale of those Portions of the Lands which the Company have purchased, as required by Section Eleven of their Act, Ten and Eleven *Victoria*, Chapter One hundred and forty, and which shall become superfluous, shall be extended to Ten Years from the passing of this Act.

Extending  
Period for  
Sale of cer-  
tain Lands  
at Harrogate.

XXXII. All the Powers by this Act conferred upon the Company shall and may (except where directed to be exercised only at a General Meeting of the Company) be exercised by the Directors of the Company, but nevertheless in accordance with and subject to the Provisions of this Act and of the Acts incorporated herewith, and also subject to the Control and Regulation of any General Meeting specially convened for the Purpose, but not so as to render invalid any Act done by the Directors prior to any Resolution passed by such General Meeting.

Powers of  
Act to be  
exercised by  
the Direc-  
tors.

XXXIII. It shall not be lawful for the Company, out of any Money by this Act, or any other Act relating to the Company authorised 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.

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XXXIV. It



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

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

Subscription Contract to be as valid.

XXXV. 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.

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

XXXVI. Nothing herein contained shall be deemed or construed to exempt the Railway by this Act authorized to be made, or the Company, from the Provisions of any General Act relating to Railways, 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, or the Rates for small Parcels.

Expenses of Act.

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

Short Title.

XXXVIII. In citing this Act for any Purpose whatever, it shall be sufficient to refer to and describe it as "*The North-eastern Railway Company's (Lanchester Valley Branch) Act, 1857.*"

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