



ANNO QUARTO

# GULIELMI IV. REGIS.

\*\*\*\*\*

## Cap. xxvi.

An Act for making and maintaining a Railway from *Blaydon* to *Hebburn*, with Six Branches thereout, all within the County Palatine of *Durham*.

[22d May 1834.]

**W**HEREAS the making and maintaining a Railway from *Blaydon* to *Hebburn* in the County Palatine of *Durham*, with Six Branches thereout, would be of great public Advantage, by opening a cheap, certain, and expeditious Communication between that Part of the River *Tyne* navigable by large Vessels and the surrounding District: And whereas the several Persons herein-after named are willing, at their own Expence, to carry into effect the before-mentioned beneficial Undertaking; but the same cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be it enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *John Adamson, William Angus, Robert Anthony Atkinson, Ralph Henry Brandling, Matthew Bell, Harrison Bulman, Isaac Burrell, John Burrell, John Beckinton, William Boyd, John Bruce, William Bolam, Thomas Bell, John Clayton, John Collinson, James Colbeck, John Anderson, Cuthbert Burnup, George Bargate, Thomas Cummins, Forster Walker, Jabez Hood, James Sillick, George Greenwell Russell, John Fairbairn, John Irwin, Thomas Emerson Headlam, Eleanor Kemp, Robert Liddell, William Webster, William Greaves, George Palmer, John Dixon, Peter Dixon, George Dixon, William Forster, Thomas Fenwick, John Forster, John Mul-*

Proprietors  
incorporated.

[Local.]

7 Y

caster,

caster, James Finlay, Henry Francis Howard, John Harle, Sir Robert Shafto Hawks, Nathaniel John Hollingsworth, George Lewis Hollingsworth, Michael Hogg, James Hogg, Thomas Hudson, John Lionel Hood, John Hodgson, Addison Langhorn Potter, Elizabeth Wilson Sadler, John Harle, John Brandling, Joseph Arundale, John Blenkinsopp Coulson, Mary Barras, William Weir, John Wilson, Jeremiah Brown, Thomas Henry Graham, James Donaldson Bell, George Johnson, David Laidler, Sir Wilfrid Lawson, John Lambton Loraine, James Losh, William Losh, Edward Wilson Maxwell, William Marley, William Nanson, William Moore, Robert Ewart Norman, Edward Otter, Robert Oliver, Robert Ormston the younger, Robert Ormston, Matthew Plummer, John Phillips, John Diston Powles, James Brough Pow, Robert Proctor, Samuel Walker Parker, John Johnson, Thomas Richard Batson, John Studholme, Joseph Scott, Mary Warwick, Thomas Stordy, Henry Patteson, Alexander Reed, Sir Hew Dalrymple Ross, Charles William Bigge, William Robson, William Story, Sir Lancelot Shadwell, Thomas Cookson, Richard Shortridge, Benjamin Thompson, Thomas Thompson, Francis Taylor, Nicholas Wood, William Woods, John Wilson, Robert Wilson, Thomas Wilson, Ralph Watson, John Williamson, John Woollett, George Silvertop, George Lee, William Dobinson, James Connell, Andrew Robert Fenwick, Elizabeth Hannah Chapman, Edward Walton Chapman, John Abbot, Christopher Vickers, William Hymers, Thomas Robinson, and Nicholas Andrews, and all other Persons, Bodies Politic and Corporate, who have subscribed or who shall hereafter subscribe towards the said Undertaking, and their several and respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby united into a Company for constructing and maintaining the said Railway, and the several Branches and other Works by this Act authorized, according to the Provisions and Restrictions hereinafter mentioned, and for that Purpose shall be a Body Corporate by the Name and Style of "The *Blaydon, Gateshead, and Hebburn* Railway Company," and by that Name shall have perpetual Succession, and shall have a Common Seal, and shall and may sue and be sued, and also shall have Power to purchase and hold Lands and other Hereditaments to them and their Successors and Assigns, for the Use of the said Undertaking, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain, and shall also have Power again to sell and dispose of such of the said Lands and Hereditaments as may not have been used for the Purposes of this Act in manner herein-after mentioned.

Company  
empowered  
to make  
Railway and  
Branches.

II. And be it further enacted, That the said Company of Proprietors shall be and are hereby authorized and empowered, by themselves, their Deputies, Agents, Officers, Workmen, and Servants, to make, complete, and maintain a Railway, with proper Warehouses, Wharfs, Quays, Landing Places, Tunnels, Bridges, Spouts, Drops, Cranes, Works, and Conveniences adjoining thereto or connected therewith, for the Passage of Waggons, Carts, and other Carriages constructed as herein-after mentioned, commencing at or upon the Line of the *Newcastle upon Tyne* and *Carlisle* Railway, at or near to the Lead Refinery at *Blaydon*, in the Parish or Township of *Winlaton* in the Parish of *Ryton* in the County of *Durham*, and extending to or passing through or into or made within the several Parishes following, all in the County of *Durham*, (that is to say,) *Ryton*, *Winlaton*, *Whickham*, *Gateshead*, and *Jarrow*; and also extending to or passing through or into or made within the several Townships, Hamlets, or Places following, all in the said County of *Durham*,

(that is to say,) *Winlton, Swalwell, Whickham, Dunston, Gateshead, Nether Heworth, Hebburn,* and *Jarrow*, and terminating at or near to or in the River *Tyne* in the Parish of *Saint Nicholas* within the Jurisdiction of the Town and County of *Newcastle upon Tyne*, at or near to the East or North-east End of a Quay called *Hebburn Quay*, in the said Township and Parish of *Jarrow* in the said County of *Durham*; together with Six Branch Railways from and out of such Railway, with proper Warehouses, Wharfs, Quays, Landing Places, Tunnels, Bridges, Spouts, Drops, Cranes, Works, and Conveniences adjoining thereto or connected therewith respectively herein-after mentioned; (that is to say,) the one of the said Branch Railways commencing at a Place near to the Mouth of the River *Derwent* in the said Parish or Township of *Whickham* in the said County of *Durham*, and extending to or passing through or into or made within Part of the said Parish of *Whickham*, and the several Townships, Hamlets, or Places of *Whickham* and *Swalwell* in the County of *Durham* aforesaid, and terminating at or near to a Place in the Village of *Swalwell* called the *Long Ridge*, in the said Parish and Township of *Whickham* in the said County of *Durham*; another of the said Branch Railways, commencing at or near to the West End of a Quay commonly called *Askew's Quay* otherwise *Redbeugh Quay*, in the said Parish and Township of *Gateshead* in the said County of *Durham*, and extending to or passing through or into or made within the several Parishes of *Gateshead* and *Whickham*, and the several Townships, Hamlets, or Places of *Gateshead* and *Whickham*, all in the said County of *Durham*, and terminating at the *Gateshead* and *Hexham* Turnpike Road, at or near to a Place where the said Road is crossed or intersected by a Railroad called the *Team Waggon Way*, near to a Mill called *Emery Crook*, in the aforesaid Parish and Township of *Whickham*, together with a Branch Railway from or out of the said Branch Railway lastly mentioned, commencing at or upon the said lastly-mentioned Branch Railway at or near to a Plantation commonly called *Askew's Plantation*, at *Low Team*, near to a Wooden Bridge over a Rivulet called *Team Gut*, in the said Parish and Township of *Gateshead* in the said County of *Durham*, and passing through or into or made within Part of the said Parish and Township of *Gateshead*, and terminating at or near to a Manufactory called the *Team Iron Works*, in the said Parish and Township of *Gateshead*; another of the said Branch Railways commencing at or near to the East End of the said Quay called *Askew's Quay* otherwise *Redbeugh Quay*, in the said Parish and Township of *Gateshead* in the said County of *Durham*, and passing through or into or made within Part of the said Parish and Township of *Gateshead*, and terminating at or near to the South Shore of the River *Tyne* at or near to the West End of a Street called *Piperwell Gate*, in the Town and Borough of *Gateshead* in the Parish and Township of *Gateshead* aforesaid; another of the said Branch Railways commencing at a Place at or near to the Summit of the South Bank of the River *Tyne* in a Field lying to the West of a Field called *Green's Field*, in the said Parish and Township of *Gateshead* in the said County of *Durham*, and passing through or into or made within Part of the said Parish and Township of *Gateshead*, and terminating at or near to the East Side of the said Field called *Green's Field*, near to a Street or Lane called the *Half Moon Lane* otherwise *Bailey Chair*, in the Parish and Township of *Gateshead* aforesaid; another of the said Branch Railways commencing at a Place at or near to the West End of a Field called the *Long Field*, in the said Parish and Township of *Gateshead* in the said County of *Durham*, and passing

passing through or into or made within Part of the said Parish and Township of *Gateshead*, and terminating at or near to *Oakwellgate Lane*, at or near to the East End of a Street called *Hymer's Street* otherwise *Garden Street*, in the Parish and Township of *Gateshead* aforesaid; and the Sixth and last of the said Branch Railways commencing at or from the said Branch Railway last mentioned at or near to the West End of the said Field called the *Long Field*, in the said Parish and Township of *Gateshead* in the said County of *Durham*, and passing through or into or made within Part of the said Parish and Township of *Gateshead*, and terminating at or upon the River *Tyne* in the Parish of *Saint Nicholas*, within the Jurisdiction of the Town and County of *Newcastle upon Tyne*, at or near to a Lane or Road called the *Rope Walk*, in the Parish and Township of *Gateshead* aforesaid.

Power to  
take Lands,  
&c.

III. And be it further enacted, That for the Purposes of this Act the said Company of Proprietors, their Deputies, Servants, Agents, Surveyors, and Workmen, shall be and they are hereby authorized and empowered, according and subject to the Provisions of this Act, to enter into and upon the Lands and Grounds of any Person or Persons, Bodies Politic, Corporate, or Collegiate whatsoever, and to survey and take Levels of the same or any Part thereof, and to set out, ascertain, and appropriate such Parts thereof as they shall think necessary for making, effecting, preserving, improving, completing, maintaining, and using the said Railways, and all such other Works, Matters, and Conveniences as are hereby authorized to be made, and to bore, dig, cut, trench, embank, and sough, and also to remove, take, carry away, lay, and use any Earth, Clay, Stone, Soil, Rubbish, Trees, Roots of Trees, Beds of Gravel or Sand, or any other Materials or Things which may be dug, raised, or gotten in making the said Railways and other Works, or out of the Lands or Grounds of any Person or Persons, Bodies Politic, Corporate, or Collegiate, adjoining or contiguous thereto, and which may seem necessary or proper for making, carrying on, continuing, using, maintaining, altering, or repairing the said Railways and other Works according to the Intent and Meaning of this Act; and also to make, build, erect, bank, excavate, cut, and set up, and also to repair such and so many Embankments, Mounds, Bridges, Piers, Arches, deep Cuttings, and Tunnels in, upon, under, and across any Hills, Valleys, Roads, Rivers, Canals, Brooks, and Streams or other Waters, and to alter or stop the Course of or draw off such Water for such Time as may be necessary for completing and repairing Bridges or Passages over the same, and such and so many Wharfs, Houses, Warehouses, Toll Houses, Landing Places, Weighing Beams, Cranes, Spouts, Drops, Machines, and other Works and Ways, Roads and Conveniences, where and in such Manner as the said Company of Proprietors shall think necessary or expedient for the Purposes of the said Undertaking; and also from Time to Time to renew, alter, repair, and amend or discontinue the same; and also to place, lay, work, and manufacture the Materials necessary for the making, erecting, and maintaining and repairing the said Railways and other Works on the Lands or Grounds adjoining to the Place or Places where the said Works or any of them shall be or are intended to be made, erected, repaired, or done; and also to make, maintain, repair, and alter any Fences or Passages over, under, along, or through the said Railways; and also to make, set out, and appoint such Roads and Ways convenient for hauling or drawing of Waggon and other

other Carriages passing upon the said Railways with or by means of Engines or other mechanical Power, and with Men or Horses, or otherwise, and proper Places for such Engines, and for Waggon and other Carriages, to turn, remain, stand, lie, or pass each other; and to divert, alter, widen, enlarge, and extend any Ways, Roads, Passages, or Bridges which shall lead to or from or lie or be in or near the said Railways or the intended Course or Situation thereof, as the said Company of Proprietors shall think expedient; and also to make Drains or Conduits into, through, or under any Lands or Grounds adjoining the said Railways for the Purpose of conveying Water from or to the said Railways, or any Part or Parts thereof, and to construct, make, and do all other Matters and Things fit or necessary for the making, altering, preserving, improving, completing, and using the said Railways and other Works to be made or constructed in pursuance of and according to the true Intent and Meaning of this Act, they the said Company, their Deputies, Agents, Servants, and Workmen, doing as little Damage as may be in the Execution of the several Powers to them hereby granted, and making full Satisfaction in manner herein-after mentioned to the Owners or Proprietors of, and to all Persons, Bodies Politic, Corporate, or Collegiate, interested in any Lands, Tenements, or Hereditaments, Waters or Water-courses respectively, which shall be taken, used, removed, diverted, or injured, for all Damages to be by them sustained in or by the Execution of all or any of the Powers of this Act; and this Act shall be sufficient to indemnify the said Company, and their Deputies, Servants, Agents, and Workmen, and all other Persons whomsoever, for what they or any of them shall do by virtue of the Powers hereby granted, subject nevertheless to such Provisoes and Restrictions as are herein-after mentioned and contained.

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

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

V. And be it further enacted, That in case any locomotive or other Engine to be worked by the Power of Steam, or any other Power than that of Horses or other Cattle, shall be used on the said Railways, then

[Local.]

7 Z

If locomotive Engines are used on Railways, and

Turnpike  
Roads to be  
crossed by a  
Bridge.

and in such Case the same shall be carried either over or under any such Turnpike Road by means of a Bridge or Tunnel at the Expence of the said Company, and such Bridge, if any, shall be of such Construction as is herein-after mentioned.

Ascent of  
Bridges and  
Height of ad-  
joining  
Fences.

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

Width and  
Height of the  
Bridges over  
Roads.

VII. And be it further enacted, That where any Bridge shall be erected by the said Company for the Purpose of carrying the said Railways or either of them over or across any Turnpike Road or public Carriage Road, the Span of the Arch of such Bridge shall be formed, and shall at all Times be and be continued of such Width as to leave a clear and open Space under every such Arch of not less than Fifteen Feet, and of a Height, from the Surface of such Turnpike Road or public Carriage Road to the Centre of such Arch, of not less than Sixteen Feet, and the Descent under any such Bridge shall not exceed One Foot in Thirteen Feet.

Plans and  
Books of Re-  
ference.

VIII. And whereas Maps or Plans describing the Lines or Course of the said Railways respectively, and the Estates, Lands, and Grounds in, through, over, and upon which the said Railways are to be carried or made, together with Books of Reference thereto containing Lists of the Names of the Owners and Occupiers, or reputed Owners and Occupiers, of such Estates, Lands, and Grounds, have been deposited with the several Clerks of the Peace for the County Palatine of *Durham* and for the Town and County of *Newcastle upon Tyne*; be it therefore enacted, That the said Maps or Plans and Books of Reference so deposited shall remain with and be kept by the said respective Clerks of the Peace; and that all Persons interested in any Manner therein shall have Liberty to inspect and peruse and make Extracts from and Copies of the same at all reasonable Times, paying to the said respective Clerks for every Inspection the Sum of One Shilling, and for Copies of or Extracts from the said Books of Reference after the Rate of Four-pence for every Seventy-two Words; and the said Maps or Plans and Books of Reference, or attested Copies thereof or of so much thereof as shall relate to any Matter which may be in question, shall be and are hereby declared to be good Evidence in all Courts of Law or elsewhere.

Not to de-  
viate more  
than 100  
Yards.

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

Unintentional  
Errors in  
Plans or  
Books of Re-  
ference not

X. Provided always, and be it further enacted, That it shall be lawful for the said Company to make the said Railways and other Works upon, in, over, or through the Lands, Tenements, or Hereditaments upon, in, over, or through which such Railways and other Works are delineated on the

the said Plans, although such Lands, Tenements, and Hereditaments, or any of them, or the Situation thereof respectively, or the Names of the Owners or of the Occupiers thereof respectively, may happen to be omitted, mis-stated, or erroneously described in the Schedule to this Act or in the said Books of Reference, if it shall appear to any Two or more Justices of the Peace for the said County Palatine of *Durham*, in case of any Dispute about the same, and be certified in Writing under their Hands, that such Omission, Mis-statement, or erroneous Description apparently proceeded from Mistake; and the Certificate of the said Justices shall be deposited with and remain in the Custody of the Clerk of the Peace of the said County Palatine.

to prevent Execution of the Act.

XI. Provided also, and be it further enacted, That nothing herein contained shall extend to authorize the said Company of Proprietors, or any Person or Persons acting by or under their Authority, to take, use, injure, or damage, for the Purposes of the said Railways or other Works, or for any other of the Purposes aforesaid, any House or other Building which was erected or built on or before the First Day of *January* One thousand eight hundred and thirty-four, or any Land or Ground which was then set apart and used as and for a Garden, Orchard, Yard, Park, Paddock, Plantation, planted Walk, or Avenue to a House, without the Consent in Writing of the Owners or Proprietors thereof and Persons interested therein respectively, other than and except such as are specified in the Schedule to this Act annexed.

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

XII. Provided also, and be it further enacted, That in all Cases when, in exercise of the Powers hereby granted, any Part of any Carriage or Horse Road, either public or private, shall be found necessary to be cut through, raised, sunk, taken, or so much injured as to be impassable or inconvenient for Travellers, Passengers, or Carriages, or to the Persons entitled to the Use thereof, the said Company shall at their own Expence, before any such Road shall be cut through, raised, sunk, taken, or injured as aforesaid, cause a good and sufficient Carriage or Horse Road, as the Case may require, to be set out and made instead thereof, as convenient for Travellers, Passengers, and Carriages as the Road so to be cut through, raised, sunk, taken, or injured as aforesaid, or as near thereto as may be, and shall cause the same to be put into good and substantial Order and Condition, when the former Road cannot be more easily restored; and where the Road cut through, raised, sunk, or passed over shall be a Turnpike Road or Highway, the principal Road shall be restored within Six Calendar Months after the Commencement of the Operation; and the Railways when they shall cross such Turnpike Road shall be made and kept in repair, so as to prevent Inconvenience or Obstruction to the Passage along such Turnpike Road.

In case of Injury to Roads.

XIII. And be it further enacted, That the Lands and Grounds to be taken for the Purposes of this Act shall not exceed Twenty-two Yards in Breadth, except in such Places where it shall be judged necessary for Waggons or other Carriages to turn, remain, stand in, lie, or pass each other, or for raising Embankments for crossing Valleys or low Grounds, or in deep Cuttings, or where any fixed or permanent Machinery or Warehouses or other Buildings, or Cranes or Weighbeams, may be erected, or where any Places may be set out or appropriated for the forming of Wharfs, or for the Reception or Delivery of Coals, Goods, Wares,

Breadth of Lands to be taken for the Railways.

Wares, and Merchandize which shall be conveyed on the said Railways, and not above One hundred and fifty Yards in Breadth in any Place, except in Places to be set out and appropriated for Wharfs, Sheds, Warehouses, Buildings, Staiths, Drops, Yards, and Conveniences, and other Purposes of this Act, for all or any of which Purposes not exceeding Six hundred Yards in Length by Two hundred Yards in Breadth may be set out and appropriated, over and above the Quantity of Land herein-before mentioned, without the Consent of the Owners of the Lands or Hereditaments adjoining to the said Railways.

Corporations, &c. empowered to sell.

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

Form of Conveyance to Company.

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

And if the Premises are Leasehold for Years they may be assigned by a Form answerable to the above, only substituting the Words applicable to



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

XV. Provided always, and be it further enacted, That all Contracts, Agreements, and Assurances made or entered into by virtue and in pursuance of this Act for or in respect of any Lands, Tenements, or Hereditaments of Copyhold or Customary Tenure, or in the Nature thereof, shall be executed and completed by Surrenders of the Lands, Tenements, and Hereditaments comprised therein, in the Court of the Manor of which the same are holden or Parcel, according to the Custom of such Manors; and such Lands, Tenements, and Hereditaments shall continue subject to the same Fines, Rents, and Services as are now due and payable and of Right accustomed, in the same Manner as if this Act had not been passed, unless the Lord or Lords, Lady or Ladies, for the Time being of the Manor whereof the said Lands, Tenements, or Hereditaments are holden, shall be willing to enfranchise the same; in which Case such Lord or Lords, Lady or Ladies, whether sole or married, is or are hereby empowered so to do, notwithstanding he, she, or they shall be seised of or entitled to the same Manor for a less Interest than an Estate in Tail, General or Special; but if the same shall not be enfranchised, inasmuch as the vesting and continuing of such Copyhold or Customary Premises in the said Company as a Body Corporate will prevent such Lord or Lords, Lady or Ladies, from receiving the same Benefit of Fines, Heriots, and other Services due upon Death, Descent, or Alienation, as he, she, or they might have received in case such Copyhold or Customary Premises had continued to be the Property of Persons in their natural Capacities, he, she, or they shall be entitled to and shall be paid by the said Company a reasonable Recompence and Satisfaction for the Loss that will arise to him, her, or them in respect of such Fines, Heriots, and other Services, the Receipt or Enjoyment of which shall be diminished or lost by the vesting or continuing of such Copyhold or Customary Premises in a Body Corporate; which Recompence and Satisfaction, and also the Appointment or Apportionment of the certain Copyhold or Customary Rents issuing out of such Copyhold or Customary Tenements

Conveyance  
of Copyholds.

Lords of  
Manors em-  
powered to  
enfranchise.

[Local.]

8 A

of

of which a Part only shall be taken for any of the Purposes of this Act, shall, if not settled by Agreement between the Parties, be ascertained and settled by the Verdict of a Jury, if required, as is herein-after directed.

How Money is to be paid if Lords of Manors are under Incapacity to enfranchise Copyholds.

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

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

XVI. And be it further enacted, That in all Cases where the Lord or Lords, Lady or Ladies of any Manor or Manors whereof any Copyhold or Customary Lands or Tenements required to be used for the Purposes of this Act are holden or Parcel, shall be willing to enfranchise the same Copyhold or Customary Lands or Tenements, and such Lord or Lords, Lady or Ladies, shall be seised of or entitled to such Manor or Manors respectively for a less Interest than an Estate in Tail, General or Special, or where he, she, or they cannot, either by any Process equivalent under the Laws now in force to a Fine or Recovery, enfranchise the same Lands or Tenements, then the Money agreed or assessed to be paid for the Enfranchisement thereof shall be paid, applied, and disposed of, under the Direction and with the Approbation of the High Court of Chancery, or without such Direction or Approbation, according to the Amount thereof, in the same Manner in all respects as in this Act is directed and provided with respect to Money agreed or assessed to be paid for the Purchase of any Lands, Tenements, or Hereditaments, taken or used for the Purposes of this Act, which shall belong to any Person or Persons under any Disability or Incapacity whatsoever; and in all Cases in which the Appointment or Apportionment of the certain Copyhold or Customary Rents issuing out of such Copyhold or Customary Lands and Tenements of which a Part only shall be or shall have been taken for the Purposes of this Act, shall be settled by Agreement between the Parties, such Agreement shall be made with and shall not be valued without the Consent and Approbation of the Lord or Lords, Lady or Ladies of the Manor or respective Manors whereof the same Copyhold or Customary Lands and Tenements are holden or Parcel, which Consent he, she, or they is or are hereby authorized to give, though he, she, or they may have only a limited or qualified Estate or Interest in such Manor, and if not so settled shall then be settled or assessed by the Verdict of a Jury, if required, in such Manner as in and by this Act is directed and provided; and the Apportionment of such Copyhold or Customary Rents aforesaid shall not in any Manner invalidate, prejudice, or destroy the Custom or Customs in any other respects by and under which the said Copyhold or Customary Lands or Tenements shall or may be holden, and the Remedy or Remedies for the Recovery of such Rents after the Apportionment thereof; and in all Cases where the Lord or Lords, Lady or Ladies of any Manor or Manors, whereof any Copyhold or Customary Lands or Tenements purchased by the said Company of Proprietors for the Purposes of this Act, shall refuse or decline to enfranchise the same Lands or Tenements, and shall in consequence thereof have received from the said Company of Proprietors a Recompence and Satisfaction in respect of the Fines, Heriots, and other Services being diminished or lost by the vesting or continuing of such Copyhold or Customary Lands or Tenements in a Body Corporate, then and in every such Case, if the same Lands or Tenements, or any Part or Parts thereof, shall not be ultimately required for the Purposes aforesaid or any of them, and shall be sold and disposed of by the said Company of Proprietors under the Authority or Authorities to them given for that Purpose, the Copyhold or Customary Lands and Tenements which shall be sold

sold and disposed of by the said Company of Proprietors shall remain in the Hands of the Purchaser or Purchasers thereof, and for ever thereafter continue free and discharged from the Fines, Heriots, and other Services in respect whereof such Recompence and Satisfaction shall have been made as aforesaid.

XVII. And be it further enacted, That in all Cases where, in making the said Railways or other Works hereby authorized, there shall be Occasion to cut through, take, or use any Part or Parts of any Common or Waste Grounds, or other Lands, Tenements, or Hereditaments, which shall be charged with or subject or liable to the Exercise of any Right or Privilege of Common thereupon, whether of Pasture, Turbary, Estover, Piscary, or Easement, and whether such Common or Commonable Rights be appendant, appurtenant, or in gross, and whether the same be created or be then subsisting by Grant, Prescription, Custom, or otherwise howsoever, the Conveyance of such Common or Waste Grounds, or other Lands, Tenements, or Hereditaments as aforesaid, by any Body Politic, Corporate, or Collegiate, or other Person or Persons having such Estate or Interest in the Manor wherein such Common or Waste Grounds shall be situate (or if the same shall not be the Waste of any Manor, then having such Estate or Interest in the Soil of the said Lands, Tenements, or Hereditaments,) as the Body or Bodies Politic, Corporate, or Collegiate, or Persons who are herein-before enabled to sell other Lands, Tenements, or Hereditaments have in such Lands, Tenements, or Hereditaments, shall be a good and sufficient Conveyance to the said Company of Proprietors for the Purposes of vesting in them the Fee Simple and Inheritance of such Common or Waste Grounds, or Lands, Tenements, or Hereditaments, as fully and effectually as if every Person having such Right or Rights of Common upon such Common or Waste Grounds, or other Lands, Tenements, or Hereditaments, were seised thereof in Fee Simple in Possession, and had joined in and executed such Conveyances; and the Compensation to be paid for the Extinguishment of any Right of Common upon any such Common or Waste Grounds as aforesaid shall be paid by the said Company of Proprietors to the Churchwardens for the Time being of the Parish wherein such Common or Waste Grounds shall be situated, and shall be by such Churchwardens received and applied for such general or public Purposes within the said Parish as a Vestry thereof to be convened by such Churchwardens for that Purpose shall direct; but in all Cases where any such Common or Commonable Rights shall be vested in not more than Twelve Persons and Corporations such Compensation shall be paid unto and amongst such Persons and Corporations, according to their respective Interests, in such Shares as shall be agreed upon between them and the said Company, but if the Parties shall not agree, then the same Shares shall be ascertained and settled by a Jury in manner herein-after directed; and such Compensation shall either be paid to such Persons or Owners themselves, or deposited in the Bank in the Cases and in the Manner by this Act directed; provided that in all Cases where any such Manor is vested in Freeholders or Inhabitants at large, or in any greater Number of Persons than Four, or where it is not known to whom such Manor belongs, or in what Manor such Common or Waste Grounds are situated, the Conveyance by Four at least of the Freeholders whose Estates have Common Right in or over such Common or Waste Grounds, and whose said Estates in the Rate for the Relief of the Poor amount in

Waste Lands  
to be con-  
veyed by  
Lords of  
Manors.

yearly

yearly Value to Three Fifth Parts at least of the whole of the Estates which have such Common Right, shall also in like Manner be a good and sufficient Conveyance to the said Company of Proprietors for the Purposes of vesting in them the Fee Simple and Inheritance of such Common or Waste Grounds freed and discharged from all such Common Rights; and the Compensation, if any, for the Extinguishment of the Common Rights in the Cases lastly mentioned, shall be paid to the Churchwardens, to be applied by them as herein-before directed.

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

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

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

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

No Shaft to  
be sunk  
under the  
Railway.

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

Parties au-  
thorized to  
accept Satis-  
faction for  
Lands taken.

XXI. And be it further enacted, That all Corporations and other Parties by this Act capacitated to sell and convey Lands, Tenements, or Hereditaments, or to enfranchise Lands, Tenements, or Hereditaments, of Copyhold or Customary Tenure, and the respective Owners and Occu-  
piers

piers of Lands, Tenements, or Hereditaments through, under, in, or upon which the said Railways and other Works hereby authorized are intended to be made, may accept and receive Satisfaction for the Value of such Lands, Tenements, and Hereditaments, or of the Interest or Interests therein by them conveyed, and also Satisfaction or Compensation for any Damage or Loss by them sustained by reason of the severing or dividing of such Lands, Tenements, or Hereditaments, or by reason or on account of any of the Works by this Act authorized, or of the Execution of any of the Powers of this Act, in such gross Sums as shall be agreed upon between the said Owners (including all Parties by this Act capacitated as aforesaid) and Occupiers respectively and the said Company; and in case the said Company and such Parties respectively shall not agree as to the Amount or Value of such Purchase Money, Satisfaction, or Compensation, the same respectively or either of them concerning which they do not so agree shall be ascertained and settled by the Verdict of a Jury, if required, in manner as herein-after is directed.

XXII. And for settling all Differences which may arise between the said Company of Proprietors and the several Owners of or Persons interested in or by this Act empowered to convey and assure any Lands, Grounds, Messuages, Buildings, Tenements, Hereditaments, Ferries, Rivers, Streams, Brooks, Canals, Waters, or Watercourses which shall or may be taken, used, damaged, stopped up, affected, or prejudiced by the Execution of any of the Powers hereby granted; be it further enacted, That if any Corporation, or other Person or Persons empowered by this Act, or otherwise entitled to treat and agree with respect to and to convey and assure the same Hereditaments, shall refuse to accept such Purchase Money, Recompence, or other Compensation as shall be offered them by the said Company, or shall neglect or refuse to treat or shall not agree with the said Company as to the Amount of the Purchase Money, Recompence, or Compensation, or shall by reason of Absence be prevented from treating, or shall by reason of Non-age, or any other Impediment or Disability not provided for by this Act, be incapable of treating or making such Agreement as shall be expedient for enabling the said Company to proceed in making the said Railways and other the Works aforesaid, or cannot be found or known, or shall not produce or evince a clear Title to the Premises they may be in Possession of, or to the Interest they shall claim therein, to the Satisfaction of the said Company, then and in every such Case the said Company of Proprietors shall and they are hereby empowered and required from Time to Time to issue a Warrant under their Common Seal to the Sheriff of the County in which the Lands or Hereditaments in question shall be situate, or the Matter in question or dispute shall arise, or in case such Sheriff or Under Sheriff shall be one of the said Company of Proprietors, or enjoy any Office of Trust or Profit under them, or shall be in anywise interested in the Matters in question, then to any one of the Coroners of such County not interested as aforesaid, or if all the Coroners shall be so interested, then to the last Person then in being who filled the Office of Sheriff of the said County, not interested as aforesaid, commanding such Sheriff or Coroner or other Person to impanel, summon, and return, and the said Sheriff, Coroner, or other Person is hereby accordingly authorized, empowered, and required to impanel, summon, and return, a Jury of at least Eighteen sufficient and indifferent Men, qualified according to the Laws of this Realm

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

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

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

Witnesses may be summoned.

Jury may view the Place or Matter in question.

Verdict and Judgment thereupon to be conclusive.

Notice of Time and Place of Meeting to be given.

to be returned for Trials of Issues in His Majesty's Courts of Record at *Westminster*; and the Persons so to be impannelled, summoned, and returned are required to come and appear before the Justices of the Peace for the County in which such Lands, Tenements, or Hereditaments shall lie, or the Matter in question or dispute shall arise, at some Court of General or Quarter Sessions of the Peace to be holden in and for the same County, or at some Adjournment thereof, as in such Warrants shall be directed or appointed, and to attend such General or Quarter Sessions from Day to Day until discharged by the said Court; and out of such Persons so to be impannelled, summoned, and returned a Jury of Twelve Men shall be drawn by the Clerk of the Peace for the County wherein such Jury shall be returned, or his Deputy, in such Manner as Juries for Trials of Issues joined in His Majesty's Courts of Record at *Westminster* are by Law directed to be drawn; and in case a sufficient Number of Jurymen shall not appear at the Time and Place so to be appointed as aforesaid, such Clerk of the Peace or his Deputy shall return other honest and indifferent Men of the Standers-by, or of others that can be speedily procured to attend that Service (being so qualified as aforesaid), to make up the said Jury to the Number of Twelve; and all Parties concerned shall and may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said Clerk of the Peace or his Deputy is hereby empowered and required to summon before the said Justices all and every Person and Persons who shall be thought necessary to be examined as a Witness or Witnesses touching the Matters in question or dispute, and may order and authorize the said Jury, or any Six or more of them, to view the Place or Places or Matter or Matters in controversy; and such Jury shall, upon their Oaths, or, being of the Society of Persons called *Quakers*, upon their solemn Affirmations, (which Oaths and solemn Affirmations, as well as the Oaths and solemn Affirmations to such Person or Persons as shall be called upon to give Evidence, the said Justices are hereby empowered and required to administer,) inquire of, assess, and ascertain, and give a Verdict for the Sum or Sums of Money to be paid for the Purchase of such Lands, Grounds, Messuages, Buildings, Tenements, and Hereditaments, and also the separate and distinct Sum or Sums of Money to be paid by way of Recompence or Compensation, either for the Damage which shall or may before that Time have been done or sustained as aforesaid, or for the future temporary or perpetual Continuance of any recurring Damages which shall have been so occasioned as aforesaid, and the Cause or Occasion of which shall have been in part only removed by the said Company, and which can or will be no further obviated, remedied, or repaired by them; and the said Justices shall accordingly give Judgment for such Purchase Money, Recompence, or Compensation as shall be assessed by such Jury; which said Verdict, and the Judgment thereupon to be pronounced as aforesaid, shall be binding and conclusive to all Intents and Purposes upon all Bodies Politic, Corporate, or Collegiate, and all other Persons whomsoever: Provided always, that in such Inquiry the Party or Parties claiming Compensation shall or shall be deemed to be Plaintiff or Plaintiffs: Provided also, that not less than Seven Days Notice in Writing of the Time and Place at which such Jury are so required to be returned shall be given by the said Company to the Party or Parties with whom any such Controversy shall arise by leaving such Notice at the Dwelling House of such Person or Persons, or of the

Clerk or Agent or Head Officer of any such Body Politic, Corporate, or Collegiate, or with some Tenant or Occupier of the Premises intended to be valued or respecting which any such Question shall arise.

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

Value of Land and Damages to be separately ascertained.

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

Compensation Money to be apportioned.

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

Verdicts to be recorded.

XXVI. And be it further enacted, That if such Sheriff or his Deputy, or any Coroner or other Person herein-before authorized and directed to act in the Stead of such Sheriff, shall make default in the Premises, he shall for every such Offence forfeit the Sum of Fifty Pounds; and if any Person so to be summoned and returned upon any such Jury as aforesaid shall not appear, without having sufficient Excuse for such Non-

Penalty upon Sheriff, &c. making default.

appearance,

appearance, or appearing shall refuse to be sworn, or being of the Society of Persons called *Quakers* to make his solemn Affirmation, or to give his Verdict, or shall in any other Manner wilfully neglect his Duty, contrary to the true Intent and Meaning of this Act, or if any Person so to be summoned to give Evidence as aforesaid shall not appear, on being paid or tendered a reasonable Sum for his, her, or their Costs and Expences, or appearing shall refuse to be sworn, examined, or to give Evidence, then and in every such Case every such Person so offending, having no reasonable Excuse (to be allowed by the said Justices), shall forfeit and pay for every such Offence, for the Benefit of the Party for whom or on whose Account such Jury or Witness shall be summoned, any Sum not exceeding Five Pounds, to be levied, by virtue of any Warrant under the Hand and Seal of any One of the said Justices, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to him the Overplus of the Money they produced after such Penalty and the Charges and Expences of such Distress and Sale shall have been deducted.

Jurors to be under the same Regulations as those of Courts at Westminster. Persons giving false Evidence subject to the Penalties of Perjury.

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

Expences of Jury how to be paid.

XXVIII. And be it further enacted, That in every Case where the Verdict of a Jury shall be given for a greater Sum than shall have been previously offered or tendered by the said Company for the Purchase of any Lands, Grounds, Messuages, Tenements, or Hereditaments for the Purposes of this Act, or as a Compensation or Recompence for any Damage, Loss, or Injury which may happen or arise in the Execution of any of the Powers hereby granted, all the Costs of summoning such Jury and the Expences of Witnesses shall be defrayed by the said Company, and such Costs and Expences shall be settled and determined by some Justice of the Peace for the County in which the Matter in dispute or question shall arise, not interested in the Matter in question (who is hereby authorized and required to settle the same at a Time and Place to be by him appointed, after summoning the Parties interested therein to attend him for that Purpose); and in case such Costs and Expences shall not be paid to the Party entitled to receive the same within Ten Days after the same shall have been demanded, then the same shall and may be levied and recovered by Distress and Sale of any Goods and Chattels of the said Company, or of the Treasurer of the said Company, (unless such Treasurer shall pay such Costs and Expences out of any Monies received by him by virtue of this Act, and which he is hereby authorized to do,) under a Warrant to be issued for that Purpose by any Justice of the Peace for the said County in which the Matter in dispute or question shall



shall arise, which Warrant any such Justice is hereby authorized and required to issue under his Hand and Seal, on Application made to him for that Purpose by the Party entitled to receive such Costs and Expences; but if the Verdict of the Jury shall not be given for a greater Sum than shall have been previously offered or tendered by or on behalf of the said Company, or if no Verdict shall be found for Damages where the whole Dispute shall be whether any Damage has or has not been done, then and in every such Case one Moiety of the Costs and Expences, the Amount thereof having first been ascertained and settled by some Justice of the Peace of the County in which such Dispute, or Difference shall arise, in manner herein-before mentioned, shall be defrayed by the said Company, and the other Moiety thereof by the Person or Persons with whom the said Company shall have such Controversy or Dispute, which last-mentioned Moiety may be deducted out of the Money (if any) to be determined or adjudged to be paid to such Person or Persons as aforesaid, and the Payment or Tender of the Remainder of the Money so to be determined or adjudged shall be deemed and taken to all Intents and Purposes whatsoever to be a good Payment or Tender in Satisfaction of the whole thereof: Provided always, that in all Cases where by reason of Absence in Foreign Parts, or from any other Cause or Disability not herein-before provided for, any Person or Persons shall have been prevented from treating and agreeing as aforesaid, the whole of such Charges and Expences shall be borne and paid by the said Company.

XXIX. And be it further enacted, That all and every Person or Persons with whom the said Company of Proprietors shall have any such Controversy or Dispute as aforesaid shall, before the said Company shall be obliged to issue out their Warrant or Warrants for the summoning of such Jury, first enter into a Bond with Two sufficient Sureties to the Treasurer of the said Company, in a Penalty of One hundred Pounds, to prosecute his, her, or their Complaint, and to bear and pay his, her, or their Proportion of the Costs and Expences of summoning and returning such Jury, and of taking such Verdict, and of the summoning and of the Attendance of Witnesses, in case any Part of such Costs and Expences shall fall upon him, her, or them, to be paid according to the true Intent and Meaning of this Act.

Persons requesting Juries to enter into Bonds to prosecute their Complaints and pay Expences.

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

Notice of Injury to be given to the Company before Complaint made.

XXXI. And be it further enacted, That upon Payment or legal Tender of the Sum or Sums of Money, or other Consideration, Recompence, or

Power to enter Lands on Payment or

[Local.]

8 C

Satisfaction,

Tender of  
Purchase  
Money.

Satisfaction, which shall be agreed or adjudged to be paid or made as aforesaid, to the Person or Persons entitled to receive the same, or upon Payment of the same into the Bank of *England* or to Trustees in the Cases after mentioned, and as directed by this Act, it shall and may be lawful to and for the said Company, and their Agents, Workmen, and Servants, immediately to enter upon such Lands, Tenements, and other Hereditaments respectively, and then and thereupon such Lands, Tenements, and other Hereditaments, and the Fee Simple and Inheritance thereof, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall thenceforth be vested in and become the sole Property of the said Company of Proprietors to and for the Purposes of this Act for ever; and such Payment or Tender, or Deposit in the Bank of *England* or Payment to Trustees as aforesaid, as the Case may require, shall not only bar all the Right, Estate, Interest, Use, Trust, Property, Claim, and Demand of such Person and Persons as aforesaid, but also of their several and respective Successors and Cestuique Trusts, whether Issue unborn, or under any Incapacity or not, and all claiming or to claim by, from, through, or under them or any of them, and also to bar all Estates Tail, and other Estates, Jointures, Right, and Title of or to Dower, and all other Rights and Titles, Remainders, Reversions, Limitations, Trusts, outstanding Terms of Years, whether assigned to attend the Inheritance or not, and Interests whatsoever: Provided nevertheless, that before such Payment, Tender, or Deposit in the Bank of *England*, or Payment to Trustees, as the Case may require, it shall not be lawful for the said Company, or any Person acting under their Authority, to dig or cut into such Lands, Tenements, or Hereditaments, for the Purpose of making the said Railways or other Works hereby authorized to be made, without the Leave of the respective Owners or Occupiers thereof in Writing made under their respective Hands.

Compensa-  
tion to be  
made for  
temporary  
Damage.

XXXII. And whereas in forming and constructing the said Railways and the several other Works by this Act authorized it may be necessary for the said Company to enter upon and take temporary Possession of some Part or Parts of the Lands adjoining to the Lines of the said Railways or other Works, for the Purpose of laying or depositing thereon the Earth, Clay, and other Materials which shall have been taken out in excavating Tunnels or in making deep Cuttings, or for the Purpose of manufacturing such Clay into Bricks, or of getting and procuring Earth and Materials from such adjoining Lands for forming Embankments, or of making Bricks, or for other Purposes; but inasmuch as a Jury summoned according to the Directions of this Act to assess the Satisfaction or Compensation for the Damage done to such Lands by the Exercise of the Powers by this Act granted cannot, either upon View or from Evidence, form a just Opinion of the permanent Injury which may be sustained by the Owners, Lessees, or Occupiers of such Lands by the Exercise of the Powers aforesaid, until the Works shall have been completed, it is expedient that the said Company should be empowered to enter upon such Lands for the Purposes aforesaid without having previously made such Payment, Tender, or Investment of Money as herein-before required; be it therefore enacted, That notwithstanding any thing in this Act contained it shall be lawful for the said Company, their Deputies, Contractors, Servants, and Workmen, and they are hereby empowered, to enter upon the Lands of any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate whatsoever,

whatsoever, adjoining or lying near to the said Railways and other Works by this Act authorized, or any of them, or any Part or Parts thereof respectively, for the Purpose of laying, depositing, or manufacturing upon such Lands, or upon any Part or Parts thereof respectively, any Soil, Gravel, Clay, Sand, Stone, or other Material which shall be excavated, dug, or obtained in making the said Railways or other Works, or any of them, or which may be taken or dug out of or from any Lands adjoining to the Place where any of the Works by this Act authorized shall be then carried on, and also to dig, cut, get, take, remove, and carry away out of and from any such adjoining Lands any Soil, Gravel, Clay, Sand, Stone, or other Material which can or may be got or found therein, and which may be requisite or convenient for making the said Railways and other Works or any of them, and to manufacture the same, without having previously made such Payment, Tender, or Investment as herein-before required, they the said Company, their Deputies, Contractors, Servants, and Workmen, doing as little Damage as may be in the Exercise of the several Powers to them hereby granted, and making such Satisfaction or Compensation for such temporary Occupation of the said Lands for the Purposes aforesaid as shall be agreed upon between the respective Parties interested therein and the said Company; and in case the said Company and such Parties shall not agree as to the Amount of such Satisfaction or Compensation, then the same shall be ascertained and determined by any Two Justices of the Peace for the County or Division in which such Lands shall lie; who, upon Application made to them by the said Company, or by any Person on their Behalf, shall examine into the Matter, and shall determine the Amount of the Satisfaction or Compensation which shall be paid by the said Company; and in case of Nonpayment of the same for the Space of Twenty Days after the same shall have become due, the same may be recovered by the Party or Parties to whom the same shall be payable by Distress and Sale of any Goods and Chattels of the said Company, or of their Treasurer for the Time being, in the same Manner as in this Act is directed with respect to the Recovery and Satisfaction or Compensation for Damage or Loss occasioned by the said Company: Provided always, that the said Company shall and they are hereby required, within Six Calendar Months after the Expiration of the Period by this Act granted for executing the said Railways and other Works, to make Satisfaction and Compensation for the permanent Damage or Loss (if any) which shall have arisen to the said Lands by the Exercise of any of the Powers herein-before mentioned, in the same Manner as in this Act directed in other Cases of permanent Damage or Loss occasioned by the said Company.

XXXIII. And be it further enacted, That every Tenant at Will, Lessee for a Year, and other Person and Persons in Possession of any Lands, Tenements, or Hereditaments through, in, or upon which the said Railways and other Works hereby authorized to be made are intended to pass or be made, and who shall have no greater Interest in the Premises than as Tenant at Will, or Lessee for a Year or from Year to Year, shall deliver up the Possession of such Premises to the said Company, or to such Person or Persons as they shall appoint to take possession of the same, at the Expiration of Six Calendar Months next after Notice to that Effect shall have been given by the said Company to such Tenant or Lessee or Person in Possession, or left upon the said Premises, whether such Notice

Tenants for  
Years or at  
Will to quit  
Premises  
after Notice.

be

be given with reference to the Time or Times of the Commencement of such Tenant holding or not, and whether such Notice be given before or after the said Premises shall be purchased by the said Company, or at such other Time after the Expiration of Six Calendar Months as he, she, or they shall be required; and in case any such Tenant or Lessee or Persons so in Possession as aforesaid shall refuse to give up such Possession as aforesaid, it shall be lawful for the said Company to issue their Precept or Precepts to the Sheriff of the County in which the Premises shall be situate to deliver Possession of the said Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same, and the said Sheriff is hereby required to deliver Possession of the said Premises accordingly, and to levy such Costs as shall accrue from the issuing and Execution of such Precept or Precepts on the Person or Persons so refusing to give Possession as aforesaid by Distress and Sale of his, her, or their Goods.

Interest of such Tenants may be settled by a Jury.

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

Persons holding under Leases to produce the same.

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

Mortgages to be conveyed to the Company after Tender;

XXXVI. And be it further enacted, That all and every Person and Persons having any Mortgage or Mortgages on any Lands, Tenements, or Hereditaments required for the Purposes of this Act (not being in Possession thereof by virtue of such Mortgage or Mortgages) shall, on Tender of the Principal Money and Interest due thereon, together with the Amount of Six Calendar Months Interest on the said Principal Money, by the said Company, immediately convey, assign, and transfer such Mortgage or Mortgages to the said Company; or in case such Mortgagee shall have Notice in Writing from the said Company that they will pay off and discharge the Principal Money and Interest which shall be due on the said Mortgage or Mortgages at the End or Expiration of Six Calendar

Months to be computed from the Day of giving such Notice, then and at the End of such Six Calendar Months, on Payment of the said Principal Money and Interest so due, such Mortgagee or Mortgagees shall convey, assign, and transfer his, her, or their Interest in the Premises to the said Company: Provided always, that in case the Sum due for Principal and Interest upon any such Mortgage or Mortgages shall amount to more than the Value of the Premises required for the Purposes of this Act, such Value, and the Compensation, if any, for any Damage done, shall be settled and agreed upon by and between such Mortgagee or Mortgagees and the Person or Persons entitled to or by this Act empowered to convey the Equity of Redemption of such Premises on the one Part, and the said Company on the other Part; and in case of any Difference or Disagreement between them, then such Value and Compensation, if any, shall be ascertained by the Verdict of a Jury in the same Manner as in other Cases of Difference or Disagreement provided for by this Act; and the said Mortgagee or Mortgagees shall convey, assign, and transfer as aforesaid to the said Company, after the Expiration of such Notice, upon Payment by the said Company of such Value and Compensation, if any, so ascertained as aforesaid, or the Residue thereof after such Allowance and Payment thereof to any Lessee or Tenant as herein-before directed: Provided also, that if such Mortgage or Mortgages shall comprise any other Lands, Tenements, or Hereditaments than those which shall be so required, such Mortgagee or Mortgagees shall, upon Payment of the whole or so much of such Value and Compensation, if any, to be ascertained as aforesaid (after such Allowance as aforesaid), as shall be due by virtue of such Mortgage or Mortgages, forthwith convey, assign, and transfer his, her, or their Interest in such Lands, Tenements, and Hereditaments to the said Company: Provided also, that in case such Mortgagee or Mortgagees shall neglect or refuse to, or cannot from Disability or any other Cause, convey or assign as directed by this Act, then upon Payment, as the Case may be, of the Principal Money and Interest due on any such Mortgage or Mortgages as aforesaid, or of the Value of the Premises, and Compensation, if any, to be respectively ascertained as aforesaid, deducting such Allowance as aforesaid, into the Bank of *England*, at the End of Two Calendar Months from the Day of giving such Notice as aforesaid, for the Use of such Mortgagee or Mortgagees, the Cashier or Cashiers of the Bank shall give such Receipt or Receipts as above mentioned, and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of the said Mortgagee or Mortgagees, and of all and every Person and Persons in Trust for him or them in the said Lands, Tenements, or Hereditaments, shall vest in the said Company, and they shall be deemed to be in the actual Possession of the said Premises, to all Intents and Purposes whatsoever; and such Sum of Money, if it shall be less than the Sum or Sums respectively due by virtue of such Mortgage or Mortgages, shall be deducted from the Amount of the Principal and Interest due to such Mortgagee or Mortgagees by virtue of such Mortgage or Mortgages; and no Mortgagor or Mortgagors shall be liable to pay any Interest for or in respect of the Sum or Sums which shall be so paid into the Bank as aforesaid for the Use of his or their Mortgagee or Mortgagees: Provided always nevertheless, that notwithstanding any thing herein-before contained, such Mortgagee or Mortgagees shall be entitled to such and the same Powers, Remedies, and Means for recovering or compelling Payment of his, her, or their Mortgage Money, or the

If Mortgage contain other Lands than those required, Mortgagee to convey, upon Payment of the Value of the Lands required.

Residue thereof, as the Case may be, or the Interest thereof respectively, upon and out of the Residue of the mortgaged Lands, Tenements, or Hereditaments not required for the Purposes aforesaid, as he, she, or they would otherwise have had or been entitled to for recovering or compelling Payment thereof upon or out of the whole of the Lands, Tenements, or Hereditaments originally comprised in such Mortgage or Mortgages.

For settling Disputes between the Company and Mortgagees.

XXXVII. And be it further enacted, That in all Cases in which a Part only of any Lands, Tenements, or Hereditaments comprised in or subject to any Mortgage shall be required for the Purposes of this Act, and the Mortgagee or Mortgagees thereof shall not consider the remaining Part of such Lands, Tenements, or Hereditaments to be a sufficient Security for the Money charged thereon, or shall not be willing to release the Part required for the Purposes of this Act from the Principal or Mortgage Money, and all Interest due or to become due thereon, and all Costs, the Value of such Part of the Lands, Tenements, or Hereditaments as shall be so required for the Purposes aforesaid, (or, as the Case may be, of the Estate or Interest therein mortgaged,) and also the Compensation (if any) for any Damage done in respect of the Part so required, shall be settled and agreed upon by and between such Mortgagee and the Person or Persons entitled to the Equity of Redemption of such Lands, Tenements, or Hereditaments of the one Part, and the said Company of the other Part; and in case of any Difference between them, then such Value and Compensation shall be determined by the Verdict of a Jury in the same Manner as in other Cases of Difference in this Act mentioned; and the Amount of such Value and Compensation, being so agreed upon or determined as aforesaid, shall, after making such Allowance thereout to any Tenant or Lessee as aforesaid, be paid to such Mortgagee or Mortgagees in satisfaction of his or her Claim, so far as the same will extend; or in case of his or her neglecting or refusing to convey, assign, or transfer, as herein-before directed, then into the Bank of *England*, as by this Act is provided; and such Payment to the Mortgagee or into the Bank as last aforesaid shall be and be accepted in satisfaction of the Claim of such Mortgagee so far as the same will extend, and also in full Discharge and Exoneration of such Part of the mortgaged Premises as shall be so taken or used from all Principal and Interest and other Money due or secured thereon: Provided nevertheless, that all such Mortgagees shall have the same Powers and Remedies for recovering or compelling Payment of their Mortgage Money, or of the Residue thereof (as the Case may be), or of the Interest thereon respectively; upon and out of the Residue of the mortgaged Lands, Tenements, or Hereditaments not required for the Purposes of this Act, as they would have had for recovering or compelling Payment thereof upon or out of the whole of the Lands, Tenements, or Hereditaments originally comprised in such Mortgage in case this Act had not been passed.

Application of Compensation Money if amounting to 200%.

XXXVIII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for or in respect of any Lands, Tenements, or Hereditaments required for the Purposes of this Act, which belong to any Corporation, Tenant in Tail, for Life, or any limited or qualified Estate or Interest, or to any Person or Persons whose Lands, Tenements, or Hereditaments are subject to any Jointure or Dower, or are limited in  
strict

strict or other Settlement, or to any Infant, Idiot, Lunatic, Feme Covert, or Person or Persons under any Disability or Incapacity, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* the Company of Proprietors of the *Blaydon, Gateshead, and Hebburn* Railway, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His late Majesty King *George the Fourth*, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*; and the General Orders of the said Court, without Fee or Reward; and shall when so paid in there remain until the same shall, by Order of the said Court made upon a Petition to be preferred to the said Court in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Discharge of any Debt or Debts or other Incumbrances affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes, as the said Court of Exchequer shall authorize to be purchased or paid, or such Part thereof as shall be necessary; or until the same shall, upon the like Application, be laid out in a summary Way, by Order of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed, limited, and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands, Tenements, or Hereditaments which shall be so required as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking effect; and in the meantime and until such Order can be made the said Money may, by Order of the said Court upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime, and until the said Bank Annuities or Government or Real Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest and annual Produce of the said Consolidated or Reduced Bank Annuities, or Government or Real Securities, shall from Time to Time be paid, by the Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of such Lands, Tenements, or Hereditaments so to be purchased, conveyed, and settled.

1 G. 4. c. 35.

XXXIX. Provided always, and be it further enacted, That in case such Money shall not amount to the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in every such Case the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments for which such Money shall be agreed or awarded to be paid, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiocy, Lunacy, or other Incapacity, with the Appro-

When less than 200*l.* and not less than 20*l.*

bation

bation of the said Company signified in Writing under their Common Seal, be paid into the said Bank of *England* in the Name and with the Privity of the said Accountant General, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; otherwise the same may be paid, at the like Option and with the like Approbation, to Two Trustees, to be nominated by the Person or Persons who for the Time being would be entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so to be purchased and settled, such Nomination to be approved of by the said Company, and such Nomination and Approbation to be signified in Writing under the Hands or Common Seal of the nominating and approving Parties; and the Money so paid to such Trustees, and the Dividends and Produce arising thereon and therefrom, shall be by such Trustees applied in like Manner as is herein-before directed with respect to the Money so to be paid into the Bank of *England* in the Name of the Accountant General of the Court of Exchequer, but without obtaining or being required to obtain any Order of the same Court touching the Application thereof.

When less than 20*l*.

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

In case of not making out Titles, or Persons entitled not being found.

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



Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying therein for what and for whose Use the same is or are received, to such Person or Persons as shall pay any Sum or Sums of Money into the Bank of *England* as aforesaid.

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

Persons in Possession presumptively entitled.

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

The Court may order reasonable Expences of Purchasers to be paid by the Company in certain Cases.

XLIV. And be it further enacted, That it shall be lawful for the said Company of Proprietors to sell or dispose of any Part or Parts of such Houses, Buildings, Lands, Tenements, and Hereditaments to be purchased by virtue of this Act as may not be necessary to be retained for effecting the Purposes thereof, together with all or any Part or Parts of the Erec-

Company may sell Lands not wanted.

[Local.]

8 E

tions,

Such Lands  
to be first  
offered to the  
Owners of  
adjoining  
Lands.

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

Treasurer,  
upon Pay-  
ment of  
Money, to  
give Re-  
ceipts.

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

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

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

Empowering  
the Company  
to purchase  
30 Acres of  
Land;

XLVII. And be it further enacted, That it shall and may be lawful for the said Company, and they are hereby authorized and empowered, from Time to Time and at any Time or Times hereafter, to sell and dispose of such additional Lands, Tenements, and Hereditaments as they are hereby authorized and empowered to purchase and shall have actually purchased for the Purposes of this Act, or so much and such Part or Parts of the same Lands, Tenements, and Hereditaments, together with any Erections, Buildings, and Improvements which shall be built and made in and upon the same, as the said Company shall think proper, and either together or in Parcels, by public Auction or private Contract, as shall be thought advisable or expedient, to any Person or Persons who shall be willing to become the Purchaser or Purchasers thereof, and again from

and to sell  
Lands not re-  
quired for the  
Purposes of  
this Act, and  
afterwards  
purchase and  
sell again,  
from Time  
to Time,  
within the  
Quantity  
prescribed;

from Time to Time to contract for the Purchase of any other Messuages, Lands, Tenements, and Hereditaments more eligible or convenient for the Purposes aforesaid or any of them, and afterwards to sell and dispose of the same as aforesaid, so that the total Number or Quantity of Acres to be purchased by the said Company of Proprietors for any of the Purposes herein-before mentioned shall not exceed at any one Time the Quantity or Number of Acres by this Act specified or allowed for the same Purposes.

but not to have more than 30 Acres, in addition to Land required for Railways, from any incapacitated Person.

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

Certain Branches not to be made without the Consent of Lord Ravensworth.

XLIX. Provided always, and be it further enacted, That the said Branch Railway commencing at or near to the West End of a Quay commonly called *Askew's Quay* otherwise *Redbeugh Quay*, and terminating at the *Gateshead* and *Hexham* Turnpike Road near to a Mill called *Emery Crook*, together with a Branch Railway from or out of the said Branch Railway lastly mentioned, shall not be made without the Consent in Writing of the Right Honourable *Thomas Henry Lord Ravensworth*, his Heirs or Assigns, for that Purpose first had and obtained.

The Word "grant" in

L. And be it further enacted, That in all Conveyances to be made by the said Company, under or by virtue or in pursuance of the several

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

Conveyances from the Company to amount to certain Covenants.

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

The whole of the Expence to be subscribed before the Work is commenced:

LII. Provided always, and be it further enacted, That a Certificate under the Hand and Seal of any Justice of the Peace for the County of *Durham* that the whole of the said Sum of Sixty thousand Pounds hath been subscribed as aforesaid (and which Certificate such Justice is hereby authorized and required to grant on Application made to him by the said Company) shall for all Purposes whatsoever be conclusive Evidence that the whole of the said Sum of Sixty thousand Pounds has been subscribed for in manner aforesaid.

Certificate of a Justice of the Peace Proof that the whole of the Money has been subscribed.

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

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

[Local.]

8 F

such

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

Shares to be  
Personal  
Property.

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

Compelling  
Payment of  
Subscrip-  
tions.

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

Subscribers  
to be deemed  
Proprietors.

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

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

Proprietors of Shares to be entitled to vote.

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

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

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

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

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

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

Lunatics and Minors to vote by their Committees and Guardians.

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

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

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

‘ The *Blaydon, Gateshead, and Hebburn* Railway Company.

‘ Number

Form of Certificate.

‘ THESE are to certify, That \_\_\_\_\_ of \_\_\_\_\_ is a Proprietor of the Share or \_\_\_\_\_ of the *Blaydon, Gateshead,* \_\_\_\_\_ and *Hebburn* Railway Company, subject to the Rules, Regulations, and \_\_\_\_\_ Orders of the said Company, and that the said \_\_\_\_\_ his or her Executors, Administrators [*or* Successors], and Assigns, is \_\_\_\_\_ and are entitled to the Profits and Advantages of such Share [*or* Shares].

‘ Given



Given under the Common Seal of the said Company the \_\_\_\_\_ Day  
of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_

LX. And be it further enacted, That if any such Certificates or Tickets as aforesaid shall be worn out or damaged, then upon the same being brought and shown at some Meeting of the Directors of the said Company, such Certificates or Tickets may be cancelled or destroyed, and other similar Certificates or Tickets given, under the Seal of the said Company, to the Person or Persons in whom the Property of such Certificates or Tickets, and the Shares therein mentioned, shall be at that Time vested; or in case such Certificates or Tickets shall be lost or burnt or totally destroyed, then upon due Proof thereof like or similar Certificates or Tickets shall be given to the Person or Persons who was or were the Owner or Owners of or entitled to such Certificates or Tickets so lost, burnt, or destroyed; and a due Entry of the Transfer of such Certificates or Tickets (if any such have been made) shall be entered by the Clerk of the said Company in the Manner herein directed, the said Clerk receiving for every such Certificate or Ticket which shall be so given or exchanged the Sum of Two Shillings and Sixpence, and no more.

For granting new Certificates when old ones are destroyed or worn out.

LXI. And be it further enacted, That in case the Sum of Sixty thousand Pounds hereby authorized to be raised shall be found insufficient for the making, completing, and maintaining the said Railways and other Works hereby authorized to be made, and for defraying all necessary Charges and Expences relating thereto, and the said Company of Proprietors shall be desirous of raising a further or additional Sum of Money, it shall and may be lawful for the said Company from Time to Time or at any Time to borrow and take up at Interest any such further or additional Sum or Sums, not exceeding in the whole the Sum of Twenty thousand Pounds, on the Credit of the said Undertaking, as to them shall seem meet and convenient; and the said Company, or the Directors of the said Company, after an Order shall have been made for that Purpose by any General Meeting, are hereby authorized and empowered to assign the Property of the said Undertaking, and the Rates arising or to arise by virtue of this Act, or any Part thereof (the Costs and Charges of assigning the same to be paid out of such Rates), as a Security for any such further Sum or Sums of Money to be borrowed as aforesaid, with Interest, to such Person or Persons, or to his, her, or their Trustee or Trustees, as shall advance the same, by any Assignment under the Common Seal of the said Company in the Words or to the Effect following; (that is to say,)

Company may raise an additional Sum, if necessary, by Mortgage.

Number \_\_\_\_\_  
By virtue of an Act passed in the \_\_\_\_\_ Year of the Reign of  
King *William* the Fourth, intituled [*here set forth the Title of this Act*],  
we, the Company of Proprietors of the *Blaydon, Gateshead, and*  
*Hebburn* Railway, incorporated by and under the said Act, in considera-  
tion of the Sum of \_\_\_\_\_ to us in Hand paid by  
\_\_\_\_\_ of \_\_\_\_\_ do assign  
unto the said \_\_\_\_\_ his [*or her*] Executors, Ad-  
ministrators, and Assigns, the said Undertaking, and all and singular  
the Rates, Tolls, and Profits arising by virtue of the said Act, and all  
the Estate, Right, Title, and Interest of the said Company in and to the  
[*Local.*] \_\_\_\_\_ 8 G \_\_\_\_\_ same,

Form of Mortgage.

‘ same, to hold unto the said his [or her] Executors,  
 ‘ Administrators, and Assigns, until the said Sum of  
 ‘ together with Interest for the same after the Rate of  
 ‘ for every One hundred Pounds by the Year, shall be fully paid and  
 ‘ satisfied. Given under our Common Seal this Day of  
 ‘ in the Year of our Lord .’

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

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

Form of Transfer of Mortgage.

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

And every such Transfer shall within Twenty-eight Days after the Date thereof be produced to the Clerk of the said Company, who shall cause an Entry or Memorial to be made thereof in the same Manner as the original Mortgages or Assignments, for which the said Clerk shall be paid such Sum as the said Company shall appoint, not exceeding Two Shillings and Sixpence; and after such Entry made, but not till then, every Transfer shall entitle such Assignee or Assignees, his, her, or their Executors, Administrators, and Assigns, to the full Benefit thereof and Payment thereon; and every such Assignee or Assignees may assign the same again, and so *toties quoties*; and it shall not be in the Power of any Person or Persons who shall have made such Transfer to make void, release, or discharge the same, or any Sum or Sums of Money thereon due or thereby secured, or any Part thereof

LXII. And

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

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

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

Notice to be given of paying off Mortgages.

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

No Mortgagee to be deemed a Proprietor.

LXV. And be it further enacted, That in case the said Company shall raise the Whole or any Part of the said additional Sum of Twenty thousand Pounds by Mortgage, and shall afterwards be required or be desirous to pay off and shall pay off all or any Part of the Principal Sum or Sums secured or intended to be secured by such Mortgages as aforesaid, then and in every such Case it shall and may be lawful for the said Company and they are hereby authorized and empowered, immediately or at any

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

Time or Times thereafter, again to raise any Sum or Sums of Money, which, together with the Sum or Sums remaining upon such Mortgages as aforesaid, shall not exceed the Sum of Twenty thousand Pounds, and so from Time to Time as often as the same shall happen, but so nevertheless that the said Company shall not in any Event borrow upon Mortgage more than the Sum of Twenty thousand Pounds in the whole at any One Time.

Application  
of Money to  
be raised.

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

First and  
other Gene-  
ral Meetings.

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

Treasurer  
and Clerk to  
be appoint-  
ed.

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

shall and they are hereby required to take sufficient Security from every Person who shall hereafter be appointed Treasurer of the said Company, for the faithful Execution of his Office, before he shall enter thereupon. Treasurer to give Security.

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

LXX. And be it further enacted, That the said Company shall have full Power and Authority from Time to Time, at any such Annual or Special General Meeting as aforesaid, to fix and order what Remuneration, if any, shall be allowed to the Directors, and to make such Rules, Orders, and Bye Laws as to them shall seem right and proper for the good Government of the said Company of Proprietors, their Officers, Agents, and Workmen, for making, maintaining, and using the said Railways and other Works, and all Conveniences, Matters, and Things belonging or relating thereto, and also for and concerning all such Goods and Commodities as shall be conveyed thereon, and also for the well governing of all Persons who shall be employed in the conveying of any Goods, Wares, and Merchandizes, and other Articles and Things upon the said Railways, or any of them, and generally for the Management of the said Undertaking in all respects whatsoever, and from Time to Time to alter or repeal such Bye Laws, Orders, and Regulations, or any of them, and to make others, and to impose and inflict such reasonable Fines and Forfeitures upon all Persons offending against the same, as to the major Part of the Proprietors composing such Meetings shall seem meet, not exceeding the Sum of Five Pounds for any Offence, such Fines and Forfeitures to be levied and recovered by such Ways and Means as herein-after mentioned; which said Rules, Bye Laws, and Orders, being reduced into Writing under the Common Seal of the said Company, shall be printed or painted on Boards, and affixed and continued on the Front of the several Toll Houses to be erected on the said Railways, and General Meetings may make Bye Laws.

[Local.] 8 H shall

shall from Time to Time be renewed as often as the same or any Part thereof shall be obliterated, defaced, or destroyed; and such Rules, Bye Laws, and Orders shall be binding upon and observed by all Parties, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act under the same; provided such Rules, Bye Laws, and Orders be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain and Ireland* called *England*, or to any Directions in this Act contained; and all such Rules, Bye Laws, and Orders shall be subject to Appeal in manner herein-after mentioned.

Annual Meetings may call for Accounts.

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

Company authorized to elect Directors.

LXXII. And be it further enacted, That at the First General Meeting of the said Company to be held as herein-before mentioned, or at some Meeting to be held by Adjournment from such General Meeting, and at the Annual General Meeting of the said Company to be held in each succeeding Year as herein-before mentioned, or at some Meeting to be held by Adjournment from such Annual General Meetings respectively, Thirteen Persons who shall be Proprietors, and respectively possessed in their own Right of Five Shares at the least in the said Undertaking, shall be elected Directors to manage the Affairs of the said Company by the Proprietors present (either personally or by Proxy) at such Meeting; and out of the Thirteen Directors so elected as aforesaid Three shall be competent to act, and shall form a Quorum; and the several Persons so to be elected, being neither removed nor disqualified nor resigning, shall continue in Office and be respectively Directors until the Annual General Meeting of the said Company which shall be held in the Month of *March* in the Year next after such Election, and until others shall be elected in their Place in pursuance of this Act; and the said Company at any General Meeting shall have Power to fix what Remuneration (if any) shall from Time to Time be allowed to the Directors of the said Company.

Directors to be re-eligible.

LXXIII. Provided always, and be it further enacted, That on any annual Day of Election the Directors for the Time being of the said Company shall be eligible to be re-elected by the said Company. Directors of the said Company for the Year ensuing, any thing herein-before contained to the contrary in anywise notwithstanding.

No Officer under Company capable of being a Director.

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

For supplying Vacancies in the Direction.

LXXV. And be it further enacted, That when and so often as any Director elected by virtue of this Act shall die, or shall resign, or shall become disqualified or incompetent to act as a Director, or shall cease to be a Director from any Cause other than that of going out of Office on the

the Expiration of the Year as aforesaid, it shall be lawful for the remaining Directors to elect some other Proprietor duly qualified to be a Director; and every such Proprietor so elected to fill up any such Vacancy shall continue in Office so long only as the Person in whose Place he may be elected would have been entitled to continue had he lived and remained in Office.

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

Meetings of Proprietors may be specially convened.

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

Business at Special and adjourned General Meetings.

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

Chairman and Deputy Chairman of Directors how to be chosen.

LXXIX. And be it further enacted, That at all Annual and Special General Meetings of the said Company the Chairman of the said Directors, or in his Absence the Deputy Chairman of the said Directors, or in his

At Meetings of the Company the Chairman or his

Deputy  
Chairman, or  
to preside.

his Absence any one of the Directors of the said Company to be chosen at any such Meeting, or in the Absence of all the Directors any Proprietor to be chosen at such Meeting, shall preside as Chairman.

Directors, or  
Chairman, or  
Deputy  
Chairman,  
contracting  
for Work,  
&c. disquali-  
fied.

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

Powers and  
Duties of  
Directors.

LXXXI. And be it further enacted, That the Directors for the Time being shall have the Custody of the Common Seal of the said Company, and shall have full Power and Authority to meet and adjourn from Time to Time and from Place to Place, and also at any Time to call Special General Meetings of the said Company for any Purpose they may think proper, and to appoint the Times and Places of holding Annual or Special General Meetings; and all Questions, Matters, and Things which the Directors for the Time being of the said Company are by this Act authorized to determine shall be finally determined by the Votes of the Majority of such Directors present at any Meeting of them (the whole Number present in any Case not being less than Three), and such Directors shall have full Power and Authority to direct and manage all and every the Affairs of the said Company, as well in contracting for and purchasing Lands, Messuages, Tenements, or other Hereditaments, and Engines and Materials, for the Use of the said Undertaking, as in employing, ordering, and directing the Works and Workmen, and in nominating, appointing, electing, placing, or displacing all and every the Officers, Engineers, Agents, Servants, and Workmen of the said Company, (except the Treasurer and Clerk herein-before directed to be appointed by a General Meeting of the said Company,) with such Salaries, Gratuities, or Recompences as to the said Directors shall seem proper, and upon the Death or Removal or displacing of any of the said Officers and Servants from Time to Time another or others to appoint in his or their Place or Places; and in making all Contracts and Bargains touching the said Undertaking the said Directors may require such Security to be given to the said Company of Proprietors from any Officer or Officers, or other Person, for the faithful Execution of their respective Duties, as they may think proper or reasonable; and no Director, although he may be a Proprietor of many Shares in the said Undertaking, shall have more than One Vote at any Meeting of the said Directors, except the Chairman of such Meeting, who, in case of an equal Division, shall always have a Second or casting Vote, although he may have given One Vote before; and every such Meeting of Directors shall keep a regular Minute and Entry of their Proceedings, and from Time to Time make Report of their Proceedings to the said Annual General Meetings, and, if required, to the Special General Meetings of Proprietors, and shall obey their Orders and Directions; and the said Directors shall keep or cause to be kept full and true



Accounts of all Monies disbursed and Payments made by the said Directors, and by all and every Person and Persons employed by and under them, and of all and every Sum and Sums of Money which they shall receive on behalf or in respect of such Undertaking from any Collector or Collectors of the said Rates, or other Officer or Officers, or from any other Person or Persons whomsoever employed in or having any Concerns, Dealings, or Transactions with the said Undertaking, or in or with any Part or Parts thereof, and shall regularly write, insert, and enter, or cause to be written, inserted, and entered, in a Book or Books to be from Time to Time provided at the Expence of the said Company for that Purpose, Notes, Minutes, or Copies (as the Case shall require) of every such Contract, Bargain, Receipt, and Disbursement, and of other their Orders and Proceedings, which said Book or Books shall be deposited with and kept locked up under the Care and Direction of the said Directors: Provided always, that every Proprietor shall at all reasonable Times have free Access thereto for his Inspection.

LXXXII. And be it further enacted, That every Officer and Person who shall be appointed or employed by virtue of this Act shall from Time to Time, when thereunto required by the said Directors or by the said Company of Proprietors, make out and deliver to the said Directors, or to such Person or Persons as they shall for that Purpose appoint, a true and perfect Account in Writing under his or her Hand of all Monies which shall have been by him or her had, collected, or received, and how and to whom and for what Purpose the same and every Part thereof hath or have been disposed of, together with Vouchers and Receipts for such Payments; and every such Officer or Person shall and is hereby required to pay all such Monies as upon the Balance of such Account shall appear to be owing from him or her to such Person or Persons as the said Directors or the said Company shall appoint to receive the same; and if any such Officer or Person shall refuse or neglect to render such Account, or to produce and deliver up the Vouchers and Receipts relating to the same, or to pay the Balance thereof, when thereunto required in manner aforesaid, or shall refuse or neglect to deliver up to the said Directors or to the said Company, or to such Person or Persons as they shall respectively appoint, within Seven Days after being thereunto required by the said Directors or by the said Company, or by such other Person or Persons, all Books, Papers, and Writings in his or her Custody or Power relating to the Execution of this Act, then and in every such Case, Complaint being made thereof by the said Directors or by the said Company, or by any Person on their Behalf, to any Justice of the Peace for the Town and County of *Newcastle upon Tyne* or the County of *Durham*, or either of them respectively, such Justice may and he is hereby authorized and required by Warrant under his Hand and Seal to cause such Officer or Person to be brought before him, and upon his or her appearing, or not being to be found, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Accounts, if produced, in such Manner as the said Directors or the said Company might have done; and if, upon the Confession of the Officer or Person against whom the Complaint shall be made, or by the Oath of any credible Witness (which Oath the said Justice is hereby authorized to administer), it shall appear to such Justice that any of the Monies which shall have been collected and received shall be in the Hands of or be owing from such Officer or Person;

Officers to  
account,

such Justice may and he is hereby empowered, upon Nonpayment thereof, by Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person; and if no Goods or Chattels shall be found sufficient to answer and satisfy the said Monies, and the Charges of taking and making such Distress and of selling the same, or if such Officer or Person shall not appear before such Justice at the Time and Place appointed for that Purpose, or, if appearing, shall refuse or neglect to make out and deliver to such Justice such Account in Writing as aforesaid, or to produce and deliver to the said Justice the several Vouchers and Receipts relative to such Accounts; or to deliver up such Books, Papers, and Writings as aforesaid, then and in any of the Cases aforesaid the said Justice may and he is hereby authorized and required by Warrant under his Hand to commit such Officer or Person to the Common Gaol or House of Correction of the said Town and County of *Newcastle upon Tyne* or of the said County of *Durham*, there to remain without Bail or Mainprize until he or she shall have delivered up the Vouchers and Receipts relating thereto, and shall have paid all the Money which shall appear to be in the Hands of or owing from him or her, and the reasonable Charge of such Distress and Sale (if any) as shall in that respect have been made, or until he or she shall have compounded with the said Directors or with the said Company for such Money and Charges, and paid the Composition Money to the said Directors or the said Company, (and which Composition the said Directors and the said Company are hereby respectively empowered to make,) and shall have delivered up all such Books, Papers, and Writings as aforesaid, or have given Satisfaction in respect thereof to the said Directors or to the said Company: Provided always, that no Person who shall be committed for Want of sufficient Distress only shall be detained in Prison for any longer Space of Time than Six Calendar Months.

Orders and Proceedings to be entered in a Book.

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

Notice of Meetings.

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

Clerk of the Company to keep a List

LXXXV. And be it further enacted, That the Clerk of the said Company shall, in a proper Book or Books to be provided by the said Company

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

of the Proprietors, which shall be open to the Inspection of the Company.

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

Directors may appoint a temporary Clerk and Treasurer.

LXXXVII. And be it further enacted, That the said Directors shall have Power from Time to Time to make such Call or Calls of Money from the Subscribers to and Proprietors of the said Undertaking, to defray the Expences of or to carry on the same, as they from Time to Time shall find wanting and necessary for those Purposes; and Twenty-one Days Notice at the least shall be given of all such Calls as aforesaid by Advertisement in some One or more of the Newspapers usually circulated in the Town of *Newcastle upon Tyne*, which Monies so called for shall be paid to such Person or Persons and in such Manner as the said Directors shall from Time to Time direct and appoint for the Use of the said Undertaking; and every Proprietor or Proprietors of any Shares in the said Undertaking, his, her, or their Executors or Administrators, shall pay his, her, or their rateable Proportions of the Monies to be called for as aforesaid to such Person or Persons and at such Time and Place as the said Directors shall from Time to Time direct and appoint; and if any Person or Persons shall neglect or refuse to pay his, her, or their rateable or proportionable Part or Share of the said Money so called for as aforesaid at the Time and Place to be appointed as aforesaid, it shall be lawful for the said Company or for the said Directors to sue for and recover the same, together with Interest after the Rate of Five Pounds for One hundred Pounds *per Annum* from the Day appointed for Payment thereof up to the Time the same shall be actually paid, in any of His Majesty's Courts of Record, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Wager, or Protection of Law, or more than One Imparlance, shall be allowed; or the said Company or the said

Power of Directors to make Calls.

If Persons neglect to pay Calls, the Directors sue for them or declare the Shares to be forfeited and sell them.

Directors

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

Directors may and they are hereby authorized to declare the Shares belonging to any Person refusing or neglecting to pay any such Calls in manner as aforesaid to be forfeited to and for the Use and Benefit of the other Proprietors of the said Undertaking; and all such forfeited Shares shall be disposed of by the said Directors in manner by this Act directed: Provided nevertheless, that no Advantage shall be taken of any Forfeiture of any Share or Shares in the said Undertaking until Notice in Writing under the Hand of the Clerk or Treasurer of the said Company shall have been given or sent by the Post to or left at the usual Place or Places of Abode of the Owner or Owners of such Share or Shares respectively, nor until the Declaration of Forfeiture of the said Directors shall have been confirmed at the next Annual General Meeting of the said Company which shall be held after the Expiration of Three Calendar Months from the Day on which such Notice of Forfeiture shall have been given; and after such Forfeiture shall be confirmed the said Meeting shall have Power to direct the said Directors to dispose of the Shares so forfeited;

Proceedings in Actions for Calls.

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

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

LXXXIX. Provided always, and be it further enacted, That in case the Money produced by the Sale of any such Share or Shares as shall be forfeited by reason of the Nonpayment of any Call or Calls, as herein authorized, shall be more than sufficient to pay all such Arrears or Calls as aforesaid, and legal Interest thereon, and the Expence attending the Sale or Sales, the Surplus of such Money shall be paid to the Person or Persons to whom such Share or Shares shall have belonged, on Demand: Provided also, that the said Company or their Directors shall not by virtue of this Act sell or transfer, or direct to be sold and transferred, any more of such Shares of such Defaulter or Defaulters in Payment of Calls

than shall be sufficient, as near as may be at the Time of such Call, to pay the Arrears due from such Defaulter or Defaulters for or on account of such Call or Calls, and the Interest and Expence attending the same; and from and after Payment of all and every such Call or Calls, and the Interest and Expences as aforesaid, any Share or Shares vested in the said Company as aforesaid which shall remain in their Hands unsold shall revert to and again become the Property of the Person or Persons to whom such Share or Shares have belonged immediately before such Forfeiture as aforesaid, in such Manner as if such Calls had been duly and regularly paid.

Surplus to be paid to the Owner.

XC. And whereas in Cases where the Proprietor or Proprietors of One or more Share or Shares in the said Undertaking shall die, become insolvent or bankrupt, or go out of the Kingdom, or shall transfer his, her, or their Right and Interest to some other Person or Persons, and no Register shall have been made of the Transfer thereof with the Clerk of the said Company, it may not be in the Power of any Officer acting for the said Company to ascertain who is or are the Proprietor or Proprietors of such Share or Shares, in order to give him, her, or them, or his, her, or their Executors, Administrators, Successors, or Assigns, Notice or Notices of Calls to be made on such Share or Shares, or to maintain any Action or Actions, or Suit or Suits, or other Proceedings, against him, her, or them, or his, her, or their Executors, Administrators, Successors, or Assigns, for the Recovery of the same; be it therefore enacted, That in case the Right and Property of any Share or Shares in the said Undertaking shall pass from the original Subscriber or Subscribers, or any Proprietor or Proprietors thereof, to any other Person or Persons, by any other legal Means than by a Transfer or Assignment thereof in the Form and Manner herein specified or herein otherwise provided, an Affidavit or solemn Affirmation in Writing shall be made and sworn to, or solemnly affirmed to, by Two credible Persons, before a Master or Master Extraordinary in Chancery, or any One of His Majesty's Justices of the Peace for the County of *Durham*, stating the Manner in which such Share or Shares hath or have been passed to such other Person or Persons, his, her, or their Executors, Administrators, Successors, or Assigns; and such Affidavit or Affirmation shall be delivered to and left with the Clerk of the said Company, to the Intent that he may preserve the same, and enter and register the Name or Names of every such Proprietor or Proprietors in the Register Book or List of Subscribers and Proprietors of the said Undertaking, to be kept in the Office of the said Company; and in case, after Thirty Days Notice in Writing shall have been given by the said Directors, under the Hand of the Clerk or Treasurer of the said Company, to the Person or Persons stated or claiming in such Affidavit or Affirmation to be the Owner or Owners of such Share or Shares, or left at his, her, or their last or usual Place of Abode, to pay his, her, or their Proportion of Money to be called for as aforesaid, such Person or Persons, his, her, or their Executors, Administrators, Successors, or Assigns, shall not have paid such his, her, or their Proportion as aforesaid, it shall be lawful for the said Company, at any Annual or Special General Meeting after the Expiration of such Notice, to declare the same Share or Shares to be forfeited, and in such Case the same shall become forfeited, and shall and may be sold and disposed of in such Manner as the said Company at any such Meeting or Meetings shall direct, or otherwise become consolidated

For ascertaining the Proprietorship of Shares in certain Cases.

in the general Fund of the said Company; and in case there shall be no such Affidavit or Affirmation made and filed as aforesaid, then and in that Case such Notice as is herein-before directed to be given shall be served upon or left at the last Place of Abode of the Executors or Administrators of such Proprietor so dying, or of the Assignees or Trustees of such Proprietor so becoming bankrupt or insolvent, or, in the event of the Share or Shares being disposed of as aforesaid, of the last Person appearing in the Book of the said Company to have been possessed of the same; and in case any Proprietor or Proprietors shall go out of the Kingdom such Notice shall be sent to him through the General Post Office, directed to him at such Place Abroad where such Proprietor or Proprietors shall be staying or residing, or shall be last known to have staid or resided; and in all or any of such Cases, and after such Notices, on default being made, the said Shares shall be forfeited in manner aforesaid, except only in case of the Proprietor or Proprietors being Abroad the Share or Shares shall not be forfeited until the Expiration of Three Calendar Months after the Day on which such Notice shall have been put into the General Post Office.

Proprietors  
in arrear not  
to vote.

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

Directors to  
keep Mi-  
nutes of their  
Proceedings  
and to be  
under Con-  
troul of Gene-  
ral Meetings.

XCII. And be it further enacted, That the Directors shall keep a regular Minute or Entry of their Proceedings, and from Time to Time make Reports to and be subject to the Examination and Controul of the said Annual and Special General Meetings of the said Proprietors as aforesaid, and shall pay due Obedience to all such Orders and Directions in and about the Premises as shall from Time to Time be made by the said Proprietors at any such Annual or Special General Meeting, such Orders or Directions not being contrary to any express Directions or Provisions in this Act contained.

Directors  
may appoint  
Committees,  
with Power  
to make Con-  
tracts, &c.

XCI. And be it further enacted, That it shall be lawful for the said Directors to nominate and appoint out of their own Body a Committee or Committees, who shall have full Power and Authority to enter into and make any Contracts or Agreements on behalf of the said Company, and to hire and employ any Agents, Workmen, or Servants in or about the said Undertaking, and to do, execute, and perform all other Matters and Things whatsoever in or about the said Undertaking which the said Directors themselves are herein-before authorized to do, or such of them as the said Directors shall think proper to intrust to the Care and Management of any such Committee or Committees (save and except, nevertheless, the making of Calls for Money upon the Proprietors of the said Undertaking); and it shall be lawful for the said Directors for the Time being to order and direct such Compensation or Recompence to be made to the Committee or Committees from Time to Time as they shall think reasonable; and it shall be lawful for the said Directors, by an Order or Resolution for that Purpose, to break up and dissolve any such Committee or Committees, or to remove and displace any Member or  
Members

Members thereof, and to appoint some other or others in their Place and Stead, when and as often as such Directors shall think proper and expedient; and such Committees shall have full Power and Authority to meet from Time to Time and adjourn from Place to Place, as they shall think proper and as Occasion shall require, for effectuating the Purposes aforesaid; and all Powers and Authorities hereby vested or which shall by the said Directors be vested in any such Committee or Committees, within the Intent and Meaning of this Act, shall and may be exercised by the major Part of the Members present at their respective Meetings; and all Questions shall be decided by the Majority of Votes.

XCIV. And be it further enacted, That it shall be lawful for the several Proprietors of any Share or Shares in the said Undertaking; and his, her, or their respective Executors or Administrators, to sell and dispose of any Share or Shares to which he, she, or they shall be entitled therein, subject to the Rules and Conditions herein mentioned and provided; and the Form of Assignment of Shares may be in the Form or to the Effect following; (that is to say,)

Shares may be sold.

‘ I of in consideration of  
 ‘ I paid to me by of do hereby bargain,  
 ‘ sell, assign, and transfer to the said Share [or Shares,  
 ‘ as the Case may be,] numbered of and in the Under-  
 ‘ taking called “ The Blaydon, Gateshead, and Hebburn Railway,” to  
 ‘ hold unto the said his Executors, Administrators, and  
 ‘ Assigns, subject to the same Conditions under which I held the same  
 ‘ immediately before the Execution hereof; and I the said  
 ‘ do hereby agree to accept and take the said Share [or Shares] subject  
 ‘ to the same Conditions. As witness our Hands and Seals the  
 ‘ Day of

Form of Assignment of Shares.

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

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

After a Call, no Share to be sold until Call has been paid.

the same, the whole and entire Sum of Money which shall have been called for in respect of each Share so sold or transferred.

As to making up Accounts and Division of Profits annually.

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

Directors may declare intermediate Dividends.

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

Regulation as to Acquisition of Shares;

by Marriage;

by Will, or in course of Administration.

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



be transmitted to the said Clerk, who shall file and enter the same as herein-before mentioned; and in all Cases, other than herein-before mentioned, when the Right and Property of any Share or Shares of the said Company shall pass from the Proprietor or Proprietors thereof to any other Person or Persons by any other legal Means than by a Transfer and Assignment thereof as herein-directed, an Affidavit or solemn Affirmation in Writing shall be made and sworn to, or solemnly affirmed to, by Two credible Persons, before a Master or Master Extraordinary in Chancery, or any One of His Majesty's Justices of the Peace as aforesaid, stating the Manner in which such Share or Shares hath or have passed to such other Person or Persons, and such Affidavit or solemn Affirmation shall be transmitted to the Clerk of the said Company, who shall thereupon enter and register the Name or Names of every such new Proprietor or Proprietors in the Register Book or List of the Proprietors of the said Company; and the said Clerk of the said Company shall be entitled to receive for each and every of such Entries as is herein-before directed the Sum of Two Shillings and Sixpence, and no more.

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

Receipt of the Persons in whose Names Shares stand to be good.

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

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

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

Rates of Tonnage allowed.

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

For all Coals, Limestone to be used otherwise than as Manure, Iron-

[Local.]

8 L

stone,

stone, Iron Ore, and all other Mineral Ores, Timber, Deals, Building, Pitching, and Paving Stones, and Clay, any Sum not exceeding One Penny Halfpenny *per Ton per Mile* :

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

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

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

For all Coal, Coke, Culm, and Cinders, Limestone, Lime, Chalk, Dung, Compost, and all Sorts of Manure, and all Materials for the Repair of public Roads or Highways, which shall pass the Inclined Planes upon the said Railways, any Sum not exceeding the Sum of Sixpence *per Ton*, over and above the Rates of Tonnage herein-before authorized to be received :

For all the other Articles, Matters, and Things for which a Tonnage is herein-before directed to be paid which shall pass the Inclined Planes upon the said Railways, any Sum not exceeding the Sum of One Shilling *per Ton*, over and above the Rates of Tonnage herein-before authorized to be received :

For all Coal, Coke, Culm, and Cinders, Limestone, Lime, Chalk, Dung, Compost, and Manure, and all Materials for the Repair of the public Roads or Highways, which shall be put on board or taken out of Ships, Keels, or other Vessels by means of Spouts, Drops, Cranes, or other Works connected with the said Railways, any Sum not exceeding the Sum of Sixpence *per Ton*, over and above the Rates of Tonnage herein-before authorized to be received :

For all the other Articles, Matters, and Things for which a Tonnage is herein-before directed to be paid, which shall be put on board or taken out of Ships, Keels, or other Vessels by means of Spouts, Drops, Cranes, or other Works connected with the said Railways, any Sum not exceeding the Sum of One Shilling *per Ton*, over and above the Rates of Tonnage herein-before authorized to be received.

As to Tonnage Rates for short Distances.

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

Tolls on Carriages conveying Passengers or Cattle on the Railways.

CIII. And be it further enacted, That it shall be lawful for the said Company to receive, demand, and recover, to and for the Use and Benefit of the said Company, for and in respect of Carriages which shall be used on the said Railways for the Conveyance of Passengers, Cattle, or Animals, any Tolls not exceeding the following ; (that is to say,)

For

For every Person conveyed in or upon any such Carriage for any Distance not exceeding Four Miles the Sum of Sixpence, and for any greater Distance the Sum of One Shilling :

For every Horse, Mule, Ass, or other Beast of Draught or Burthen, and for every Bull, Ox, Cow, or Neat Cattle, conveyed in or upon any such Carriage, the Sum of Two Shillings for any Distance :

For every Calf, Sheep, Lamb, or Swine conveyed in or upon any such Carriage, the Sum of Sixpence for any Distance.

CIV. And be it further enacted, That it shall be lawful for the said Company and they are hereby empowered to convey upon the said Railway and Branches, or either of them, such Passengers, Cattle, and other Animals, and Articles, Matters, and Things, as shall be offered to them for that Purpose, and to charge for the Conveyance thereof respectively, in addition to the several other Rates, Tolls, or Sums in this Act authorized.

Company authorized to carry Passengers, Cattle, and Goods, and to charge for the same ;

CV. And be it further enacted, That it shall be lawful for the said Company and they are hereby empowered to provide locomotive Engines or other Power for the drawing or propelling of any Articles, Matters, or Things, Persons, Cattle, or Animals upon the said Railway and Branches, or any Part thereof respectively, and to receive, demand, and recover such Sum and Sums of Money for the Use of such Engines or other Power as the said Company or as the said Directors shall from Time to Time think proper, in addition to the several other Rates, Tolls, or Sums in this Act authorized.

to provide and charge for locomotive Engines, or other propelling Power ;

CVI. And be it further enacted, That it shall be lawful for the said Company from Time to Time, at any General or Specific General Meeting of the said Company, to make such Orders for fixing the Sum to be charged by the said Company in respect of small Parcels (not exceeding Five hundred Pounds Weight each), and from Time to Time to repeal or vary the same as to them shall seem proper : Provided always, that the Provision herein-before contained shall not extend to Articles, Matters, or Things sent in large aggregate Quantities, although made up of separate and distinct Parcels, such as Bags of Sugar, Coffee, Meal, and the like, but only to single Parcels unconnected with Parcels of a like Nature, which may be sent upon the said Railway or Branches at the same Time.

and to fix the Price of small Parcels.

CVII. And be it further enacted, That it shall be lawful for the said Company from Time to Time as they may think fit to reduce all or any of the Rates, Tolls, or Sums by this Act granted, and from Time to Time again to raise the same or any of them, so that the same respectively shall not at any Time exceed the Amount by this Act authorized to be collected.

Power to reduce Tolls ;

CVIII. Provided always, and be it further enacted, That the said Company shall not partially raise or lower the Rates, Tolls, or Sums payable under this Act ; but all such Rates, Tolls, and Sums shall be so fixed as that the same shall be taken from all Persons alike under the same or similar Circumstances.

but not partially.

CIX. And be it further enacted, That in all Cases where there shall be a Fraction of a Ton a Proportion of the Rates shall be demanded and taken

As to the fractional Parts of a Ton or Mile.

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

Power of Re-  
entry.

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

Lessee or Lessees, Farmer or Farmers, or other the Person or Persons who shall be found therein, together with his, her, or their Goods, from and out of the same and the Possession thereof, and from the Collection of such Tolls and Duties, and to put the said Company or any of them, or their new Lessee, Farmer, or Collector, Lessees, Farmers, or Collectors, into the Possession thereof; and thereupon it shall be lawful for the said Directors, if they shall see fit, to vacate and determine the Lease, Contract, or Agreement (if any) which was previously subsisting, and the same shall accordingly be utterly void to all Intents and Purposes, (save as to the Covenants and Agreements for Payment of the Rent or Rents thereby reserved, or other unperformed or broken Obligations, Covenants, or Agreements on the Lessee's Part,) as if such Lease, Contract, or Agreement had never been made; and it shall be lawful for the said Company or Directors in every such Case again to demise or let to farm the said Tolls and Duties to any other Person or Persons, or cause them to be collected, in such and the same Manner as if no former Demise, Contract, or Agreement had been made relative thereto.

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

Power to compound for Tolls.

CXII. And be it further enacted, That Bridges constructed by the said Company in pursuance of this Act shall not be adjudged or taken to be County Bridges, or subject the County of *Durham* to the repairing, amending, or supporting the same, any Law or Statute to the contrary thereof notwithstanding.

The Bridges not to be deemed County Bridges.

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

List of Tolls to be fixed in conspicuous Places.

Penalty on Persons demanding more than the proper Rate of Carriage.

CXIV. Provided always, and be it further enacted, That it shall not be lawful for the said Company to demand or take, or cause to be demanded or taken, any Tolls for or in respect of any Goods, Articles,

Tolls only payable whilst Board remains.

[*Local.*]

8 M

Manufactures,

Manufactures, or Things, Carriages, Passenger, Horse, Mule, Ass, or other Beast, but for and during such Time as the Board so painted as aforesaid shall remain affixed to the public Wharf, Stop Gate, or Toll House at which the same Tolls shall be demanded.

Penalty on Persons defacing the Boards.

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

For preventing Toll Collectors misbehaving.

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

Recovery of Rates, &c.

CXVII. And be it further enacted, That the several Rates, Tolls, and other Sums by this Act authorized to be taken shall be paid to such Persons, at such Places upon or near the said Railways, and in such Manner and under such Regulations, as the said Company at some General or Special General Meeting, or as the said Directors, shall, by Notice to be annexed to the Account or List of Rates, Tolls, or Sums, appoint; and in case of Refusal or Neglect, on Demand, to pay such Rates, Tolls, or Sums as may have accrued due unto the Person or Persons appointed to receive the same, the said Company may, in case such Rates, Tolls, or Sums shall amount to or exceed the Sum of Five Pounds, sue for and recover the same by Action of Debt or upon the Case in any of His Majesty's Courts of Record; or the Person or Persons to whom such Rates,  
Tolls,

Tolls, or Sums ought to have been paid may and they are hereby respectively empowered, whether such Rates, Tolls, or Sums shall amount to the Sum of Five Pounds or not, to seize the Articles, Matters, and Things, Carriages, Cattle, and Animals, for or in respect whereof such Rates, Tolls, or Sums ought to be or to have been paid, or any Part thereof, and also any other Articles, Matters, and Things, and Carriages, which shall belong to the Person or Persons to whom the Articles, Matters, Things, Carriages, Cattle, or Animals so made liable to Seizure shall belong, and which shall pass upon the said Railways or any Part thereof, and to detain the same until Payment shall be made of all such Rates, Tolls, or Sums, together with the reasonable Charges for such Seizure and Detention; and if such Articles, Matters, and Things, Carriages, Cattle, and Animals, shall not be redeemed within Five Days next after the taking thereof, the same shall be appraised and sold as the Law directs in Cases of Distress for Rent: Provided always, that in case such Rates, Tolls, or Sums so due as aforesaid shall not amount to the Sum of Five Pounds, it shall not be lawful for the said Company to sue for the same by Action of Debt or on the Case, but the same shall and may be recovered by Distress and Sale only, as herein-before mentioned.

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

As to Disputes about the Amount of Tolls,

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

Company empowered to lease the Rates.

Notice of Intention to let the same to be given.

of the said Company of Proprietors, by Advertisement published in some Newspaper or Newspapers circulated within the said County of *Durham* at least Fourteen Days prior to any General Meeting at which the said Rates, Tolls, and Duties, or any Part thereof, are proposed to be let as aforesaid.

Owners of  
Waggons to  
give an Ac-  
count of  
Lading.

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

For ascer-  
taining  
Weight of  
Tonnage.

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

If any Differ-  
ence arise  
concerning  
Weight, Col-  
lector may  
weigh or  
measure  
Waggon.

CXXII. And be it further enacted, That if any Difference shall arise between any Collector of the said Rates, Tolls, and Duties, or any Toll Keeper, or any Officer or Servant of the said Company, and the Owner or Person having the Charge of any Waggon or other Carriage, or the Owner of any Goods or other Things, it shall be lawful for any such Collector to stop and detain any such Waggon or other Carriage, and to weigh, measure, and gauge, or cause to be weighed, measured, and gauged, such Waggon or other Carriage, and all such Goods and other Things



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

CXXIII. And for the better Regulation of the Owners of Waggon Owners to  
and other Carriages, and others employed by and under them respec- put their  
tively, and for the more easy Detection of any thing by them done con- Names on  
trary to the Directions of this Act, be it further enacted, That the the Outside  
Owner or Owners of every Waggon or other Carriage passing along the of their  
said Railways shall cause his, her, or their Name or Names, and Place of Waggon;  
Abode, or Place or Office of Business, and the Number of his or their  
Waggon or other Carriage, to be entered with the Clerk of the said Com-  
pany, and shall also cause such Name or Names and Number to be  
painted in large White Capital Letters and Figures on a Black Ground,  
Two Inches high at least and of a proportionate Breadth, on some con-  
spicuous Part on the Outside of every such Waggon or other Carriage, so  
as to be always open to View, and shall permit and suffer every such  
Waggon or other Carriage to be gauged, weighed, and measured at the  
Expence of the said Company whenever it shall be required by them, or  
any Person or Persons by them appointed for that Purpose, and shall  
mark in like Manner the Weight and Gauge of every such Waggon or  
other Carriage on some conspicuous Part on the Outside thereof; and  
every Owner or Owners or other Persons having the Care of any  
Waggon or other Carriage, or who shall conduct the same upon the said  
Railways without having such Waggon or other Carriage previously  
gauged, weighed, and measured, or without having such Gauge or Weight,  
and such Names and Figures marked thereon respectively as herein-before  
directed, or who shall alter, erase, or deface such Gauge and Weight, and  
Names and Figures, or any of them, or any Part thereof, or shall fix  
thereon any false Gauge, Weight, Name, or Figure, or who shall refuse  
to permit and suffer such Waggon or other Carriage to be gauged,  
weighed, and measured, shall for every such Offence forfeit and pay any  
Sum not exceeding Five Pounds nor less than Forty Shillings.

[Local.]

8 N

CXXIV. And

and to be  
accountable  
for Damage  
done by their  
Servants;

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

from whom  
they may  
recover back  
any Sum paid  
their Neglect.

CXXV. Provided always, and be it further enacted, That in case the Owner or Owners of any Waggon or other Carriage passing upon the said Railways shall be compelled to pay any Penalty, or to make Satisfaction for any Damages, by reason of any wilful Act, Neglect, or Default of his, her, or their Servant or Servants, or Waggoners or Drivers, then and in such Case every such Servant or Waggoner or Driver shall be liable to pay such Penalty or Satisfaction for Damages, with the Costs attending the same, to such Owner or Owners; and in case of Nonpayment thereof on Demand, and Oath made of such Owner or Owners of the Payment by him, her, or them of such Penalty or Satisfaction, and that the same hath not been repaid to him, her, or them by such Servant or Servants, Waggoner or Waggoners or Drivers, such Oath to be made before some Justice of the Peace for the County or Place in which such Penalty was incurred, the same Penalty and Satisfaction shall be levied, by Warrant under the Hand and Seal of such Justices, by Distress and Sale of the Goods and Chattels of such Servant or Servants, Waggoner or Driver, together with all Costs and Charges attending such Distress and Sale; and the said Penalty and Satisfaction, when recovered, shall be paid to such Owner or Owners in discharge of such Penalty and Satisfaction so by him, her, or them paid for the

the wilful Neglect or Default of such Servant or Servants, Waggoner or Driver as aforesaid; and in case no sufficient Distress can be had such Justice shall and is hereby required to commit such Servant or Servants, Waggoner or Driver, to the Common Gaol or House of Correction of the said County or Place, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months.

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

Penalty for suffering Loading of Waggons to extend more than Two Feet over the Wheel.

CXXVII. And whereas for the greater Security of Persons using the said Railway and Branches it is expedient that the locomotive Engines to be from Time to Time employed in drawing or propelling Carriages upon such Railway and Branches should be under proper Controul; be it therefore enacted, That no locomotive Engine shall at any Time be used upon the said Railway or Branches, or either of them, unless and until the same shall be approved of by the Engineer for the Time being of the said Company, who shall have Power from Time to Time to inspect and examine all Engines upon the said Railway and Branches; and it shall be lawful for the said Company from Time to Time, upon the Report of the said Engineer of any such Engine being of insufficient Materials or Strength, or out of Repair, or unfit to be used upon the said Railway and Branches, to order the same to be taken off, or to forbid the same being used upon such Railway or Branches; and in case, after Notice given by the said Engineer, or by the Clerk of the said Company, to remove from or not to use on the said Railway or Branches any such insufficient Engine, any Person or Party to whom such Engine shall belong shall not forthwith remove, or shall, without having first repaired or altered the same to the Satisfaction of the said Engineer, use any such Engine, he or they shall forfeit and pay the Sum of Twenty Pounds for every such Offence, subject to Appeal as in other Cases of Appeal in this Act mentioned.

No locomotive Engine to be used on the Railways until approved by the Engineer of the Company.

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

Penalty on Persons obstructing the free Course of the Railway;

CXXIX. And be it further enacted, That if any Person shall wilfully and maliciously, and to the Prejudice of the said Undertaking, injure, damage, break, throw down, destroy, steal, carry, or take away any Part of the said Railways or other Works to be erected and made by virtue of this Act, every Person so offending, and being thereof lawfully convicted, shall be subject and liable to the like Pains and Penalties as in Cases of Felony; and the Court by and before whom such Person shall be tried and

Penalty for destroying the Works.

and convicted shall have Power and Authority to cause such Person to be transported for the Term of Seven Years, or, in mitigation of such Punishment, such Court may, if they think fit, award such Sentence as the Law directs in Cases of Petit Larceny.

Company to regulate the Passage on the Railways.

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

Penalty on obstructing the Use of the Railways.

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

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

CXXXII. And be it further enacted, That the said Company of Proprietors shall, at their own Expence, Costs, and Charges, after any Part of the said Railways shall be laid out or formed, make, erect, and set up, and from Time to Time maintain and support, such and so many convenient Gates in and upon the said Railways, and also all such Bridges, Arches, Hollows, Culverts, Hedges, Fences, Ditches, Drains, together with necessary Gates and Stiles and other Passages (such Gates being made to open from the said Railways), over and under, or by the Side of, or leading to and into and upon the said Railways, of such Dimensions and in such Manner as Two or more Justices of the Peace for the said County of *Durham* shall from Time to Time judge necessary and appoint, in case there shall be any Dispute about the same, for protecting the Lands and Grounds through which such Railways shall be made from Trespass, or the Cattle

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

[Local.]

8 0

pany

pany the Overplus (if any), after deducting the reasonable Charges of making such Distress and Sale, to be settled by the said Justices; and every or any of the said Owners or Occupiers, upon Refusal or Neglect by the said Company to pay the said Costs and Charges as aforesaid, shall and may also have such and the like Remedies against them or any of them for the Recovery thereof by Action at Law, to be commenced and prosecuted in such Manner as in other Cases is by this Act directed.

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

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

For fencing the Railways through private Lands.

CXXXIV. And be it further enacted, That the said Company shall and they are hereby authorized and required, at their own Expence, after any Land shall have been taken for the Use of the said Railways and other Works, to separate the same and to keep the same constantly separated from the Lands adjoining to such Railways and other Works with good and sufficient Posts, Rails, Hedges, Ditches, Mounds, or other Fences, in case the Owners of the Lands so adjoining to such Railways and other Works, or any of them respectively, shall at any Time require the same to be fenced off; or in case the said Company shall think proper to fence off the same, instead of erecting Gates across the same as herein-before mentioned, and shall accordingly erect all necessary Gates and Stiles in such Fences, (such Gates being made to open towards such Lands, and not towards the said Railways,) then and in every such Case herein-before mentioned the Powers, Provisions, Directions, and Regulations herein-before contained with respect to the Gates and other Works herein-before mentioned shall extend and apply to the erecting and maintaining in repair of such Fences, and the Gates and Stiles to such Fences, as fully and effectually to all Intents and Purposes as if such

Powers, Provisions, Directions, and Regulations were here repeated and re-enacted with respect to such Fences, and the Gates and Stiles to such Fences.

CXXXV. Provided always, and be it further enacted, That it shall and may be lawful for the Owners and Occupiers of the respective Lands or Grounds through which the said Railways or any of them shall be made, and for their Servants and Workmen, not damaging or obstructing the same or the Passage thereof, at all Times, for the Purpose of occupying the same Lands, without Payment of any Toll or Tonnage, to pass and repass, and to lead and drive any Carriage, Horse, Mule, or Ass, Cow or any other Neat Cattle, Sheep, Swine, or any other Beast, directly over and across such Part of the said Railways or any of them as shall be made in or upon the said Lands or Grounds respectively, and also along the said Railways or any of them, but so far only as their own Lands extend, and so as not to damage or injure the said Railways.

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

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

Passage on Railways to be free on Payment of Tolls.

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

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

CXXXVIII. And whereas it might be very injurious to the said Railways and the Works thereof, and inconvenient and dangerous to the Public, if the said Railways by this Act authorized to be made were permitted to be used by Persons on Foot ; be it therefore enacted, That if any Person or Persons shall travel or pass on Foot upon the said Railways without the Licence and Consent of the said Company, (except for the Purpose of attending any Waggon, Cart, or Carriage under his or their Care, and also except the Owners and Occupiers of any of the Lands or Grounds adjoining the said Railways, their Families, Agents, or Servants,

nor as a Footpath.

in

in passing across or along the same for the necessary Occupation of the respective Lands or Grounds through which the said Railways may be made,) every Person so offending shall for every such Offence forfeit and pay to the said Company any Sum not exceeding Forty Shillings.

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

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

Weight allowed to be carried.

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

Gates to be fastened after Waggon shall have passed through.

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

Owners of adjoining Lands may make Branches to communi-

CXLII. And be it further enacted, That nothing herein contained shall extend to prevent the Owners and Occupiers of the respective Lands or Grounds lying or adjoining or near to the said Railways or any of them, or any other Person or Persons whomsoever, from laying down, either upon their own Lands or upon the Lands of other Persons, with the



the Consent in Writing of such other Persons; any Collateral or Branch Railways or common Roads from their respective Lands or Grounds to communicate with or to go and to pass into and from the said Railways by this Act authorized to be made, or any of them, nor for making at their own Expence such Openings in the Ledges or Flanches of the said Railways as may be necessary and convenient for effecting such Communication; and the said Company shall not receive any Tonnage for the passing of any Goods or other Things along such Branch Railways so to be made by any such Owner and Occupier or Person or Persons as aforesaid, but such Owners or Occupiers may use such Collateral or Branch Railways and common Roads for the Benefit of themselves, and of all and every Person and Persons to whom they may from Time to Time give Leave, and in such Way and for such Purpose as they may require, so that such Branch Railways and common Roads do no Injury to and do not prevent the free Passage over and along the said Railways hereby authorized to be made by the said Company.

cate with the Railways;

CXLIII. Provided always, and be it further enacted, That nothing herein contained shall extend to prevent the Owner or Owners of any Land or Ground lying adjoining or near to the said Railways from making any Railway, common Road, or Watercourse to, from, or across the said Railways hereby authorized to be made, and to use such Railway, common Road, or Watercourse for the Benefit of themselves and of all and every other Person and Persons to whom they may from Time to Time give Leave, and in such Way and for such Purpose as they may require, so that such Railway, common Road, or Watercourse do no Injury to and do not prevent the free Passage over, upon, and along the said Railways hereby authorized to be made by the said Company.

and make Roads across the Railways.

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

Company may contract for the Works.

CXLV. Provided always, and be it further enacted, That in case the Newcastle upon Tyne and Carlisle Railway Company shall within Three Months after the passing of this Act enter into an Engagement, binding in Law, by which the said Newcastle upon Tyne and Carlisle Railway Company shall undertake, with the said Blaydon, Gateshead, and Hebburn Railway Company, to form, execute, and complete any Part of the said Line of Railway hereby authorized to be made, lying between Blaydon and Gateshead, within Two Years from the Date of such Engagement, then the said Blaydon, Gateshead, and Hebburn Railway Company hereby established shall abandon, in favour of the said Newcastle upon Tyne and

As to the Execution of Part of the Line by the Newcastle, &c. Railway Company.

*Carlisle* Railway Company, so much of the said Line hereby authorized to be made as the said *Newcastle upon Tyne* and *Carlisle* Railway Company shall so undertake to form, execute, and complete.

Company to make sufficient Drains, &c. to carry Water off the Lands.

CXLVI. And be it further enacted, That the said Company of Proprietors shall and they are hereby required, at their own proper Costs and Charges, to make proper Watering Places for Cattle in all Cases where, by means of the said Railways or other Works, the Cattle of any Person or Persons occupying Lands adjacent thereto shall be deprived of their ancient Watering Place, and to supply the same at all Times with Water from such Rivers, Brooks, Streams, or Springs of Water as would have supplied the Cattle of such Person or Persons if the said Railways had not been made, or from any other Source or Feeder which can readily be obtained for that Purpose; and it shall be lawful for the said Company of Proprietors from Time to Time to make such and so many Watercourses and Drains by the Side of or along or under the said Railways, or in, through, over, and across any Lands or Grounds thereto adjoining, of such Dimensions and in such Manner, and with such proper and convenient Bridges over the same respectively, as any Two or more Justices of the Peace for the said County of *Durham* shall from Time to Time judge necessary and appoint (in case there shall be any Dispute about the same), for the Purpose of conveying Waters from such Rivers, Brooks, or Springs, or other Sources or Feeders, to the said Watering Places respectively; and all such Bridges, Watercourses, Drains, and other Passages shall from Time to Time be supported, maintained, cleansed, scoured, and kept in good and sufficient Repair by the said Company of Proprietors; and if at any Time after Twenty-one Days Notice in Writing shall, by or on behalf of any Owner or Occupier of Land adjoining or lying near to the said Railways, be given to the said Company of Proprietors, that the said Bridges, Drains, Watercourses, or other Passages, or any of them, is or are not made, or being made is or are not cleansed, maintained, and repaired, according to the true Intent and Meaning of this Act, it shall be lawful for any Person or Persons to apply for and obtain an Order in Writing from any One or more Justices of the Peace for the said County of *Durham* from Time to Time as often as there shall be Occasion, and the said Justices are hereby authorized and empowered, at their Discretion, to make and grant such Orders as aforesaid, enabling such Person or Persons to make or cleanse and repair such Bridges, Watercourses, Drains, or other Passages accordingly, and the reasonable Expences thereof (to be ascertained by such Justices) shall be defrayed by the said Company of Proprietors; and in case of Neglect or Refusal to satisfy and defray such Expences for the Space of Seven Days after the Demand thereof upon the said Company of Proprietors, or upon their Clerk or Treasurer, such Expences shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company, in the same Manner as any other Costs and Charges may by virtue of this Act be levied and recovered from the said Company: Provided always, that such Owner or Occupier of the said contiguous Lands shall, at the Time of giving such Notice as aforesaid, have his or her own Ditches, Drains, and Watercourses leading to or from the Watercourses, Drains, or other Passages therein directed to be made as aforesaid, and each and every of them, sufficiently cleansed and opened to convey the Water to and from the same.

CXLVII. And

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

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

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

and good Service by the Company.

CXLIX. And be it further enacted, That unless the said Company shall within the Space of Three Years, to be computed from the passing of this Act, agree for or cause to be valued (as herein-before directed), and shall pay for, the Lands, Tenements, and Hereditaments which they are by this Act empowered to take or use, or otherwise so much thereof as shall be by them deemed proper for the Purpose of forming and constructing the Railways and other Works hereby authorized, (save and except the additional Thirty Statute Acres of Land which the said Company are by this Act authorized to purchase for the Purposes of Stations, Wharfs, and other Conveniences herein-before mentioned,) then and from thenceforth the Powers which are by this Act granted to them for taking or using such Lands, Tenements, or Hereditaments shall cease and be utterly void.

If Land required be not contracted for within Three Years, Power of purchasing to cease.

CL. Provided always, and be it further enacted, That in case the said intended Railways shall not have been completed and made (unless prevented by inevitable Accidents) within the Space of Five Years, to be computed from the passing of this Act, then and from thenceforth all the Powers, Authorities, and Privileges given by this Act shall cease and determine, save only and except as to so much (if any) of the said intended Railways and Works as shall have been declared and certified to have been completed within the said Term by the Justices of the Peace of the said County of *Durham* assembled at any Quarter Sessions of the Peace to be holden in and for the said County, at any Time before the Expiration of the said Term of Five Years, or within Six Calendar Months next after the Expiration thereof, upon the Evidence of One or more Witness or Witnesses upon Oath to be produced before them for that Purpose.

If Railways are not completed in Five Years, Powers to cease, except as to such Part as shall be completed.

CLI. Provided always, and be it further enacted, That if the Railways hereby authorized to be made, or any Part thereof respectively, shall at any Time hereafter be abandoned or given up by the said Company, or shall not at any Time be used and employed as a Railway, then and in

If Railways are abandoned by the Company, the Land to such

revert to the former Owners.

such Case the Land or Ground so purchased or taken by the said Company for the Purposes of this Act, or the Part or Parts thereof over which the said Railways, or any Part or Portion of such Railways, which shall be so abandoned or given up by the said Company, shall pass, shall vest in the Owner or Owners of the Land adjoining that which shall be so abandoned or given up in manner following, (that is to say,) one Moiety thereof in the Owner or Owners of the Land on the one Side, and the other Moiety thereof in the Owner or Owners of the Land on the other Side thereof.

For compelling Witnesses to attend.

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

Clerk of the Company may grant Releases to Witnesses.

CLIII. And be it further enacted, That in all Actions, Suits at Law or in Equity, and in all Proceedings under this Act, or otherwise, for any Claim or Compensation against or for or on behalf of the said Company, and also in all Prosecutions commenced and instituted by or on behalf of the said Company, and in all Arbitrations, References, or other Proceedings in or consequent upon or arising out of any such Actions and Suits or Proceedings, it shall be lawful for the Clerk for the Time being of the said Company, in his own Name, for and on behalf of the said Company, to make, sign, seal, execute, and deliver all and every such general or other Release or Releases as may be deemed necessary for the Purpose of exonerating, releasing, and discharging all and every or any Person or Persons who shall or may be produced as a Witness or Witnesses in any such Actions, Suits, Prosecutions, Arbitrations, References, or other Proceedings as aforesaid, from all or any Claims or Demands which may be necessary to be released by the said Company to qualify such Person or Persons to give Evidence as a Witness or Witnesses in any such Actions, Suits, Prosecutions, Arbitrations, References, or other Proceedings aforesaid, and also to do any other Act, Matter, or Thing in any such Actions, Suits, Prosecutions, Arbitrations, References, or other Proceedings; and every such Release, Act, Matter, and Thing respectively shall be as valid and effectual in all respects, and to all Intents and Purposes whatsoever, as if the same were made under the Seal of the said Company.

In case of Nonpayment, of Compensation for Damages,

CLIV. And be it further enacted, That when and as often as any Sum of Money shall be directed or ordered to be paid by any Justice of the Peace, in pursuance of this Act, as or by way of Compensation or Satisfaction for any Materials or Costs, or for any Damage, Spoil, or Injury of any Nature or Kind soever done or committed by the said Company, or

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

&c. the same to be levied by Distress of the Goods of the Company or of their Treasurer.

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

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

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

Justices may proceed by Summons in the Recovery of Penalties.

CLVII. And be it further enacted, That all Penalties and Forfeitures by this Act inflicted or authorized to be imposed, or by any Rule, Order, or Bye Law made in pursuance thereof (the Manner of levying and recovering whereof not being herein otherwise particularly directed), may, in case of Nonpayment thereof, be recovered in a summary Way by the Order

Recovery and Application of Penalties.

[Local.]

8 Q

and

and Adjudication of any One Justice of the Peace for the said County of *Durham*, on Complaint to him for that Purpose exhibited by the Oath or Affirmation of any Person or Persons, or on the Confession of the Party offending (which Oath or Affirmation such Justice is hereby authorized to administer); and in default of Payment of such Penalties or Forfeitures the same shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of such Justice, (which Warrant such Justice is hereby empowered and required to grant,) rendering the Overplus (if any), on Demand, to the Party or Parties whose Goods and Chattels shall be so distrained (the reasonable Charges of such Distress and Sale being first deducted); and one Moiety of the Penalties and Forfeitures, when recovered, shall be paid to the Informer, and the other Moiety thereof shall be paid to the Treasurer of the said Company, for the Use and Benefit of the said Company, unless such Penalties or Forfeitures shall be incurred by the said Company, in which Case the same shall be paid, one Moiety to the Informer, and the other Moiety to the Overseers of the Poor of the Parish or Place within which the Offence shall be committed, to be applied by such Overseers for the Benefit of the Poor of such Parish or Place; and in case such Penalties and Forfeitures shall not be forthwith paid on Conviction it shall be lawful for such Justice, and he is hereby authorized and required, to order the Offender or Offenders so convicted to be detained and kept in safe Custody until Return can conveniently be made to such Warrant of Distress, unless the Offender or Offenders shall give Security to the Satisfaction of such Justice for his, her, or their Appearance before such Justice, or before some other Justice of the Peace for the said County of *Durham*, on such Day or Days as shall be appointed for the Return of such Warrant of Distress (such Day or Days not being more than Seven Days from the taking of any such Security), and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, or in case it shall appear to such Justice, either upon the Confession of the Offender or Offenders, or otherwise, that he, she, or they hath or have not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expences could be levied if a Warrant of Distress were issued, such Justice shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal to commit such Offender or Offenders to the Common Gaol or House of Correction for the County or Place where such Offence shall be committed, there to remain for any Time not exceeding Three Calendar Months, unless such Penalty or Forfeiture shall be sooner paid and satisfied, and all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justice, or shall otherwise be discharged by due Course of Law.

Remedy of  
Persons ag-  
grieved by Ir-  
regularity in  
Distress.

CLVIII. And be it further enacted, That where any Distress shall be made for any Money to be levied by virtue of this Act the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity

clarity which shall be afterwards committed by him or them, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in an Action upon the Case.

CLIX. And be it further enacted, That it shall and may be lawful to and for any Collector, Surveyor, or other Officer of the said Company, and such Person or Persons as he shall call to his Assistance, to seize and detain any Person or Persons, being unknown to such Collector, Surveyor, or other Officer, who shall commit any Offence or Offences against this Act, and to convey him, her, or them before any Justice or Justices of the Peace for the said County of *Durham*, without any other Warrant or Authority than this Act for so doing; and such Justice or Justices of the Peace respectively is and are hereby respectively required to proceed and act with respect to such Offender or Offenders according to the Provisions of this Act.

For securing transient Offenders.

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

Form of Conviction.

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

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

Persons aggrieved may appeal to the Quarter Sessions.

order such Costs to be paid to the Party aggrieved by the Party aggressing as they in their Judgment shall think just and reasonable.

Authenti-  
cated Bye  
Laws to be  
Evidence.

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

Proceedings  
not to be  
quashed for  
Want of  
Form

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

No Action to  
be com-  
menced for  
any thing  
done under  
this Act  
unless Notice  
be given to  
the Company,  
nor unless  
such Action  
be com-  
menced with-  
in a limited  
Period after  
the Fact com-  
mitted.

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



after the Defendant or Defendants shall have appeared, or if a Verdict shall pass against the Plaintiff or Plaintiffs, or if, upon Demurrer or otherwise, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendants or Defendants shall have his, her, or their Costs, and shall have such Remedy for recovering the same as any Defendant hath for recovering Costs of Suit in any other Case by Law.

CLXV. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others. Public Act.

The SCHEDULE to which the foregoing Act refers.

COUNTY PALATINE OF DURHAM.

*Township or Parish of Winlaton in the Parish of Ryton.*

Owners.	Lessees.	Occupiers.	Description of Property.
Thomas Wentworth Beaumont, Esq., M.P.	- - -	William Johnson, George Henderson, Ann Prudhoe, Hugh Nixon, and Mary Stobbs	Houses and Two Gardens.
Sir Thomas John Clavering, Bart.	- - -	- - -	Occupation Road leading from Scotswood Turnpike Road to the Gateshead and Hexham Turnpike Road.
Peregrine Edward Towneley, Esq.	Thos. Milner, and John Newton Simpson, the sole Assignee of the Estate and Effects of Edward Emerson, a Bankrupt	The said Thos. Milner and John Newton Simpson, and William Stark	Garden.
Sir Thomas John Clavering, Bart.	- - -	John Hawks	Ditto.
Ann Simpson, Spinster, and John Bowes, Esq. M.P.	- - -	The Owners of Garesfield Colliery, being John Marquis of Bute, and Ann Simpson, Spinster	Railway from Garesfield Colliery, being an On-gate and Off-gate to Staiths or Coal Depôt adjoining the River Tyne.
Ditto	- - -	Ditto	Railway from Garesfield Colliery On-gate to Staith or Coal Depôt as before.
Sir Thomas John Clavering, Bart.	- - -	Magdelene Pescod	Garden.

Township or Parish of Winlaton in the Parish of Ryton — continued.

Owners.	Lessees.	Occupiers.	Description of Property.
Ann Simpson } and John } Bowes, Esq. } M. P. - - }	- - -	{ George Hepple Ram- say, Esq., underlet to John Hall and Thomas Trewick - }	Garden.
Ditto - - -	- - -	{ George Hepple Ram- say, Esq., underlet to Robert Reed - }	Ditto.
Ditto - - -	{ The Owners of } Garesfield } Colliery } aforesaid - }	John Hawks - - -	{ Cottage with Garden or Yard in front. }
Ditto - - -	- - -	{ George Hepple Ram- say, Esq., underlet to Robert Reed - }	Garden.
Ditto - - -	- - -	{ Magdalene Pescod, George Hannington, William Houston, Thomas Snaith, & Andrew Tulley - }	Four Cottages.
John Bowes, Esq. } M. P. - - }	- - -	{ George Hepple Ram- say, Esq., underlet to John Gibson, James Barker, Tho- mas Stark, Thomas Trewick, and Ro- bert Forster - }	Dwelling Houses.
Ann Simpson } and John } Bowes, Esq. } M. P. - - }	- - -	{ George Hepple Ram- say, Esq. - - }	Stable & Cottage.
Ditto - - -	- - -	Ditto - - -	{ Manufactories of Fire Bricks & Sal Ammoniac, with Yard adjoining. }
Ditto - - -	- - -	{ Ditto, underlet to George Hanning- ton - - }	Garden.
Ditto - - -	- - -	Magdelene Pescod - - -	Ditto.
Ditto - - -	- - -	{ George Hepple Ram- say, Esq., underlet to Andrew Tulley }	Ditto.
Ditto - - -	- - -	{ George Hepple Ram- say, Esq., underlet to Thomas Stark }	Ditto.
John Bowes, Esq. } M. P. - - }	- - -	{ John Gibson, Thomas Snaith, and William Houston }	Garden Ground.
Ann Simpson } and John } Bowes, Esq. } M. P. - - }	- - -	{ George Hepple Ram- say, Esq., underlet to John Hawks, John Nixon, and Thomas Davidson }	Ditto.
Ditto - - -	- - -	{ George Hepple Ram- say, Esq. }	Vacant Ground used as a Quay.
Ditto - - -	- - -	{ The Owners of Gares- field Colliery as before }	Unoccupied Houses and Cinder Ovens.
Ditto - - -	- - -	{ John Nixon and Thomas Davidson }	House.

Owners.	Lessees.	Occupiers	Description of Property.
<i>The Township of Whickham, in the Parish of Whickham.</i>			
Messrs. Crowley, Millington, and Company	- - -	Joseph Oxley - - -	Garden.
Ditto	- - -	- - -	{ Occupation Road or Footpath leading to Dwelling Houses at the West End of the Village of Dunston.
Ditto	- - -	{ Isabella Jewitt, Joseph Clasper	Two Houses and Gardens.
Ditto	- - -	Jane Swallow - - -	Garden.
Ditto	- - -	Ralph Bedlington - - -	House and Garden.
Ralph Carr, Esq.	- - -	George Greener - - -	Garden.
Ditto	- - -	John Greener - - -	Ditto.
Ditto	- - -	Robert Blackett - - -	Ditto.
Ditto	- - -	{ Matthew Charlton and William Cook	Ditto.
Ditto	- - -	Mary Penman - - -	Ditto.
Bishop of Durham	{ Lord Ravensworth and Partners, being Lord Ravensworth, Lord Wharncliffe, and John Bowes, Esq.	George Robson - - -	House and Garden.
Ralph Carr, Esq.	{ William Potter, Robert Wilson, James Whitehead, Joseph Bell, Thomas Archer, and Joseph Blenkinsopp, Trustees of the Chapel.	The Trustees before named and George Robson	{ A Methodist Chapel, and Garden Ground adjoining the same.
The Bishop of Durham	{ Lord Ravensworth and Partners before named	{ The Reverend Henry Douglas, Rector of Whickham, and the Churchwardens and Overseers of the Poor of the Parish of Whickham, Trustees, underlet to Elizabeth Ferguson	School House and Grass Plot or Garden Ground adjoining.
Ditto - - -	Ditto - - -	Thomas Atkinson - - -	{ House originally built on the Waste of the Manor and Garden.
Ralph Carr, Esq.	- - -	Lancelot Pescod - - -	Farm Yard.
Ditto	- - -	Ditto - - -	{ Farm House and Buildings with Garden.
Ditto	- - -	- - -	{ An Occupation Carriage Road.
Ditto	- - -	Thomas Atkinson - - -	Garden.

The Township of Whickham in the Parish of Whickham — continued.

Owners.	Lessees.	Occupiers.	Description of Property.
Ralph Carr, Esq.	- - -	Thomas Atkinson -	Garden.
Ditto	- - -	{ Alexander Home } { Matthewson - }	Ditto.
Ditto	- - -	Thomas Archer -	Ditto.
Ditto	- - -	{ Thomas Atkinson, } { Alexander Home } { Matthewson, Tho- } { mas Archer, and } { James Newton }	{ Three Houses and } { Garden Ground. }
Ditto	- - -	{ The Marquis of Bute } { and Miss Simpson }	{ A Waggonway or } { Railroad from } { Tontop Colliery to } { the River Tyne with } { On-gate and Off- } { gates to a Coal De- } { pôt. }
John Bowes, Esq. } M. P. - - }	- - -	George Hepplewhite -	Garden.
Ralph Carr, Esq.	- - -	John Bainbridge -	Ditto.
Lord Ravensworth	{ Lord Ravens- } { worth and } { Partners } { abovenamed }	Henry Ritzemd -	Ditto.
Ditto	- - -	Jane Brown -	Ditto.
Ditto	- - -	{ Lord Ravensworth, } { Lord Wharnccliffe, } { and John Bowes, } { Esq. M. P. }	{ Shipcote Colliery } { Waggonway, with } { Off-gates and On- } { gates to Coal Depôt. }
Ditto	- - -	{ Elizabeth Brown and } { John Ellison }	Garden.
Ditto	- - -	{ Christopher Ruther- } { ford, John Hunter, } { and Matthew Gould- } { ing }	Garden Ground.
Ditto	- - -	{ Lord Ravensworth } { and Partners as be- } { fore }	{ Barn, Stables, and } { Yard, with vacant } { Ground adjoining } { thereto. }
Ditto	- - -	Ditto -	{ Vacant Ground or } { open Space. }
Ditto	- - -	Ditto -	{ Off-gate of Shipcote } { Colliery, Waggon- } { way from Coal } { Depôt. }
Ditto	- - -	{ Edward Pile and } { Henry Ritzemd }	Houses, Brewery, Sta- ble, and Yard.
Bishop of Durham	{ Lord Ravens- } { worth and } { Partners } { above named }	Ditto -	Part of Ditto.
Lord Ravensworth	- - -	{ Lord Ravensworth and } { Partners }	A Field and Stack-Yard,
Ditto	- - -	Thomas Smith -	Garden.
Ditto	- - -	{ Edward Grey Mat- } { thewson }	A Barn, and Yard ad- joining.
Ditto	- - -	Ditto -	A House and Garden.

[Local.]

*The Township of Whickham in the Parish of Whickham — continued.*

Owners.	Lessees.	Occupiers.	Description of Property.
Lord Ravensworth	- - -	{ William Morton Pitt, } { Esq. - - - }	Tanfield Moor Colliery Waggonway.
Ditto	- - -	Matthew Sadler -	Garden.
Ditto	- - -	{ Ralph Hall, William } { Smith, Robert Dick, } { Thomas Thompson, } { and Richard Dinham }	Small Gardens.
Ditto	- - -	William Forsyth -	Garden.
Ditto	- - -	Thomas Dinham -	Ditto.
Ditto	- - -	Ditto -	Ditto.
Ditto	- - -	Jane Sharp -	Ditto.
Bishop of Durham, Lord of the Manor of Whickham - }	{ Lord Ravensworth, Lord Wharnccliffe, and John Bowes, Esq. M. P. - }	Ralph Millar - -	Ditto.
Ditto -	Ditto -	{ Alexander Home } { Matthewson - }	Nail Manufactory and Yard.
Ditto -	- - -	William Morton Pitt, Esq.	{ Dépôt for Timber, } { Iron, &c. }
Ditto -	Ditto -	{ Bulmer and Company, } { Proprietors of the } { Tyne Iron Works - }	Crane and Landing Place.
- - -	- - -	- - -	{ A Public Landing } { Place, and Ferry } { over a Rivulet called } { the Team Gut. }
Lord Ravensworth - }	- - -	{ Mary Dryden, Barbara } { Forsyth, Ralph Mil- } { lar, Robert Grant, } { James Thompson, } { Thomas Dinham, } { and Ann Clasper - }	Cottages.
Bishop of Durham }	{ Lord Ravensworth and Partners above named }	{ William Morton Pitt, } { Esq. - - - }	{ Off-gate from Coal } { Dépôt. }
John Bowes, Esq.	- - -	Robert Sadler -	Garden.
Ditto	- - -	George Gray -	Ditto.
Ditto	- - -	Christopher Smart -	Ditto.
Ditto	- - -	John Forster -	Ditto.
Ditto	- - -	John Stoker -	Ditto.
Ditto	- - -	Thomas Clasper -	Ditto.
Ditto	- - -	John Blenkinsopp -	Ditto.
Ditto	{ Lord Ravensworth and Partners above named }	John Wilthew - -	Ditto.
Bishop of Durham	Ditto	Henry Ritzemd -	Ditto.
Ditto	Ditto	{ Lord Ravensworth and } { Partners above named }	{ Green Plot or open } { Space of Ground. }
Ditto	Ditto	Forest Lashley -	Garden.
Ditto	Ditto	Thomas Bainbridge -	Ditto.
Ditto	Ditto	William Parker -	Ditto.

*The Township of Whickham in the Parish of Whickham — continued.*

Owners.	Lessees.	Occupiers.	Description of Property.
Bishop of Durham	{ Lord Ravensworth and Partners above named }	Joseph Smith - -	Garden.
Ditto	Ditto	William Smith - -	Ditto.
Ditto	Ditto	{ James Smith and George Charlton }	Ditto.
John Bowes, Esq. M.P. }	- - -	{ Thomas Blakett and James Newton }	Ditto.
Lord Ravensworth	- - -	{ Christopher Smart, William Surrett, Robert Oxley }	Dwelling Houses.
Ditto	- - -	{ Nicholas Wilkinson and George Gray }	{ Cottages, Workshop, and Garden Ground.

*Township of Gateshead in the Parish of Gateshead.*

Adam Askew, Esq.	- - -	- - -	{ An Occupation Road leading from the Team Post, Redheugh.
Ditto	{ William Cuthbert, Esq. }	William Cuthbert, Esq. -	{ Plantation Lawn or Park, with Carriage Road to Redheugh.
Ditto	Ditto	Ditto - -	{ Quay adjoining the River Tyne.
Ditto	Ditto	William Clayton, Esq. -	{ Part of the Shore or Bed of the River Tyne, used as a Landing Place for Timber.
- - -	- - -	- - -	{ Landing Place of a Ferry across the River Tyne.
Bishop of Durham	{ Cuthbert Ellison, Esq. and by him leased to George Sowerby }	{ Thomas Sowerby and John Phillips }	{ The Shore or Bed of the River Tyne, used as a Landing Place for Timber.
Ditto	- - -	- - -	{ A private Carriage Road from the Windmill Hills to the River Tyne.
Master and Brethren of Sherburn Hospital }	Cuthbert Ellison, Esq. }	Dorothy Wood - -	{ Garden with a Cottage at the North End.
John Welch -	- - -	John Welch - -	Quarry and Shed.
Robert Bewick -	- - -	Robert Bewick - -	{ House and Yard with Garden Ground.
John Rewcastle -	- - -	William Spencer - -	{ Dwelling House, Stable, Yard, and Garden.
Ditto -	- - -	John Rewcastle - -	{ House, Yard, and Garden.
Richard Smithson	- - -	Thomas Simpson - -	Garden.

Township of Gateshead in the Parish of Gateshead — continued.

Owners.	Lessees.	Occupiers.	Description of Property.
Eleanor Walker, Widow, and Forster Walker, and Edward Walker	- - -	Eleanor Walker, Widow	{ Yard and Garden Ground.
James Hymers	- - -	{ James Hayward, Thomas Innis, James Telford, Robert Surtees	Tenement Rooms.
Ditto	- - -	{ John Fairbank, Jessey Dexter, William Browell, George Shotton, James Nailor, Martha Audas	Ditto.
Ditto	- - -	{ James Hymers, William Walker, Richard Hodgson, Charles Dixon Russell	Stables.
Ditto	- - -	{ Donkin M'Donald, John Morris, Sarah Wood, Thomas M'Gregor, Henry Fairgreave, James Hall, Robert Morrow, Thomas Stirling	Tenement Rooms.
Ditto	- - -	{ Mary Barns, Edward Robson, John Ratcliff, George Eddy, John Dodds, Alexander Petrie, Joseph Spooner, Robert Crosier	Ditto.
Ditto	- - -	{ Occupiers of the Tenement Rooms before named	Coal Houses and Open Ground in front of Rooms.
Ditto	- - -	{ Joseph Cummins, Thomas Ferguson, Matthew Alexander, Elizabeth Brown, William Smith, Thomas Crowder, Susannah Simpson, Thomas Dobinson, William M'Lyod, James Weatherburn, George Tinn, Thomas Richardson, Rebecca Wilson, Mary Anne Gustard, William Gustard, Thomas Cottrell, Peter Wolf, Christian Brown, William Bell, Robert Surtees, Thomas Smith, William Weir, George Middleton	Tenement Rooms, with Coal Houses and Bellows Maker's Shop.



Township of Gateshead in the Parish of Gateshead — continued.

Owners	Lessees.	Occupiers.	Description of Property.
James Hymers	-	{ Alexander Tindale, Margaret Tindale, Thomas Fairbairn }	Tenement Rooms, with Coal Houses.
James Hymers, William Hymers, Joseph Hymers	-	{ James Hymers, Robert Haggie, Francis Minto, Elizabeth Weightman }	Four Dwelling Houses, with Yards, &c.
Trustees of the Methodist Chapel, viz. John Coultherd, John Atkinson, William Braban, Thomas Elliott, William Dawson, John Edwards, William Greener, Joseph Kimpster, Thomas Moreland, James Spencer, Robert Urwin, George Airey, William Burn	-	{ John Rawson, John Wilson }	{ Two Dwelling Houses, and Two Back Yards. }
Trustees of the Methodist Chapel, viz. Thomas Elliott, John Coultherd, John Atkinson, Alexander Home, Matthewson, Stephen Emerson, William Greener, Robert Urwin, Joseph Gray, Benjamin Forster, John Hopper, William Burn, George Airey, John Harrison	-	{ Trustees of the Chapel, and others }	{ Chapel, Vestry, Yard, and Ground in front of the Chapel. }
Trustees of the Methodist Chapel, viz. John Coultherd, John Hodgson, Thomas Lightfoot,	-	{ Thomas Liddell, Matthew Brown, John Crowther, Thomas Robson, Thomas Reed, Thomas Simpson. }	Dwelling Rooms and Shop in front, with open Ground.

[Local.]

Township of Gateshead in the Parish of Gateshead — continued.

Owners.	Lessees.	Occupiers.	Description of Property.
John Hopper, Thomas Moreland, Cuthbert Henderson, John Edwards, George Airey, John Allan, Stephen Emerson, William Brown, James Robson, William Burn, Thomas Elliott, John Vicars, Robert Nicholson, Thomas Burn		Thomas Liddell, Matthew Brown, John Crowther, Thomas Robson, Thomas Reed, Thomas Simpson.	Dwelling Rooms and Shop in front, with open Ground.
Ditto		James Findley	{ School Room and Open Ground.
William Hymers		Joseph Richardson	House and Yard.
James Hymers		Elizabeth Rea	{ House, Shop, and Cellar.
Joseph Hymers		Sarah Atkinson	Public House.
		Moses Pie	{ Public House, and Brewhouse, &c.
		Michael Signie	Shop and House.
		Elizabeth Jobling	Rooms.
		James Dodds	{ Joiner's Shop and House.
		Richard Fenwick	Rooms.
Henry Scott		David Cooper	Ditto.
		Thomas Weir	Ditto.
		Christopher Brannan	Ditto.
		Alexander Forster	Ditto.
		Matthew Davidson	Ditto.
		James Easton	Ditto.
		John Donnison	Pipe Manufactory.
Devises in Trust and Executors of the late Thomas Lee, viz. Robert Marshall and Robert Martinson		Ann Hudspeth, Richmond Henderson, Margaret Anderson, Ann Anderson, Barbara Mundell, Ann Huntley, Joseph Tinn, Jane Reed, George Tait, Francis Smith, William McDonald, John Lishman, Joseph Gray, William Chesterton, Edward Dotchen	{ Tenement, Dwelling Houses, Coal Houses, and open Yard.
Thomas Madison, and Jane his Wife, and Thomas Gallon		William Gibbon	Shop.
		Thomas Gallon,	Dwelling House and Yard.
		John Lothian	Room.
		Isabella Corbitt	

*Township of Gateshead in the Parish of Gateshead* — continued.

Owners.	Lessees.	Occupiers.	Description of Property.
William Hymers	- - -	Robert Currie - -	House.
John Jamieson -	- - -	{ John Jamieson - - William Lukes, Wil- son Carr, Michael Twizell }	{ House, Smith's Shop, and Yard. Tenement Rooms.
John Atkinson -	- - -	{ Thomas Gill, John Hunter, Christopher Perry, Rebecca Hutchinson, Robert Gibson, Thomas Hardy, William Henderson, Alex- ander Drummond, Christopher Ellison, Taylor Henderson }	Tenement Rooms and Yard behind.
Robert Lowthin -	- - -	{ Robert Lowthin, Isa- bella Johnson }	House and Yard.
William Hunter -	- - -	{ Elizabeth Lowthin, Nichol Hunter, John Forster, James Hill. }	House and Yard.
Michael Bailes -	- - -	Michael Bailes - -	{ Public House in Park Street, with Brew- house, Yard, and Cellars.
John Lister, jun <sup>r</sup> .	- - -	{ John Lister, jun <sup>r</sup> . - - Robert Jackson - - }	Yard and Sheds. Rooms.
John Hall -	- - -	{ Thomas Watson - - Thomas Landers - - }	Ditto. Ditto.
John Storey -	- - -	{ John Storey, John Cowley, Thomas Davison }	Tenement, Dwelling House.
Thomas Scott -	- - -	{ Thomas Scott - - Thomas Curry - - Henry Caleb Calloway }	Rooms and Yard. Ditto. Ditto.
Joseph Ingham -	- - -	{ Thomas Watson, } James Grigg }	Tenement, House, and Yard.
Stephen Emerson -	- - -	{ James Preston, Ben- jamin Onions, Wil- liam Ramsay }	Ditto.
Joseph Soulsby -	- - -	{ John Bell, Edward Shield, Robert Shield }	Ditto.
Thomas Humble -	- - -	{ Thomas Humble, John Smith, John Reed, Elizabeth Brown }	Ditto.
Charles Pearson -	- - -	Charles Pearson - -	{ Dwelling House, Yard, and Buildings.

Township of Gateshead in the Parish of Gateshead — continued.

Owners.	Lessees.	Occupiers.	Description of Property.
The Representatives of the late Thomas Charlton, viz. William Charlton, Charles Hamilton, and Isabella Morrison, and the Devisees in Trust of William Surtees, Esq. deceased, viz. the Reverend William Nicholas Darnell, Robert William Brandling, and John Brandling, Esq <sup>r</sup> .			Waste Ground.
Bishop of Durham	{ Cuthbert Ellison, Esq., and re-leased to William Falla }	William Falla	Nursery.
Ditto	{ Cuthbert Ellison, Esq. }	{ Joseph Robson, with Undertenants, viz. Edward Hogg, John Temple, Joseph Soppitt, and Jacob Hunter }	Farm House, Fold Yard, Stack Garth, Stables, and Cottages.
Ditto	-	-	{ An Occupation Road leading to the River Tyne. }
Ditto	{ Cuthbert Ellison, Esq. }	-	{ An old Waggon Way unoccupied. }
Ditto	-	-	{ An Occupation Road called Park Lane, leading from Gateshead to Park House. }
Ditto	Ditto	{ Charles Mallowby, Martin Davidson }	Garden.
Ditto	Ditto	Joseph Robson	{ Grass Field, with an Occupation Carriage Road therein. }
Ditto	Ditto	{ The Owners of Tyne Main Colliery, viz. the Representatives of James Losh, Esq., viz. James Losh, Esq. and William Septimus Losh, William Losh, Thomas Easton, William Andrews, Elizabeth Snowball, and Ralph Dixon }	Waggon Way from the Tyne Main Pit to the River Tyne.

Owners.	Lessees.	Occupiers.	Description of Property.
<i>Township of Heworth in the Parish of Jarrow.</i>			
Thomas Easton, Esq.	- - -	Thomas Easton, Esq.	Plantation.
Ditto	- - -	- - -	{ A Public Bridle Road and Private Carriage Road leading from the Newcastle and Sunderland Turnpike Road to a Horse Ferry over the River Tyne at Felling Shore.
Ditto, or John Grace, John Potts, and John Carr, Owners of Felling Colliery	- - -	{ John Grace, John Potts, and John Carr, Owners of Felling Colliery	{ A Railway leading from Felling Colliery to the River Tyne.
Thomas Easton, Esq.	William Millar	William Millar	{ Open Space of Grass Land with a Pond therein.
Ditto	Ditto	Ditto	{ Farm House, Barns, Stables, and Farm Yard.
Francis Hutchinson, Esq. M.D.	- - -	{ Francis Hutchinson, Esq. M.D., William Losh, Thomas Wilson, and Thomas Bell	{ A Manufactory called Felling Chemical Works, or Heworth Chemical Works.
Ditto	- - -	Ditto	{ Ground partly used as Garden Ground.
Ditto	- - -	{ Thomas Cockburn, Joseph Young, and Robert Hall	{ Cottages with a Lane or Passage and small Gardens adjoining.
Moses Dixon, Mary Ward, James Anderson, James Liddell, and Margaret Anderson, being the Representatives of Jacob Anderson, deceased	- - -	{ William Hailes, Thomas Barber, Moses Dixon, Mary Ward, Thomas Twizell, and John Stringer	{ Dwelling Houses and small Gardens adjoining.
Dean and Chapter of Durham	John Johnson	John Johnson	Garden.
Ditto	- - -	- - -	{ A Private Carriage Road called Stoney Gate Lane, leading to Heworth Shore.
Ditto	{ Margaret Stephenson, Widow	William Clayton	{ A Brick Yard with Sheds therein.
Ditto	Ditto	{ Ditto and James Blakie and George Young	{ Cottage or Dwelling House.
[Local.]		8 U	

Township of Heworth in the Parish of Jarrow — continued.

Owners.	Lessees.	Occupiers.	Description of Property.
Dean and Chapter of Durham	Joseph Lamb, Representative of James Hutchinson, being John Hutchinson, William Clark, John Waldie, Percival Fenwick, and Robert Pearson	Joseph Lamb, the Representative of James Hutchinson, being John Hutchinson, William Clark, John Waldie, Percival Fenwick, and Robert Pearson	Railway leading from Sheriff Hill Colliery to the River Tyne.
Ditto	William Ingo	Thomas Aiston	Garden.
Ditto	Ditto	William Hogg	Ditto.
Ditto	Ditto	John Morrell	Ditto.
Thomas Pigg	-	Thomas Green	Mill Dam or Reservoir.
Ditto	-	Torrence Murphy, Peter Dunlap, David M'Conkie, William Hannah, and Hugh Hannah	Cottages.
Ditto	-	Hugh Hannah	Garden.
Ditto	-	Torrence Murphy	Ditto.
Ditto	-	Peter Dunlap	Ditto.
Ditto	-	David M'Conkie	Ditto.
Ditto	-	William Hannah	Ditto.
Ditto	Hannah Ellison	William Russell, Esq., and Partners, viz. William Russell, Esq., Sir Robert Shafto Hawks, Knight, and Thomas Cargill, and Thomas Carr, Esq., and Joseph Thorp, John Clark, George Reay, Daniel Taylor, Elizabeth Hopper, and John Halan	Rough Banks and the Waste Ground on the Sides of a Dean called Cat Dean, some small Parcels of which are used for growing Potatoes, Cabbages, &c.
Ditto	Ditto, and under-leased to William Russell and Partners, as before	Thomas Coltman, Ralph Mowbray, and James Burlinson	Farm House, Yard, and Buildings.
Ditto	Ditto	William Russell and Partners as before	An old Way from a Rail Road now disused and taken up.
Ditto	Ditto	Ditto	Railway from Washington Colliery to the River Tyne.
Ditto	-	-	A Public Bridle Road and Private Carriage Road leading from the South Shields Road to Bill Quay.

*Township of Heworth in the Parish of Jarrow — continued.*

Owners.	Lessees.	Occupiers.	Description of Property.
Thomas Pigg -	Hannah Ellison -	{ Benjamin Thompson and Partners, viz. George Thackrah, Charles Perkins, and Arthur Howe Holdsworth, Esquires - }	A Staith or Depôt for Coals.
Ditto -	Ditto -	Ditto -	{ Railway from Ouston and other Collieries.
Ditto -	Ditto -	{ Benjamin Thompson and Partners as before, and James Wilson, Matthew Brown, and Robert Lawson }	Cottages, Bakehouse, and Gardens adjoining.
Ditto -	Ditto -	John Laing -	Cottage and Garden.

*Township of Jarrow in the Parish of Jarrow.*

Dean and Chapter of Durham }	Cuthbert Ellison, Esq. -	{ Martin Thrift, Adam Rutherford, William Thrift, Mary Thompson, and Sarah Story }	Cottages and Gardens.
Cuthbert Ellison, Esq. - }	- - -	{ James Redhead, George Redhead, Thomas Barnfather, and Joseph Mills }	Dwelling House, Farm Buildings, Yard, and Gardens.
Ditto -	- - -	John Moore -	{ A Public House, Stable Yard, and Garden.
Ditto -	- - -	{ Anthony Redhead, John Redhead, and William Redhead }	A Public House, Cottages, and small Gardens.
Ditto -	{ William Reay, Esq. - }	William Reay, Esq.	{ A Quay adjoining the River Tyne, with open Space of Grass Land thereon, and also a Public Footpath leading along the same, with a Public Ferry or Landing at the West or South West End thereof.
Ditto -	{ William Reay, Esq., has Part of this Quay occupied with a moveable Machine or Steam Engine, with proper Railways and Conveniences for landing Ballast.		
Ditto -	- - -	Henry Mills -	A Dwelling House.

Owners.	Lessees.	Occupiers.	Description of Property.
<b>SWALWELL BRANCH.</b>			
<i>Township of Whickham in the Parish of Whickham.</i>			
Sir Thomas John Clavering, Bart. -	-	{ Edward Harrison, underlet to Alexander M'Gregor, James Glasper, Euphemia Daglish, and Taylor Harwood - -	{ House and Gardens adjoining.
Ditto -	-	James Smith - -	Garden.
Ditto -	-	Ditto - -	Ditto.
Ditto -	-	William Pescod -	Ditto.
Ditto -	-	Ralph Hepplewhite -	Ditto.
Ditto, claimed also by Lancelot Pescod	-	Jane Johnson -	Ditto.
Sir Thomas John Clavering, Bart.	-	Edward Harrison -	{ Farm House, Yard, and Garden, &c.
Cuthbert Ellison, Esq.	-	William Wilson -	Garden.

**TEAM BRANCH and TEAM IRON WORKS BRANCH.**

*Township and Parish of Gateshead.*

Adam Askew, Esq.	{ William Cuthbert, Esq.	{ William Cuthbert, Esq.	{ Farm Yard, Stables, Barn, &c.
Ditto -	-	{ Francis Armstrong	House and Garden.
-	-	Robert Clark - -	{ Garden, Granary, Stable, and Byer.
-	-	-	{ An Occupation Carriage Road, and also a Public Bridle Road and Footpath.
Ditto -	-	{ George Thompson -	Cottage Room.
Ditto -	-	{ Jane Brown - -	Ditto.
-	-	Robert Clark - -	{ Grass Land, with Trees thereon.

*Township and Parish of Whickham.*

Lord Ravensworth	-	{ Joshua Green, and sublet by him to Mary Swaddle	Cottage and Garden.
Ditto -	{ Lord Ravensworth, Lord Wharnccliffe, and John Bowes, Esq. M. P.	{ Lord Ravensworth, Lord Wharnccliffe, and John Bowes, Esq. M. P.	{ Railway from High Team Pit and Eaton Pit to the Staiths or Coal Depôt at Dunston.



Owners.	Lessees.	Occupiers.	Description of Property.
<b>GATESHEAD WEST BRANCH.</b>			
<i>Township and Parish of Gateshead.</i>			
Bishop of Durham	{ Cuthbert Ellison, Esq., and leased to George Sowerby }	{ Thomas Sowerby and John Phillips }	{ The Shore or Bed of the River Tyne, used as a Landing Place for Timber. }
Ditto	- Ditto	- George Sowerby	{ Quay adjoining the River Tyne. }
Ditto	- Ditto	{ Thomas Hutchinson John Anderson	Cottage and Garden. Ditto.
Ditto	- Ditto	{ George Sowerby, and sublet to Alexander Campbell George Billerwell William Hutchinson, William Gillis, Matthew Hailes, William Jones, and Nathan Martin }	Rooms and Garden.  Rooms.
Ditto	{ Cuthbert Ellison, Esq., and leased to George Sowerby, and from him to John Jefferson Harrison }	John Jefferson Harrison	{ Paper Manufactory, with Waste Ground or Banks. }
Ditto	-	William Rayne	Two Rooms.
Ditto	-	Alexander Annandale	{ Two Rooms and Two Gardens. }
Ditto	{ Cuthbert Ellison, Esq. }	Thomas Cookson, Esq.	{ Steel Furnace, and Thirty Yards of Quay. }
Ditto	{ Ditto, and leased to George Sowerby }	George Sowerby	{ New Stourbridge Flint Glass Works, and Quay. }
Ditto	- Ditto	{ Ditto, and sublet to Thomas Billerwell Edward Sago, Mark Turner, George Thomas Matthew Hailes William Hutchinson John Cook	Rooms. Ditto with Gardens and Byre. Garden. Ditto. Ditto.
Ditto	- Ditto	{ Thomas Sowerby, John Phillips }	Quay, and Ground for Timber.
Ditto	{ Cuthbert Ellison, Esq., and leased from him to Robert Thompson, and from him to Thomas Horner }	Thomas Horner, James Parker	{ Chain and Nail Works, with Banks and Waste, also Two Rooms. }

[Local.]

*Township and Parish of Gateshead — continued.*

Owners.	Lessees.	Occupiers.	Description of Property.
Bishop of Durham	{ Cuthbert Ellison, and leased from him to Robert Thompson, and from him to Lewis Forsyth	{ William Morrell, John James, George Thomas, Robert Brown, James Spence, Robert Cuthbertson, Thomas Swinburne, John Cook, John Robson, John Inglis, William Sievewright, Thomas Walton, Henry Paterson	Tenement, Dwelling Rooms.
Ditto	{ Cuthbert Ellison, Esq., released to Robert Thompson	Robert Todd	Timber Yard and Quay.
Ditto	Ditto	Robert Thompson	Bond Timber Yard.
Ditto	{ Ditto, and released to the Gateshead Gas Company	{ The Gateshead Gas Company	{ The Gateshead Gas Works and Premises.
Ditto	{ Cuthbert Ellison, Esq., released to Robert Thompson	James Hymers	Cudbeer Manufactory.
Ditto	{ Ditto, ditto, and released to William Monro	William Monro	{ Farm, Manufactory, Dwelling House, and Garden, with Ground or Rough Banks adjoining.
Ann Peareth	{ William Richardson	{ William Richardson John Dawson	{ Limekiln and Ground or Banks with Quay adjoining the River Tyne. A Cottage.

## GATESHEAD EAST BRANCH.

*Township and Parish of Gateshead.*

Bishop of Durham	{ Cuthbert Ellison, Esq. and released to William Falla	William Falla	Nursery.
Ditto	{ Cuthbert Ellison, Esq.	{ William Hawks, senior, Sir Robert Shafto Hawks, Knight, and others, of the Firm of Hawks and Company, and sublet by them to Edward Potts	Garden Ground.

*Township and Parish of Gateshead — continued.*

Owners.	Lessees.	Occupiers.	Description of Property.
Bishop of Durham	{ Ditto, and re- leased to Da- vid Haggie and James Pollard - }	{ David Haggie, James Pollard - - }	Ropery and Ropewalk.
Ditto	{ Cuthbert Elli- son, Esq., and released to John Ren- wick, Robert Robinson Greenwell, and John Rewcastle }	Robert Todd - -	{ Part of the Shore or Bed of the River Tyne used as a Timber Landing, with Rough Banks adjoining.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,  
Printers to the King's most Excellent Majesty. 1834.

