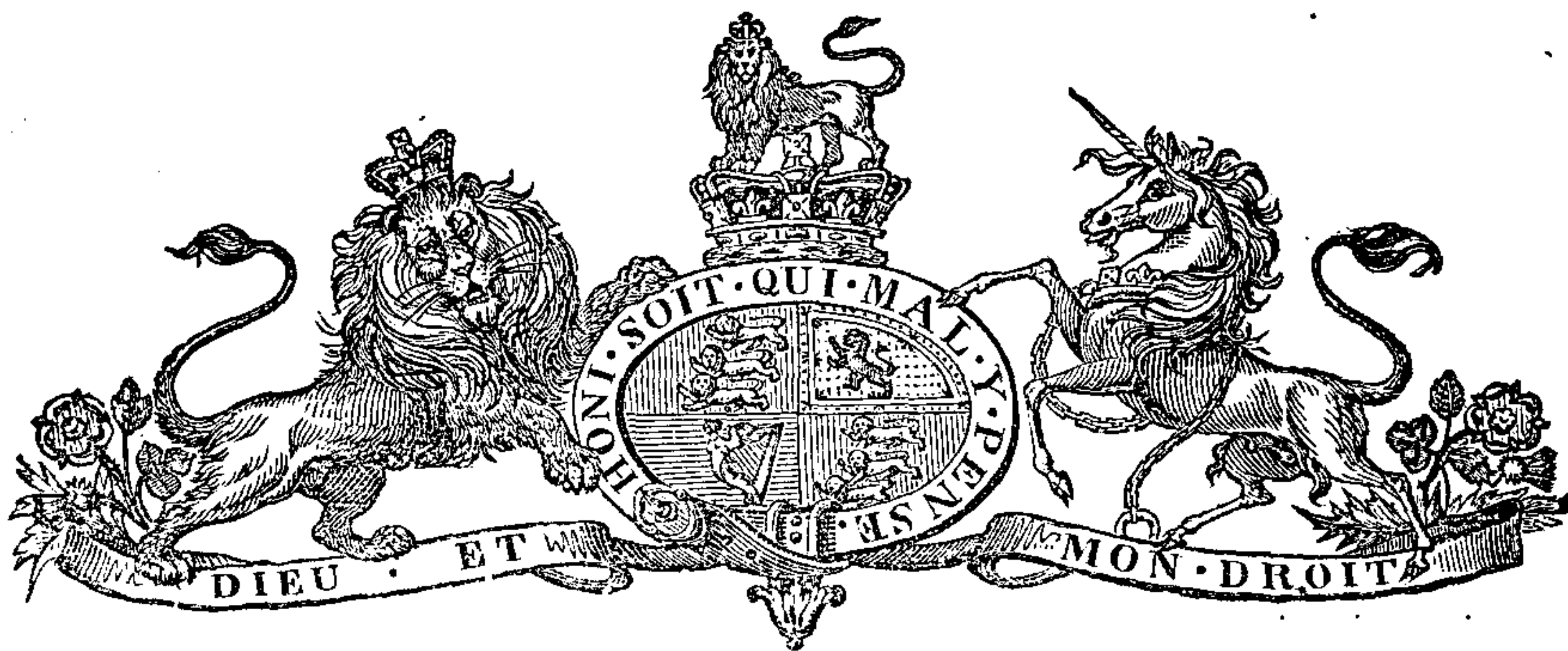




ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

Cap. ccxix.

An Act for enabling the *York and North Midland Railway Company* to make a Railway from their *Church Fenton and Harrogate Branch* to *Knareborough and Boroughbridge*. [22d July 1847.]

WHEREAS an Act was passed in the Sixth Year of the Reign of His late Majesty King *William the Fourth*, intituled *An Act for making a Railway from the City of York to and into the Township of Altofts, with various Branches of Railway, all in the West Riding of the County of York or County of the said City*, whereby several Persons became and were incorporated by the Name of "*The York and North Midland Railway Company*:" And whereas the Provisions of the said recited Act have been amended and enlarged by several subsequent Acts relating to the said Company passed respectively in the First, Fourth, Seventh, Eighth, Ninth, and Tenth Years of the Reign of Her present Majesty: And whereas it would be attended with local and public Advantages if a Railway were formed from the Line of the *Church Fenton and Harrogate Branch* of the *York and North Midland Railway Company* to the *Boroughbridge Branch* of the *York and Newcastle Railway Company* at or near *Boroughbridge* aforesaid, and the *York and North Midland Railway Company* are willing to execute the same; but these Purposes cannot be effected without the Authority of Parliament:

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8 & 9 Vict.
cc. 18. & 20.
extended to
this Act.

May it therefore please Your Majesty that it may be enacted ; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Lands Clauses Consolidation Act, 1845, and the Railways Clauses Consolidation Act, 1845, shall respectively (except so far as the same respectively are altered by or are inconsistent with this Act) be incorporated with and form Part of this Act, and together with the same shall be construed as One Act.

Extending
Powers of
York and
North Mid-
land Railway
Acts to this
Act.

II. And be it enacted, That all the Provisions, Matters, and Things contained in the said recited Acts relating to the Railways belonging to the *York and North Midland* Railway Company, or any of them, so far as the same are now unrepealed, and except such as have expired by Effluxion of Time, and such as are by this Act or any Statute repealed, altered, or otherwise provided for, or are inapplicable to this Act, or inconsistent with or provided for by the said Lands Clauses Consolidation Act and the Railways Clauses Consolidation Act, shall extend to this Act, and to the several Purposes and Things hereby authorized, as fully and effectually as if the same Provisions, Matters, and Things were repeated and re-enacted in this Act in reference to the Objects and Purposes hereof.

Power to
borrow
Money by
Creation of
new Shares.

III. And be it enacted, That after Shares for the whole of the Capital in Shares by the recited Acts limited or authorized to be raised, exclusive of the Money thereby authorized to be raised by Creation of new Shares instead of borrowing, shall have been taken, and One Half of such Capital shall have been paid up, it shall be lawful for the Company to borrow on Mortgage or Bond for the Purposes of this Act such Sum or Sums of Money as shall from Time to Time be authorized to be borrowed by Order of a General Meeting of the Company, not exceeding (in addition to the Sums which the Company are authorized by virtue of the said recited Acts, or may be authorized to borrow by any Act to be passed in the present Session of Parliament, and the Power to borrow which it is hereby declared shall not be prejudiced) the Sum of One hundred and seventy-five thousand Pounds, and to secure the Repayment of the Money so borrowed, with Interest, by Mortgage of their Undertaking or by Bond in manner provided by the Companies Clauses Consolidation Act, 1845 : Provided always, that it shall not be lawful for the Company to borrow on Mortgage or Bond any Sum or Sums of Money which, together with such Sums as may be due and owing by the said Company on Mortgage of their Undertaking or on Bond at the Time of the borrowing of such Sum or Sums of Money, would amount to more than One Third of the Capital for the Time being of the Company in Shares or Stock.

• Prior Mort-
gages not to
be affected.

IV. Provided always, and be it enacted, That nothing herein contained shall be held to affect the Validity of any Mortgages on the said Undertaking which may be subsisting at the Time of the passing of this Act, but all such Mortgages shall, during the Continuance thereof, have Priority over the Mortgages or any of them which may be created under the Powers of this Act.

V. And be it enacted, That all the Provisions of the Companies Clauses Consolidation Act, 1845, with respect to the borrowing of Money by a Company, and to the Conversion of Money borrowed or authorized to be borrowed into Capital, shall be held applicable to the borrowing by the said Company of the Monies hereby authorized to be borrowed by them, and to the Conversion thereof into Capital.

Provisions of 8 & 9 Vict. c. 16. as to borrowed Money to apply to this Act.

VI. And be it enacted, That it shall be lawful for the said Company to apply for or towards the Purposes of this Act any Sum of Money which they may have raised or may raise under the Powers, and which shall not have been applied for the Purposes, of their said recited Acts or any of them, or of any Act to be passed in the present Session of Parliament relating to the said Company.

Power to apply Monies towards the Purposes of this Act.

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

Mortgages and Transfers, &c. to be stamped.

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

Interest not to be paid on Calls paid up.

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

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

X. And whereas Plans and Sections of the Railway and Works hereby authorized to be made showing the Lines and Levels thereof, and also Books of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of the Lands through which the same are intended to pass or be made, have been deposited with the Clerks of the Peace for the West and North Ridings of the County of *York*; be it enacted, That, subject to

Railway to be made according to deposited Plans, &c.

to the Provisions in this Act and in the Lands Clauses Consolidation Act, 1845, and the Railways Clauses Consolidation Act, 1845, contained, it shall be lawful for the said Company to make and maintain the said Railway and Works in the Lines and upon the Lands delineated on the said Plans and described in the said Books of Reference, and according to the Levels defined on the said Sections, to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose.

Lines of
Railway and
Works.

XI. And be it enacted, That the Railway to be made under the Authority of this Act shall be the following; (that is to say,)

A Railway from and out of the Line of the *Harrogate* Branch Railway, belonging to the *York and North Midland* Railway Company, now in course of Construction, commencing by a Junction with the same Branch at or near a Point marked A. on the Plans deposited as aforesaid in the Township and Parish of *Pannal* in the West Riding of the County of *York*, and terminating by a Junction with the present authorized Line of the *Boroughbridge* Branch Railway, belonging to the *York and Newcastle* Railway Company, at or near the Terminus of the said last-mentioned Branch Railway, near the Road leading from *Boroughbridge* to *Northallerton* in the Townships of *Milby* and *Humberton-cum-Milby*, or one of them, in the Parish of *Kirby-on-the-Moor* otherwise *Kirby Hill* in the North and West Ridings of the County of *York*, or one of them; which said intended Railway and other Works will pass from, in, through, or into, or be situate within, the several Parishes, Townships, and extra-parochial or other Places following, or some of them; (that is to say,) *Pannal*, *Spofforth*, *Plumpton*, *Bilton-with-Harrogate*, *Bilton*, *High Harrogate*, *Low Harrogate*, *Knaresborough*, *Scriven*, *Scriven-with-Tentergate*, *Farnham*, *Goldsborough*, *Ferrensby*, *Flasby*, *Coneysthorpe*, *Clareton*, *Arkendale*, *Stavely*, *Aldbrough*, *Copgrove*, *Minskip*, *Roecliffe*, and *Boroughbridge*, in the said West Riding; *Kirby Hill* otherwise *Kirby-on-the-Moor*, *Langthorpe*, *Humberton*, and *Milby*, in the said West and North Ridings, or one of them.

Certain
Roads may
be crossed
on the Level.

XII. And be it enacted, That, subject to the Provisions in the Railways Clauses Consolidation Act, 1845, contained in reference to the crossing of Roads on a Level, it shall be lawful for the Company in the Construction of the Railways by this Act authorized to be made to carry the same across the several Turnpike Roads and Highways herein-after mentioned on the Level thereof; (that is to say,)

1. Public Road called *Kirkgate* in the Township and Parish of *Knaresborough*, numbered 120 on the deposited Plans:
2. A public Highway from *Butterhills* to *Knaresborough* in the Township of *Scriven-with-Tentergate* and Parish of *Knaresborough*, numbered 221 on the said Plans:
3. A public Highway in the Township of *Minskip* and Parish of *Aldbrough*, numbered 15 on the said Plans:
4. A public Highway from *Copgrove* to *Minskip* in the Township of *Minskip* and Parish of *Aldbrough*, numbered 29 on the said Plans:

5. A public

5. A public Highway from *Roecliffe* to *Boroughbridge* in the Township of *Roecliffe* and Parish of *Aldborough*, numbered 77 on the said Plans :
6. A Turnpike Road called *Leeming Lane* in the Township of *Humberton-with-Milby* and Parish of *Kirby Hill*, numbered 10 on the said Plans :
7. A Turnpike Road from *Boroughbridge* to *Northallerton* in the Township of *Humberton-with-Milby* and Parish of *Kirby Hill*, numbered 19 on the said Plans.

XIII. And be it enacted, That for the greater Convenience and Security of the Public the Company shall erect and permanently maintain either a Station or Lodge at the Points where the said Railway shall cross on the Level the before-mentioned Roads ; and the said Company shall be subject to and abide by all such Rules and Regulations with regard to the crossing of such Roads on the Level, or with regard to the Speed at which Trains shall pass such Roads, as may from Time to Time be made by the Commissioners of Railways ; and if the said Company shall fail to erect or at all Times maintain any such Station or Lodge, or to appoint a proper Person to watch or superintend the crossing at any such Point or Station, or to observe or abide by any such Rule or Regulation as aforesaid, they shall for every such Offence be liable to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred.

Company to erect Stations or Lodges at Points of crossing, and abide by Rules of Commissioners of Railways.

XIV. And be it enacted, That it shall be lawful for the Company to purchase any Quantity of Land for extraordinary Purposes connected with the Railways by this Act authorized not exceeding Twenty Acres.

Land for extraordinary Purposes.

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

Period for compulsory Purchase of Lands.

XVI. And be it enacted, That the Railway and Works by this Act authorized shall be completed within Five Years from the passing of this Act, and on the Expiration of such Period the Powers by this Act or the Acts incorporated herewith or extended hereto granted to the Company for executing the same Railway and Works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of such Railway and Works as shall then have been completed, and except such Powers as are by the same Acts or any of them declared to be continued for a longer Period.

Period for Completion of the Works.

XVII. And be it enacted, That the Company may, subject to the Provisions in this or "The *Hull and Selby* Railway Purchase Act, 1846," contained, lawfully demand and receive for and in respect of Passengers and Animals, and of all Articles, Matters, and Things, conveyed upon the Railway by this Act authorized, or any Part thereof, and for the Use of Carriages and of Locomotive Engines or

Company to take same Tolls as are allowed by the *Hull and Selby* Railway Purchase Act, 1846.

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other Power supplied by the Company thereon, such Amount of Rates, Tolls, or other Charges as by the said "*Hull and Selby Railway Purchase Act, 1846*," the said Company are authorized to demand and receive for the like Passengers and Animals, Matters and Things, conveyed upon the Railways therein mentioned or referred to, and for the Use of the like Carriages and Locomotive Engines or other Power supplied by the said Company on the same Railway.

Property of the Rev. T. Collins in the Township of Knaresborough not to be taken without his Consent.

XVIII. Provided always, and be it enacted, That nothing herein contained shall empower the said Company to make the said Railway across or over, or otherwise to enter upon or under, certain Lands in the Township of *Knaresborough* belonging to the Reverend *Thomas Collins* Clerk, respectively numbered 479 and 546 on the Plans and Books of Reference relating to the said Railway now deposited with the Clerk of the Peace of the West Riding of the County of *York*, or across, over, upon, or under any Part or Parts thereof, or to make any Excavation, Cutting, Tunnel, or Embankment, or any Erection or Building, on the said Lands, or any Part or Parts thereof, or to cut, top, plash, injure, or otherwise interfere with any Plantation, Trees, Shrubs, or Thorns now or hereafter standing or being in the said Lands, or in any Part thereof, or in any of the Hedges or Fences belonging to such Lands, or any of them; without the Consent in Writing of the said *Thomas Collins*, or the Owner or Owners for the Time being of the said Lands, Plantations, and Fences respectively first had and obtained.

Crossing of the River Ure by a Bridge.

XIX. And be it enacted, That the said Railway shall be carried across the River *Ure* by a Bridge placed square to the River, and constructed with Three Arches of Fifty Feet span each, and if by any other Sort of Bridge it shall be lawful for the Lord High Admiral, and also for the Commissioners for executing the Office of Lord High Admiral, to abate and remove the same, and restore the Site thereof to its former Condition, and the Cost of such Removal and Restoration shall be a Debt due by the Company to the Crown, and be recoverable accordingly, with Costs of Suit, unless such altered or other Sort of Bridge shall have been made with the Consent and Approval of the said Commissioners.

Lights to be exhibited during the Construction of Bridge.

XX. And be it enacted, That during the Construction of the said Bridge and Works connected therewith the said Company shall cause to be hung out or exhibited every Night from Sunset to Sunrise a Light, to be kept burning by and at the Expence of the Company, for the Navigation and safe Guidance of Vessels; and for ever after the Completion of the said Bridge the said Company shall, if they shall be required to that Effect by the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, such Requisition to be signified in Writing to the Company under the Hand of the Secretary to the Admiralty for the Time being, cause to be hung out or exhibited upon or near to the Centre of the said Bridge every Night from Sunset to Sunrise a good and sufficient Light, to be kept burning by and at the Expence of the Company, for the Navigation and safe Guidance of Vessels, and which Light shall be from Time to Time altered by the said Company in such Manner, and
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be of such Description and be so used, as the said Lord High Admiral or the said Commissioners shall, by Writing under the Hand of the Secretary of the Admiralty, approve of; and in case the said Company shall neglect to exhibit and keep either of such Lights burning after the Requisition shall have been made upon them as aforesaid, they shall forfeit and pay for every such Neglect the Sum of Ten Pounds.

XXI. And be it enacted, That if any Bridge to be constructed by the Company across any Tidal Water or navigable River, or if any Portion of the Railway which affects any such Water or River, or Access thereto, shall be abandoned by the Company, it shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, to abate and remove the same, or such Part or Parts thereof, as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly.

If Bridges over Tidal Waters abandoned, the Admiralty may remove them.

XXII. And whereas Part of the Lands which may be required for the Purposes of this Act belong to the Queen's most Excellent Majesty in right of Her Duchy of *Lancaster*; be it enacted, That it shall be lawful for the Chancellor and Council of Her Majesty's Duchy of *Lancaster* for the Time being to agree with the said Company for the absolute Sale in Fee Simple of the Lands, or any Part thereof, of or belonging to Her said Majesty in right of Her said Duchy which shall be required for the Purposes of this Act at or for such Price or Compensation in Money, and upon such Terms and Conditions, as shall be settled and agreed upon between the said Chancellor and Council and the said Company; and upon Payment of such Price or Compensation by any Deed or Writing under the Seal of the Duchy in the Name of Her said Majesty, Her Heirs and Successors, to convey the same Lands and the Fee Simple and Inheritance thereof to the said Company, their Successors and Assigns, for the Purposes of this Act; and the Purchase Money or Consideration for the same Lands shall be paid into the Hands of the Receiver General of the Revenues of the said Duchy, and Receipts and Acquittances shall be given by him for the same, and the same either shall and may be invested in the Purchase of Bank Annuities according to the Powers and Provisions contained or referred to in an Act passed in the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to improve the Land Revenue of the Crown in England, and also of His Majesty's Duchy of Lancaster*, with respect to the Purchase Money to be paid for Property belonging to the Crown within the Survey and Receipt of the said Duchy under the therein-recited Acts, or the same or any Part thereof may, either without any previous Investment or after such, and either alone or together with any other Monies which shall for the Time being have arisen or shall hereafter arise from the Sale of Lands and Hereditaments, Part of the Possessions of the said Duchy, be laid out according to the Provisions of an Act passed in the Fifty-seventh Year of His said Majesty King *George* the Third, intituled *An Act for*

Authorizing Sale of Lands of Duchy of Lancaster.

48 G. 3. c. 73.

57 G. 3. c. 97.

ratifying

ratifying Articles of Agreement entered into by the Right Honourable Henry Hale Viscount Gage and the Commissioners of His Majesty's Woods and Forests and Land Revenues, and for the better Management and Improvement of the Land Revenues of the Crown, or the said Monies, and also any such other Monies, whether previously invested or not, or any Part thereof respectively, may be laid out in the Purchase of Lands which in the Judgment of the said Chancellor and Council shall be deemed convenient to be held with any Possession of the said Duchy as the Chancellor and Council for the Time being of the said Duchy shall direct by any Order or Orders in that Behalf; and the said Chancellor and Council shall, for the Purposes of this Act, have and be entitled to all such Powers and Provisions in reference to the Monies, if any, so invested in Bank Annuities, and so to be laid out and invested as aforesaid, as, under or by virtue of the said recited Act of the Fifty-seventh Year of King George the Third, they are entitled to concerning any Sums or Funds of or belonging to the Duchy of Lancaster in the same Act particularly mentioned or referred to; and the Lands and Hereditaments (if any) so purchased on behalf of the said Duchy as aforesaid shall be conveyed and assured to the Use of Her Majesty, Her Heirs and Successors, in right of Her said Duchy of Lancaster, and shall vest in Her said Majesty, Her Heirs and Successors, in the same Right and as fully and effectually as the Lands to be conveyed to the said Company were vested in Her immediately before such Conveyance, and be held with the like Incidents and be subject to the same Application to all Intents and Purposes as the said Lands so to be conveyed to the said Company were held by Her immediately before such Conveyance; and every such Conveyance to the Use of Her Majesty, Her Heirs and Successors, may be in the Form marked (A.) in the Schedule to this Act annexed, or as near thereto as may be.

Concerning
the Sale and
working of
Mines be-
longing to
the Duchy
of Lancaster.

XXIII. And whereas the Queen's most Excellent Majesty in right of Her Duchy of *Lancaster* is entitled, either in possession or subject to Leases granted by the said Duchy, to the Mines, Minerals, and Quarries lying and being in or under Part of the Lands required for the Purposes of this Act, or in the Neighbourhood thereof; be it therefore enacted, That it shall be lawful for the Chancellor and Council of Her Majesty's Duchy of *Lancaster*, either before or after the making of the Railway or any Part thereof, to agree with the said Company for the absolute Sale of the said Mines, Minerals, and Quarries, or any Part or Parts thereof, subject nevertheless and without Prejudice to the Lease or Leases (if any) for the Time being subsisting thereof, at or for such Price or Consideration in Money, and upon such Terms and Conditions, and with such Reservations, Exceptions, and Restrictions in all respects, as may be agreed upon between the said Chancellor and Council and the said Company; and it shall be lawful for the said Chancellor and Council also to enter into any Arrangement or Agreement with the said Company concerning the working by Her said Majesty, Her Successors and Assigns, of the said Mines, Minerals, or Quarries, or any of them, or any Part or Parts thereof, whether the same may be in, under, or upon the Line of the Railway or in the Neighbourhood thereof; and the Purchase or Consideration Money for the same Mines, Minerals,

or Quarries, or Part or Parts thereof, shall be paid into the Hands of the Receiver General of the Revenues of the said Duchy, and Receipts and Acquittances shall be given by him for the same, and the same shall be paid and applied by him in the Manner and for the Purposes in and by this Act directed and provided concerning any Monies which shall come to his Hands by virtue of this Act: Provided always, that nothing in this Act contained shall extend to prevent or hinder Her said Majesty or Her Lessees from working, but on the contrary it shall be lawful for Her said Majesty and Her Lessees to work, as well before as after the making of the Railway, any such Mines, Minerals, or Quarries, or any Part or Parts thereof, whether the same shall be situate in, under, or upon the Line of the said Railway or in the Neighbourhood thereof, nor to make Her said Majesty, Her Heirs or Successors, in any way liable for any Damage which may be done to or on the Railway by the working of any such Mines, Minerals, or Quarries, unless the said Chancellor and Council shall have expressly agreed in Writing with the said Company that the said Duchy shall become so liable, and then to the Extent (if any) only, and in the Manner in such Agreement specified and provided: Provided also, that it shall not be lawful for the Company by reason of any such Conveyance to work, get, or use any such Mines, Minerals, or Quarries (except so far as may be necessary in making the Railway), unless they shall in the Conveyance or Assurance thereof be expressly authorized by the said Chancellor and Council so to do, and then to the Extent only which shall be so authorized.

XXIV. And be it enacted, That every Deed or Writing whereby any Lands, Hereditaments, Estate, Right, or Interest shall be conveyed or assured by the said Chancellor and Council of Her said Majesty's Duchy of *Lancaster*, by virtue of the Powers of this Act being enrolled in the Court of the Duchy Chamber of *Lancaster* within Six Calendar Months from the Date thereof, shall be effectual to vest in the said Company the Lands, Hereditaments, and Premises thereby expressed to be granted, conveyed, or assured, any thing contained in the Act passed in the First Year of Her Majesty Queen *Anne*, intituled *An Act for the better Support of Her Majesty's Household, and the Honour and Dignity of the Crown*, or in any other Act, to the contrary in anywise notwithstanding.

For Enrolment of all Deeds of Conveyance of Land belonging to the Duchy of Lancaster.

13 W. 3. & 1 Anne, c. 7.

XXV. Provided always, and be it enacted, That nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by the Queen's most Excellent Majesty, Her Heirs and Successors, as well in right of Her Crown as in right of Her Duchy of *Lancaster*.

Saving Rights of the Crown and the Duchy of Lancaster.

XXVI. And whereas by the *Leeds and Thirsk Railway (Knaresborough Extension) Act*, 1846, the *Leeds and Thirsk Railway Company* are authorized to extend their *Knaresborough Branch* across the River *Nidd* into and through the Town of *Knaresborough* as delineated on the Plans in the said Act referred to: And whereas by the *East and West Yorkshire Junction Railway Act*, 1846, the Company

Restraining the Construction of the Line through the Town of Knaresborough.

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pany thereby incorporated are authorized to construct their Railway into or through the said Town of *Knaresborough*, and by the said Act the said Company and the *Leeds and Thirsk* Railway Company are empowered to enter into such Contracts and Agreements with reference to the Construction, Maintenance, and Repair of the Bridge over the said River *Nidd*, and also with reference to the Construction, Maintenance, Use, and Occupation of a joint or separate Station or Stations in or near the said Town, as the said Companies may respectively deem advisable, and subject to such Terms and Conditions to be agreed upon between them as in the said Act mentioned, and the said *East and West Yorkshire Junction* Railway Company are thereby further empowered to raise Money and to contribute towards the Construction and Repair of the said Bridge and Station, or either of them: And whereas the Railway hereby authorized is also intended to pass into or through the said Town of *Knaresborough*: And whereas it is expedient, and would be for the Convenience and Advantage of the Public, if there were only One Line of Railway and One Station common to the Use of the several Railway Companies whose Lines of Railway are authorized or are proposed to pass through and within the said Town: Be it therefore enacted, That (except as hereinafter mentioned) it shall not be lawful for the said *York and North Midland* Railway Company to make so much of the Line of Railway defined upon the Plans herein-before mentioned as lies between the Northern Boundary of the Wood or Field numbered 78 on the said Plans in the Parish of *Knaresborough* and the North-east Boundary of the Field or Land numbered on the Plans 179 in the same Parish, any thing in this Act to the contrary notwithstanding.

York and North Midland Railway Company may use Portion of Leeds and Thirsk and East and West Yorkshire Junction Railways.

XXVII. And be it enacted, That it shall be lawful for the *York and North Midland* Railway Company, with their Engines, Carriages, Waggons, and Trucks, to use the Railway which may be made by the said *Leeds and Thirsk* Railway Company and the *East and West Yorkshire Junction* Railway Company, either jointly or severally, under the Provisions of the said *Leeds and Thirsk* Railway (*Knaresborough Extension*) Act, 1846, and the *East and West Yorkshire Junction* Railway Act, 1846, or either of them, through the Parish of *Knaresborough*, between the aforesaid Boundaries of the said Fields numbered 78 and 179, and also the Station to be erected at *Knaresborough* by the Two last-mentioned Companies, or one of them, upon such Terms and Conditions, and subject to the Payment of such Tolls, Rates, and Charges, Sum or Sums of Money, either annual or in gross, and to such Rules and Regulations, as may be mutually agreed upon between the said Companies respectively: Provided nevertheless, that if the said *Leeds and Thirsk* Railway Company or the said *East and West Yorkshire Junction* Railway Company, or the said Two Companies conjointly, shall not, within Eighteen Months from the passing of this Act, have completed a Railway Communication through the Parish of *Knaresborough* within the Limits aforesaid as provided by the said last-mentioned Acts or either of them, together with a suitable Station and all other necessary Works and Conveniences, to the Satisfaction of the said *York and North Midland* Railway Company, then it shall be lawful for the *York and North Midland* Railway Company to construct the Portion of Railway defined

defined upon the Plans herein-before referred to which lies between the aforesaid Boundaries of the said Fields numbered 78 and 179, and also a Station and other necessary Works and Conveniences.

XXVIII. Provided also, and be it enacted, That the said *York and North Midland* Railway Company shall, subject to the Provisions in this Act contained, have full Power to form all necessary Junctions with the said Railway so to be constructed within the Limits aforesaid by the said *Leeds and Thirsk* Railway Company and *East and West Yorkshire Junction* Railway Company, or one of them.

York and North Midland Company empowered to form Junctions.

XXIX. And be it enacted, That no Junctions or Communications (except such as may be necessary for the Purpose of enabling the said *York and North Midland* Railway Company to use and enjoy in manner aforesaid the said Railway and Works so to be made and constructed by the said *Leeds and Thirsk* Railway Company and *East and West Yorkshire Junction* Railway Company, or one of them, between the said Boundaries of the said Fields numbered 78 and 179) shall be made between the Railway hereby authorized and the *Leeds and Thirsk* Railway or *East and West Yorkshire Junction* Railway without the Consent of the *Leeds and Thirsk* Railway Company and *East and West Yorkshire Junction* Railway Company respectively first obtained; and all such Junctions or Communications as shall be so made as aforesaid, as also all such Openings on the Ledges or Flanches of the said *Leeds and Thirsk* Railway and *East and West Yorkshire Junction* Railway respectively, as may be required for the said Junctions or Communications, shall be made under the Direction and Superintendence of the Engineers for the Time being of the said *Leeds and Thirsk* Railway Company and *East and West Yorkshire Junction* Railway Company respectively.

As to Junction with Leeds and Thirsk and East and West Yorkshire Junction Railways.

XXX. Provided always, and be it enacted, That wherever the Railway by this Act authorized shall (except within the Boundaries or Limits aforesaid) form a Junction or Communication with the said *Leeds and Thirsk* Railway or the *East and West Yorkshire Junction* Railway respectively, it shall be lawful for the *Leeds and Thirsk* Railway Company and *East and West Yorkshire Junction* Railway Company, or the one of them whose Railway shall be so interfered with, to employ proper Persons at the Points of such Junctions or Communications, and to give to such Persons such Instructions as they may deem necessary for the Purpose of preventing Collisions between Trains passing upon the *Leeds and Thirsk* Railway and *East and West Yorkshire Junction* Railway respectively and Trains passing upon the Railway by this Act authorized, and such Persons shall be under the Control of the *Leeds and Thirsk* Railway Company and *East and West Yorkshire Junction* Railway Company, or one of them, as the Case may be; and the *York and North Midland* Railway Company shall from Time to Time half-yearly repay to the *Leeds and Thirsk* Railway Company the Wages of the Persons so to be employed, and the Costs and Expences to be incurred in relation to the Matters aforesaid, such Wages, Costs, and Expences, in case of Dispute about the same, to be settled by Two Justices.

As to watching the Junctions with the Leeds and Thirsk and East and West Yorkshire Junction Railways.

XXXI. And

Damages to Leeds and Thirsk Railway, or East and West Yorkshire Junction Railway, to be made good.

XXXI. And be it enacted, That in case during the Construction of the Works for carrying the Railway by this Act authorized across the said *Leeds and Thirsk* Railway and *East and West Yorkshire Junction* Railway respectively, or at any Time after such Works shall have been completed, any Damage or Injury shall be thereby occasioned to the said *Leeds and Thirsk* Railway and *East and West Yorkshire Junction* Railway, or either of them, or in case the Traffic thereupon respectively shall thereby be in any way interrupted, the Company hereby incorporated shall and they are hereby required to make good such Damage or Injury, and to reimburse the said *Leeds and Thirsk* Railway Company and *East and West Yorkshire Junction* Railway Company, or one of them, as the Case may be, all Costs and Expences which they shall have incurred in consequence thereof.

Saving the Rights of the Leeds and Thirsk and East and West Yorkshire Junction Railway Companies.

XXXII. Provided always, and be it enacted, That nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in the *Leeds and Thirsk* Railway Company or *East and West Yorkshire Junction* Railway Company respectively, except such of the same Rights, Privileges, Powers, and Authorities as are by this Act altered or varied, but all such Rights, Privileges, and Franchises, and also all Powers, Authorities, and Provisions in the several Acts relating to the same Companies respectively (except as aforesaid), shall be and are hereby saved and reserved to them respectively as if this Act had not been passed.

Disputes between the Companies to be settled by Reference.

XXXIII. Provided also, and be it enacted, That in case any Dispute shall arise between the said Three several Companies, or any of them, as to the said Portion of Railway between the Limits aforesaid, or the said Station, Works, and Conveniences, or as to the Mode or Terms of constructing or enjoying the same, or as to any other Matter in relation thereto, or as to any of the Powers or Provisions herein-before contained, such Dispute shall be referred to the Commissioners of Railways, or to some Person to be appointed by them for that Purpose on the Application of any one of the said Companies, whose Decision thereon shall be final and binding on all Parties concerned.

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

XXXIV. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railway*; and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways*; and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops*; and another Act was passed in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Acts of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways*; and another Act was passed in the Tenth Year of the Reign of Her said Majesty, intituled *An Act for regulating the Gauge of Railways*; and another Act was passed in the said Tenth Year of the Reign of Her Majesty, intituled *An*

An Act for constituting Commissioners of Railways; be it enacted, That nothing in this Act contained shall be held to exempt the said Railway hereby authorized, or the said Company in respect thereof, from the Provisions of the same several Acts respectively, but such Provisions shall be in force with reference to the same Railways and Company in respect thereof so far as the same are applicable.

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

XXXVI. And be it enacted, That all the Costs, Charges, and Expences of and attending the passing of this Act, or incidental thereto, shall be paid by the said Company, *pari passu* with the Costs, Charges, and Expences of any other Act of Parliament passed in the present Session to which they may be liable, out of the first Monies that shall come to their Hands, and in preference to any other Payment whatsoever. Expences of Act.

XXXVII. And be it enacted, That in citing this Act in any other Acts of Parliament, and in legal Instruments and other Proceedings, it shall be sufficient to refer to and describe it as the "*York and North Midland (Boroughbridge and Knaresborough Extension) Railway Act, 1847.*" Short Title.

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

SCHEDULE (A.) referred to in the foregoing Act.

THESE are to witness, That in consideration of the Sum of £
paid to *A.B.* of by *C.D.*, the Receiver General of the
Revenues of the Duchy of Lancaster, on behalf of Her Majesty, he
the said *A.B.* doth by these Presents grant, convey, and assure unto
the said *C.D.*, his Heirs and Assigns, all that to have
and to hold the same unto the said *C.D.*, his Heirs and Assigns, to
the Use of Her said Majesty, Her Heirs and Successors, in right of
Her said Duchy.

In witness, &c.

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