



ANNO DECIMO QUINTO

VICTORIÆ REGINÆ.

Cap. lxxiii.

An Act for making a Railway from the *Middlesbrough and Redcar* Railway near *Middlesbrough* to or near to *Guisbrough*, with Branches to the *Cleveland Hills*, and for making Arrangements with the *Stockton and Darlington* Railway Company. [17th June 1852.]

WHEREAS the making of a Railway from or near to the Town of *Middlesbrough* to or near to *Guisbrough*, with Branches to the *Cleveland Hills*, would be of great public and local Advantage: And whereas the Persons herein-after named, with others, are willing, at their own Expense, to carry such Undertaking into execution, but the same cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

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

8 & 9 Vict.
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& 20. incor-
porated
with this
Act.

II. That in citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use the Expression "The *Middlesbrough and Guisbrough* Railway Act, 1852."

Short Title.

[Local.]

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III. That

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Subscribers
incorporated.

III. That *Edward Pease* of *Darlington*, *Joseph Pease* of *Darlington*, *Henry Pascoe Smith* of *Hallgarth*, *John Pease* of *Darlington*, *Henry Pease* of *Darlington*, *William Randolph Innes Hopkins* of *Redcar*, *Alfred Kitching* of *Darlington*, *Joseph Whitwell Pease* of *Darlington*, *Isaac Wilson* of *Middlesbrough*, *William Thompson* of *Darlington*, *Robert Thompson* of *Darlington*, *George Reade* of *Hutton Locras*, *Thomas Macnay* of *Darlington*, *John Middleton* of *Darlington*, *John Harris* of *Darlington*, *Henry William Thomas* of *Pinchingthorpe*, *Richard Ord* of *Guisbrough*, *Robert Walker* of *Guisbrough*, *David Baker* of *Guisbrough*, and *Thomas Weatherill*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Railways herein-after mentioned, and for such Purpose shall be incorporated by the Name of "*The Middlesbrough and Guisbrough Railway Company*," and by that Name shall be a Body Corporate, with perpetual Succession, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, within the Restrictions herein and in the said Acts contained.

Capital.

IV. That the Share Capital of the Company shall be Seventy-six thousand Pounds, and all and every Part of the Money so to be raised shall be applied only in carrying into execution the Objects and Purposes of this Act.

Number and
Amount of
Shares.

V. That the Number of Shares into which the said Capital shall be divided shall be Three thousand and forty, and the Amount of each Share shall be Twenty-five Pounds.

Tolls.

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

Interest not
to be paid on
Calls paid
up.

VII. That it shall not be lawful for the said Company, out of any Money by this Act authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest or Dividend to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein-before contained shall be deemed to prevent the 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.

VIII. That

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- VIII. That it shall not be lawful for the said Company, out of any Money by this Act authorized to be raised for the Purposes of such Act, to pay or deposit any Sum of Money which by any Standing Order of either House of Parliament, now in force or hereafter to be in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining any Act authorizing the said Company to construct any other Railway or execute any other Work or Undertaking. Deposit for future Bills not to be paid out of the Company's Capital.
- IX. That it shall be lawful for the Company to borrow on Mortgage or Bond any Sums not exceeding in the whole the Sum of Twenty thousand Pounds, but no Part of such Sum shall be borrowed until the whole of the said Capital or Sum of Seventy-six thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up; and all and every Part of the Monies so to be borrowed on Mortgage or Bond shall be applied only in carrying into execution the Objects and Purposes of this Act. Power to borrow Money on Mortgage.
- X. That the Number of Directors shall be Seven, and the Qualification of a Director shall be the Possession in his own Right of Twenty Shares in the Undertaking. Number and Qualification of Directors.
- XI. That it shall be lawful for the Company from Time to Time to reduce the Number of Directors, provided that the reduced Number be not less than Three. Power to vary the Number of Directors.
- XII. That *Henry Pease of Pierremont, Darlington, William Randolph Innes Hopkins of Redcar, Isaac Wilson of Middlesbrough, William Thompson of Darlington, George Reade of Hutton Locras, Robert Walker of Guisbrough, and David Baker of Guisbrough* shall be the First Directors of the Company. First Directors.
- XIII. That the Directors appointed by this Act shall continue in Office until the First Ordinary Meeting to be held after the passing of the Act, and at such Meeting the Shareholders present, personally or by Proxy, may either continue in Office the Directors appointed by this Act, or any Number of them, or may elect a new Body of Directors, or Directors to supply the Places of those not continued in Office, the Directors appointed by this Act being eligible as Members of such new Body. Election of Directors at First Ordinary Meeting.
- XIV. That at the First Ordinary Meeting to be held in the Year next after the Year in which such last-mentioned Directors shall have been appointed or elected, the Shareholders present, personally or by Proxy, shall elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions in "The Companies Clauses Consolidation Act, 1845," contained; and the several Persons elected at any such Meeting, being neither removed nor disqualified, nor having resigned, shall continue to be Directors until

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until others are elected in their Stead, in manner provided by the said last-mentioned Act.

Rotation of Directors.

XV. That the Directors to be elected at such First Ordinary Meeting as aforesaid shall go out of Office in the following Proportions; that is to say,

At the End of the First Year, Two;

At the End of the Second Year, Two;

And in every subsequent Year, Two of the Directors shall go out of Office.

Quorum.

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

Committees of Directors.

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

Remuneration of Directors and Auditors.

XVIII. That the Remuneration of the Directors, and also of the Auditors, to be appointed under the Provisions of "The Companies Clauses Consolidation Act, 1845," shall from Time to Time be fixed by a General Meeting of the Company, and be paid out of the Funds of such Company.

Newspapers for Insertion of Advertisements.

XIX. That the Newspapers in which Advertisements relating to the Affairs of the Company are to be inserted shall be some Newspapers published in the County of *York* or in the County of *Durham*.

Power to make Railway and Branch Railways.

XX. That it shall be lawful for the Company to make and maintain the Railways herein-after mentioned, with all proper Works and Conveniences connected therewith; (that is to say,) a Railway commencing by a Junction with the *Middlesbrough and Redcar* Railway in the Township and Parish of *Middlesbrough*, and terminating at or near *Guisbrough* in the Township and Parish of *Guisbrough*; a Railway commencing from and out of the last-mentioned intended Railway in the Township of *Hutton Low Cross* in the Parish of *Guisbrough*, and terminating in the Township of *Great Ayton* in the Parish of *Ayton*; and a Railway commencing from and out of the first-mentioned intended Railway in the Township of *Hutton Low Cross* aforesaid, and terminating in the same Township; all in the North Riding of the County of *York*.

Power to make Railway according to deposited Plans.

XXI. And whereas Plans and Sections of the intended Railways showing the Lines and Levels thereof, and also Books of Reference containing the Names of the Owners, Lessees, and Occupiers of the Lands through which the same are intended to pass, or which may be required for the Purposes of the Undertaking, were on or about the Thirtieth Day of *November* last deposited with the Clerk of the Peace for the North Riding of the County of *York*: And whereas
since

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since the Deposit of the said Plans and Sections and Books of Reference an Alteration in the Line or Course of the Main Line of the said Railway, commencing in the Township of *Hutton Low Cross* in the Parish of *Guisbrough*, and terminating in the Township and Parish of *Guisbrough*, has been deemed expedient: And whereas an amended Plan and Section describing the whole of the proposed Works according to the altered Line or Course and Levels thereof, with an amended Book of Reference thereto, were on or about the Thirtieth Day of *March* in the present Year deposited for public Inspection with the said Clerk of the Peace: Be it enacted, That the said Plan, Section, and Book of Reference so deposited with the said Clerk of the Peace as last aforesaid shall be kept by the said Clerk of the Peace; and it shall be lawful for the Company, subject to the Provisions in this and the said Acts incorporated herewith contained, to make and maintain the said Railways and Works in the Lines and upon the Lands delineated in the said Plan and described in the said Book of Reference, and according to the Levels defined on the said Section so deposited as last aforesaid, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose.

XXII. That it shall be lawful for the Company to purchase any Quantity of Land for extraordinary Purposes, not exceeding Twenty Acres.

Lands for extraordinary Purposes.

XXIII. That the Railways shall be completed within Four Years from the passing of this Act, and on the Expiration of such Period the Powers by this or the said Acts incorporated herewith granted to the Company for executing the Railways, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Railways as shall then be completed.

Period for Completion of Works.

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

Power to cross certain Highways on a Level.

	No. on Plan.	Parish.	Description of Road.
Main Line.	49	Marton - - -	Highway.
	36	Ormesby - - -	Highway.
	35	Guisbrough - - -	Highway.
	51	Guisbrough - - -	Highway.
	122	Guisbrough - - -	Highway.
Hutton Moor and Codhill Branch.	131a	Guisbrough - - -	Highway.
	62	Guisbrough - - -	Highway.

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

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

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

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

Tolls.

XXVII. That it shall be lawful for the Company to demand any Tolls for the Use of the Railway not exceeding the following; (that is to say,)

Tonnage on Articles of Merchandise.

In respect of the Tonnage of all Articles conveyed upon the Railway or any Part thereof as follows:

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

For all Coals, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone, Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandise, *per Ton per Mile* not exceeding One Penny; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Halfpenny:

For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Stones, and Deals, Metals (except Iron), Nails, Anvils, Vices,

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Vices, and Chains, *per Ton per Mile* not exceeding Twopence; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding Three Farthings: For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters or Things, *per Ton per Mile* not exceeding Threepence; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Penny:

And for every Carriage, of whatever Description, having more than Two Wheels, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per Mile* not exceeding Sixpence; and if having only Two Wheels, Fourpence; and a Sum of Twopence *per Mile* for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh; and if conveyed on a Truck or Platform belonging to the Company, an additional Sum *per Mile* not exceeding Twopence.

In respect of Passengers and Animals conveyed in Carriages upon the Railway as follows:

Tolls for
Passengers
or Cattle.

For any Person conveyed in or upon any such Carriage, *per Mile* not exceeding Twopence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per Mile* not exceeding One Penny:

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

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

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

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

Tolls for
propelling
Power.

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

Regulations
as to Tolls.

For Articles or Persons conveyed on the Railway for a less Distance than

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than Three Miles the Company may demand the Tolls and Charges by this Act prescribed as for Three Miles :

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

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

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

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

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

For the Carriage of small Parcels (that is to say, Parcels not exceeding Five hundred Pounds Weight each), on the Railway or any Part thereof, as follows :

For any Parcel not exceeding Seven Pounds in Weight, Fourpence :

For any Parcel not exceeding Fourteen Pounds in Weight, Eightpence :

For any Parcel not exceeding Twenty-eight Pounds in Weight, One Shilling and Fourpence :

For any Parcel not exceeding Fifty-six Pounds in Weight, Two Shillings :

And for any Parcel exceeding Fifty-six Pounds in Weight the Company may demand any Sum which they think fit :

Provided always, that Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages :

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

For

Tolls for
small Par-
cels and
Articles of
great
Weight.

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

XXX. That no Carriage shall carry or bear at any One Time upon the Railway or any Part thereof, including the Weight of such Carriage, more than the Weight of Eight Tons, without the special Licence of the Company. Limit of Weights to be carried on the Railway.

XXXI. That it shall not be lawful for the said Company to demand or receive any greater Sum in respect of the Carriage of Passengers conveyed on the Railway by this Act authorized than Threepence *per* Passenger *per* Mile in respect of any Passenger travelling in a First-class Carriage, Twopence *per* Passenger *per* Mile in respect of any Passenger travelling in a Second-class Carriage, and One Penny Halfpenny *per* Passenger *per* Mile in respect of any Passenger travelling in a Third-class Carriage, including the Charges for the Use of Carriages and locomotive Power, and all other Charges incidental to such Conveyance: Provided always, that if any such Passenger be conveyed for a less Distance than Three Miles it shall be lawful for the said Company to demand and receive Tolls as for Three Miles. Limiting Charge for Conveyance of Passengers.

XXXII. That it shall not be lawful for the said Company to charge, in respect of the several Articles, Matters, and Things, and of the several Descriptions of Animals, herein-after mentioned, conveyed on the Railway by this Act authorized, any greater Sum, including the Charges for the Use of Carriages, Waggon, or Trucks, and for locomotive Power, and all other Charges incidental to such Conveyance (except a reasonable Charge for the Expense of loading and unloading, where such Service is performed by the Company), than the several Sums herein-after mentioned; (that is to say,) Limiting Charge for Conveyance of Goods and Cattle.

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

For all Coals, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and other Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandise, *per* Ton *per* Mile Twopence:

For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Stones, and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per* Ton *per* Mile Twopence Three Farthings:

For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, and Things, *per* Ton *per* Mile not exceeding Threepence Halfpenny:

And for every Carriage, of whatever Description, having more than
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Two Wheels, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per Mile* not exceeding Ninepence; and if having only Two Wheels, *per Mile* Sixpence:
 For every Horse, Mule, Ass, or other Beast of Draught or Burden, Fivepence *per Mile*:
 For every Ox, Cow, Bull, or Neat Cattle, Twopence *per Mile*:
 For every Calf, Pig, Sheep, Lamb, or other small Animal, Three Farthings *per Mile*.

Passengers'
Luggage.

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

Power to
charge extra
for Goods by
Agreement
with the
Owner.

XXXIV. That, notwithstanding anything in this Act contained, it shall be lawful for the Company, and they are hereby authorized and empowered, by Agreement with the Owner or Owners of or Person or Persons in charge of Goods of any Description, to take and receive, and in such Case to demand and recover, either in respect of the Conveyance of such Goods, other than small Parcels, by Passenger Trains, or by reason of any other special Service performed by the Company in relation thereto, any increased Rates or Charges over and above the Rates and Charges by this Act limited or authorized to be received and taken for or in respect of any such Goods.

Power to
charge extra
for Special
Trains.

XXXV. That, notwithstanding anything in this Act contained, it shall be lawful for the Company and they are hereby authorized and empowered to demand, receive, and take any reasonable Sum for the Use of Engines and Carriages for Special or Extra Trains by or on the said Railway or any Part or Parts thereof, and for loading and unloading, collecting, receiving, or delivering, and for providing Covers for Goods, Articles, or Animals.

Power to lay
down Elec-
trical Tele-
graph.

XXXVI. That it shall be lawful for the Company, if they shall think fit, from Time to Time to establish and lay down and to maintain, or to contract with any Company or Person for laying down and maintaining, along the Line of Railway by this Act authorized, One or more Line or Lines of Electrical Telegraph.

Penalty on
Persons leav-
ing Waggons
on Incline
Planes.

XXXVII. That it shall not be lawful for any Person, without the Consent of the Company, to place and allow to remain on any Inclined Plane on the said Railway any Waggon or other like Carriage; and any Person so offending shall forfeit a Sum not exceeding Five Pounds for every such Offence.

XXXVIII. That,

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XXXVIII. That, subject to the Provisions of the said "Railways Clauses Consolidation Act, 1845," it shall be lawful for the said Company and for the *Stockton and Darlington* Railway Company from Time to Time to make and enter into any Contracts or Agreements for the Working and Use by the *Stockton and Darlington* Railway Company of the Railways by this Act authorized to be constructed, or any Part or Parts thereof respectively, or for the Maintenance and Repair thereof, or for or in respect of the Traffic passing along the same or any Part thereof, and for the Apportionment and Regulation of the Tolls and Charges arising from or in respect of such Traffic: Provided always, that every Contract or Agreement which shall be made or entered into by the said Companies under the Provisions of this Act shall be subject to the Approbation of the Board of Trade.

As to working Arrangements with *Stockton and Darlington* Railway Company.

XXXIX. That if at any Time after the passing of this Act it shall appear to the Officers of the Government Department charged for the Time being with the Supervision of Railways to be necessary for the Interests of the Public, it shall be lawful for the said Government Officers to require the Company hereby incorporated and the *Stockton and Darlington* Railway Company, or either of them, to proceed forthwith to the Correction or Prevention of any Inconveniences or Evils by the said Officers specified; and upon the Failure or Inability of the said Companies or either of them to whom the same shall be made or apply, to comply with the Requisitions of the said Officers, within the Period of Six Months from the Date of such Requisition, in the Particulars aforesaid, it shall be lawful for the said Officers to serve the Company hereby incorporated and the *Stockton and Darlington* Railway Company respectively with Notice to introduce into Parliament in the then existing Session, if Parliament should be then sitting, and if not in the then next ensuing Session, a Bill or Bills for amending this Act in such Particulars as aforesaid; and thereupon the Company hereby incorporated and the *Stockton and Darlington* Railway Company shall and they are hereby required to introduce such Bill or Bills accordingly, and duly to prosecute the same, and in default whereof it shall be lawful for the said Officers to introduce or prosecute (as the Case may be) such Bill at the Expense of the Company hereby incorporated and the *Stockton and Darlington* Railway Company.

Government Officers may require Inconveniences and Evils to be remedied.

XL. 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 Railways*; 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*

Railway to be subject to Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., 9 & 10 Vict. c. 57., and 14 & 15 Vict. c. 64.

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Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways; and another Act was passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her said Majesty, intituled An Act for regulating the Gauge of Railways; and another Act was passed in the last Session, intituled An Act to repeal the Act for constituting Commissioners of Railways: Be it enacted, That nothing in this Act contained shall be held to exempt the said Railways and Works, or the said Company, from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railways and Works and Company so far as the same are applicable.

Railway not exempt from Provisions of future General Acts.

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

Expenses of Act.

XLII. That all the Costs, Charges, and Expenses of and incidental to the obtaining of this Act and preparatory thereto shall be paid by the Company.

Saving the Rights of the Crown.

XLIII. That nothing whatsoever contained in this Act, or in any of the Acts herein referred to, shall extend to authorize the said Company to purchase, take, use, or otherwise interfere with any Land, Soil, Tenements, or Hereditaments, or any Rights in respect thereof, belonging to Her Majesty in Right of Her Crown, without the Consent in Writing of the Commissioners or Commissioner for the Time being of Her Majesty's Woods, Forests, and Land Revenues, having the Management and Direction of the same Premises, first had and obtained for that Purpose, and which such Commissioners or Commissioner are and is hereby authorized and empowered to give, or to divest, prejudice, diminish, alter, or take away any of the Estates, Rights, Privileges, Powers, or Authorities which now are or hereafter may be vested in or enjoyed by Her Majesty, Her Heirs or Successors.

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