



ANNO PRIMO

VICTORIÆ REGINÆ.

Cap. cii.

An Act to enable "The Great North of *England* Railway Company" to extend the Line of their Railway, and to make Two Branches therefrom; and for other Purposes relating thereto.

[12th *July* 1837.]

WHEREAS an Act was passed in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for making a Railway from near the River Tyne to or near the River Tees, to be called "The Great North of England Railway,"* in the County of Durham, and by the said Act several Persons were incorporated by the Name and Style of "The Great North of *England* Railway Company," for carrying into execution the said Undertaking: And whereas it is expedient that the Line of the said Railway should be extended from its present Termination near the said River *Tees* in the Township and Parish of *Hurworth* to certain Lands called "*Hob Moor*," near the City of *York*, and there to connect with and terminate in the proposed *York* and North Midland Railway, and that Two additional Branch Railways herein-after particularly described should be made and maintained: And whereas it is expedient that some of the Powers and Provisions in the said recited Act should be altered, amended, enlarged, or explained, and that further Powers should be granted to the said Company: And whereas the several Purposes aforesaid cannot be carried into execution without the Authority of Parliament: May

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c. 105.

[*Local.*]

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Powers of
recited Act
extended to
this Act.

All Acts re-
quired to be
done by
Sheriffs, &c.
of County of
Durham may
be done by
Sheriffs, &c.
of County
of York.

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 Parliament assembled, and by the Authority of the same, That all the Powers, Authorities, Provisions, Directions, Penalties, Forfeitures, Payments, Exemptions, Remedies, Regulations, Clauses, Matters, and Things contained in the said recited Act, (except such of them or such Parts thereof respectively as are by this Act expressly repealed, altered, or otherwise provided for,) shall extend to this Act, and to the several Works and Things hereby authorized or required to be made and done, and shall operate and be in force, in respect to the Objects and Purposes of this Act, and of the said recited Act as altered and amended by this Act, as fully and effectually to all Intents and Purposes whatsoever as if the same Powers, Authorities, Provisions, Directions, Penalties, Forfeitures, Payments, Exemptions, Remedies, Regulations, Clauses, Matters, and Things were repeated and re-enacted in this Act; and all Acts, Matters, and Things whatever which by the said recited Act are authorized, empowered, or required to be done or executed by any Sheriff, Under Sheriff, or Coroner for the County of *Durham*, or by any of Her Majesty's Justices of the Peace for the said County or any Division or District thereof, or by any Constable or Peace Officer or any other Person acting within the said County of *Durham* in reference to the several Purposes of such Act, shall and may be done and executed by any Sheriff, Under Sheriff, or Coroner for the County of *York*, or by any of Her Majesty's Justices of the Peace for the said County, or any Riding, Division, or District thereof, or by any Constable or Peace Officer or other Person within the said County of *York*, within their several and respective Jurisdictions, in reference to the several Purposes of this Act, as fully and effectually as if such Sheriff, Under Sheriff, Coroner, Justice, Constable, Peace Officer, or other Person respectively had been expressly authorized, empowered, or required so to do by this Act.

Power to
extend the
Railway from
near the
River Tees
to "Hob
Moor," near
the City of
York.

II. And be it further enacted, That it shall be lawful for the said Company and they are hereby empowered, by and out of the Money which they are by the said recited Act authorized to raise by Subscription among themselves, or by any other Means, to make the Continuation or Extension of the Line of the said "Great North of *England* Railway" herein-after mentioned, with all proper Works, Bridges, and Conveniences connected therewith, in the Line or Course, and upon, across, under, or over the Lands delineated on the Plans and described in the Books of Reference deposited as herein-after mentioned with the several Clerks of the Peace of the County of *Durham*, the North Riding of the County of *York*, the West Riding of the County of *York*, and the City of *York* or County of the same City respectively; (that is to say,) to commence at or in the Termination of the said "Great North of *England* Railway" in the Township of *Hurworth* and in the Parish of *Hurworth-upon-Tees* in the said County of *Durham*, and to join to, connect with, and terminate in the proposed *York* and North Midland Railway at, in, or upon certain Lands called "*Hob Moor*," belonging to and occupied by the Freemen of and in *Micklegate* Ward in the City of *York*,

and situated in the Parishes of *Saint Mary Bishophill the Elder* and *Saint Mary Bishophill the Younger*, or the one of them, in the said City of *York* and County of the same City, and passing in, through, from, and out of the said Parish of *Hurworth-upon-Tees*, and also in, through, from, and out of the several Parishes following; (that is to say,) *Croft East Cowton* otherwise *Long Cowton*, *Gilling*, *Birkby* otherwise *Bretby*, *Hutton Bonville*, *Northallerton*, *Danby Wiske*, *North Otterington*, *Thornton-le-Street* otherwise *Thornton in the Street*, *South Otterington*, *Kirby Wiske*, *Thirsk*, *Topcliffe*, *Thirkleby* otherwise *Great Thirkleby* otherwise *High Thirkleby*, *Kirby Knowle*, *Sessay*, *Brafferton*, *Easingwold*, *Alne*, *Newton* otherwise *Newton-upon-Ouse*, *Overton*, *Skelton*, *Saint Michael-le-Belfrey*, *Saint Olave*, *Mary Gate*, *Saint Mary-le-Belfrey*, *Nether Poppleton* otherwise *Water Poppleton*, *Saint Mary Bishophill the Younger*, *Acomb* otherwise *Akeham*, *Saint Mary Bishophill the Elder*, *Holy Trinity*, and *Holy Trinity Micklegate*, all in the North and West Ridings of the County of *York* in the said City of *York* and the Suburbs thereof, and in the County of the same City, and within the Liberty of *Saint Peter* in the said City of *York* and County of the same City, and the said North and West Ridings of the said County of *York*, or some of them, or some Part or Parts of them, and also in, through, from, and out of the Township of *Hurworth* aforesaid in the said County of *Durham*, and also in, through, from, and out of the several other Townships, Hamlets, Chapelries, Constabularies, Extra-parochial or other Places following; (that is to say,) *Croft*, *Dalton-upon-Tees*, *Little Smeaton*, *East Cowton* otherwise *Long Cowton*, *North Cowton*, *South Cowton*, *Birkby* otherwise *Bretby*, *Hutton Bonville*, *Lazenby*, *Danby Wiske*, *Northallerton*, *Brompton*, *Yafforth*, *Romanby*, *North Otterington*, *Thornton-le-Beans* otherwise *Thornton in the Beans*, *Thornton-le-Moor* otherwise *Thornton in the Moor*, *Thornton-le-Street* otherwise *Thornton in the Street*, *South Otterington*, *Newsham* otherwise *Newsham-cum-Breckinbrough* otherwise *Brakenburg* otherwise *Brakenbergh* otherwise *Brakenburgh*, *Kirby Wiske*, *Thirsk*, *Sand Hutton*, *Carlton* otherwise *Carlton Miniott*, *Sowerby*, *Topcliffe*, *Crakehall*, *Elmire* otherwise *Elmer*, *Elmyre* otherwise *Elmer* with *Crakehall* otherwise *Elmyre* or *Elmer-cum-Crakehall*, *Dalton*, *Thirkleby* otherwise *Great Thirkleby* otherwise *High Thirkleby*, *Low Thirkleby*, *Islebeck*, *Bagley*, *Carlton Islebeck*, *Sessay* otherwise *Hutton-juxta-Sessay*, *Brafferton*, *Easingwold*, *Raskelfe*, *Alne*, *Tholthorpe*, *Tollerton*, *Youlton*, *Newton-on-Ouse* otherwise *Newton-upon-Ouze*, *Beningbrough*, *Linton-on-Ouse* otherwise *Linton-upon-Ouze*, *Overton*, *Shipton*, *Shipton Smithy* otherwise *Skelton Smithy*, *Skelton*, *Rawcliffe* otherwise *Rockcliffe*, *Saint Mary-le-Belfrey*, *Saint Michael-le-Belfrey*, *Clifton*, *Nether Poppleton* otherwise *Water Poppleton*, *Over Poppleton* otherwise *Upper Poppleton* otherwise *Land Poppleton*, *Acomb* otherwise *Akeham*, *Knapton*, *Saint Mary Bishophill the Younger*, *Holdgate* otherwise *Holegate*, and *Dringhouses*, all in the said North and West Ridings of the County of *York*, and in the said City of *York* and in the Suburbs thereof, and in the County of the same City, and within the Liberty of *Saint Peter* in the same City of *York* and County of the same City, and in the said North and West Ridings of the County of *York*, or some them, or some Part or Parts of them; also to make and maintain a Branch Railway, to be called "The City of *York* Branch," from and out of the said intended Extension of the said

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“Great North of *England* Railway,” together with proper Works, Bridges, and other Conveniences connected with the same Branch, to commence at or in a certain Close belonging to *Alice Hislop* of *Ripon* in the said County of *York*, and occupied by *Willam Hardcastle*, and situate in the said Township of *Holdgate* otherwise *Holegate* in the said Parish of *Saint Mary Bishophill the Younger*, and to terminate at or in the West Side of a certain Highway leading from *Micklegate Bar* in the said City of *York* or the Suburbs thereof to the River *Ouse* at the Point or Place where the said *York* and North Midland Railway is intended to cross the same Highway, and passing in, through, from, and out of the said Township of *Holdgate* otherwise *Holegate* in the said Parish of *Saint Mary Bishophill the Younger*, and in the said Liberty of *Saint Peter*, and in the said County of the City of *York*, or the one of them; and also to make and maintain another Branch Railway, to be called “The City of *Durham* Branch,” with proper Works and Conveniences connected therewith, from and out of the said Great North of *England* Railway, to commence at, in, or upon a certain Close numbered 9 in the Plan of the said Great North of *England* Railway, deposited in the Office of the Clerk of the Peace for the said County of *Durham*, belonging to the Most Noble the Marquis of *Londonderry*, (Part of a Farm called “*Old Durham*,”) situate in the Parish of *Saint Oswald* in or near the City of *Durham* and in the said County of *Durham*, and occupied by *William Grace* as Tenant thereof, and to terminate in a certain Garden belonging to the said Marquis of *Londonderry*, and occupied by *Robert Manners*, situate on the South Side of a Street in the City of *Durham* called *Gilligate*, near the Causeway Foot in the same Street, and in the Township and Parish of *Saint Giles* otherwise *Gilesgate* otherwise *Gilligate* in the said County of *Durham*, passing in, through, from, and out of the said Townships and Parishes of *Saint Oswald* and *Saint Giles* otherwise *Gilligate* otherwise *Gilesgate*.

III. And whereas Plans and Sections describing the Line and Levels of the Extension of the said “Great North of *England* Railway,” and also describing the respective Lines and Levels of the said several Branches herein-before respectively mentioned, and the Lands in and through which the same respectively and the Works connected therewith respectively are intended to be carried or made, together with Books of Reference to such Plans respectively containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and of the Occupiers of such Lands, have been deposited in the Offices of the said several Clerks of the Peace of the County of *Durham*, the North Riding of the County of *York*, the West Riding of the County of *York*, and the City of *York* or County of the same City respectively, being the several Counties, Ridings, or Divisions within which such Extension and Branches are respectively intended to be made: And whereas the said Plans and Sections have been approved of by Parliament as the Plans and Sections according to which the said Extension and Branches are to be made; be it therefore enacted, That the Plans and Books of Reference so deposited shall remain with and be kept by the said several Clerks of the Peace, who shall at all seasonable Hours of the Day permit any Person to view and examine the same, and to make
Copies

Plans describing the Extension and Branches, deposited with the Clerks of Peace, to remain there and be open to Inspection.

Copies of or Extracts therefrom, such Person paying for the same the Sum of One Shilling for every such Inspection, and the further Sum of One Shilling for every Hour during which such Inspection shall continue after the first Hour, and after the Rate of Sixpence for every One hundred Words copied therefrom; and the said Plans and Books of Reference, or true Copies thereof respectively, or of so much thereof respectively as shall relate to any Matter in question, shall be and are hereby declared to be good Evidence in all Courts of Law and elsewhere.

IV. Provided always, and be it further enacted, That it shall be lawful for the said Company to make the Extension, Branches, and other Works in the Line or Course, and upon, across, under, or over the Lands delineated on the said Plans, (subject as herein-after provided,) although such Lands or any of them, or the Situation thereof respectively, or the Names of the Owners, Lessees, or Occupiers thereof respectively, may happen to be omitted, mis-stated, or erroneously described in this Act or in the Schedule hereto, or in the Books of Reference to the said Plans, if it shall appear to any Justice of the Peace for the County, Riding, or Division within which such Lands may be (in case of Dispute about the same), and be by him certified in Writing, that such Omission, Mis-statement, or erroneous Description proceeded from Mistake or Inadvertence; and the Certificate of such Justice shall be deposited with and be kept by the Clerk of the Peace of such County, Riding, or Division, and shall be sufficient for all the Purposes of this Act.

Errors or Omissions in the Act or Books of Reference not to obstruct the making of the Railway, &c.

V. Provided also, and be it further enacted, That nothing herein contained shall authorize the said Company, or any Person acting under their Authority, to take, injure, or damage, for the Purposes of this Act, any House or other Building which was erected on or before the Thirtieth Day of *November* One thousand eight hundred and thirty-six, or any Ground which was then set apart and used as a Garden, Orchard, Yard, Park, Paddock, Plantation, planted Walk or Avenue to a House, or any Ground then inclosed and planted as an Ornament or Shelter to a House, or as a Nursery for Trees, other than such as are specified in the Schedule to this Act annexed, without the Consent in Writing of the Owner thereof, unless the Omission thereof in such Schedule shall have proceeded from Mistake or Inadvertence, and it shall be so certified in manner herein-before mentioned.

Houses and Gardens not to be taken without Consent unless specified in the Schedule.

VI. And be it further enacted, That the said Company, in making the Extension, Branches, and other Works by this Act authorized, save as herein-after provided, shall have full Power to deviate from the respective Lines of the said Railway and Branches and other Works, as delineated on the several Plans deposited with the Clerks of the Peace as herein-before mentioned: Provided nevertheless, that no such Deviation shall extend to a greater Distance than One hundred Yards from the Lines so delineated on the said Plans, and in passing through any Town such Deviation shall not extend to a greater Distance than Ten Yards, nor shall any Deviation extend

Power to deviate from the Lines delineated on the Plans under certain Limitations.

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into the Lands of any Person whose Name is not mentioned in the said Books of Reference unless the Name of such Person shall have been omitted by Mistake or Inadvertence, and the Fact that such Omission proceeded from Mistake or Inadvertence be certified in manner herein-before provided in Cases of unintentional Errors in the said Books of Reference, or unless such Person shall have become possessed of any Lands mentioned in the said Books of Reference subsequently to the Thirtieth Day of *November* One thousand eight hundred and thirty-six.

Limiting
Deviations
from Datum
Line de-
scribed on
the Section,
&c.

VII. And be it further enacted, That in making the said Extension, Branches, and other Works it shall not be lawful for the said Company to deviate from the Levels of the said Extension, Branches, and other Works as referred to the common Datum Line described on the Section so approved of by Parliament, and as marked on the same, to any Extent exceeding in any Place Five Feet, or in passing through Towns Two Feet, without the Consent of the Owners, Lessees, and Occupiers of the Land in, through, or over which such Deviation is intended to be made; or in case any Street or public Carriage Road shall be affected by such Deviation, then the same shall not be made without the Consent of the Trustees or Commissioners, or if there be no such Trustees or Commissioners without the Consent of Two or more Justices of the Peace in Petty Sessions assembled for that Purpose, and acting for the District in which such Street or public Carriage Road may be situate, or without the Consent of the Commissioners for any public Sewers, or of the Proprietors of any Canal or Navigation affected by such Deviation; and that no Increase in the Inclination or Gradients of the said Railway, as denoted by the said Section, shall be made in any Place to any Extent exceeding the Rate of Three Feet *per* Mile; and where in any Place it is intended to carry the Railway on an Arch or Arches, as marked on the said Plan or Section, the same shall be made accordingly, and where a Tunnel is marked on the said Plan or Section as intended to be made at any Place the same shall be made accordingly, unless the Owners, Lessees, and Occupiers of the Land in or through which such Tunnel is intended to be made shall consent to the same shall not be so made: Provided nevertheless, that it shall be lawful for the said Company, with such Consent as aforesaid, and not otherwise, to make a Tunnel or an Arch or Arches as aforesaid not marked on the said Plan or Section, so that no such Tunnel shall be of a greater Length than Two hundred Yards, and that no Two Tunnels be at a less Distance from each other than One hundred Yards, measured on the Line of the Railway: Provided always, that Notice of every Petty Sessions to be holden for the Purpose of obtaining such Consent as aforesaid shall, Fourteen Days previous to the holding of such Petty Sessions, be given in some Newspaper circulating in the County, and also be affixed on the Church Door of the Parish in which such Deviation or Alteration is intended to be made, or if there be no Church on some other Place to which Notices are usually affixed: Provided also, that for the Purpose of consenting to any such Deviation from the said Sections, and to any Tunnelling or Arching as aforesaid, the Word "Owners" shall be deemed and taken to mean such

Persons as are herein or by the said recited Act capacitated to agree for the Sale of and to convey Land for the making of the said Railway, Extension, Branches, and other Works; and the Consent of such Persons, with or without the Consent of any other Persons interested as Owners in the said Lands, shall be deemed and taken to be sufficient for such Purposes.

VIII. And be it further enacted, That it shall not be lawful to diminish the Radius of any Curve from what it is shown to be on the Plan deposited with the Clerk of the Peace, unless such Radius exceed One Mile, nor to diminish it in any such Case so that it shall become less than One Mile, nor to diminish any greater Radius by more than a Quarter of a Mile unless where it exceeds Two Miles, or by more than Half a Mile unless where it exceeds Three Miles on the said Plan.

Limiting
Alterations
in Curves.

IX. And be it further enacted, That the said Company shall and they are hereby required to make and complete the said Branch called the City of *York* Branch and the said Branch called the City of *Durham* Branch within the Time in this Act specified for the making and completing the Works hereby authorized to be made.

Certain
Branches
to be com-
pleted within
a limited
Period.

X. Provided always, and be it further enacted, That the said Company shall and they are hereby required, within the Space of Six Calendar Months from and after the passing of this Act, to commence the Construction of the Viaduct intended to be made under the Provisions of the said recited Act in the Township of *Shincliffe* in the said County of *Durham*, and from thenceforth to proceed uninterruptedly in the Formation of the said Viaduct, so as that the same shall be completed within the Space of Four Years from and after the passing of this Act.

Viaduct in
the Town-
ship of *Shin-
cliff* to be
completed
within a
limited
Period.

XI. And be it further enacted, That in making under this Act the Continuation or Extension of the Line of the said Railway through the Lands of *Samuel Crompton* Esquire, of *Wood End* near *Thirsk* in the Township of *Newsham-cum-Breckenbrough* in the said County of *York*, the said Company shall make and construct the same so and in such Manner that the said extended Railway shall pass to the Westward of the House now inhabited by *John Hodgson Faint*, and also to the Westward of the Lodge now inhabited by *Francis Clough*, and also to the Westward of the House now inhabited by *Bryan Tebbitt*, and shall not pass through the Stack-yard belonging to the last-mentioned House, and so and in such Manner that the Fence to be erected and made by the said Company for the Purpose of inclosing the Land to be taken for the said extended Railway shall, on the Side of the said extended Railway which shall be nearest to the said House now inhabited by the said *John Hodgson Faint*, be at the Distance of not less than Eighty-seven Yards from that Part of the said House which shall be nearest to the said extended Railway, and so and in such Manner that the Rail of the said extended Railway which shall be nearest to the said House now inhabited

Regulations
for carrying
Railway
through the
Lands of
*Samuel
Crompton*.

by

by the said *Bryan Tebbitt* shall be at the Distance of not less than Twenty-seven Yards from the said House, and so and in such Manner that where the said extended Railway shall cross the Road in the Township of *Newsham-cum-Breckenbrough*, that Rail of the said extended Railway which shall be nearest to the Entrance of the Sweep in front of the said Lodge now inhabited by the said *Francis Clough* shall be at the Distance of not less than One hundred and sixty Yards from such One of the Four Pillars which are the Ornaments of the said Sweep as shall be the nearest to the said extended Railway, and so and in such Manner that where the said extended Railway shall cross the Plantation and Avenue of the said *Samuel Crompton* in front of the said Lodge now inhabited by the said *Francis Clough* that Rail of the said extended Railway which shall be nearest to the sunk Fence which separates the said Plantation and Avenue from the said Road in the said Township of *Newsham-cum-Breckenbrough* shall be at the Distance of not less than One hundred and thirty-two Yards from the same sunk Fence,

Fences to be made.

XII. And be it further enacted, That on each Side of the said extended Railway, so far as the same shall pass through the said Plantation of the said *Samuel Crompton*, with the Exception of so much thereof as shall cross the Avenue, the said Company shall erect and make a good and substantial Fence, and shall at all Times maintain the said Fence and keep the same in good Repair and Condition; and that upon no Account whatsoever shall any Hedge, Wall, or Fence be erected or made by the said Company on either Side of the said Railway, so far as the same may cross the said Avenue.

Company to construct a Bridge over Road in the Township of *Newsham-cum-Breckenborough*.

XIII. And be it further enacted, That at the Point where the said extended Railway shall intersect the Road in the Township of *Newsham-cum-Breckenborough* the said Company shall, for the Purpose of carrying the said Road over or across the said extended Railway, at their own Expence erect or make a Bridge of One neat symmetrical Iron Arch, springing at each End from a Stone Buttress erected upon the said Road, and also make Approaches to the said Bridge composed of Earth, and also make a Road upon the said Bridge, and Approaches fit and proper for Horses and Carriages to pass over the same; and that the Ascent of the Slope on each Side of each Approach to the said Bridge shall not exceed One Foot in Two Feet, and so in a smaller Quantity than a Foot; and that the said Company shall at all Times at their own Expence keep the said Bridge and the Approaches thereto, and the Slopes on the Sides of the said Approaches, with the Exception of the Road which they are to make upon the said Bridge and Approaches, in good Repair, Order, and Condition; and that in order to render the said Bridge and Approaches as little unsightly as possible, the Earth of which each of the said Slopes on each Side of the said Approaches shall be made shall be of such a Nature and Quality as is fit and suitable for the Growth of Trees; and the said Company shall, at such Time or Times within Twelve Calendar Months after the opening of the Road over the said Bridge as the said *Samuel Crompton* shall appoint, at their own Expence
plant

plant upon the Slope on each Side of each Approach to the said Bridge such and so many Trees as the said *Samuel Crompton*, his Heirs or Assigns, shall require; and that the Freehold and Inheritance of the Slopes on the Sides of the said Approaches to the said Bridge shall be and continue vested in, and that the said Trees shall be and continue the Property of the Owner for the Time being of the Lands through which the said Approaches shall be made.

XIV. And be it further enacted, That no Station shall at any Time be made by the said Company on the Road in the said Township of *Newsham-cum-Breckenbrough* between the House now inhabited by the Widow of the late *Michael Horner* and the Lodge now inhabited by the said *Francis Clough*, without the previous Consent in Writing of the said *Samuel Crompton*, his Heirs or Assigns, and that during such Time as the making of the said extended Railway through the Lands of the said *Samuel Crompton* shall be in progress, and at all Times after the Completion thereof through the said Lands, the said Company shall take due Care that the said extended Railway be as little unsightly as possible.

No Station
to be made
in certain
Positions.

XV. Provided always, and be it further enacted, That it shall not be lawful for the said Company for any of the Purposes of this Act, without the Consent in Writing of the said *Samuel Crompton*, his Heirs or Assigns, to erect and construct any Houses, Wharfs, Warehouses, Toll Houses, Landing Places, Engines, or other Buildings, Machinery, Apparatus, or other Works and Conveniences, other than the mere Line of the said intended Railway, and such Erections and Works as may be necessary to obtain a Supply of Water for locomotive Engines used or to be used on the said extended Railway, and also a Cottage, (which if the said Company shall at any Time hereafter think proper to erect shall be erected upon the Lands adjoining the same Road, and which shall be a neat Stone Building, and at all Times be maintained and kept in good Repair and Condition by the said Company,) upon any Land belonging to the said *Samuel Crompton*, his Heirs or Assigns, nor to enter upon, take, use, or affect for any of the Purposes of this Act, whether temporary or permanent, any Land belonging to the said *Samuel Crompton*, his Heirs or Assigns, other than the Land required for the mere Line of the said extended Railway, save only for the Purposes of forming, as provided by the said recited Act, temporary Roads or Approaches to and from the said extended Railway over such Land as shall adjoin the Line of the said extended Railway, and of laying Materials, as provided by the same Act, upon such Part of the said Land as shall adjoin to any Place or Places where it shall be necessary for the said Company to erect any Bridge or Bridges in the said Line of the said extended Railway, such temporary Uses of any such Land not being made at a greater Distance from the said extended Railway than is by the said recited Act in such Cases provided.

Houses, &c.
not to be
built on
Lands of
*Samuel
Crompton,
Esquire.*

XVI. And be it further enacted, That the Culverts to be made by the said Company across the Line of the said extended Railway

[Local.]

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through

Culverts to be
made through
the Lands

of Samuel
Crompton,
Esquire.

through the Lands of the said *Samuel Crompton*, in the said Townships of *Newsham-cum-Breckenbrough* and *South Otterington*, shall be made of such Dimensions and Width as shall at all Times hereafter allow of the free and uninterrupted Flow of the Water passing through the same respectively, and which shall come from the Lands of the said *Samuel Crompton* adjoining the East Side of the said extended Railway.

Not to make
Branches
through the
Lands of
John Bell,
Esq. without
Consent.

XVII. And whereas the Main Line of the said Railway is intended to be carried through the Lands of *John Bell* of *Thirsk* in the County of *York*, Esquire, situate in the several Townships of *Thirsk*, *Sandhutton*, *Carlton*, *Miniott*, and *Sowerby*, all in the said Parish of *Thirsk*; be it therefore enacted, That no Branch or Branches from the Main Line of the said Railway hereby authorized to be made and constructed through the said Lands of the said *John Bell* by the said Company shall at any Time hereafter be made, carried, or constructed by the said Company to the Town of *Thirsk* in, through, or over the said Lands of the said *John Bell*, without the Consent in Writing of the said *John Bell*, his Heirs or Assigns, first had and obtained.

For protect-
ing the
Property of
John Bell,
Esq.

XVIII. And be it further enacted, That the said Company shall not, in making or constructing the Main Line of the said Railway so authorized to be made through the Lands of the said *John Bell* as aforesaid, take, carry away, pull down, destroy, or otherwise injure or interfere with any of the Farm Buildings of or belonging to the said *John Bell* now standing upon his Lands in the said Townships of *Thirsk*, *Sandhutton*, *Carlton*, *Miniott*, and *Sowerby*, nor shall the said Company, or any Person or Persons claiming or to claim by, from, through, or under them, make or erect any Houses or Buildings upon the Lands of the said *John Bell* (other than and except such Buildings or Erections as shall be required by the said Company for the Purposes of the said Railway or connected therewith, or any Houses or Buildings which the said Company may require for Occupation by Workmen employed on the said Railway or any Part or Parts thereof,) without the Consent in Writing of the said *John Bell*, his Heirs or Assigns.

Company to
purchase
certain Pro-
perty belong-
ing to the
Rev. G. F.
Barlow.

XIX. Provided always, and be it further enacted, That in case the said Company shall require to take or use any Part of the Lands belonging to the Reverend *George Francis Barlow*, or his Trustees, situate in the said Township of *Holdgate* in the County of *York*, and numbered respectively 13. 14. and 15. in the said Plan and Book of Reference, the said Company shall and they are hereby required to purchase and take the Whole of the said last-mentioned Lands, if required so to do by the said *George Francis Barlow* or his Trustees, the Value thereof to be ascertained and settled in the same Manner as the Value of other Lands taken for the Purposes of this Act is directed to be ascertained and settled.

Company to
purchase
certain Pro-

XX. Provided always, and it is hereby further enacted, That in case the said Company shall require to take or use any Part of the
Lands

Lands belonging to *George William Tireman* Esquire, and the Devises in Trust under the Will of the late *Mary* the Wife of *George Ellin* Esquire, both deceased, situate in the Parish of *Saint Mary Bishophill the Younger* in the Suburbs of the City of *York*, and numbered respectively 3. 4. 5. 6. 7. 8. 10. 13. 13a. 14. 14 a. 15. and 18. in the said Plan and Book of Reference, the said Company shall and they are hereby required to purchase the whole of the said last-mentioned Lands, if required so to do by the said *George William Tireman* and the said Devises, the Value thereof to be ascertained and settled in the same Manner as the Value of other Lands taken for the Purposes of this Act is directed to be ascertained and settled: Provided always, that if the said Company shall be required to purchase more of the said Lands than shall be necessary for constructing the said Railway the said Company shall and they are hereby required, within Two Years from the Time of the Completion of the Purchase thereof, to sell and dispose of so much and such Part of the Lands so purchased as may not be required for the Purposes of the said Railway: Provided also, that if the said Company shall not within the said Period of Two Years sell and dispose of such Part of such Lands as shall not be so required for the Purposes of the said Railway, the same shall vest in and become the Property of the Owners of the Lands adjoining thereto on either Side thereof in the Manner following; (that is to say,) One Moiety thereof in the Owner of the Land on the one Side thereof, and the Remainder in the Owner of the Land on the other Side thereof.

perty of
George
William
Tireman,
Esquire, and
others.

XXI. And be it further enacted, That in making the said Railway through the Lands of *Sir William Chaytor* Baronet, his Heirs and Assigns, it shall not be lawful for the said Company, without the Consent in Writing of the said *Sir William Chaytor* Baronet, his Heirs and Assigns, first had and obtained, to deviate from the Line delineated on the Plan deposited with the Clerks of the Peace as herein-before mentioned, except to the Eastward of the said Line: Provided also, that it shall not be lawful for the said Company, for any of the Purposes of this Act or of the said recited Act, without such Consent in Writing as aforesaid, to erect or construct any Houses, Wharfs, Warehouses, Toll Houses, Landing Places, waiting, loading, or unloading Places, Engines, or other Buildings, Machinery, Apparatus, or other Works and Conveniences, other than the mere Line of the said Railway, upon any Land belonging to the said *Sir William Chaytor* Baronet, his Heirs and Assigns, or on or over the Line of the said Railway, or on or over the Turnpike Road leading from *Croft Bridge* to *Dalton*, nor to enter upon, take, use, or affect, for any of the Purposes of this Act or of the said recited Act, whether temporary or permanent, any Land belonging to the said *Sir William Chaytor* Baronet, his Heirs and Assigns, other than the Land required for the mere Line of the said Railway, save only for the Purposes of forming, as herein-before and in the said recited Act is provided, temporary Roads or Approaches to and from the said Railway over such Land as shall adjoin to the Line of the said Railway, and of laying Materials, as in the said recited

No Deviation
to be made
in the Lands
of *Sir Wil-
liam Chay-
tor, Bart.*

Act

Act and this Act is provided, upon such Part of the said Land as shall adjoin to any Place or Places where it shall be necessary for the said Company to erect any Bridge or Bridges in the Line of the said Railway, such temporary Uses of any such Land not being made at a greater Distance from the said Railway than is in the said recited Act and in this Act in such Cases provided, notwithstanding any thing in the said recited Act contained to the contrary.

Company to plant Embankments in the Lands of Sir William Chaytor, Bart.

XXII. And be it further enacted, That when and so often as the Embankments and Cuttings for that Part of the said extended Line which passes through and over the Lands of the said Sir *William Chaytor* Baronet, his Heirs and Assigns, shall be made and formed, the said Company shall and they are hereby required at their own Expence to sow with Grass Seeds and plant the Slopes of such Embankments in an ornamental Manner, and shall at all Times thereafter maintain the said Plantations; and it shall be lawful for the said Sir *William Chaytor* Baronet, his Heirs and Assigns, at all Times thereafter to enter into and upon the said Cuttings and Embankments, and the Plantations thereon, for the Purpose of pruning and improving and keeping the said Plantations in good Order, but so as not to impede or interfere with the proper Use and Maintenance of the said Railway, notwithstanding any thing in the said recited Act contained to the contrary.

Restrictions respecting the Quantity of Sir William Chaytor's Land to be taken for the Purposes of the Bridge over the Tees, &c.

XXIII. And be it further enacted, That in making under this Act the Continuation or Extension of the Line of the said Railway through the Lands of the said Sir *William Chaytor* Baronet, his Heirs and Assigns, the said Company shall not without such Consent as aforesaid take more Land for the Purpose of constructing the Bridge and Embankment across the River *Tees* than the Breadth of Eighty Yards: Provided also, that the said Company shall be bound and they are hereby required to finish the said Bridge and Embankment, and also the Bridge which is intended to be erected across the Turnpike Road leading from *Croft Bridge* to *Dalton*, within the Space of Four Years from the Time the said Company shall break Ground within the Distance of One hundred Yards to the West of the said Turnpike Road, and within the Distance of Twenty Yards in the Line of the said Railway from the Commencement of the said Embankment, any thing herein and in the said recited Act to the contrary notwithstanding: Provided also, that if the said Railway Company shall not finish the said Bridge and Embankment within the said Space of Four Years, then and in such Case the said Company shall for every additional Month over and above the said Space of Four Years, and from the Termination thereof until the said Bridges and Embankment shall be finished, forfeit the Penalty or Sum of Ten Pounds unto the said Sir *William Chaytor* Baronet, his Heirs and Assigns, which he and they are hereby empowered, at his and their own Discretion, to sue for and recover, from Time to Time as the same shall be forfeited, with full Costs of Suit, in any Court of Law or Equity; save always and except the said Company shall have been prevented from finishing the same by any sudden and inevitable Accident or Accidents, Impediment or Impediments,

Impediments, or the Failure of any Contractor or Contractors in the Execution of his or their Contract, notwithstanding any thing in the said recited Act contained to the contrary.

XXIV. And be it further enacted, That during such Time or Times as the Bridge intended to be erected for carrying the said Railway over the River *Ouse* at *Nether Poppleton* shall be building or repairing, the said Railway Company or their Successors shall and they are hereby required to keep the Navigation of the said River at and about the said Bridge free and clear, so that Vessels navigating in and upon the said River may have sufficient and convenient Room to navigate and pass thereon; and for the Purposes aforesaid the said Railway Company are hereby authorized and required to remove any Shelves or other Obstructions in the said River within One hundred Yards of the said intended Bridge, and to take away all Beds of Gravel, Sand, Mud, or other Impediment within the like Distance from the said Bridge and other Works, and which shall be caused by the Erection of the said Bridge, and to dig and cut the Banks of the said River within the same Distance on each Side, in such Manner as they shall judge necessary and proper for erecting and building the said Bridge and for the Preservation thereof, and also for keeping and preserving the Navigation of the said River near and under the said Bridge free and open, and of the same sectional Area as at present, and to erect and make proper and sufficient Abutments at each End of the said Bridge for the Support thereof, and to make and execute all other Works proper and necessary for erecting, supporting, and repairing the said Bridge, and to amend, alter, turn, or remove any Footbridge, Footpath, or Horsepath, and to turn, widen, or alter any Highway, or make any Hauling Roads as herein-after directed, or any new Road leading to the said Bridge, so as not to obstruct any Common Highway: Provided always, that if the said Company shall find it necessary to turn or remove any Footbridge, Footpath, or Horsepath by virtue of this Clause, they shall first construct and lay out another Footbridge, Footpath, or Horsepath, as the Case may be, as convenient for the Public, or as nearly as may be, as the Footbridge, Footpath, or Horsepath so to be turned or removed.

Navigation of the River *Ouse* to be kept free and clear.

XXV. And be it further enacted, That the Bridge so to be erected by the said Railway Company over the said River *Ouse* shall be erected and built in such Manner as shall be agreed and determined upon by and between the respective Engineers for the Time being of the Trustees of the said River and of the said Railway Company, and in the event of any Disagreement between the said Engineers, then in such Manner as shall be directed and determined upon by such Third Engineer (not interested in the Matter in question) as the respective Engineers for the Time being of the said Navigation and of the said Railway Company shall choose and appoint as Umpire; and that none of the Arches to be erected over the said River shall be of a less Span than Forty-five Feet, and the Soffit or under Side of each Arch shall not be of a less Height than the centre Arch of the present Bridge over the said River at *York*, and that the Towing

Bridge over the *Ouse* to be built in such Manner as shall be determined on by the respective Engineers of the Navigation and Railway or their Umpire.

[Local.]

41 Y

Path

Path under the Northern Arch of the said Bridge shall not be less than Six Feet wide, and the Breastwall of which Towing Path shall be built perpendicular from the Foundation of the Abutment of the Bridge, and shall not be less in Height than Seven Feet from the springing of the Arch therefrom : Provided always, that in the event of such Disagreement as aforesaid between the said Engineer for the Time being of the Trustees of the aforesaid River *Ouse* and the Engineer of the said Railway Company, it shall not be lawful for the said Railway Company to erect or cause to be erected any Part of the said Bridge so intended to be built over the said River *Ouse* until the said final Decision, Order, and Direction shall have been duly made by the said Umpire according to the Provisions hereinbefore ; provided such Decision be not delayed Two Calendar Months after such Umpire shall have been appointed and fully instructed by the said Engineers ; and that it shall not be lawful for the said Railway Company or their Successors at any Time hereafter to make any Alteration in the Structure of the said Bridge to be erected over the River *Ouse* at *Nether Poppleton* as aforesaid without the Consent of the Trustees of the Navigation of the said River *Ouse* for the Time being, or the major Part of them, first had and obtained.

For providing
Capsterns,
&c. at the
Bridges.

XXVI. And whereas, in consequence of building the said Railway Bridge, Vessels navigating on the said River *Ouse* may at some particular Times have Occasion for Capsterns and Mooring Posts to guide such Vessels through the Arches or Openings of the said Bridge, and to prevent such Vessels from being driven thereon or injured thereby ; be it further enacted by the Authority aforesaid, That it shall be lawful for the said Railway Company or their Successors, and they are hereby empowered and required, upon Application made to them by the Trustees for improving the Navigation of the said River *Ouse*, or any Three or more of them, to set up and erect a proper Capstern or Capsterns and a sufficient Number of Mooring Posts above the said Bridge for the Convenience of Vessels navigating on the said River, as well up as down, to the Distance of One hundred Yards above and below the said Railway Bridge, and from Time to Time to repair and keep in repair the said Capsterns and Mooring Posts, and as Occasion shall require to set up and erect new Capsterns and Mooring Posts in lieu of such as shall be worn out or become useless.

Hauling
Paths to be
made to a
certain Dis-
tance from
the Bridge.

XXVII. And be it further enacted, That it shall be lawful for the said Railway Company and their Successors, and they are hereby empowered and required, at their own Expence, in case the said Company shall make any Diversion or Alteration in the present Towing Paths of the said River *Ouse*, to make and for ever maintain proper, convenient, and sufficient Hauling Paths or Roads on the present Towing-path Side of the said River *Ouse* for the drawing and hauling of Ships and Vessels, with Men, Horses, or otherwise, to and through the said Bridge, as well up as down the said River, and to remove all Obstructions which do or may prevent the same ; which Hauling Roads respectively, in case the same shall be diverted or

altered by the said Company, shall begin at the Distance of One hundred Yards below the said Bridge, and extend from thence to One hundred Yards above the said Bridge; and no Person shall afterwards erect any Buildings or do any other Act which may prevent the free Use of such Hauling Roads to assist Vessels in approaching and passing the said Bridge.

XXVIII. And be it further enacted, That the said Railway Company or their Successors shall and they are hereby also required, without needless Delay, at their own Expence, to weigh and remove all such Vessels as shall or may be sunk, and all other Things which at any Time hereafter shall or may obstruct the Passage of Vessels through the said Bridge over the said River *Ouse* within the Distance of One hundred Yards below or under the said Bridge: Provided nevertheless, that if on Inquiry at any Time after any such sunken Vessel or other Obstructions shall have been raised and removed by the said Railway Company it shall clearly appear that the sinking of such Vessel or other Obstruction was not occasioned by or by reason of the said Bridge being placed across the River, but by reason of some Accident entirely unconnected with the Bridge, and that the said Vessel or other Obstruction would have sunk if the Bridge had not been erected, or by reason of the wilful or negligent Conduct of the Person having the Charge of the said Vessel, then and in every such Case the Costs and Expences of raising and removing such sunken Vessel or Obstruction shall be defrayed and be liable to be reimbursed and repaid to the said Railway Company by the Trustees for the Time being of the said Navigation, but without Prejudice however to any Remedy or other Proceedings which the said Trustees or Conservators of the River may have or be entitled to take or prosecute against such Owners or other Persons by virtue of the Acts of Parliament passed for making the River *Ouse* more navigable, or otherwise howsoever; and that it shall not be lawful for the said Railway Company or their Successors to raise the Bed of the said River under or about the said Bridge so as to obstruct the Navigation thereof, nor to lay any Stone or other Materials at the Foot of the Piers or Abutments of the said Bridge so as to impede the flowing of the Water in an easy and uninterrupted Current; and for more effectually preserving undiminished the Waterway or Space for the Current of the said River *Ouse* and the free flowing of the Stream thereof, and also for the Purpose of making convenient and sufficient Hauling Roads along the Northern Side of the said River within the Distance aforesaid, be it further enacted, That the said Railway Company shall be and they are hereby authorized and required to widen the said River by cutting away such Part of the Land and removing such Part of the Flood Banks on either Side of the said River as the Engineer of the said Navigation and the Engineer of the said Railway Company for the Time being, or their Umpire (in case of any Disagreement), shall agree and decide upon to be advisable and necessary, but so and in such Manner that such cutting away of the Land and Removal of the said Banks do not in any Part thereof exceed the Distance or Space of Two hundred Feet, and so that such Cutting shall wear out at each End, and so that the removed or

Vessels sunk
near the
Bridge to be
weighed, &c.

altered

altered Flood Banks shall connect with and be joined to the unaltered or unremoved Parts of the Banks at each End, shall be restored, raised, and made of similar or equal Height and Breadth or Dimensions, and as strong and efficient in all respects, as the old Banks before their Alteration.

Masters of Vessels made answerable for Damage done to the Bridge.

XXIX. And be it further enacted, That the Master and Owners of every Ship, Barge, Boat, or Vessel shall be and he is hereby made answerable and responsible and liable to make Satisfaction to the said Railway Company for any wilful Damage or Injury that shall be done to the Bridge to be erected under the Authority of this Act, or any Part thereof, by his Ship, Barge, Boat, or Vessel respectively; but that no such Owner shall be answerable or responsible, or liable to make Satisfaction, or be sued for any Damage or Injury which shall be done to the said Bridge or any Part thereof by his said Ship, Barge, Boat, or Vessel, unavoidably or accidentally or unintentionally, by or through the said Master or his Mariners or Servants, or other Persons employed to navigate, row, or manage any such Ship, Barge, Boat, or Vessel; and that in order to prevent frivolous and vexatious Suits, in case any Action, Suit, or Proceeding shall be commenced or prosecuted for or on account of any Damage or Injury done to the said Bridge or any Part thereof by any Ship, Barge, Boat, or Vessel, which shall not appear and be found, upon the Trial or Hearing thereof, to be wilfully done, or committed with Intent to damage or injure the said Bridge, then and in every such Case, if the Damages recovered in such Action, Suit, or Proceeding respectively shall not amount to the Sum of Twenty Shillings or more, the Plaintiff or Plaintiffs in every such Action, Suit, or Proceeding shall not recover or be entitled to have or receive more Costs than Damages; but if any such Damage shall appear and be found to be wilfully done with Intent to injure or damage the said Bridge, the Plaintiff or Plaintiffs in such Action, Suit, or Proceeding shall be entitled to his, her, or their full Costs of Suit; and no Action, Suit, or Proceeding whatsoever respecting any Damage done to the said Bridge by any Ship, Barge, Boat, or Vessel shall be brought or prosecuted without the express Order in Writing of Five or more of the Directors of the said Railway Company.

Saving of the Rights of the Trustees of the River Ouse Navigation.

13 G. 1. c. 33.

XXX. Provided always, and be it further enacted, That this Act or any thing herein contained shall not extend or be construed to extend to defeat, lessen, or diminish, take away, prejudice, or affect, all or any of the Rights, Privileges, or Powers, Liberties or Authorities, given to or vested in the Trustees or Commissioners for the Time being authorized or acting under or by virtue of an Act of Parliament made and passed in the Thirteenth Year of the Reign of His Majesty King *George* the First, intituled *An Act for improving the Navigation of the River Ouse in the County of York*, and another Act of Parliament made and passed in the Fifth Year of the Reign of His late Majesty King *George* the Second, for rendering more effectual the said Act passed in the Thirteenth Year of the Reign of His Majesty King *George* the First, or either of them, but that the respective Acts of Parliament relating to the said Navigation, and

and every Clause, Matter, and Thing therein contained, shall be and continue in full Force, and shall and may be carried into execution and performed by the Trustees and Commissioners for the Time being acting in the Execution of such Acts of Parliament respectively, in such and the like Manner to all Intents and Purposes as if this Act had not been passed, save only and except so as not in any Manner to prevent, hinder, or prejudice the due Execution of this Act, or of all or any of the Powers and Authorities hereby given and vested in the said Railway Company or their Successors.

XXXI. And be it further enacted, That in all Cases in which the Railway by this Act authorized to be made shall cross any Turnpike Road or public Highway, either such Turnpike Road or public Highway (except such as are herein-after mentioned) shall be carried over the said Railway, or the said Railway shall be carried over the said Turnpike Road or public Highway, at the Expence of the said Company, by means of a Bridge, where not otherwise provided for by this Act, of such Construction as is in this Act mentioned.

Railway not to cross Turnpike Roads, &c. on a Level.

XXXII. And be it further enacted, That in all Cases where a Turnpike Road shall be carried over the said Railway, the Width of such Turnpike Road, as well between the Parapet Walls of such Bridge as on the Batteries, raised Embankments, and Approaches thereto, shall not be less than Thirty Feet, and the Inclinations of the Turnpike Road on such Bridge and on the Approaches thereto shall not be greater than One in Thirty; and where the said Railway shall be carried over a Turnpike Road, and it shall for the Purposes of this Act be necessary to lower such Turnpike Road, the Width of such Turnpike Road, as well under the Bridge as on the excavated Approaches thereto, (which shall have proper Slopes on each Side thereof of not less than Two Feet horizontal to One Foot perpendicular,) shall in no Case be less than Thirty Feet, and the Height of the Arch of such Bridge shall not be less than Eighteen Feet from the Soffit of the Arch to the Roadway under such Bridge; and the Inclination, as well under the Bridge as on the Approaches to the Roadway under the Bridge, shall not be greater than One in Thirty.

Regulations as to Railway passing over Turnpike Roads, and vice versâ.

XXXIII. And be it further enacted, That in all Cases where a Turnpike Road shall be carried over the said Railway, such Turnpike Road shall be efficiently defended and supported by and with proper Walls and other sufficient Fences for the Protection of Passengers using the same; and as well where a Turnpike Road shall be carried over the said Railway as where the said Railway shall be carried over a Turnpike Road, the several Works so to be made, constructed, executed, and completed as aforesaid, with the Inclinations of such Turnpike Road, and the Approaches to or towards the said Railway, shall be so made, constructed, executed, and completed in manner aforesaid, by and at the Expence of the said Company, in a proper and workmanlike Manner, to the Satisfaction of an uninterested competent Road Surveyor to be appointed by the Trustees of such Turnpike Road and the said Company, or, in case they shall disagree

Further Regulations respecting the same.

[Local.]

41 Z

and

about the same, by the Clerk of the Peace for the County or Riding into or through which the Part of the Turnpike Road so to be altered or made shall lie or pass; and the said Company shall at all Times and on all Occasions thereafter well and sufficiently maintain, uphold, amend, and keep in repair the Bridges, Tunnels, Arches, Drains, Sinks, Sewers, Under-drains, Parapet Walls, Fences, and the Walls, Banks, Mounds, Batteries, Erections, and other Works for the Support of such Bridges, Tunnels, Arches, Turnpike Road, and Approaches thereto respectively, and for the Protection of all Persons, Horses, and Cattle using such Turnpike Road; and after any such Turnpike Road shall have been so made, constructed, executed, and completed by and at the Expence of the said Company in manner as aforesaid, the same shall for ever thereafter be vested in and become the Right and Property of the Trustees of such Turnpike Road; but all Mines, Minerals, and Fossils laying under the same shall be the Property of the Person or Persons who would from Time to Time have been entitled to the same if this Act had not been passed, and the subsequent Surface Repairs of such Turnpike Road shall from thenceforth be made and performed by the Trustees of such Turnpike Road from Time to Time out of the Funds applicable to the Repair of such Turnpike Road.

Regulations
as to Width
and Height
of Bridges for
carrying the
Railway over
public
Roads.

XXXIV. And be it further enacted, That in all Cases in which any Bridge shall be erected by the said Company for the Purpose of carrying the Railway by this Act authorized to be made over or across any 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 Twenty Feet, and of a Height from the Surface of such Road to the Centre of such Arch of not less than Eighteen Feet; and the Descent under any such Bridge in the Case of a public Carriage Road shall not exceed One Foot in Twenty Feet, and in the Case of any private Carriage Road shall not exceed One Foot in Sixteen Feet.

Regulating
Ascent of
Bridges for
carrying
Roads over
the Railway.

XXXV. And be it further enacted, That in all Cases in which any Bridge shall be erected for the Purpose of carrying any public Carriage Road over the Railway by this Act authorized to be made, the Road over such Bridge shall be formed and shall at all Times be continued of such Width as to leave a clear and open Space between the Fences of such Road of not less than Twenty Feet; and the Ascent of every such Bridge for the Purpose of such public Carriage Road shall not exceed One Foot in Twenty Feet, and in the Case of any private Carriage Road shall not exceed One Foot in Sixteen Feet; 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.

Regulations
as to altering
Turnpike
Roads.

XXXVI. And be it further enacted, That wherever the Level of any Turnpike Road or public Carriage Road shall be altered by means of the said Railway, the Inclination of such Road, if Turnpike, shall

shall not exceed One Foot in Thirty Feet, and if Highway, shall not exceed One Foot in Twenty Feet.

XXXVII. And be it further enacted, That in all Cases where, in exercise of the Powers by this Act granted, it shall be found necessary to cross, cut through, raise, sink, take, or so much injure any Carriage or Horse Road, Railway or Tramroad, either public or private, or any Part thereof, in such Manner as to render the same impassable for Travellers, Passengers, or Carriages, or to the Persons entitled to the Use thereof, the said Company shall at their own Expende, before any such Road shall be so gone across, cut through, raised, sunk, taken, or injured as aforesaid, cause a good and sufficient Road (as the Case may require) to be set out and made instead of such Road so crossed, cut through, raised, sunk, taken, or injured, and such new Road shall be as convenient for Passengers and Carriages as the said Road so to be crossed, cut through, raised, sunk, taken, or injured as aforesaid, or as nearly so as may be, and shall cause such new Road to be put into good and substantial Order and Condition where the former Road cannot be more easily restored; and where the Road so crossed, cut through, raised, sunk, or passed over shall be a Turnpike Road, the substituted Road, if temporary, shall be so made, and the principal Road restored, within Six Calendar Months after the Commencement of such Operation, and the Railway where it 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; and in case the said Company shall not in manner aforesaid cause a good and sufficient Road to be set out and made before any such Road shall be so injured or prejudiced as aforesaid, or in case any Turnpike Road shall not be restored within Six Calendar Months after the Commencement of the Operation herein-before mentioned, then and in either of such Cases the said Company shall forfeit and pay for each and every Day during which such good and sufficient Road shall be neglected to be made as herein-before directed, or during which such Turnpike Road shall not be restored after the Expiration of the said Six Calendar Months, the Sum of Twenty Pounds, which Penalty shall be recoverable from the said Company in such and the same Manner as any other Penalties incurred by the said Company for which no special Provision is made by this or the said recited Act.

Provision
for Injury to
Roads.

XXXVIII. And be it further enacted, That in case the said Railway by this Act authorized to be made shall at any Time or Times hereafter, from its near Approach to any Turnpike Road, occasion Danger to the Travellers on such Road in consequence of Horses being frightened at the Sight of the Engines and Carriages travelling upon the said Railway, it shall be lawful for any Person to make Complaint thereof to any Two Justices of the Peace acting for the Limit where such Turnpike Road shall lie, who shall summon the Clerk or Treasurer for the Time being of the said Company, or One of the Directors thereof, before them to answer such Complaint; and if it shall appear to such Justices that the said Complaint is reasonable,

Company to
erect a
Screen on
Side of Rail-
way in case
of Danger to
Passengers
travelling on
the Turn-
pike Road.

reasonable, then the said Company shall, within such Time as shall be ordered by the said Justices in that Behalf, and after Notice of such Order served upon them, or their principal Engineer, Clerk, or other Officer, within such Time as shall be appointed by the said Justices commence, and within such Time as shall be appointed by the said Justices complete, such Works in the Nature of a Skreen near to or adjoining the Sides of the said Turnpike Road or of the said intended Railway, as shall be directed by the said Justices, so as to prevent such Danger to Travellers upon the said Turnpike Road; and in case such Company shall neglect within the Time appointed in that Behalf to commence, or shall not continue to execute such Works until the due Completion thereof, or shall not complete the same within the Time in that Behalf appointed, the said Company shall forfeit and pay for every Day during which the said Company shall not commence or shall not proceed in the Completion of such Works, or during which the said Works shall not be completed after the Time appointed for the Completion thereof, the Sum of Twenty-five Pounds, to be recoverable by the Commissioners or Trustees of the said Turnpike Road from the said Company in such and the same Manner as any other Penalties incurred by the said Company for which no special Provision is made by this or the said recited Act.

Form of
Conveyance
not to be
compulsory.

XXXIX. And be it further enacted, That nothing in the said recited Act or this Act contained shall extend to compel the said Company to use the Form of Conveyance in the said recited Act prescribed for the Conveyance of Lands purchased and taken for the Use of the said Railway, where they may be advised that the same is not applicable to the Circumstances of the Case, or where it may be necessary to insert particular Covenants, Conditions, or Agreements not provided for by the said recited Act.

Power to
keep on foot
attendant
Terms of
Years.

XL. Provided always, and be it further enacted, That Terms of Years attendant on the Inheritance of any Lands purchased by and conveyed to the said Company, pursuant to the Powers in this and the said recited Act contained, shall and may, at the Option of the said Company (such Option being expressed in the Conveyance to the said Company), be kept on foot and assigned to a Trustee of the said Company, to attend the Inheritance of such Lands, and protect the same from all Incumbrances subsequent to the Creation of such Terms; and the Terms of Years so assigned, and as to which such Option shall have been expressed in the Conveyance to the said Company as aforesaid, shall not merge in the Inheritance of the Lands comprised in such Conveyance; any thing herein or in the said recited Act contained to the contrary notwithstanding.

Empowering
Company to
purchase
Fifty Acres
of Land for
additional
Stations.

XLI. And be it further enacted, That it shall be lawful for the said Company and they are hereby empowered to contract with any Person or Corporation who shall be willing to sell the same for the Purchase of Lands not exceeding in the whole Fifty Statute Acres, in addition to the Lands authorized by this and the said recited Act to be taken for the Purposes of the said Railway and Works, and in
addition

addition also to the Fifty additional Acres authorized to be purchased by the said recited Act, in such Places as shall be deemed eligible for the Purpose of making and providing additional Stations, Yards, Wharfs, waiting, loading, and unloading Places, Warehouses, and other Buildings and Conveniences for depositing, receiving, loading, or keeping any Cattle, or any Goods, Articles, Matters, or Things, conveyed or intended to be conveyed upon the said Railway, or for making convenient Roads or Ways thereto, or for any other Purposes whatsoever connected with the Undertaking which the said Company shall judge requisite; and it shall be lawful for all Corporations and all other Persons, including especially such Corporations and Persons as are in the said Act and herein-before capacitated to sell and convey other Lands for the Purposes of this and the said recited Act, to sell or grant and convey to the said Company and their Successors any Lands whatsoever for the Purposes herein-before mentioned or any of them, in the same Manner as is herein-before and in the said recited Act directed concerning the Lands to be taken for the Purpose of making the said Railway and other Works hereby and by the said recited Act authorized to be made.

XLII. And be it further enacted, That it shall be lawful for the said Company and they are hereby authorized to close the Books kept for entering Memorials of Transfers of Shares for a Period not exceeding Fourteen Days before each of the Half-yearly General Meetings of the said Company, and to fix a Day for that Purpose, during which Time the said Company shall not be bound to take notice of any Transfer which shall not have been registered previously to the Day fixed for closing the Books; but all such Transfers shall, as between the Party claiming under the same and the said Company, but not otherwise, be considered as made subsequently to such Half-yearly General Meeting: Provided always, that Fourteen Days Notice at least of the Day on which the Transfer Books shall be closed shall be given in One or more public Newspaper published in *Durham, Newcastle, and York.*

Power to close Transfer Books at certain Periods.

XLIII. And be it further enacted, That it shall be lawful for the said Company (if they shall think fit) to hire or take any Buildings or Lands for the Purpose of making Offices on Building Leases, or as Tenants for a Term of Years, or from Year to Year, and for that Purpose to enter into and execute all such Agreements, Deeds, Covenants, and Instruments as may be necessary, which shall be binding upon the said Company and their Successors.

Power to hire Offices on Lease.

XLIV. And whereas by the said recited Act the said Company are empowered, in case the Money thereby authorized to be raised by Subscription as therein mentioned should be found insufficient for the Purposes of the said Act, to borrow and take up at Interest by way of Mortgage any further or additional Sum not exceeding the Sum of One hundred and fifty thousand Pounds on the Credit of the said Undertaking at the Time and in manner therein directed: And whereas it is expedient that the said Company should be enabled to borrow and take up at Interest the further Sum of One hundred

Company empowered to raise an additional Sum of 180,000*l.*

[*Local.*]

42 A

and

and eighty thousand Pounds, in addition to the said Sum of One hundred and fifty thousand Pounds; be it therefore enacted, That it shall be lawful for the said Company, at the Times and in manner and subject to the Restrictions and Provisions by and in the said recited Act directed and contained with respect to raising the said Sum of One hundred and fifty thousand Pounds, from Time to Time to borrow and take up at Interest any further or additional Sum of Money, not exceeding the Sum of One hundred and eighty thousand Pounds, on the Credit of the said Undertaking, as to the said Company shall seem proper, and all the Provisions in the said Act contained in regard to Mortgages for raising the said Sum of One hundred and fifty thousand Pounds shall be applicable to the said Mortgages for raising the said Sum of One hundred and eighty thousand Pounds.

Repealing
Provision as
to General
Meetings of
Company.

XLV. And whereas it is by the said recited Act enacted, that the First General Meeting of the said Company should be held within Two Calendar Months next after the passing of the said Act, and from and after such First General Meeting of the said Company there should be a Half-yearly General Meeting of the said Company in the first Week of the Month of *February* and the first Week of the Month of *August* in each and every Year, or within the Space of One Calendar Month next after each of such Periods, and all such and so many Special General Meetings of the said Company as the Directors of the said Company should think proper to convene, or as should be convened by the Proprietors in manner therein-after provided; and such First General Meeting should be held in *Darlington* in the County of *Durham*, and all future Half-yearly General Meetings should be held alternately in *Darlington* or *Newcastle-upon-Tyne*, as the Directors should at any previous Meeting determine and fix: And whereas it is expedient that the said Provision should be repealed, and that other Provisions should be made in lieu thereof; be it therefore enacted, That the said Provision shall be and the same is hereby repealed.

Providing for
General
Meetings of
the Com-
pany.

XLVI. And be it further enacted, That there shall be a Half-yearly General Meeting of the said Company in the first Week of the Month of *August* and the first Week of the Month of *February* in each and every Year, or within the Space of One Calendar Month next after each of such Periods, and all such and so many Special General Meetings of the said Company as the Directors of the said Company shall think proper to convene, or as shall be convened by the Proprietors in manner herein-after provided, of which said General Meeting and Special General Meeting Fourteen Days public Notice at the least shall be given in the same Manner as in the said recited Act is directed, and every such Notice of a Special General Meeting shall specify the Purpose for which the same is called; and all Half-yearly General Meetings shall be held in *Darlington* or *Newcastle-upon-Tyne*, as the Directors shall at any previous Meeting determine and fix; and such Special General Meetings shall be held at *Darlington* or *Newcastle-upon-Tyne*, as the Directors shall appoint; and such Half-yearly General Meetings and Special General Meetings

may be adjourned from Time to Time, all Adjournments being made to the same Place where the original or preceding Meeting shall have been held.

XLVII. And whereas in the said recited Act it is enacted, that in all Cases in which the said Company shall carry for their own Profit any Passengers, Cattle, or other Animals, Goods, Wares, or Merchandize; Articles, Matters, or Things, a separate Account shall be duly kept, showing the Amount of Rates or Tolls which would have been received by the said Company for the Use of the said Railway in respect of such Passengers, Cattle, or other Animals, Goods, Wares, or Merchandize, Articles, Matters, or Things, if carried by any other Party or Parties; and that the Overseers of the Poor of the several Parishes or Townships through which the said Railway should pass should have free Access to and Liberty to inspect the same at any Time during the first Fourteen Days in the Months of *February* and *August* in each Year: And whereas it is expedient that the said Provision should be repealed, and that other Provisions should be made instead thereof; be it therefore enacted, That the said Provision shall be and the same is hereby declared to be repealed.

Repealing Provision in recited Act requiring separate Accounts to be kept of the Tolls received for the Use of the Railway.

XLVIII. And be it further enacted, That in all Cases in which the said Company shall carry for their own Profit any Passengers, Cattle, or other Animals, Goods, Wares, or Merchandize, Articles, Matters, or Things, a separate Account shall be duly kept showing the Amount of Rates or Tolls which would have been received by the said Company for the Use of the said Railway, in respect of such Passengers, Cattle, or other Animals, Goods, Wares, Merchandize, Articles, Matters, or Things, if carried by any other Party; and the said Company shall also keep a separate Account of the Amount of the Rates or Tolls which shall from Time to Time be received by the said Company for the Use of the said Railway in respect of any Passengers, Cattle, or other Animals, Goods, Wares, and Merchandize, Articles, Matters, and Things, carried by any other Party; and the Overseers of the Poor of the several Parishes and Townships through which the said Railway shall pass shall have free Access to and Liberty to inspect the same at any Time during the Months of *February* and *August* in each Year: Provided always, that if the said Company shall refuse or neglect to keep such Account, they shall forfeit and pay the Sum of Three hundred Pounds for each Default therein, and if the said Company shall at any Time during the first Fourteen Days in the Months of *February* and *August* respectively in each Year refuse to permit or shall not permit any of the said Overseers of the Poor to inspect such Accounts as aforesaid, the said Company shall forfeit and pay the Sum of Fifty Pounds for each Day during which such Refusal shall continue, such several Penalties to be recovered and applied in like Manner as the Penalties are by this Act directed to be recovered and applied.

Company to keep a separate Account of the Tolls for the Use of the Railway.

XLIX. And whereas by the said Act it is enacted, that it shall be lawful for the several Proprietors for the Time being of the said Undertaking

Repealing Provision as to Payment

of Subscrip-
tions in
advance.

Undertaking to pay in advance, in case the Directors should think proper to accept the same, the respective Sums of Money by them respectively subscribed for, and that the said Company should pay Interest at such Rate, not exceeding the Rate of Four Pounds for every One hundred Pounds by the Year, upon the Principal Monies which should have been so paid in advance, as should be agreed upon: And whereas it is expedient that the said Provision should be altered; be it therefore enacted, That the said Provision shall and the same is hereby repealed.

Proprietors
may pay
Subscrip-
tions in ad-
vance, and
receive
Interest
thereon.

L. And be it further enacted, That it shall be lawful for the several Proprietors for the Time being of the said Undertaking, and they are hereby empowered, whether before or after any Call shall have been made in respect of any Shares held by them respectively, to pay in advance, in case the Directors shall think proper to accept the same, which they are hereby authorized to do, to such Person as the said Directors shall appoint, the respective Sums of Money by them respectively subscribed for, or such Part or Proportion thereof as shall be wanting (over and above the Amount, if any, actually paid in respect of such Shares,) to make up the full Sum of One hundred Pounds in respect of each such Share; and the said Company shall and they are hereby required to pay Interest at such Rate, not exceeding the Rate of Five Pounds for every One hundred Pounds by the Year, upon the Principal Monies which shall have been so paid in advance, or for so much thereof as shall from Time to Time exceed the Amount of the Calls which shall have been so paid in advance, or for so much thereof as shall from Time to Time exceed the Amount of the Calls which shall have been made upon the Shares in respect of which such Money shall have been paid in advance as aforesaid, as the Subscriber paying such Sum in advance and the Directors for the Time being of the said Company shall agree upon.

Time en-
larged for
taking
Lands.

LI. And be it further enacted, That the Time by the said recited Act limited for the taking or using of Lands for the Purpose of the said Undertaking shall be and is hereby extended and enlarged for the further Term of One Year, to be computed from the Expiration of the Time in such Act mentioned, and the Time allowed for the completing of the said Railway shall be extended and enlarged Three Years: Provided always, that the Power herein-before granted of deviating from the Line laid down upon the Plans deposited with the several Clerks of the Peace, as herein-before mentioned, shall cease at the End of Two Years from the Expiration of the Time limited by the said recited Act for the Completion of the said Railway and Works.

For defray-
ing Expences
of this Act.

LII. And be it further enacted, That all the Costs, Charges, and Expences of obtaining and passing this Act, and of making the Surveys, Plans, and Estimates, and all other Costs, Charges, and Expences in any way incident thereto, shall be paid and defrayed by the said Company out of the Money already raised and received, or out of the
first

first Money to be raised or received by virtue of the said recited Act or this Act in preference to any other Payment whatever.

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

SCHEDULE to which the foregoing Act refers.

Townships.	Parishes.	Owners.	Lessees.	Occupiers.	Particulars.
<i>County of Durham.</i>					
Hurworth	Hurworth-upon-Tees.	Sir William Chaytor, Bart.	- - -	Thomas Gouldsborough.	Field with Trees therein.
Ditto	Ditto	Ditto	- - -	Sir William Chaytor, Bart.	Plantation.
<i>North Riding of the County of York.</i>					
Croft	Croft	Sir William Chaytor, Bart.	- - -	Robert Gill	Brick-yard.
Ditto	Ditto	Ditto	- - -	Thomas Barker	Farmhouse, with Garden and Out-buildings.
Dalton-upon-Tees.	Ditto	Dean and Chapter of York.	James Heavyside.	James Heavyside.	Cottage, Field, and Garden.
Ditto	Ditto	Ditto	John Backhouse.	John Backhouse	Plantation.
Ditto	Ditto	Ditto	Ditto	Ditto	Farmhouse, Garden, Yard, and Out-buildings.
East Cowton	East or Long Cowton.	John Webb, Esquire.	- - -	John Watton	A Cart-house.
Ditto	Ditto	The Right Honourable Richard Pepper Arden.	- - -	The Right Honourable Richard Pepper Arden.	Plantation.
Ditto	Ditto	Ditto	- - -	Ditto	Ditto.
Ditto	Ditto	Ditto	- - -	Ditto	Ditto.
Ditto	Ditto	Ditto	- - -	Ralph Alcock	Farmhouse, Yards, and Outbuildings.
Ditto	Ditto	Ditto	- - -	Ditto	Field, with Stack-yard therein.
Ditto	Ditto	Ditto	- - -	Ditto	Garden.
Hutton Bonville.	Birkby	Mary Ann Pierse	- - -	Henry Tower	House, Outhouses, Yards, Gardens, and Plantations.
Ditto	Ditto	Ditto	- - -	Mary Ann Pierse	Plantation.
Ditto	Ditto	Ditto	- - -	Ditto	Ditto.
Lazenby Hamlet.	Northallerton	Ditto	- - -	John Robinson Sheraton.	Ditto.
Northallerton	Ditto	The Bishop of Durham.	William Welbank.	Thomas Remmer.	Brick-yard.
Ditto	Ditto	Ditto	Ditto	William Welbank.	Ditto.
Ditto	Ditto	Ditto	Ditto	Thomas Remmer.	Brick-yard and Tile-sheds.

Townships.	Parishes.	Owners.	Lessees.	Occupiers.	Particulars.
Northallerton	Northallerton	The Bishop of Durham.	George Stockell.	George Stockell	Field, with Byre therein.
Ditto -	Ditto -	Ditto -	Ditto -	Thomas Pearson	Field, with Tree therein.
Ditto -	Ditto -	Ditto -	George Jackson.	William Ramshaw.	Field with Byre therein.
Romauby -	Ditto -	Edward Squire -	- - -	Thomas Todd -	Public House and Yards.
Ditto -	Ditto -	John Middleton -	- - -	Francis Hirst -	Field, with Racecourse and Grand Stand.
Ditto -	Ditto -	John Hood -	- - -	Robert Kidd -	Field, with Racecourse.
Ditto -	Ditto -	William Dawson Lambton.	- - -	Robert Smith -	Ditto.
Ditto -	Ditto -	Ditto -	- - -	Ditto -	Garden and Pond.
Ditto -	Ditto -	Ditto -	- - -	Ditto -	Garden.
Ditto -	Ditto -	Ditto -	- - -	John Bollands and Robert Smith.	Farmhouse, Yards, and Outbuildings.
North Otterington.	North Otterington.	John Hutton -	- - -	William Stobbs and William Pearson.	House, Yard, and Garden.
Ditto -	Ditto -	Ditto -	- - -	John Hutton -	Plantation.
Ditto -	Ditto -	John Whitney Smith, Thomas Clark Alkinson, and Christopher Deighton, Trustees of the late John Ainsley.	- - -	Robert Woodhouse.	Field, with Barn therein.
South Otterington.	South Otterington.	George Broadrick	- - -	William Bulmer.	Plantation,
Newsham-cum Breckenbrough.	Kirby Wiske	Samuel Crompton, Esquire.	- - -	Samuel Crompton, Esquire.	Ditto.
Ditto -	Ditto -	Ditto -	- - -	Ditto -	Ditto.
Ditto -	Ditto -	Ditto -	- - -	Ditto -	Ditto and Road.
Ditto -	Ditto -	Ditto -	- - -	John Hodgson Faint.	Dwelling House, Yard, and Outbuildings.
Ditto -	Ditto -	Ditto -	- - -	Samuel Crompton, Esquire.	Stackyard.
Ditto -	Ditto -	Ditto -	- - -	Ditto -	Farm Buildings.
Ditto -	Ditto -	Ditto -	- - -	Bryan Tibbett	Farmhouse, Yards, Garden, and Outbuildings.
Ditto -	Ditto -	Ditto -	- - -	Francis Cleugh	Byre and Garth.
Ditto -	Ditto -	Ditto -	- - -	Samuel Crompton, Esquire.	Plantation.
Ditto -	Ditto -	Ditto -	- - -	Ditto -	Ditto.
Ditto -	Ditto -	Ditto -	- - -	Samuel Hudson and William Chuckley.	Field, with Tile-sheds and Yards.
Ditto -	Ditto -	Ditto -	- - -	Ditto -	Cottage and Garden.
Ditto -	Ditto -	Ditto -	- - -	Samuel Crompton, Esquire.	Plantation and Avenue.
Thirsk -	Thirsk -	John Bell, Esquire	- - -	George Reynolds.	Farmhouse, Yards, Gardens, and Outbuildings.
Carlton Mianott.	Ditto -	Ditto -	- - -	John Bell, Esquire.	Plantation.

Townships.	Parishes.	Owners.	Lessees.	Occupiers.	Particulars.
Carlton Mi- niott.	Thirsk	Mary Walker	- - -	William Faint	Field, with Barn therein.
Sowerby	Thirsk	Robert Buckle	- - -	Henry Carmichael	House and Gardens.
Ditto	Ditto	Ditto	- - -	Ditto	Barn, Fold-yard, and Orchard.
Bagby	Kirby Knowle	Sir Robert Frankland, Bart.	- - -	Thomas Coates	House, Garden, Yards, and Out-buildings.
Ditto	Ditto	Ditto	- - -	Ditto	Orchards.
Raskelfe	Easingwold	John Webb	- - -	William Armstrong.	Lees, Barn, and Stack Yard.
Ditto	Ditto	Ditto	- - -	Jonathan Crispin	Plantation.
Ditto	Ditto	Ditto	- - -	Ditto	Garden and Orchard
Ditto	Ditto	Ditto	- - -	Ditto	House, Yards, Folds, and Outbuildings.
Newton on Ouse.	Newton on Ouse.	Viscount Downe	- - -	William Cass	House, Garden, and Stack-yard.
Ditto	Ditto	Ditto	- - -	Ditto	Folds, Yards, Out-buildings, and Garth.

West Riding of the County of York.

Holdgate	St. Mary Bishophill the Younger.	Ann Daniel	- - -	William Snow	Barn.
Ditto	Ditto	Ditto	- - -	William Body	House and Garden.
Ditto	Ditto	Thomas Simpson	- - -	Henry Thompson.	Close or Park.
Ditto	Ditto	Ditto	- - -	Ditto	House, Coach-house, and Stables.
Ditto	Ditto	Ditto	- - -	Ditto	Garden.
Ditto	Ditto	Thomas Backhouse and James Backhouse.	- - -	Thomas Backhouse and James Backhouse.	Nursery Grounds.
Ditto	Ditto	William Stephenson Clark.	- - -	William Stephenson Clark.	Garden.
Ditto	Ditto	Ditto	- - -	Rebecca Robinson	House and Garden.
Ditto	Ditto	Henry Telford	Thomas Backhouse and James Backhouse.	John Wright	House and Garden.
Ditto	Ditto	Ditto	Ditto	Thomas Backhouse and James Backhouse.	Barn.
Ditto	Ditto	Ditto	Ditto	John Wilson	House and Garden.
Ditto	Ditto	John Smith	- - -	John Nicholson	Garden.

YORK BRANCH.

County of the City of York.

Ditto	George William Tireman and the Trustees of the Will of Mary Ellin deceased.	- - -	Jonathan Lepington Hay.	Garden.
Ditto	Ditto	- - -	John Holliday	Ditto.
Ditto	Thomas Fothergill.	- - -	James Anderson	Orchard.

Townships.	Parishes.	Owners.	Lessees.	Occupiers.	Particulars.
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BRANCH RAILWAY TO THE CITY OF DURHAM (COUNTY OF DURHAM).

St. Oswald	St. Oswald	The Marquis of Londonderry.	-	William Grace and Walter Humble.	House, Garden, Farmyard, and Outbuildings.
Ditto	Ditto	Ditto	-	The Marquis of Londonderry.	Plantation.
St. Giles	St. Giles	Ditto	-	John Hancock	Garden and Nursery Ground.
Ditto	Ditto	William Emmer-son Wooler, Esq.	-	Miss Hannah Wright.	Garden and Garth.
Ditto	Ditto	Dean and Chapter of Durham.	William Emerson Wooler, Esq.	Ditto	Stable, Yard, and Shrubbery,
Ditto	Ditto	Mrs. Ann Watton and John Watton.	-	Mrs. Ann Watton, John Watton, and Henry Mitcheson.	Garden Ground.
St. Giles	St. Giles	Mrs. Ann Watton and John Watton.	-	Mrs. Ann Watton and John Watton.	Dwelling House.
Ditto	Ditto	Ditto	-	John Usher, George Bailes, and William Clithers.	Tenement House.
Ditto	Ditto	Ditto	-	Ralph Steven-son and Mary Davidson.	Ditto.
Ditto	Ditto	Ditto	-	Mary Micheson	House.
Ditto	Ditto	The Churchwar-dens of the Parish of St. Giles, viz. Robert Oliver, Joseph Wetherell, Robert Hoggett, and William Long-staff.	Mrs. Isabella Gilhespy.	Mrs. Isabella Gilhespy.	Garden.
Ditto	Ditto	Ditto	Ditto	Mrs. Isabella Gilhespy, John Elliott, Joseph Atkinson, Sa-rah Water and Elizabeth Dob-son.	Public House and Dwelling House.
Ditto	Ditto	The Marquis of Londonderry.	-	Robert Man-ners.	House and Garden.
Ditto	Ditto	George Haile, Esq.	-	George Haile	Garden and House.
Ditto	Ditto	Miss Camilla Hop-per.	-	William Thomp-son and Miss Camilla Hop-per.	Garden.
Ditto	Ditto	Ditto	-	Miss Camilla Hop-per and Tho-mas Tilly.	Dwelling House.
Ditto	Ditto	Mrs. Ann Ruther-ford.	-	Mrs. Ann Ru-therford.	House and Garden.
Ditto	Ditto	Mrs. Elizabeth Lightfoot.	-	Mrs. Elizabeth Lightfoot.	House and Yard.
Ditto	Ditto	Ditto	-	John Lightfoot and Elizabeth Lightfoot.	Garden.

[Local.]

[42 C]

Townships.	Parishes.	Owners.	Lessees.	Occupiers.	Particulars.
St. Giles	St. Giles	Mrs. Elizabeth Lightfoot.	- - -	John Lightfoot	Butcher's Shop.
Ditto	Ditto	John Ebdy	- - -	John Ebdy	Garden and Rope-walk.
Ditto	Ditto	Ditto	- - -	Ditto	Dwelling House.
Ditto	Ditto	The Marquis of Londonderry.	- - -	The Marquis of Londonderry.	Garth or Waste Ground.
Ditto	Ditto	Mrs. Hannah Adams.	- - -	Mrs. Hannah Adams and John Johnson.	Garden.
Ditto	Ditto	Ditto	- - -	Mrs. Hannah Adams, John Johnson, and Ann Dowson.	Dwelling Houses.
Ditto	Ditto	John Carr, Esq.	- - -	Matthew Stephenson.	Dwelling House and Garden.
Ditto	Ditto	The Marquis of Londonderry.	- - -	Robert Manners	Garden.

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