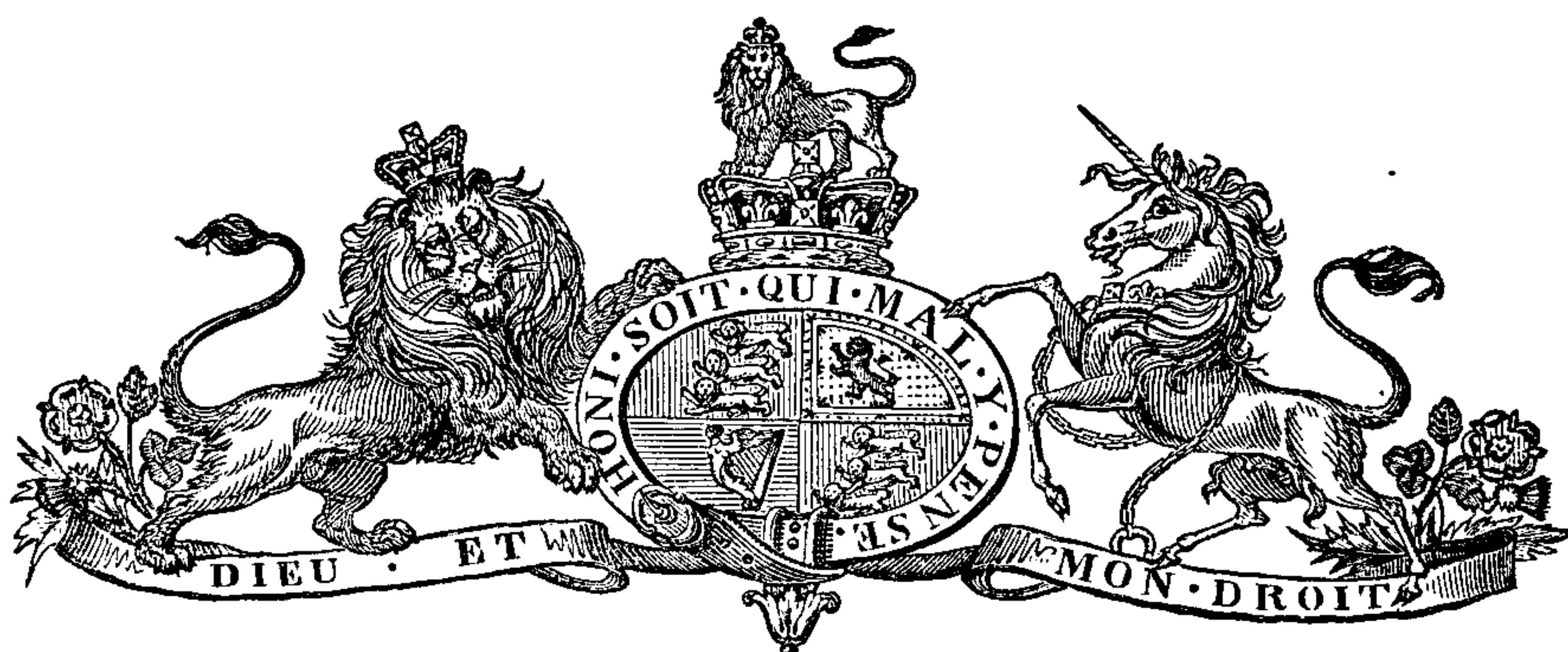




ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

Cap. ccxxix.

An Act to authorize the Sale of the *Paisley and Renfrew* Railway to the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company, and the Improvement of the said Railway by that Company.

[22d July 1847.]

WHEREAS an Act was passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for making and maintaining a Railway between the Town of Paisley and the South Side of the River Clyde at Renfrew Ferry, and for constructing Wharfs, Quays, or Landing Places there, all in the County of Renfrew*, which Act was carried into execution by the Construction of the Railway and other Portions of the Works thereby authorized to be made: And whereas another Act was passed in the First Year of the Reign of Her present Majesty, intituled *An Act for making a Railway from Glasgow to Paisley and Ayr, and from a Point on the said Railway near Blairland to Kilmarnock, to be called the Glasgow, Paisley, Kilmarnock, and Ayr Railway, with Branches*: And whereas another Act was passed in the Third Year of the Reign of Her said Majesty, intituled *An Act to amend and continue the Act relating to the Glasgow, Paisley, Kilmarnock, and Ayr Railway, and to make a new Branch therefrom*:
[Local.] 36 K And

5 & 6 W. 4.
c. 85.

7 W. 4. &
1 Vict. c. 117.

3 & 4 Vict.
c. 53.

5 & 6 Vict.
c. 29.

8 & 9 Vict.
c. 95.

9 & 10 Vict.
cc. 60, 61,
and 62.

And whereas another Act was passed in the Fifth Year of the Reign of Her said Majesty, intituled *An Act to amend the Acts relating to the Glasgow, Paisley, Kilmarnock, and Ayr Railway, and to grant further Powers to the Company of Proprietors thereof*: And whereas another Act was passed in the Eighth and Ninth Years of the Reign of Her said Majesty, intituled *An Act to authorize an Extension of the Glasgow, Paisley, Kilmarnock, and Ayr Railway to near Cumnock, and to amend the Acts relating to such Railway*: And whereas Three other Acts were passed in the Ninth Year of the Reign of Her said Majesty, intituled respectively *An Act to enable the Glasgow, Paisley, Kilmarnock, and Ayr Railway Company to alter their Line near Kilmarnock, and to make Branches to Linwood, Swinlees, and the Kilmarnock and Troon Railway*; *An Act to amend the Acts relating to the Glasgow, Paisley, Kilmarnock, and Ayr Railway, and to authorize the Formation of Branches from Busby to Irvine, and from Irvine to the Harbour thereof, with a subsidiary Branch to Perceton Coal Works*; and *An Act to enable the Glasgow, Paisley, Kilmarnock, and Ayr Railway Company to make a Branch from their Railway near Blair to Strathaven, and to amend the Acts relating to such Railway*: And whereas a Bill is at present pending in Parliament for an Act for making a Railway from *Paisley to Barrhead*, with certain Branch Railways therewith connected, to be called "*The Paisley, Barrhead, and Hurlet Railway*," which Railway will run into and join the *Paisley and Renfrew Railway*, and by which Act it is proposed to take Powers to lease the Railway and Branch Railways thereby to be authorized to be made to the *Glasgow, Paisley, Kilmarnock, and Ayr Railway Company*: And whereas the said *Paisley and Renfrew Railway* might be advantageously worked by the *Glasgow, Paisley, Kilmarnock, and Ayr Railway Company*, and the said Railway might also be advantageously worked in connexion with the said *Paisley, Barrhead, and Hurlet Railway*, if the said pending Bill shall be passed into a Law: And whereas it would be attended with Advantage if the said *Paisley and Renfrew Railway* were improved, and the Gauge thereof altered and adapted to the Gauge of the said *Glasgow, Paisley, Kilmarnock, and Ayr Railway*, and if the Wharf at or near *Renfrew Ferry* on the said *Paisley and Renfrew Railway* were repaired, and a more permanent Wharf, Quay, and Tidal Harbour in connexion with the said Railway were made: And whereas the said *Paisley and Renfrew Railway Company* are willing to sell, and the said *Glasgow, Paisley, Kilmarnock, and Ayr Railway Company* are willing to purchase, the said *Paisley and Renfrew Railway* and Works, and also to execute the before-mentioned Improvements, Alterations, and Works: And whereas for the Purposes aforesaid it is expedient that the Powers and Provisions of the said recited Acts relating to the said *Paisley and Renfrew Railway* and to the said *Glasgow, Paisley, Kilmarnock, and Ayr Railway* should be amended and enlarged, and further Powers granted in relation thereto; but the several Objects aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That such of the Powers and Provisions of

8 & 9 Vict.
cc. 17, 19, &

the Lands Clauses Consolidation (*Scotland*) Act, 1845, the Railway Clauses Consolidation (*Scotland*) Act, 1845, the Companies Clauses Consolidation (*Scotland*) Act, 1845, and the Harbours, Docks, and Piers Clauses Act, 1847, as shall be applicable to and shall not be inconsistent with or otherwise provided for by this Act, shall be incorporated with and form Part of this Act. 33., and 10 & 11 Vict. c. 27., incorporated with this Act.

II. And be it enacted, That the Powers and Provisions of the said recited Act relating to the said *Paisley and Renfrew* Railway, and of the said recited Acts relating to the said *Glasgow, Paisley, Kilmar-nock, and Ayr* Railway, so far as the same shall not be inconsistent with or otherwise provided for by this Act or the said Consolidation Acts, so far as hereby incorporated, shall be extended to this Act and to the several Purposes thereof, and shall operate and be in force with respect to such Purposes, and to the several Matters and Things hereby authorized to be done, as fully and effectually as if the said Powers and Provisions were repeated and re-enacted in this Act. Provisions of certain other Acts incorporated with this Act.

III. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments and Pleadings, it shall be sufficient to use the Expression "The *Paisley and Renfrew* Railway (Sale and Improvement) Act, 1847." Short Title.

IV. And be it enacted, That the Expression "the Company" in this Act shall mean the *Glasgow, Paisley, Kilmar-nock, and Ayr* Railway Company. Interpretation of Act.

V. And be it enacted, That it shall be lawful for the said *Paisley and Renfrew* Railway Company, and they are hereby required, upon Requisition in Writing by any Two of the Directors of the Company, to sell to the Company, and it shall also be lawful for the Company, and they are hereby required, upon the Requisition in Writing of any Two of the Directors of the said *Paisley and Renfrew* Railway Company, to purchase and take the said *Paisley and Renfrew* Railway, Quays, Wharfs, Landing Places, and Depôts, and all Lands, Stations, Houses, and Buildings, and other Works and Conveniences, Engines, Machinery, and Utensils whatsoever, the Property of the said *Paisley and Renfrew* Railway Company, and all Powers, Rights, and Privileges whatsoever of such Company, at and for the Price or Consideration and subject to the Conditions and Provisions herein contained; and upon Payment or Tender of such Price or Consideration Money as herein-after mentioned the said *Paisley and Renfrew* Railway Company shall be bound to grant and execute a Deed or Instrument of Conveyance, duly stamped, of such Railway, Wharfs, Works, and Property, to the Company. Railway may be sold to the Glasgow, Paisley, Kilmar-nock, and Ayr Railway Company.

VI. And whereas the Number of Shares appearing from the Registry Book of Shares of the said *Paisley and Renfrew* Railway Company as belonging to such Company is One thousand nine hundred and four: And whereas on each of such Shares the Sum of Ten Pounds Sterling has been paid up; be it enacted, That it shall be lawful for the Company and they are hereby required, as the Price or Consideration Money for the Purchase of the said Railway and other Works, Price or Consideration Money to be given for Railway. to

to pay to the Directors for the Time being of the said *Paisley and Renfrew* Railway Company, or to any Three of them, on behalf of the Shareholders thereof, such Sum or Sums of Money as shall be equal to the Sum of Eleven Pounds Two Shillings and Sixpence on each of the said One thousand nine hundred and four Shares so appearing from the Registry Book as aforesaid, with legal Interest thereon from and after the Second Day of *December* One thousand eight hundred and forty-six, besides undertaking the Payment of and being subject to and liable for the Mortgages, Charges, and Incumbrances affecting the said *Paisley and Renfrew* Railway Company, as herein-after provided, and which Sum or Sums of Money so to be paid as aforesaid shall be divided and distributed by the said Directors, or any Three of them, among the Shareholders in the said *Paisley and Renfrew* Railway Company at the Time of such Payment, rateably according to their respective Shares and Interests therein.

Receipt for
Price to be
sufficient
Discharge.

VII. And be it enacted, That the Receipt or Receipts in Writing of any Three of the Directors for the Time being of the said *Paisley and Renfrew* Railway Company for the Price or Consideration Money so to be paid as aforesaid shall effectually discharge the Company for the Sum or Sums of Money so paid by them, and the Company shall not be obliged to see to the Division or Distribution thereof among the Shareholders of the said *Paisley and Renfrew* Railway Company, or be otherwise answerable or accountable for any Loss, Misapplication, or Nonapplication thereof or any Part thereof.

On Payment
of Price
Railway to
be vested in
the Com-
pany.

VIII. And be it enacted, That upon Payment of the said Price or Consideration Money, and upon the due Execution of the said Deed or Instrument of Conveyance, the said *Paisley and Renfrew* Railway, Quays, Wharfs, Landing Places, and Depôts, and all Lands, Stations, Houses, and Buildings, and other Works and Conveniences, Engines, Machinery, and Utensils whatsoever, belonging to the said last-mentioned Company, or in or to which they were by virtue of the said recited Act or by any Means whatsoever seised, possessed, or entitled, at Law or in Equity, immediately before the Payment of the said Purchase Money, shall belong to and shall by virtue of such Deed or Instrument of Conveyance and of this Act be absolutely vested in the Company, and the Undertaking of the said *Paisley and Renfrew* Railway Company shall thenceforth become and form Part of the Undertaking of the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company, subject nevertheless and without Prejudice to the several Mortgages, Charges, and Incumbrances affecting the same; and all Persons who owed any Money to the said *Paisley and Renfrew* Railway Company shall pay the same, together with all Interest due or to accrue thereon, to the Company, and all Debts which were owing from or by the said *Paisley and Renfrew* Railway Company, and all Interest due and to accrue thereon, shall be paid by the Company.

Form of
Conveyance.

IX. And with respect to the Deed or Instrument for the Conveyance of the said *Paisley and Renfrew* Railway, Quays, Wharfs, Landing Places, and Depôts, and all Lands, Stations, Houses, and Buildings, and other Works and Conveniences, Engines, Machinery, and

and Utensils whatsoever, be it enacted, That the same may be in the Form of the Schedule (A.) to the said Lands Clauses Consolidation (*Scotland*) Act, 1845, annexed, or as near thereto as the Circumstances of the Case will admit; which Conveyance, when duly executed, and registered in the General Register of Sasines for *Scotland* kept at *Edinburgh* within Sixty Days from the last Date thereof, and which the Keeper of the said Register is hereby authorized and required to do, shall give and constitute a good and undoubted Right and complete and valid feudal Title in all Time coming to the Company, and to their Successors and Assigns, in and to the Railway, Wharfs, Works, and Property comprised or intended to be comprised in such Deed, any Law or Custom to the contrary notwithstanding.

X. And be it enacted, That all Contracts, Agreements, Conveyances, Mortgages, Bonds, Covenants, and Securities respectively, made or entered into with, to, in favour of, or by the said *Paisley and Renfrew* Railway Company, shall be and remain as good, valid, and effectual in favour of or against and with reference to the Company, and may be proceeded on and enforced in the same Manner by or against the Company, to all Intents and Purposes as if the Company had been a Party to or had granted the same, and had been named or referred to therein in place of the said *Paisley and Renfrew* Railway Company.

Contracts, &c. made by *Paisley and Renfrew* Railway Company to be transferred to the Company.

XI. And be it enacted, That from and after the Payment of the said Price or Consideration Money, and the Execution and Delivery of the said Deed or Instrument of Conveyance to the Company, and the Registration thereof in the General Register of Sasines for *Scotland*, as aforesaid, the said *Paisley and Renfrew* Railway Company shall be and the same is hereby dissolved, except as to the Distribution of the said Price or Consideration Money; and thereupon all the Provisions, Rights, Privileges, Powers, and Authorities by the said first-recited Act granted to the said *Paisley and Renfrew* Railway Company, except in so far as the same are altered or amended by this and the said other recited Acts, shall be and the same are hereby transferred to and vested in the Company, with full Power and Authority to exercise and carry the same into execution in Name of the Company.

On Payment of Price and Execution of Conveyance, *Paisley and Renfrew* Railway Company to be dissolved.

XII. And be it enacted, That no Action, Suit, Prosecution, or other Proceedings whatsoever commenced either by or against the said *Paisley and Renfrew* Railway Company previously to the passing of this Act shall abate or be discontinued or prejudicially affected by this Act, but the same shall continue and take effect, both in favour of and against the Company, in the same Manner in all respects as the same would have continued and taken effect in relation to the said *Paisley and Renfrew* Railway Company if this Act had not been passed; and all Penalties incurred by any Offence against the Provisions of the said recited Acts previously to the passing of this Act shall and may be sued for, and all Offences which may have been committed before the passing of this Act against the Provisions of the said recited Acts may be prosecuted, in such or the like Manner to all Intents and Purposes as the same might have been sued for

Actions, &c. not to abate.

Penalties to be recoverable.

and prosecuted respectively if this Act had not been passed, the Company being in reference to the Matters aforesaid in all respects substituted in the Place of the said *Paisley and Renfrew* Railway Company.

Books, &c. of
dissolved
Company to
be Evidence.

XIII. And be it enacted, That all Books and other Documents whatsoever by the said recited Act relating to the *Paisley and Renfrew* Railway authorized or directed to be kept, and thereby made Evidence, shall be admitted as Evidence in all Courts of Law or elsewhere.

Railway to
be improved,
and new
Wharfs, &c.
erected.

XIV. And be it enacted, That on the said Deed or Instrument of Conveyance being duly completed, delivered, and registered, it shall be lawful for the Company and they are hereby authorized to alter, shift, and relay the Rails of the said *Paisley and Renfrew* Railway, and to widen the Gauge thereof so as to adapt the same to the Gauge of the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway, and other adjoining Railways, to lay down a new and additional Line of Rails, and otherwise improve the Line and Works of the said *Paisley and Renfrew* Railway as may be necessary, and also to repair the present Wooden Wharf on the South Side of the River *Clyde* belonging to the said *Paisley and Renfrew* Railway Company at or near to *Renfrew Ferry*, and to construct and maintain a more permanent Wharf or Landing Place, Quay, and Tidal Harbour in connexion with the said Railway, and to make and maintain all necessary Works in connexion thereof, agreeably to the Plans herein-after mentioned.

Alterations,
&c. to be
made ac-
cording to
deposited
Plans.

XV. And whereas Plans and Sections of the said *Paisley and Renfrew* Railway and Works therewith connected, and also of the proposed new Wharf or Landing Place, Quay, and Tidal Harbour, showing the Lines, Levels, and Situation thereof, and also a Book of Reference containing the Names of the Owners and Lessees or reputed Owners and Lessees and Occupiers of the Lands through which the said Railway passes, and on which the Alterations and Improvements on the said Railway, and the said Wharf or Landing Place, Quay, and Tidal Harbour, are to be made, have been deposited with the Sheriff Clerk of the County of *Renfrew*; be it enacted, That it shall be lawful for the Company and they are hereby authorized to make and complete the said Alterations and Improvements on the said Railway and other Works, and also to construct the said Wharf or Landing Place, Quay, and Tidal Harbour, according to the Line or Situation and upon the Lands delineated and described on the Plans and in the Book of Reference herein-before mentioned, which Lands have been acquired by and now belong to the said *Paisley and Renfrew* Railway Company.

Lands not to
be taken
except by
Agreement.

XVI. And be it enacted, That it shall not be lawful for the Company to take or acquire by compulsory Purchase any Lands or Heritages for the Purposes of this Act: Provided nevertheless, that it shall be lawful for the Company to acquire by Agreement, and with the Consent of the Owners and Occupiers thereof, such Land as may be necessary for any of such Purposes, not exceeding in the whole Ten Acres, and that in the Manner provided by the said first-recited

recited Act for acquiring Lands for the Quays, Wharfs, and other Works thereby authorized.

XVII. And be it enacted, That it shall be lawful for the Com- Tolls.
pany to demand, for the Use respectively of the Railway and Wharfs and other Works by the said recited *Paisley and Renfrew* Railway Act and this Act authorized to be made, Tolls, Rates, Duties, and Charges not exceeding the respective Tolls, Rates, Duties, and Charges authorized to be demanded by the said recited *Paisley and Renfrew* Railway Act.

XVIII. Provided always, and be it enacted, That the Provisions Limiting
contained in the said recited Act relating to the *Cumnock* Extension Charges of
of the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway, whereby the Conveyance.
Charges for the Conveyance of Passengers and of Goods and Cattle on the Extension Railway thereby authorized to be made are limited and regulated, shall extend and apply to the Charges to be made in respect of the said *Paisley and Renfrew* Railway, and of the Engines and Carriages employed by the Company thereon: Provided always, that where Passengers, Goods, or Animals shall be conveyed only on the said *Paisley and Renfrew* Railway for a less Distance than Three Miles it shall be lawful for the Company to demand or receive, in respect of such Conveyance, Tolls as for Three Miles: Provided nevertheless, that where Passengers, Goods, or Animals shall be conveyed on the said *Paisley and Renfrew* Railway, which have come along or passed from any other Railway belonging to or worked by the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company, then the said *Paisley and Renfrew* Railway shall be held as Part of such other Railways, and it shall not be lawful for the Company to demand or receive any greater Amount of Toll in respect of such Conveyance than the Proportion chargeable for the whole Distance travelled on the said Railways as One continuous Line of Railway.

XIX. And be it enacted, That for the Purposes of this Act it shall Power to
be lawful for the Company from Time to Time to raise, by the Cre- raise addi-
ation of new Shares, in addition to the Sums of Money which they tional capi-
are authorized to raise under and by virtue of the Acts relating to tal by crea-
the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway, or any of tion of new
them, or which they may be authorized to raise under or by virtue Shares.
of any other Act to be passed in the present Session of Parliament, any Sum of Money not exceeding in the whole the Sum of Seventy-five thousand Pounds, which Sum may be raised by the Company in such Way and upon such Terms as may be agreed upon at any Extraordinary Meeting or Meetings of the Company, and when raised shall become Part of the Capital Stock of the Company.

XX. And be it enacted, That after the whole of the said Sum of Power to
Seventy-five thousand Pounds shall have been subscribed for, and borrow
One Half of the Sums by this and the Acts relating to the *Glasgow, Money on
Paisley, Kilmarnock, and Ayr* Railway authorized to be raised by Mortgage.
Shares shall have been paid up, it shall be lawful for the Directors of the Company to borrow on Mortgage, and, if subsequently paid off, again to reborrow such Sums of Money as shall from Time to Time be

be authorized to be borrowed by Order of any General or Special General Meeting of the Company, not exceeding in the whole the Sum of Twenty-five thousand Pounds, in addition to the Sums which they are authorized to borrow by any of the Acts relating to the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway, or which they may be authorized to borrow by any other Act or Acts to be passed in the present Session of Parliament, and for securing the Repayment of the Sums so to be borrowed, with Interest, to mortgage the said Undertaking: Provided always, that all Mortgages of the said Undertaking heretofore granted under the Powers of the said recited *Paisley and Renfrew* Railway Act shall during the Continuance thereof have Priority over any Mortgage of the said Undertaking to be granted under the Powers of this Act.

Power to
convert Loan
into Capital.

XXI. And be it enacted, That it shall be lawful for the Company, if they think fit, to raise the Sums authorized to be borrowed on Mortgage by this Act, or any Part thereof, by creating new Shares of the Company, instead of borrowing the same, or having borrowed the same it shall be lawful for them to continue at Interest only a Part of the said Sums, if they so think fit, and to raise the Remainder thereof by creating new Shares of the Company; and all Provisions with regard to the additional Capital by this Act authorized to be raised shall apply in like Manner to the new Shares which may be so created as aforesaid, but no such Augmentation of Capital as last herein-before authorized shall take place without the previous Authority of a General Meeting of the Company called for the Purpose.

Interest not
to be paid
on Calls paid
up.

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

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

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

For the Pro-
tection of the
River Clyde
Trustees.

XXIV. And whereas in virtue of the said first-recited Act the *Paisley and Renfrew* Railway Company some Time ago constructed a Wharf on the South Bank of the *Clyde* at or near the Termination of the

the said Railway at or near to *Renfrew Ferry*: And whereas by an Act passed in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act for further deepening and improving the River Clyde, and enlarging the Harbour of Glasgow, and for constructing a Wet Dock in connexion with the said River and Harbour*, Powers were granted to the Parliamentary Trustees of the said *River Clyde* for executing certain Works and Improvements upon, in, and along the River, according to the Map or Plan and Sections referred to in the said Act, subject to the Conditions, Provisions, and Reservations therein contained: And whereas the Lords Commissioners of the Admiralty have assented to the Works proposed by this Act, provided their Assent be not taken as prejudicing the carrying out the Improvement of the said *River Clyde* according to the Provisions of the said last-recited Act; be it enacted, That the Execution of the Works by this Act authorized shall not prejudice the Improvement of the *River Clyde* at *Renfrew*, according to the Provisions of the said Act, and that the Railway Company shall not be entitled to make any additional Claim for Compensation or for Damages, or otherwise, against the said Trustees, by reason of the Construction of any new Works under this Act, in the event of such Trustees executing their Improvements under the said recited Act; and the Provisions contained in the said first-recited Act for the Protection of the Navigation of the *Clyde* shall apply to the several Works hereby authorized to be executed in connexion with the said River.

3 & 4 Vict.
c. 118.

XXV. Provided always, and be it enacted, That nothing herein contained shall extend or be construed to extend to repeal, abridge, or in any way prejudice or diminish any of the Rights, Powers, and Privileges conferred on and enjoyed under existing Acts of Parliament, Charters, or other Deeds of Conveyance, or by Usage, or at Common Law, or otherwise, by the said *Paisley and Renfrew Railway Company*, and the Royal Burgh of *Renfrew*, and the *Clyde* Trustees respectively, all of which Rights, Powers, and Privileges are hereby saved and reserved entire.

General
Saving of
Rights.

XXVI. 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 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 Two other Acts were passed in the Ninth and Tenth Years of the Reign of Her said Majesty, intituled respectively *An Act for regulating the Gauge of Railways*, and *An Act for constituting Commissioners of Railways*; be it enacted, That nothing in this Act contained shall be held to exempt the said Railway or the Company from the Provisions of the said several last-recited Acts respectively, but that such Provisions

Railway
Company 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., and
9 & 10 Vict.
cc. 57. & 105.

[Local.]

36 M

shall

shall be in force in respect to the said Railway and the Company, so far as the same shall be applicable thereto

Railway to
be subject to
Provisions of
any future
general Act.

XXVII. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the said Railway from the Provisions of any general Act relating to this and the said recited Acts, or of any general Act relating to Railways, which may be passed during the present or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act.

Vessels in
the Service
of Her Ma-
jesty, &c.
exempted
from Rates.

XXVIII. And be it enacted, That nothing in this Act or in the recited Acts or any of them contained shall extend to charge with Rates or Duties, or to regulate or subject to any Control, any Vessel belonging to or employed in the Service of Her Majesty, Her Heirs and Successors, or any Member of the Royal Family, or in the Service of the Customs or Excise, or of the Corporation of *Trinity House of Deptford Strond*, or the Commissioners of Northern Lights, using the Harbour, Wharfs, Quays, Landing Places, and other Works, and not conveying Goods for Hire, or any Packet Boat or Post Office Packet, being a Packet Boat or Post Office Packet as defined under the Provisions of any Act relating to the Post Office, or any Post Office Bag of Letters conveyed by any such Packet Boat or Packet, or by any other Vessel whatsoever, or any of the Officers or Persons employed in the Service of the Admiralty, Ordnance, Customs, Excise, or Post Office, or their Baggage, or any Vessel or Goods being under Seizure by the Officers of the Revenue, or any Naval, Victualing, or Ordnance Stores, or other Stores or Goods for the Service of or being the Property of Her Majesty, or any Troops landing upon or delivered or disembarked from the said Harbour, Wharfs, Quays, Landing Places, or other Works, or their Baggage, but all such Vessels, Officers, or Persons as aforesaid shall have the free Use of the said Harbour, Wharfs, Quays, Landing Places, and other Works without any Charge or Rate being made for using the same: Provided always, that if any Person claim and take the Benefit of any such Exemption as aforesaid without being entitled thereto he shall for every such Offence be liable to a Penalty not exceeding Ten Pounds.

Works across
tidal Waters,
&c. aban-
doned may
be removed
by the Ad-
miralty.

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

Saving the
Rights of the
Crown.

XXX. And be it enacted, That nothing contained in this Act, or in the Acts herein recited or referred to, shall extend to authorize the

Company to purchase, take, or use any Land or Soil, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or any Two of them, first had and obtained for that Purpose, and which such Commissioners or any Two of them are hereby authorized and empowered to give, or to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by Her Majesty, Her Heirs or Successors.

XXXI. And be it enacted, That all the Costs, Charges, and Expences of and incidental to the obtaining and passing of this Act shall be borne and paid by the Company. Expences of Act.

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

LONDON: Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1847.

