



ANNO DECIMO QUINTO

VICTORIÆ REGINÆ.

Cap. lxi.

An Act for enabling the *Deeside* Railway Company to alter the Line and Levels of Part of their Railway, and to abandon Parts thereof; for altering the Capital of the Company, and repealing and amending the Act relating thereto; and for other Purposes. [28th May 1852.]

WHEREAS by "The *Deeside* Railway Act, 1846," certain Persons were incorporated by the Name of "The *Deeside* Railway Company," and were authorized to make and maintain a Railway commencing by a Junction with the Line of the *Aberdeen* Railway at or near *Ferryhill* in the County of *Aberdeen*, and passing by or near *Banchory Ternan* in the County of *Kincardine*, and *Kincardine O'Neil* in the County of *Aberdeen*, and terminating at or near *Aboyne* in the said last-mentioned County; and by the said Act the said Company were empowered to raise a Capital of Two hundred and twenty thousand Pounds, divided into Four thousand four hundred

[Local.] 9 Z Shares

9 & 10 Vict. c. 158.

The Deeside Railway Act, 1852.

Shares of Fifty Pounds each, and to borrow on Mortgage or Bond any Sums not exceeding the Sum of Seventy-three thousand three hundred and thirty-three Pounds Six Shillings and Eightpence: And whereas out of the said Four thousand four hundred Shares Four thousand three hundred and fifteen Shares have been issued, and a Deposit of One Pound *per* Share has been paid thereon, and the remaining Eighty-five Shares are now unappropriated: And whereas out of the said Four thousand three hundred and fifteen Shares so issued Four thousand two hundred and fifty Shares have been entered on the Register of Shareholders of the said Company in the Names of the several Proprietors, and the Names of the Parties to whom the remaining Sixty-five of the said Shares belong have not yet been entered in the said Register: And whereas no Calls have yet been made on any of the said Shares, and no Money has been borrowed by the Company on Mortgage or Bond, and no Portion of the said Railway has been commenced: And whereas it would be attended with a considerable Saving of Expense in the Construction of the Portion of the said Railway between *Ferryhill* and *Banchory Ternan* if the Line and Levels thereof as at present authorized were altered, and if a new Line of Railway were made in lieu thereof, and if the Portions of the said authorized Line of Railway for which such new Line of Railway is to be substituted were abandoned: And whereas it is expedient that the Portion of the said authorized Line of Railway between *Banchory Ternan* and the authorized Termination thereof at or near *Aboyne* in the County of *Aberdeen* should also be abandoned: And whereas it is estimated that the said new Line of Railway between *Ferryhill* and *Banchory Ternan*, with the Approaches, Bridge, and Works to be connected therewith, may be completed at a Cost not exceeding Ninety-nine thousand six hundred Pounds: And whereas it is expedient that the Capital of the said Company should be reduced, and that the Number and Amount of the Shares into which the same is divided should be altered: And whereas it is expedient that some of the Provisions of the said recited Act should be altered and amended, and the same would be most conveniently effected if the said recited Act were repealed, and other Powers and Provisions granted in lieu thereof; but the several Purposes 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,

Recited Act
repealed.

I. That from and immediately after the passing of this Act the said recited Act shall be and the same is hereby repealed.

II. That

The Deeside Railway Act, 1852.

II. That in citing this Act in other Acts of Parliament, and in any Instrument or Document whatever, it shall be sufficient to use the Expression "The *Deeside Railway Act, 1852.*" Short Title.

III. That the several Acts of Parliament following, that is to say, "The Companies Clauses Consolidation (*Scotland*) Act, 1845," "The Lands Clauses Consolidation (*Scotland*) Act, 1845," and "The Railways Clauses Consolidation (*Scotland*) Act, 1845," shall, so far as they are not otherwise provided for or modified by this Act, be incorporated with and form Part of this Act, and be applicable to the Railway and other Works hereby authorized. 8 & 9 Vict. cc. 17. 19. & 33. incorporated with this Act.

IV. That from and immediately after the passing of this Act the several Persons and Corporations who immediately before the passing thereof were Proprietors of Shares in the Company incorporated by the repealed Act, and all other Persons and Corporations who shall hereafter subscribe towards the Undertaking of the Company hereby incorporated, and their Executors, administrative Successors, and Assigns respectively, shall be united into a Company for the Purpose of making, maintaining, and working the Railway and other Works by this Act authorized; and for the Purposes aforesaid, and for other the Purposes of this Act, shall be incorporated by the Name of "The *Deeside Railway Company,*" and by that Name shall be a Body Corporate, and have a Common Seal, with perpetual Succession, and shall have Power to purchase, hold, sell, and dispose of Lands for the Purposes of the said Undertaking; and the Common Seal of the Company incorporated by the repealed Act shall be the Common Seal of the Company hereby incorporated. Re-incorporation of Company.

V. That all Works, Lands, Buildings, Rents, Tenements, Rights, Privileges, Exemptions, Easements, Hereditaments, and Real Estate whatsoever, and also all Choses in Action, and Personal Estate and Effects whatsoever, which were respectively vested in or belonged to the Company incorporated by the repealed Act immediately before the passing of this Act, or would have become vested in or belonged to them if this Act had not been passed, and all the Estate, Right, Title, Interest, Property, Claim, and Demand of the Company incorporated by the repealed Act, into, upon, or over the same, and all their Rights and Remedies in respect thereof, shall from and after the passing of this Act be and become in like Manner and Degree vested in and belong to and be available for the Company hereby incorporated. Property of dissolved Company vested in new Company.

VI. That all Acts of Parliament and Provisions of Acts, other than and except the Act hereby specially repealed, and all Conveyances, Assurances, Contracts (other than such Contracts with respect to which Grants, Conveyances, &c. to continue in force.

The Deeside Railway Act, 1852.

which Provision is herein-after made), Notices, and other Matters and Things enacted, made, executed, entered into, or given to, with, from, by, in favour of, against, or in reference to the Company incorporated by the repealed Act, shall from and after the passing of this Act be as good, valid, and effectual in favour of or against or in reference to the Company hereby incorporated as the same respectively were good, valid, and effectual immediately before the passing of this Act in favour of or against or in reference to the Company incorporated by the repealed Act, and the Company hereby incorporated shall be considered as identical with the Company incorporated by the repealed Act in reference to all such Matters, as well as in reference to all other Transactions of and Matters relating to the said Company.

Actions, &c.,
not to abate.

VII. That no Action, Suit, Prosecution, Appeal, or Notice of Appeal, Order or Decision of Justices, or Matter pending before Justices, Distress, Entry, Execution, Arbitration, or other Proceeding whatsoever, commenced, carried on, levied, given, or made by, against, or in reference to the said Company incorporated by the repealed Act previously to the passing of this Act shall abate or be discontinued, annulled, or prejudicially affected by this Act, but on the contrary the same shall continue and take effect in favour of or against or in reference to the Company hereby incorporated, in the same Manner in all respects as the same would have continued and taken effect in favour of or against or in reference to the said Company incorporated by the repealed Act if this Act had not been passed; and all Penalties incurred by or for any Offence against the Provisions of the said hereby repealed Act, or against any Byelaw or Regulation of or concerning the said Company thereby incorporated, previously to the passing of this Act, shall and may be sued for, proceeded for, and recovered, and all Offences which may have been committed before the passing of this Act against the Provisions of the said hereby repealed Act, or any such Byelaw or Regulation, may be prosecuted in such or the like Manner, to all Intents and Purposes, as the same might have been sued for and prosecuted respectively if this Act had not passed, the Company hereby incorporated being in reference to the Matters aforesaid in all respects considered identical with the Company incorporated by the repealed Act.

Rights of
Action
saved.

VIII. That nothing in this Act shall be held to prejudice or affect any Right or Cause of Action or Suit, or any Remedy, which the Company incorporated by the repealed Act had against any Person or Corporation, or which any Person or Corporation had against the said Company, at the Time of the passing of this Act, but that all such Rights, Causes, and Remedies may be enforced or prosecuted by or against the Company hereby incorporated in like Manner and within the same Periods as the same might have been enforced or prosecuted by

The Deeside Railway Act, 1852.

by or against the Company incorporated by the repealed Act if this Act had not been passed.

IX. That nothing in this Act contained shall be held or construed to annul, prejudice, or affect any Resolution or Order of any Meeting of the Proprietors of the Company incorporated by the repealed Act, or of the Directors or of any Committee of the Directors of the same Company, nor any Register of Shareholders, Shareholders Address Book, Register of Transfers, Shares, Books of Account, or other Register or Book whatsoever of or relating to the same Company, but that all such Resolutions and Orders, Calls, Notices, Registers, and Books respectively, shall, notwithstanding the passing of this Act, but subject nevertheless to the Provisions thereof, continue in full Force and Effect, and be applicable to the Company hereby incorporated, in like Manner and to the like Extent as they would have continued and been applicable to the Company incorporated by the repealed Act if this Act had not been passed.

Act not to affect Resolutions or Orders of Meetings of Proprietors, &c.

X. That all Officers, Clerks, Servants, and Nominees whatsoever appointed by or for or relating to the Company incorporated by the repealed Act at the Time of the passing of this Act shall continue in and hold their respective Appointments, Offices, and Employments, according to the Terms and Exigencies thereof, until the Determination thereof, or until their Removal therefrom by the Company hereby incorporated, or otherwise in due Course of Law; and all such Officers, Clerks, Servants, and Nominees shall have the same Duties, Powers, Privileges, and Advantages, and shall be liable to the same Responsibilities, Penalties, Obligations, Restrictions, and Regulations, as if they had been appointed under this Act; and all Acts, Matters, and Things made, done, and permitted by them respectively in their respective Appointments, Offices, and Employments before the passing of this Act shall be as good, valid, and effectual to all Intents and Purposes, and have reference to the Company hereby incorporated, in like Manner and to the like Extent as they would have been good, valid, and effectual and had reference to the Company incorporated by the repealed Act if this Act had not been passed.

Present Officers, &c. continued.

XI. That all Officers and Persons who on the passing of this Act shall have in their Possession or under their Control any Money, Books, Documents, Papers, Writings, or any Effects, under or by virtue of the said repealed Act, shall account for and deliver up all such Money, Books, Documents, Papers, Writings, or other Effects to the Company hereby incorporated, or to such Person as they shall appoint to receive the same, in the same Manner, and subject to the same Process, Pains, and Penalties for Refusal or Neglect, as if such Officers or Persons had been appointed and had become possessed of such

Officers under former Act to account.

[Local.]

10 A

Money,

The Deeside Railway Act, 1852.

Money, Books, Documents, Papers, Writings, or other Effects under the Provisions of this Act.

Books, &c.,
to be Evi-
dence.

XII. That all Share Registers and other Registers, Books, Verdicts, and other Matters of Record and Documents whatsoever, and all Bye-laws, Rules, and Regulations, and all certified and other authenticated Copies or Extracts of or from Registers, Books, Records, Documents, Byelaws, Rules, and Regulations, made, kept, recorded, certified, and authenticated under or in pursuance of the said repealed Act, and which by such Act or otherwise were made Evidence or authorized to be given in Evidence, shall, notwithstanding the Repeal of such Act, and the Re-incorporation by this Act of the *Deeside* Railway Company, be admitted as Evidence in all Courts of Law and Equity and elsewhere as fully and effectually as the same respectively would or might have been admitted if this Act had not been passed.

Maps, &c.,
deposited to
remain with
Sheriff
Clerk, &c.,
and to be
open to
Inspection.

XIII. That the several Maps, Plans, Sections, and Books of Reference which prior to or in pursuance of the said recited Act have been deposited with any Sheriff Clerks, Schoolmasters, or Session Clerks of the several Counties, Parishes, and Places to which the same relate, or any Parishes and Places adjoining thereto, shall remain in the Custody of the said Sheriff Clerks and Schoolmasters or Session Clerks respectively, to the end that all Persons interested in any Manner therein may at all reasonable Times have Liberty to inspect the same, and to take Copies thereof or Extracts therefrom, at their Pleasure, such Persons paying to such Sheriff Clerks and Schoolmasters or Session Clerks from whom such Inspection or Copy or Extracts may be demanded respectively 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 at the Rate of Sixpence for every One hundred Words of such Copy or Extract; and the said Maps, Plans, Sections, and Books of Reference, or any Copy thereof respectively, or of so much thereof respectively as shall relate to any Matter which may be in question, certified to be a true Copy by the respective Sheriff Clerks or Schoolmasters or Session Clerks who have made the same, shall be admitted as Evidence in all Courts of Law and Equity or elsewhere as fully and for all the like Intents as if this Act had not been passed.

Capital of
Company.

XIV. That from and after the passing of this Act, and subject to the Provisions thereof, the Capital of the Company shall be reduced to the Sum of One hundred and six thousand two hundred and fifty Pounds, divided into Ten thousand six hundred and twenty-five Shares of Ten Pounds each, upon each of which Shares the Sum of Eight Shillings shall be considered as paid up.

XV. That

The Deeside Railway Act, 1852.

XV. That immediately from and after the passing of this Act every Person and Corporation who immediately before the passing of this Act was the Proprietor of any of the said existing Four thousand two hundred and fifty Shares of Fifty Pounds each shall be entitled to and shall receive Five new Shares of Ten Pounds each for every Two Shares of Fifty Pounds each held by such Proprietor in the existing Capital of the Company incorporated by the repealed Act; and the Company hereby incorporated shall issue Certificates for such new Shares of Ten Pounds each, and such Certificates shall be given to the Proprietors of such existing Shares in the Proportions aforesaid, in exchange for the Certificates of the existing Shares of Fifty Pounds each, and upon the Exchange of such Certificates, and upon the Registry of such new Shares, and of the Names of the Proprietors thereof, in the Register of Shareholders of the Company, in lieu of the existing Shares, the Liability of the Proprietors in respect of such existing Shares shall cease and determine; and upon every Certificate of such new Shares Credit shall be given for the Sum of Eight Shillings as the First Payment in respect of each Share included in such Certificate.

Proprietors to be entitled to Five 10l. Shares for every Two Shares of 50l.

XVI. That in the meantime and until the Proprietors of the existing Shares in the Capital of the Company hereby dissolved shall procure themselves, or their Nominees or Representatives, to be entered in the Register of Shareholders of the Company as the Proprietors of the new Shares to which they shall after the passing of this Act become entitled in respect of such existing or old Shares, such Proprietors shall, in respect of the existing or old Shares so held by them, continue and be liable to the Company hereby incorporated for the Payment of the full Sum of Forty-nine Pounds in respect of every such existing or old Share.

Liability under old Shares to continue until new Shares registered.

XVII. That all Persons and Corporations who shall receive any of the said new Shares in lieu of the existing Shares held by them in the Capital of the Company incorporated by the repealed Act shall stand and be possessed thereof upon the same Trusts, and subject to the same Powers, Provisions, Declarations, and Agreements, Charges and Incumbrances, as the old Shares in the Capital of the said Company in respect of which such new Shares were so received were subject and liable to immediately before the passing of this Act, and so as to give Effect to and not revoke any Will or other testamentary Instrument disposing of or affecting such old Shares.

New Shares to be subject to the same Trusts as the old Shares.

XVIII. That from and after the passing of this Act the said Eighty-five unappropriated Shares shall be and the same are hereby cancelled and extinguished.

Unappropriated Shares to be merged.

XIX. That

The Deeside Railway Act, 1852.

If Claim made upon the 65 unregistered Shares, new Shares to be allotted in respect thereof.

XIX. That if at any Time within Twelve Months after the passing of this Act the Holders of the said Sixty-five unregistered Shares, or of any of such Shares, in respect of which the Sum of One Pound *per* Share has been paid up, shall claim to have new Shares allotted to them in respect of the unregistered Shares so held by them, it shall be lawful for the Company and they are hereby required, upon the Surrender of such unregistered Shares, to allot and appropriate to the Persons so holding and surrendering such unregistered Shares Five new Shares of Ten Pounds each for every Two unregistered Shares of Fifty Pounds each upon which One Pound *per* Share has been paid up, and upon the Certificates for such new Shares Credit shall be given for the Sum of Eight Shillings as the First Payment in respect of each Share included in such Certificate; and if at the Time of any such Claim the Company shall not be possessed of any new Shares of Ten Pounds each created or altered under the Powers of this Act, it shall be lawful for the Company to create and issue such and so many new Shares of Ten Pounds each as may be necessary, so that the Number of additional new Shares so to be created shall not in any Event exceed in the whole One hundred and sixty-three Shares of Ten Pounds each; and the additional Shares which shall be so created shall be added to the Capital of the Company, as reduced by this Act, and shall for all Purposes be deemed Part of such Capital.

As to the Amount of Calls.

XX. That from and after the passing of this Act Three Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders; and Three Fourths of the Amount of a Share shall be the utmost aggregate Amount of Calls that may be made in any One Year upon the said Shares, and Two Months at least shall be the Interval between every Two successive Calls.

Power to borrow Money on Mortgage.

XXI. That it shall be lawful for the Company to borrow on Mortgage or Bond any Sums not exceeding in the whole the Sum of Thirty-five thousand four hundred Pounds, but no Part of such Sum shall be borrowed until One Half of the said Capital or Sum of One hundred and six thousand two hundred and fifty Pounds shall have been actually paid up.

Application of Money.

XXII. That all Money to be raised under the Provisions of this Act, whether by means of Shares or by Exercise of the Powers of borrowing, shall be applied to the Purposes of the Undertaking by this Act authorized, and to no other Purpose.

First and subsequent General Meetings.

XXIII. That the First Ordinary Meeting of the Company hereby incorporated shall be held within Two Months next after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be

The Deeside Railway Act, 1852.

be held Once in each Year in the Month of *September* or *October*, as the Directors may appoint; and all Meetings, whether ordinary or extraordinary, shall be held in *Aberdeen*, or such other Place as the Directors of the Company may from Time to Time direct.

XXIV. That the Quorum for every General Meeting of the Company shall be Ten Shareholders holding in the aggregate not less than Five thousand Pounds in the Capital of the Company. Quorum of General Meetings.

XXV. That (subject to the Provision herein contained for reducing the Number of Directors) the Number of Directors shall be Six, and the Qualification of a Director shall be the Possession in his own Right of Fifty Shares in the Undertaking. Number and Qualification of Directors.

XXVI. That it shall be lawful for the Company to reduce the Number of Directors, provided that the reduced Number be not less than Three. Power to vary the Number of Directors.

XXVII. That *John Blaikie, Patrick Davidson, John Duncan, William Henderson, Alexander John Kinloch, and Andrew Robertson* shall be the First Directors of the Company. First Directors.

XXVIII. That the Directors appointed by this Act shall continue in Office until the First Ordinary Meeting to be held after the passing of this Act, and at such Meeting the Shareholders present, personally or by Proxy, may either continue in Office the Directors appointed by this Act, or any Number of them, or may elect a new Body of Directors, or Directors to supply the Places of those not continued in Office, the Directors appointed by this Act being eligible as Members of such new Body. First Election of Directors.

XXIX. That at the First Ordinary Meeting to be held in the Year next after the Year in which such last-mentioned Directors shall have been appointed or elected, the Shareholders present, personally or by Proxy, shall elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions in "The Companies Clauses Consolidation (*Scotland*) Act, 1845," contained, and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead in manner provided by "The Companies Clauses Consolidation (*Scotland*) Act, 1845." Future Directors.

[*Local.*]

10 B

XXX. That

The Deeside Railway Act, 1852.

Quorum of
Directors.

XXX. That the Quorum of a Meeting of Directors shall be Four, and if the Number of Directors shall be reduced to Three then such Quorum shall be Two.

Committees
of Directors.

XXXI. That the Number of Directors of which Committees appointed by the Directors shall consist shall be not less than Three nor more than Five, and the Quorum of such Committees shall be the Majority of the Members of which such Committee shall consist respectively.

Power to
make Rail-
way accord-
ing to depo-
sited Plans.

XXXII. And whereas Plans and Sections showing the Line and Levels of the Railway hereby authorized to be made, and also the Lines and Levels of the Approaches and Bridge to be connected therewith, together with a Book of Reference to such Plans containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands through which the same are intended to pass or be made, have been deposited in the Offices of the Principal Sheriff Clerks of the Counties of *Aberdeen* and *Kincardine*: Be it enacted, That, subject to the Provisions in this Act, and the several Acts incorporated herewith, or any of them, contained, it shall be lawful for the Company to make and maintain the Railway and Approaches, and Bridge, Works, and Conveniences connected therewith, in the Lines and upon the Lands shown upon the said Plans and described in the said Book of Reference, and according to the Levels shown on the said Sections, and to enter upon, purchase, take, and use such of the said Lands as shall be necessary for such Purposes or any of them.

Line of Rail-
way and
Works.

XXXIII. That the Line of Railway, Bridge, Approaches, and Works to be made and maintained under the Authority of this Act shall be the following; that is to say,

A Railway commencing at or near the Place or Point of Junction of the authorized Line of the *Deeside* Railway with the Line of the *Aberdeen* Railway in the Parish of *Old Machar* in the County of *Aberdeen* near the existing Station thereof, at *Ferryhill, Aberdeen*, and passing in or through the Parishes of *Old Machar, Banchory Devenick, Peter Culter*, and *Drumoak* in the County of *Aberdeen*, and *Banchory Ternan*, in the County of *Kincardine*, and terminating at or near the Free Church at *Banchory* where the Road numbered 179 on the deposited Plans of the said authorized Line of Railway in the said Parish of *Banchory Ternan* crosses the authorized Line of the said Railway in the said Parish:

An Approach or Road to an intended Station on the said Railway, at or near *Redford* in the said Parish of *Drumoak*, commencing
out

The Deeside Railway Act, 1852.

out of and on the South Side of the *North Deeside* Turnpike Road at or near the Point marked A in the Field numbered 93 in the said Parish of *Drumoak* on the deposited Plans of the said Railway showing the Line thereof as authorized by this Act, and terminating at the said proposed Station which is intended to be made on or adjoining the said Field numbered 93, all in the said Parish of *Drumoak*:

Another Approach or Road to the same Station, commencing at or near a Point marked B on the deposited Plans of the said Railway as authorized by this Act, and at or near to the Approach to *Durris House* on the North Side of and out of the *South Deeside* Turnpike Road in the Parish of *Durris* in the County of *Kincardine*, and passing thence Northward in or through the said Parishes of *Durris* and *Drumoak*, and terminating at the said intended Station at or near *Redford*, and crossing in its Course the River *Dee* by a Bridge to be constructed by the Company at or near the Boundary between the Estates of *Park* and *Drum*, and near to the Duke of *Gordon's* Monument in the said Parish of *Durris*.

XXXIV. That in constructing the Railway through the Estate of *Leys*, the Property of Sir *Alexander Burnett* Baronet, it shall not be lawful for the Company, without the Consent in Writing of the Proprietor for the Time being of the said Estate, to construct the said Railway through the said Estate on the North Side of the *Deeside* Turnpike Road, but the Line thereof shall, except with such Consent as aforesaid to make the same on the North Side of the said Turnpike Road, be made on the South Side of the said Road, passing between the said Road and the River *Dee*.

Railway not to be constructed on the North Side of the Estate of *Leys*, without Consent.

XXXV. That, subject to the Provisions in "The Railways Clauses Consolidation (*Scotland*) Act, 1845," contained, in reference to the crossing of Roads on the Level, it shall be lawful for the Company, in constructing the Railway by this Act authorized, to carry the same across and on the Level with the several Turnpike Roads and Highways herein-after mentioned, and numbered on the said deposited Plans thereof as follows:

Power to cross certain Roads on the Level.

In the Parish of *Old Machar*,
The public Carriage Roads numbered respectively 17, 34*a*, and 60:

In the Parish of *Banchory Devenick*,
The public Carriage Road numbered 60:

In the Parish of *Peter Culter*,
The public Carriage Road numbered 72:

In

The Deeside Railway Act, 1852.

In the Parish of *Drumoak*,

The public Carriage Roads numbered 33a and 36, and the proposed Approach or Road to the *Redford* Station from the *North Deeside* Turnpike Road :

In the Parish of *Banchory Ternan*,

The public Carriage Roads numbered respectively 17 and 136a.

Stations or Lodges to be erected at level Crossings, and be subject to Regulations of Board of Trade.

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

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

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

Power to alter the Rates of Inclination of certain Roads.

XXXVIII. That at or near the Point at which the said Railway is intended to cross the Roads numbered as herein-after mentioned, on the said deposited Plans of the said Railway, the Rates of Inclination of such Roads may be altered, so that the same when altered shall not exceed the respective Rates of Inclination herein-after mentioned; (that is to say,)

The Deeside Railway Act, 1852.

Number on Plans.	Description.	Parish or Place.	Rate of Inclination.
40	Turnpike Road	Old Machar	1 in 29 on the North Side of the said Railway.
60	Public Carriage Road	Ditto	1 in 12 on the South Side of the said Railway.
8a	Diversion of this public Carriage Road.	Banchory Devenick.	1 in 16 on the South Side of the said Railway.
60	Public Carriage Road	Ditto	1 in 6 on the South Side and 1 in 8 on the North Side of the said Railway.
93	Ditto	Ditto	1 in 14½ on the North Side of the said Railway.
53	Ditto	Peter Cutler	1 in 15 on the North Side of the said Railway.
72	Ditto	Ditto	1 in 10 on the South Side and 1 in 12 on the North Side of the said Railway.
94	Diversion of Church Road.	Ditto	1 in 15 on the South Side of the said Railway.

XXXIX. That the Quantity of Land to be taken by the Company for extraordinary Purposes shall not exceed Fifteen Acres.

Lands for extraordinary Purposes.

XL. That it shall be lawful for all Persons owning or entitled to any Lands or other Property authorized or required to be taken for any of the Purposes of this Act, whether such Persons shall hold or be entitled to dispose of such Lands or other Property absolutely, or being under any legal Disability or Incapacity, within the Meaning of Section Seven of "The Lands Clauses Consolidation (*Scotland*) Act, 1845," incorporated with this Act, shall be only able to sell or convey the same under the Powers of this Act, and of the said Lands Clauses Consolidation (*Scotland*) Act, 1845, to agree with the Company to sell and convey such Lands and other Property, or any Part thereof, unto the Company, in consideration of an annual Feu Duty or Ground Annual to be paid by the Company.

Power to purchase Lands on Feu Duties.

XLI. That the Feu Duties or Ground Annuals stipulated by any such Conveyance, whether such Conveyance be made by Persons entitled absolutely, or by Persons under any legal Disability or Incapacity, as aforesaid, shall be charged on the Tolls payable under this Act, and shall be otherwise secured in such Manner as shall be agreed between the Parties Contractors for the Sale of such Lands or Property and the Company, and such Feu Duties or Ground Annuals shall be paid by the Company when and as the same shall from Time to Time become payable; and if at any Time the same be not paid within Thirty Days after they so become payable, and after Demand thereof in Writing, the Person to whom any such Feu Duties or Ground Annuals shall be payable may either recover the same from the Company, with Expenses of Suit, by Action in the Sheriff Court of the County of *Aberdeen* or

Feu Duties to be charged on Tolls.

[*Local.*]

10 C

Kincardine,

The Deeside Railway Act, 1852.

Kincardine, or it shall be lawful for him to levy the same by Pounding and Sale of the Goods and Effects of the Company.

Time for compulsory Purchase of Lands limited.

XLII. That the Powers of the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Two Years from the passing of this Act.

Period for Completion of Works.

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

Tolls.

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

Tonnage on Articles of Merchandise.

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

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

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

For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Stones, and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per Ton per Mile* not exceeding Threepence; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Penny Halfpenny:

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

And for every Carriage, of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per Mile* not exceeding Sixpence:

And

The Deeside Railway Act, 1852.

And a like Sum of Sixpence *per* Mile for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh; and if conveyed on a Truck or Platform belonging to the Company, an additional Sum *per* Mile not exceeding Sixpence :

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

Tolls for
Passengers
or Cattle.

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

For every Horse, Mule, Ass, or other Beast of Draught or Burden, and for every Ox, Cow, Bull, or Neat Cattle, conveyed in or upon any such Carriage, *per* Mile not exceeding Twopence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding Threepence:

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

XLV. That the Toll which the Company may demand for the Use of Engines for propelling Carriages on the Railway shall not exceed One Penny *per* Mile for each Passenger or Animal, or for each Ton of Goods or other Articles, in addition to the several other Tolls or Sums by this Act authorized to be taken; except when Passengers, Animals, Goods, or other Articles are sent by a Special Train, in which Cases the Company shall be entitled to charge any reasonable Sum as shall be agreed upon, beyond the Toll and Charges herein limited.

Tolls for
propelling
Power.

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

Regulations
as to Tolls.

For Articles or Persons conveyed on the Railway for a less Distance than Four Miles the Company may demand Tolls as for Four entire Miles:

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

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

The Deeside Railway Act, 1852.

be a Fraction of a Quarter of a Ton such Fraction shall be deemed a Quarter of a Ton:

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

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

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

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

For the Carriage of small Parcels the Company may demand for Parcels not exceeding Seven Pounds Weight any Sum not exceeding Fourpence:

For Parcels exceeding Seven Pounds and not exceeding Fourteen Pounds, any Sum not exceeding Eightpence:

For Parcels exceeding Fourteen Pounds and not exceeding Twenty-eight Pounds, any Sum not exceeding One Shilling and Fourpence:

For Parcels exceeding Twenty-eight Pounds and not exceeding Fifty-six Pounds, any Sum not exceeding Two Shillings:

And for Parcels exceeding Fifty-six Pounds and less than Five hundred Pounds the Company may demand any Sum which they may think fit: Provided always, that Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages:

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

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

Limiting
Charges for
conveyance
of Passen-
gers.

XLVIII. That it shall not be lawful for the Company to demand or receive any greater Sum in respect of the Carriage of Passengers conveyed on the Railway by this Act authorized than Twopence *per Passenger per Mile* in respect of any Passenger travelling in a First-class

The Deeside Railway Act, 1852.

class Carriage, One Penny Halfpenny *per* Passenger *per* Mile in respect of any Passenger travelling in a Second-class Carriage, and One Penny *per* Passenger *per* Mile in respect of any Person travelling in a Third-class Carriage, including the Charges for the Use of Carriages and locomotive Power, and all other Charges incidental to such Conveyance, unless in the Case of Passengers travelling by Special Trains: Provided always, that in the Case of Trains travelling at a greater Rate of Speed than Twenty-five Miles *per* Hour, it shall be lawful for the Company to demand and receive, in respect of Passengers travelling by such Trains in a First-class Carriage any Sum not exceeding Twopence Three Farthings *per* Mile, and for Passengers travelling by such Trains in a Second-class Carriage any Sum not exceeding Twopence *per* Mile, and if travelling in a Third-class Carriage by such Trains any Sum not exceeding One Penny Halfpenny *per* Mile, including in such Charges the Charges for the Use of Carriages and locomotive Power, and all other Charges incidental to such Conveyance.

XLIX. That it shall not be lawful for the Company to charge, in respect of the several Articles, Matters, and Things and of the several Descriptions of Animals herein-after mentioned, conveyed on the Railway by this Act authorized, any greater Sum, including the Charges for the Use of Carriages, Waggon, or Trucks, and for locomotive Power, and all other Charges incidental to such Conveyance, than the several Sums herein-after mentioned; that is to say,

Limiting
Charges for
the Convey-
ance of
Goods and
Cattle.

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

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

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

For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, and Things, *per* Ton *per* Mile Threepence Halfpenny:

And for every Carriage, of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per* Mile Sevenpence:

For every Horse, Mule, Ass, or other Beast of Draught or Burden, *per* Mile Fivepence:

[*Local.*]

10 D

For

The Deeside Railway Act, 1852.

For every Ox, Cow, Bull, or Neat Cattle, *per* Mile Twopence:

For every Calf or Pig, Sheep, Lamb, or other small Animal, *per* Mile Three Farthings:

Provided always, that if any Passenger, Animals, or Goods be conveyed for a less Distance than Six Miles on the Railway the Company shall be entitled to demand and receive Toll as for Six entire Miles.

As to
Second and
Third Class
Carriages.

L. That Two Thirds in Number of the Company's regular Trains running each Day shall have Carriages attached for the Conveyance of Second and Third Class Passengers.

Passengers
Luggage.

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

Company
may take
increased
Charges by
Agreement.

LII. That nothing herein contained shall be held to prevent the Company from taking any increased Charges, over and above the Charges herein-before limited, for the Conveyance of Goods of any Description, by Agreement with the Owners of or Persons in charge of such Goods, either in respect of the Conveyance thereof, other than small Parcels, by Passenger Trains, or by reason of any other special Service performed by the Company in relation thereto.

Tolls for the
Use of the
Approaches
and Bridge.

LIII. That it shall be lawful for the Company to demand and take, in respect of all Passengers, Animals, and Carriages which shall pass along and over the said Approach or Road or Bridge to be made by the Company from the *South Deeside* Turnpike Road to the intended Station on the said Railway at or near *Redford*, any Tolls or Sums of Money which the Company may from Time to Time think fit, not exceeding the following; that is to say,

For every Horse, Beast of Draught, or other Animal drawing any Coach, Chariot, Landau, Sociable, Berlin, Brougham, Chaise, Curricle, Whiskey, Car, Calash, Cabriolet, Caravan, Hearse, or Litter, or other such Carriage, the Sum of Threepence:

For every Horse, Beast of Draught, or other Animal drawing any Waggon, Wain, Van, Cart, Wherry, or other such like Carriage, the Sum of Twopence:

For every Horse, Mule, or Ass, laden or unladen, and not drawing, the Sum of One Penny:

For every Score of Oxen or Neat Cattle the Sum of Tenpence, and so on in proportion for any greater or less Number:

For every Person on Foot, the Sum of One Halfpenny:

And

The Deeside Railway Act, 1852.

And such Tolls shall be paid (if demanded) each Time of passing along the said Approach or Road, or any Part thereof, or over the said Bridge; and it shall be lawful for the Company to erect such Toll Houses and Toll Gates for the Collection of such last-mentioned Tolls as they may see fit, and from Time to Time to remove or alter the same, and erect others.

LIV. That the Company shall abandon and relinquish so much of their Line of Railway as by "The *Deeside* Railway Act, 1846," is authorized to be made, as lies between the Road numbered 179 on the Plans referred to in such Act in the Parish of *Banchory Ternan* in the County of *Kincardine* and the authorized Termination of the said Railway at or near *Aboyne* in the County of *Aberdeen*; and the Company shall also abandon and relinquish the Construction of so much of their said authorized Line of Railway between the authorized Point of Junction thereof with the *Aberdeen* Railway in the Parish of *Old Machar* in the County of *Aberdeen* and the proposed Termination at or near *Banchory* of the Railway authorized by this Act as shall be rendered unnecessary by the Construction of the Railway and Works hereby authorized to be constructed and maintained.

Part of Railway, as authorized by 9 & 10 Vict. c. 158. to be abandoned.

LV. That in any Case where before the passing of this Act any Contract hath been entered into or any Notice given by the Company for purchasing any Lands which the Company were by "The *Deeside* Railway Act, 1846," empowered to purchase, for the Purpose of constructing the Portions of Railway so authorized to be abandoned as aforesaid, and the said Company shall not require the Land so contracted for or in respect of which such Notice has been given for the said new Line of Railway hereby authorized, the Company shall make to the Owners or Occupiers of and other Parties interested in such Lands full Compensation for all Injury or Damage sustained by such Owners, Occupiers, and other Parties by reason of such Purchase not being completed pursuant to such Contract or Notice, and the Amount and Application of such Compensation shall be determined in the Manner provided by "The *Lands Clauses Consolidation (Scotland) Act, 1845*," for determining the Amount and Application of the Compensation to be paid for Lands taken under the Provisions thereof: Provided also, that the Authority hereby given for abandoning the Formation of the aforesaid Portions of Railway shall not prejudice or affect the Right of the Owner or Occupier of any Lands which the Company were so empowered to purchase as aforesaid to receive from the Company Compensation for any Damage that may have been occasioned by the Entry of the Company upon such Lands for the Purpose of surveying and taking Levels, and of probing or boring to ascertain the Nature of the Soil, or of setting out the Line of the Railway,

Compensation to be made where Contracts have been entered into or Notices given.

The Deeside Railway Act, 1852.

way, pursuant to the Provisions for that Purpose in the said "Lands Clauses Consolidation (*Scotland*) Act," contained.

As to Junction with the *Aberdeen Railway*.

LVI. That all Communications between the Railway hereby authorized and the *Aberdeen Railway*, and all such Openings in the Ledges or Flanches thereof as may be necessary or convenient for effecting such Communication, shall be made, under the Direction and Superintendence of the Engineer for the Time being of the *Aberdeen Railway Company*, at the Expense of the *Deeside Railway Company*, and shall for ever afterwards be maintained and kept in perfect Order and Repair by and at the Expense of the said Company.

Lands of *Aberdeen Railway* not to be taken without Consent, except for a certain Purpose.

LVII. That nothing in this Act contained shall enable the *Deeside Railway Company* to purchase or take from the *Aberdeen Railway Company*, otherwise than by Agreement with the said Company, any Lands or Station Ground belonging to said last-mentioned Company, except for the Purpose of forming the Junction or Communication between the said Railways as by this Act authorized.

Powers to enter into Agreements with the *Aberdeen Railway Company* for the Use of Stations.

LVIII. That it shall be lawful for the *Deeside Railway Company* and for the *Aberdeen Railway Company* to make and enter into Contracts and Agreements for the Use by the said Companies of any Station or Stations and Depôts belonging to or to be made and acquired by the said Companies or either of them, and generally to enter into and carry into effect such Arrangements in reference thereto, and for the proper and convenient Construction thereof, and the Payment and Apportionment of the Expense of constructing and maintaining the same, and the Rates or other Remuneration to be paid for the Use thereof, as may be mutually agreed upon between the said Two Companies; and every such Contract, Agreement, or Arrangement may contain such Covenants, Clauses, Powers, Provisions, and Conditions as may be mutually agreed on between the said Two Companies.

Deeside Railway Company may purchase Lands for Purposes of joint Station.

LIX. Provided always, That for the Purpose of better enabling the *Deeside Railway Company* and the *Aberdeen Railway Company* to carry into effect any Arrangements to be entered into between them for the Construction and Maintenance of any Station at *Aberdeen* for the joint Use of the said Companies, it shall be lawful for the *Aberdeen Railway Company* to sell, and for the *Deeside Railway Company* to purchase, any Lands purchased or to be purchased or acquired by the *Aberdeen Railway Company* for the Construction of their Station and Works at *Aberdeen*, upon such Terms, and subject to such Rights of using the same Lands, and any Station and Works to be constructed thereon, by either of the said Companies, and to the Payment by either of the said Companies to the other of them of such Rent or other Remuneration

The Deeside Railway Act, 1852.

Remuneration for using the same, as may be mutually agreed upon between the said Companies.

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

Interest not to be paid on Calls paid up.

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

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

LXII. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railway*; and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways*; and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops*; and another Act was passed in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Session of Parliament, and for other Purposes in relation to Railways*; and Two other Acts were passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her said Majesty, intituled respectively *An Act for regulating Gauge of Railways*, and *An Act for constituting Commissioners of Railways*; and an Act was passed in the Session of Parliament held in the Fourteenth and Fifteenth Years of the Reign of Her said Majesty, intituled *An Act to repeal the Act for constituting Commissioners of Railways*: Be it enacted, That nothing in this Act contained shall be held to exempt the said Railway or the Company from the Provisions of the said several Acts respectively, but that such

Railway to be subject to Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., 9 & 10 Vict. cc. 57. & 105., and 14 & 15 Vict. c. 64.

[Local.]

10 E

Provisions

The Deeside Railway Act, 1852.

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

Railway, &c.
not exempt
from Pro-
visions of
future Gene-
ral Acts.

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

Expenses of
Act.

LXIV. That all the Costs, Charges, and Expenses of and attending the passing of this Act or incidental thereto shall be paid by the Company.

Interpreta-
tion of
Terms.

LXV. That in the Construction of this Act the Expression "the Company" shall mean the Company incorporated by this Act, and the Expression "the Railway" shall mean the Railway authorized by this Act, unless in each Case there be something in the Subject or Context repugnant to such Construction.

LONDON :

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1852.