



ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

Cap. cxxvii.

An Act for making a Railway from *Ladybank*, on the Line of the *Edinburgh, Perth, and Dundee* Railway, by *Auchtermuchty* and *Strathmiglo*, to *Milnathort* and *Kinross*. [16th July 1855.]

WHEREAS the making of a Railway from *Ladybank*, on the Line of the *Edinburgh, Perth, and Dundee* Railway, by *Auchtermuchty* and *Strathmiglo*, to *Milnathort* and *Kinross*, would be of great local and public Advantage: And whereas the Persons herein-after named, together with others, are willing, at their own Expense, to carry such Undertaking into execution; but these Objects 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, as follows; that is to say,

I. "The Companies Clauses Consolidation (*Scotland*) Act, 1845," 8 & 9 Vict. cc. 16. 18. "The Lands Clauses Consolidation (*Scotland*) Act, 1845," and "The Railways Clauses Consolidation (*Scotland*) Act, 1845," shall be incorporated in this Act. and 20. incorporated.

[*Local.*]

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II. In

The Fife and Kinross Railway Act, 1855.

- Short Title. II. In citing this Act for any Purpose it shall be sufficient to use the Expression "The *Fife and Kinross* Railway Act, 1855."
- Subscribers incorporated. III. *George Clerk Cheape, James Simpson, John Bonthron, John Wright Williamson, David Blyth, George Walker, Hugh Laird, Alexander Bonthron*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be and are hereby united into a Company for the Purpose of making and maintaining the Railway herein-after described, and all proper Works and Conveniences connected therewith; and for that Purpose such Company shall be incorporated by the Name of "The *Fife and Kinross* Railway Company," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have Power to purchase, acquire, and hold Lands for the Purposes of the Undertaking, subject to the Provisions of this Act and the Acts incorporated herewith.
- Capital. IV. The Capital of the Company shall be Seventy thousand Pounds, which shall be applicable only to the Purposes authorized by this Act.
- Number and Amount of Shares. V. The Number of Shares into which the Capital shall be divided shall be Seven thousand, and the Amount of each Share shall be Ten Pounds.
- Calls. VI. One Pound Ten Shillings *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and Two Months at the least shall be the Interval between successive Calls, and the aggregate Amount of Calls to be made on any Share in any One Year shall not exceed Seven Pounds Ten Shillings in the whole.
- Interest not to be paid on Calls paid up. VII. 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 to any Shareholder Interest or Dividend on the Amount of the Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein contained shall 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.

VIII. It

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VIII. It shall not be lawful for the Company, out of any Money by this Act authorized to be raised, 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.

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

IX. It shall be lawful for the Company to borrow on Mortgage or Bond any Sums not exceeding in the whole the Sum of Twenty-three thousand Pounds, but no Part of such Sum shall be borrowed until the whole of the said Capital of Seventy thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up: Provided always, that the Sums to be borrowed as aforesaid shall be applied solely to the Purposes authorized by this Act.

Power to borrow on Mortgage.

X. It shall be lawful for the Mortgagees of the Company to enforce the Payment of the Arrears of Principal and Interest due on any Mortgages by the Appointment of a Judicial Factor; and in order to authorize the Appointment of such Judicial Factor, in the event of the Principal Monies due on such Mortgages not being duly paid, the Amount owing to the Mortgagees by whom Application for such Judicial Factor shall be made shall not be less than Two thousand Pounds in the whole.

Arrears may be enforced by Appointment of a Judicial Factor.

XI. The First Ordinary Meeting of the Company shall be held within Two Months next after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held twice in every Year in the Months of *March* and *September*.

First and subsequent General Meetings.

XII. The Quorum of General Meetings of the Company shall be Ten Shareholders present, personally or by Proxy, holding in the aggregate not less than Three thousand Pounds in the Capital of the Company.

Quorum of General Meetings.

XIII. The Number of Directors shall be Six, and the Qualification of a Director shall be the Possession in his own Right of Twenty Shares in the Capital of the Company.

Number and Qualification of Directors.

XIV. It shall be lawful for the Company to reduce the Number of Directors, provided that the reduced Number be not less than Five.

Power to vary the Number of Directors.

XV. *John Bonthron*, *Hugh Laird*, *George Walker*, *James Simpson*, *David Blyth*, and *John Wright Williamson* shall be the First Directors of the Company.

First Directors.

XVI. The

The Fife and Kinross Railway Act, 1855.

First Elec-
tion of Direc-
tors.

XVI. 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.

Future
Directors.

XVII. 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 said Companies Clauses Consolidation (*Scotland*) Act 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 said last-mentioned Act.

Quorum of
Directors.

XVIII. The Quorum of a Meeting of Directors shall be Three.

Power to
make Rail-
way accord-
ing to de-
posited
Plans, &c.

XIX. Whereas Plans and Sections of the Railway, showing the Line and Levels thereof, together with Books of Reference to the said Plans, containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands through which the same is intended to pass, have been deposited in the Office at *Cupar* of the Principal Sheriff Clerk of the County of *Fife*, and in the Office at *Kinross* of the Principal Sheriff Clerk of the County of *Kinross*: It shall be lawful for the Company, with the Powers of Deviation and other Powers and subject to the Provisions contained in this Act and in the Acts incorporated herewith, to make and maintain the said Railway in the Line and upon the Lands delineated on the said Plans and described in the said Book of Reference, and according to the Levels defined on the said Sections, and all proper Works and Conveniences in connexion therewith, and to enter upon, take, and use such of the said Lands as they may find necessary for the Purposes aforesaid.

Line of Rail-
way.

XX. The Railway shall commence by a Junction with the *Edinburgh, Perth, and Dundee* Railway near *Ladybank* in the Parish of *Collessie* and County of *Fife*, and terminate at a Point near to the Bridge called the *Black Bridge* in the Parish of *Kinross* and County of *Kinross*.

XXI. The

The Fife and Kinross Railway Act, 1855.

XXI. The Junction of the Railway by this Act authorized to be made with the *Edinburgh, Perth, and Dundee* Railway shall be made and completed at the Sight and to the Satisfaction of the Engineer for the Time being of the *Edinburgh, Perth, and Dundee* Railway, and according to Plans to be approved of by such Engineer previously to the Commencement of the Works connected with such Junction.

As to Connexion with the Edinburgh, Perth, and Dundee Railway.

XXII. Nothing herein contained shall be held to authorize the Company to enter upon, purchase, or take any Lands belonging to the *Edinburgh, Perth, and Dundee* Railway Company without the previous Consent of such Company first had and obtained, nor to alter or vary the Line or Levels of the *Edinburgh, Perth, and Dundee* Railway without such Consent as aforesaid, nor shall it be in the Power of the Company to interfere with the said Railway, except for the Purpose of making and maintaining the Junction before mentioned in the Manner herein provided, or in any Manner to interrupt or interfere with the Traffic passing on the said Railway; and the Company shall bear all the Expenses of effecting such Junction as aforesaid, and of maintaining, watching, and working the same, and of the necessary Works for preventing Danger, Inconvenience, or Interruption to the Traffic on the *Edinburgh, Perth, and Dundee* Railway, and shall also, at their own sole Costs and Charges, construct and for ever after maintain such and so many Switches, Turntables, Sidings, and other Works and Conveniences as may be necessary or convenient in connexion with the said Junction, and for preventing any such Danger, Interruption, or Inconvenience to the Traffic of the *Edinburgh, Perth, and Dundee* Railway: Provided always, that if any Difference shall arise between the Company and the *Edinburgh, Perth, and Dundee* Railway Company as to the Nature or Necessity of any such Works as aforesaid, the same shall be referred to Arbitration or to the Decision of the Board of Trade, at the Option of the *Edinburgh, Perth, and Dundee* Railway Company.

Lands and Works of the Edinburgh, Perth, and Dundee Railway Company not to be interfered with, except by Consent.

XXIII. It shall be lawful for the Company to carry the Railway across the Surface of the Roads numbered on the said deposited Plans as follows; (that is to say,)

In the Parish of *Collessie*, the Road numbered 42:

In the Parish of *Portmoak*, the Road numbered 5:

In the Parish of *Orwell*, the Road numbered 41.

Certain Roads may be crossed on the Surface.

XXIV. For the Security of the Public, the Company shall erect and maintain either a Station or Lodge at each of the Places where the Railway shall cross the before-mentioned Roads on the Level; and the Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Roads on the

Lodges or Stations to be made at level Crossings.

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Level,

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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 Company shall fail to erect or at all Times to maintain any such Station or Lodge, or to appoint a proper Person to watch or superintend the Crossing at any such Point or Station, or to observe or abide by any such Rules or Regulations 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
Bridges to be
erected in
lieu of level
Crossings.

XXV. 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 opened 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 of the said Roads either over or under the Railway by means of a Bridge or Arch, in lieu of crossing the same on the Level, or to execute such other Works as under the Circumstances of the Case shall appear to the said Board best adapted for removing or diminishing the Danger arising from such level Crossing.

Lands for
extraordi-
nary Pur-
poses.

XXVI. The Quantity of Land to be taken by the Company for the extraordinary Purposes mentioned in "The Railways Clauses Consolidation (*Scotland*) Act, 1845," shall not exceed Five Acres.

Period for
purchasing
Lands
limited.

XXVII. 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.

XXVIII. 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 and the Acts incorporated herewith 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.

Deposit
Money not
be repaid
until Line
opened, or
Half the
Capital paid
up and ex-
pended, ex-
cept on Exe-
cution of
Bond, &c.

XXIX. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth and Tenth Years of Her present Majesty, Chapter Twenty, a Sum of Four thousand five hundred Pounds, being One Tenth Part of Three Fourths of the Amount of the Estimate of the Expense of the Railway authorized by this Act, has been deposited with the Court of Exchequer in *Scotland* in respect of the Application to Parliament for this Act: Be it enacted, That, notwithstanding anything contained in the said last-mentioned Act,

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Act, the said Sum of Four thousand five hundred Pounds so deposited as aforesaid in respect of the Application for this Act, or the Interest of such Sum of Money, shall not, except upon the Execution and Deposit of such Bond as herein-after mentioned, be paid to or on the Application of the Person or Persons or the Majority of the Persons named in the Warrant or Order issued in pursuance of the said Act, or the Survivors or Survivor of them, unless the said Company shall, previously to the Expiration of the Period limited by this Act for Completion of the Railway hereby authorized to be made, either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the said Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if the said Period shall expire before the said Company shall either have opened the said Railway for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the said Sum of Money deposited as aforesaid, and the Interest thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid by the Officer or Person in whose Name it shall then be deposited to the Account of Her Majesty's Exchequer, and when so paid shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*: Provided, that at any Time after the passing of this Act, if a Bond in twice the Amount of the said Sum of Four thousand five hundred Pounds shall have been executed by the said Company, with One or more Sureties, (such Bond to be prepared to the Satisfaction of and such Surety or Sureties to be approved by the Solicitor to the Lords Commissioners of Her Majesty's Treasury,) conditioned for Payment to Her Majesty, Her Heirs or Successors, of the said Sum of Four thousand five hundred Pounds if the said Company shall not, within the Time limited for the Completion of the said Railway, either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee that the said Company have paid up One Half of the Amount of the said Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital, and if such Bond shall have been deposited with the said Solicitor to the said Lords Commissioners, then such Sum of Money, and the Interest thereof, shall be paid to or on the Application of the Person or Persons or the Majority of the Persons named in such Warrant or Order as aforesaid, or the Survivor or Survivors of them, and it shall not be necessary to produce any Certificate of this
Act

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Act having passed, anything in the said Act to the contrary notwithstanding; and the Moneys to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Money and the Interest thereof would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitor to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Lords of the said Committee that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

Tolls :

XXX. It shall be lawful for the Company to demand and recover any Tolls for the Use of the Railway not exceeding the following; (that is to say,)

On Articles
of Merchandise :

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

For all Dung, Compost, and all Sorts of Manure, Lime and Limestone, and all undressed Materials for the Repair of public Roads and Highways, and 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* Twopence; and if conveyed in Carriages provided by the Company, an additional Sum *per Ton per Mile* of One Penny :

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* Threepence; and if conveyed in Carriages provided by the Company, an additional Sum *per Ton per Mile* of One Penny Halfpenny :

For all Cottons and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, or Things, *per Ton per Mile* Fourpence; and if conveyed in Carriages provided by the Company, an additional Sum *per Ton per Mile* of 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* Fivepence; and a Sum of Twopence *per Mile* for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh; and if conveyed on a Truck or Platform provided by the Company, an additional Sum *per Mile* of Sixpence :

Second,

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Second, in respect of Passengers and Animals conveyed in Carriages upon the said Railway or any Part thereof, as follows: Tolls on Passengers and Animals.

For any Person conveyed in or upon any such Carriage, *per* Mile Twopence; and if conveyed in or upon any Carriage provided by the Company, an additional Sum of One Penny *per* Mile:

For every Horse, Mule, Ass, or other Beast of Draught or Burden conveyed in or upon any such Carriage, *per* Mile Fourpence; and if conveyed in or upon any Carriage provided by the Company, an additional Sum of Twopence:

For every Ox, Cow, Bull, or Neat Cattle conveyed in or upon any such Carriage, *per* Mile Twopence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile of One Penny:

For every Calf or Pig, Sheep, Lamb, or other small Animal, conveyed in or upon any such Carriage, *per* Mile One Penny; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum of One Penny.

XXXI. The Toll which the Company may demand for the Use of Engines for propelling Waggon and other Carriages 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. Charge for propelling Power.

XXXII. 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 than Threepence *per* Passenger *per* Mile in respect of any Passenger travelling in a First-class Carriage, Twopence *per* Passenger *per* Mile in respect of any Passenger travelling in a Second-class Carriage, and One Penny Halfpenny *per* Passenger *per* Mile in respect of any Passenger travelling in a Third-class Carriage, including the Charges for the Use of Carriages and locomotive Power, and all other Charges incidental to such Conveyance, unless in the Case of Passengers travelling by Special Trains. Limiting Charges for Conveyance of Passengers.

XXXIII. 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, any greater Sum, including the Charges for the Use of the 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 Conveyance of Goods and Minerals.

For Dung, and all other Articles, Matters, and Things herein-before classed therewith, *per* Ton *per* Mile One Penny Halfpenny:

For Coals, and all other Articles, Matters, and Things herein-before classed therewith, *per* Ton *per* Mile Twopence:

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For

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For Sugar, and all other Articles, Matters, and Things herein-before classed therewith, *per Ton per Mile* Threepence :

For Cotton, and all other Articles, Matters, and Things herein-before classed therewith, *per Ton per Mile* Fourpence :

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* Sixpence :

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

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.

Regulations
as to Tolls.

XXXIV. The following Provisions and Regulations shall be applicable to the fixing of the Tolls and maximum Charges herein-before specified ; (that is to say,)

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

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

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

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

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

Tolls for
small Parcels
and Articles
of great
Weight.

XXXV. With respect to small Packages, and single Articles of great Weight, the Company may lawfully demand the Tolls following ; (that is to say,)

For the Carriage of small Parcels not exceeding Seven Pounds in Weight, Fourpence :

For any Parcel exceeding Seven Pounds but not exceeding Fourteen Pounds in Weight, Sixpence :

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

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

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

For the Carriage of any One Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Carriage, shall exceed Four Tons but shall not exceed Eight Tons, and for the Carriage of rough or hewn Timber or other Articles which from Length or otherwise require Two or more Trucks or Waggon in the Stowage, the Company may demand such Sum as they think fit, not exceeding 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.

XXXVI. The Restrictions herein-before contained as to the Charges to be made for Passengers, Animals, Goods, Minerals, or other Articles shall extend only to Express and Ordinary Trains, and not to any Special Train, nor prevent the Company from taking increased Charges for the Conveyance of such Animals, Goods, Minerals, or Articles, by Agreement with the Owners or Persons in charge thereof, either in respect of the Conveyance of such Goods (except small Parcels) by Passenger Trains, or by reason of any other special Service performed by the Company in relation to such Animals, Goods, Minerals, and Articles. Restrictions as to Charges not to apply to Special Trains.

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

XXXVIII. The Company, and the *Edinburgh, Perth, and Dundee* Railway Company, may from Time to Time enter into Agreements with respect to the following Purposes or any of them; (that is to say,) Providing for Agreements for working the Railway.
The Use and working by the *Edinburgh, Perth, and Dundee* Railway Company of all or any Part of the Railway of the Company,

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Company, and the Use of the Works and Conveniences belonging thereto :

The Conveyance by the *Edinburgh, Perth, and Dundee* Railway Company of the whole or any Part of the Traffic upon the said Railway :

The Division and Apportionment of the Tolls, Charges, or Revenues accruing from such Traffic between the said Companies :

The Supply of any Rolling or Working Stock required for such Purposes :

The Use by the *Edinburgh, Perth, and Dundee* Railway Company of the Rolling or Working Stock belonging to the Company or any Part thereof :

The Management, Maintenance, and Repair of the said Railway :

The Costs and Expenses of such working, Management, Maintenance, and Repairs :

The forwarding, Interchange, and Transmission upon or over the respective Railways of the said Companies of any Passenger or other Traffic which may be conveyed upon and from the Railway hereby authorized, to and along the *Edinburgh, Perth, and Dundee* Railway or any Part thereof, or which may be conveyed upon and from the *Edinburgh, Perth, and Dundee* Railway to and along the Railway hereby authorized, or any Part thereof :

The Collection, Delivery, and general Conduct of such Traffic :

The fixing of the Tolls, Rates, and Charges to be levied or taken by the said Companies in respect of the Traffic conveyed over their several Railways or any Part thereof respectively, not exceeding the maximum Tolls, Rates, and Charges authorized by the Acts of Parliament relating to such Railways respectively :

The Collection, taking, and levying of the said Tolls, Rates, and Charges :

The Division between the said Companies of the Receipts arising from the Traffic upon their respective Railways or any Part thereof respectively, subject to any Deductions to be made therefrom, or any Rent or other Consideration to be paid by either of the said Companies to the other of them, by virtue of the said Agreement.

Duration of Agreement to be approved by Board of Trade.

Agreement not to affect Persons not Parties thereto.

XXXIX. Any such Agreement shall not be for more than Ten Years ; and no such Agreement shall have any Operation until the same shall have been approved of by the Board of Trade ; and no such Agreement as aforesaid shall in any Manner alter, affect, increase, or diminish any of the Tolls, Rates, or Charges which the said Companies shall for the Time being be respectively authorized and entitled to demand and receive from any Person or any other Company, but all other Persons and Companies shall, notwithstanding any such Agreement, be entitled to the Use and Benefit of the Railways to which

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which the said Agreement may relate, upon the same Terms and Conditions, and on Payment of the same Tolls, Rates, and Charges, as they would have been in case no such Agreement had been entered into: Provided always, that the said Board shall not approve such Agreement without being satisfied that the same has been duly assented to by Three Fifths of the Votes of the Shareholders of the several Companies Parties thereto, present, personally or by Proxy, in Special Meeting assembled for that Purpose.

Agreement not to be approved without Assent of Shareholders.

XL. The said Companies may by any such Agreement as aforesaid appoint a Joint Committee, composed of such Number of Directors of the said Companies as the said Companies may think proper, and from Time to Time may alter, vary, and renew any such Committee as Occasion may require, and may regulate the Proceedings of such Committee, and delegate to such Committee all such Powers of the said Companies respectively as may be necessary for carrying into effect the Purposes of such Agreement; and every such Joint Committee so appointed shall have and may exercise the Powers so for the Time being delegated to them, in like Manner as the same might have been had and exercised by the said Companies respectively or their respective Directors.

Appointment of Joint Committee for carrying the Agreement into effect.

XLI. In case the Railways shall be worked under any such Agreement, then during the Continuance of such Agreement the Railways shall, for the Purpose of computing the Tolls and Charges for short Distances traversed upon both Railways, be deemed to be One continuous Railway, and in that Case the Tolls and Charges for Articles or Persons so conveyed over the said Railways for a less Distance than Six Miles shall be payable as for Six Miles; and with respect to the Tolls and Charges for small Parcels it shall not be lawful to charge any greater Sum for the Carriage of the same on both Railways during the Continuance of such Agreement than the Tolls and Charges authorized to be charged therefor by the Acts relating to the *Edinburgh, Perth, and Dundee* Railway.

Railways to be considered One during Agreement.

XLII. At the Expiration of the said Agreement the said Companies, with the Consent in Special Meeting of Three Fifths of the Votes of the Shareholders present, personally or by Proxy, of such Companies respectively, and subject to the Approval of the Board of Trade, may enter into a further Agreement for all or any of the Purposes aforesaid; provided, that before such Companies shall enter into any such further Agreement as aforesaid they shall give Notice of their Intention to enter into such Agreement by Advertisement, in a Form to be approved of by the Board of Trade, inserted once in each of Two successive Weeks in some Newspaper published or circulating in the County of *Fife* and in *Edinburgh*; and every such Notice shall

Agreement may be renewed, with the Approval of the Board of Trade.

Notice to be given of the Intention to enter into Agreements.

The Fife and Kinross Railway Act, 1855.

Agreement
inoperative
until ap-
proved by
the Board of
Trade.

set forth within what Time and in what Manner any Company or Person aggrieved by such proposed Agreement, and desiring to object thereto, may bring such Objections before the Board of Trade; and no such Agreement shall be valid at Law or in Equity until the same shall have been approved of by the Board of Trade.

Railway not
exempt from
Provisions of
present and
future Gene-
ral Acts.

XLIII. Nothing herein contained shall be deemed or construed to exempt the Railway by this Act authorized to be made from the Provisions of any General Act relating to 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 or of the Rates and Charges for small Parcels authorized by this Act.

Saving
Rights of the
Edinburgh,
Perth, and
Dundee Rail-
way Com-
pany.

XLIV. Nothing herein contained shall extend or be deemed or construed to extend to alter, vary, prejudice, or diminish any of the Rights, Powers, or Authorities vested in the *Edinburgh, Perth, and Dundee* Railway Company by virtue of the Acts or any of them relating to such Company, except in so far as by this Act expressly provided and declared.

Expenses of
Act.

XLV. All the Costs, Charges, and Expenses of applying for and obtaining this Act, and in any way incidental thereto, shall be paid by the Company.

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