



ANNO DECIMO OCTAVO

# VICTORIÆ REGINÆ.

\*\*\*\*\*

## *Cap. xxviii.*

An Act to extend the *Great North of Scotland Railway* from *Huntly* to *Keith*. [25th May 1855.]

**W**HEREAS an Act was passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her present Majesty, called "The *Great North of Scotland Railway Act, 1846*," and by that Act the *Great North of Scotland Railway Company* were incorporated, and were authorized to make a Railway from *Aberdeen* to *Inverness*, with Branches to *Banff*, *Portsoy*, *Garmouth*, and *Burghead*: And whereas that Act was amended by an Act which was passed in the Session of Parliament held in the Fourteenth and Fifteenth Years of the same Reign, and called "The *Great North of Scotland Railway Amendment Act, 1851*:" And whereas further Powers were conferred upon the Company by another Act, which was passed in the last Session of Parliament, and is called "The *Great North of Scotland Railway Amendment Act, 1854*:" And whereas the Company have completed and opened to the Public only so much of their Railway as lies between *Aberdeen* and *Huntly*, and their Power to make the Remainder of their Line has expired by Effluxion of Time: And whereas it would be attended with great  
[Local.] 4 L public

9 & 10 Vict.  
c. ciii.

14 & 15 Vict.  
c. lxxv.

17 & 18 Vict.  
c. clxxxvii.



*The Great North of Scotland Railway Extension Act, 1855.*

public Advantage if the *Great North of Scotland Railway* was extended from *Huntly* to *Keith*, and the Company are willing so to extend their Railway: And whereas Plans and Sections of the Extension, showing the Line and Levels thereof, and also Books of Reference to the Plans containing the Names of the Owners or reputed Owners, Léssees or reputed Lessees, and of the Occupiers of the Lands through which the Extension will pass, were deposited in the Month of *November* last with the Principal Sheriff Clerks of the County of *Aberdeen* and of the County of *Banff*: And whereas it is expedient that the recited Acts should be amended; but the several Purposes aforesaid cannot be accomplished 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:

8 & 9 Vict.  
cc. 18. & 20.  
incorporated.

I. "The Lands Clauses Consolidation (*Scotland*) Act, 1845," and "The Railways Clauses Consolidation (*Scotland*) Act, 1845," shall be incorporated with and form Part of this Act.

Interpreta-  
tion of  
Terms.

II. Where the Words "the Company" are used in this Act, the same shall mean "The *Great North of Scotland Railway Company*," and the Words "the Railway" shall mean the Extension of the *Great North of Scotland Railway* by this Act authorized to be made.

Power to  
construct  
Works ac-  
cording to  
deposited  
Plans.

III. The Company may, subject to the Provisions of this Act and of the Acts incorporated therewith, make and maintain the new Line of Railway herein-after described, with all proper Works, Approaches, and Conveniences connected therewith, in the Line and upon the Lands delineated upon the said Plans and described in the said Books of Reference, and according to the Levels defined on the said Sections; and the Company may enter upon, take, and use such of the said Lands as shall be necessary for such Purposes.

Describing  
the new Line.

IV. The Railway shall commence at the present Terminus of the *Great North of Scotland Railway* in the Parish of *Drumblade* in the County of *Aberdeen*, pass through or into the several Parishes, Burghs, or Places following, or some of them, (that is to say,) the Parishes of *Drumblade*, *Huntly*, and *Cairney* in the County of *Aberdeen*, and the Parishes of *Grange* and *Keith* in the County of *Banff*, and terminate in the said Parish of *Keith* in or near a Field numbered 144 on the said Plans.

V. The

*The Great North of Scotland Railway Extension Act, 1855.*

V. The Railway hereby authorized shall form Part of the Undertaking of the *Great North of Scotland* Railway Company.

Railway to form Part of Company's Undertaking

VI. Subject to the Provisions in this Act, and in “The Railways Clauses Consolidation (*Scotland*) Act, 1845,” contained, it shall be lawful for the Company, in the Construction of the Railway, to carry the same across and upon the Level of the several Turnpike and public Roads numbered on the Plans deposited as aforesaid as follows ; (that is to say,)

Level Crossings.

Number on Plan.	Parish.
91	Cairney.
44	Cairney.
36, 126, 123	Keith.

VII. For the Security of the Public, the Company shall erect and maintain either a Station or Lodge at the Place 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 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 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.

Lodges or Stations to be made at level Crossings.

VIII. 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 shall have been completed and opened for public Traffic, to require the Company, within such Time as the Board shall direct, and at the Expense of the Company, to carry the herein-before mentioned Roads either over or under the Railway by means of Bridges or Arches, 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 of Trade best adapted for removing or diminishing the Danger arising from such level Crossings.

Board of Trade may require Bridges instead of level Crossings.

IX. The Company may purchase any Quantity of Land for extraordinary Purposes, not exceeding Ten Acres, in addition to the Land

Land for extraordinary Purposes.



*The Great North of Scotland Railway Extension Act, 1855.*

Land which they are at present authorized to take for such Purposes.

Period for compulsory Purchases limited.

X. The Powers of the Company for the compulsory Purchase or taking 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 the Completion of the Works.

XI. The Railway shall be completed within Three Years from the passing of this Act; and on the Expiration of such Period the Powers by this Act granted to the Company for making 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.

If Railway not completed and opened for public Traffic within Five Years, Dividends to be suspended.

XII. In case the Railway shall not be completed and opened for public Traffic within the Period of Three Years from the passing of this Act, then and from thenceforth it shall not be lawful for the Company or the Directors thereof to pay any Dividend to the Shareholders on the ordinary or unguaranteed Capital of the Company until the Railway shall have been completed and opened for public Traffic.

Tolls in respect of the Railway.

XIII. Subject to the Provisions of this Act as to the Tolls for small Parcels, the Company may demand and receive for and in respect of the Railway the same Tolls and Charges as they are now authorized to demand and receive for and in respect of Traffic conveyed by them on their existing Line of Railway; and the Railway hereby authorized shall, for the Purposes of such Tolls and Charges, be considered as Part of the *Great North of Scotland Railway*.

Maximum Charges.

XIV. Provided always, That the maximum Tolls and Charges to be demanded and received by the Company in respect of the Railway shall in no Case exceed the maximum Tolls and Charges authorized to be taken on the *Great North of Scotland Railway*.

Application of Monies.

XV. The Company may apply towards the Purposes of this Act any of the Monies by the said recited Acts authorized to be raised, and which they may not now require for any of the Purposes of such Acts.

Repeal of Tolls as to small Parcels.

XVI. So much of the firstly-recited Act as enacts, that for the Carriage of small Parcels (that is to say, Parcels not exceeding Five hundred Pounds Weight each,) the Company may demand any Sum which they think fit, shall be and the same is hereby repealed.

XVII. With



*The Great North of Scotland Railway Extension Act, 1855.*

XVII. With respect to small Packages, the Company may lawfully demand Tolls not exceeding the following; (that is to say,) Tolls for small Parcels.

For the Carriage (over the whole or any Part of the Line) of small Parcels not exceeding Fourteen Pounds in Weight, Sixpence :

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

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

For any Parcel exceeding Fifty-six Pounds and not exceeding One hundred and twelve Pounds in Weight, Three Shillings :

For any Parcel exceeding One hundred and twelve Pounds and not exceeding Two hundred and twenty-four Pounds in Weight, Five Shillings and Sixpence :

For Parcels exceeding Two hundred and twenty-four 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 Term shall apply only to single Parcels in separate Packages.

XVIII. It shall not be lawful for the Company, out of any Money by any Act relating to the Company authorized to be raised for the Purposes of such Act or Acts, to pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament now in force or hereafter to be in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the Company to construct any other Railway or execute any other Work or Undertaking. Deposits for future Bills not to be paid out of Company's Capital.

XIX. Nothing herein contained shall be deemed or construed to exempt the Railways by this or the said recited Acts authorized to be made from the Provisions of any General Act relating to such Acts, 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 or Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act or the said recited Acts, and of the Rates for small Parcels. Railway not exempt from Provisions of present and future General Acts.

---

*The Great North of Scotland Railway Extension Act, 1855.*

---

Expenses of  
Act.

XX. All the Costs, Charges, and Expenses of applying for, obtaining, and passing this Act, or preparatory or incident thereto, shall be paid and discharged by the Company.

Short Title.

XXI. In citing this Act for any Purpose it shall be sufficient to describe it as "*The Great North of Scotland Railway Extension Act, 1855.*"

---

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,  
Printers to the Queen's most Excellent Majesty. 1855.