



ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

Cap. xcvi.

An Act to consolidate and amend the Acts relating
to the *Glasgow and South-western Railway*, and
for other Purposes. [26th June 1855.]

WHEREAS an Act was passed in the Session of Parliament held in the First Year of the Reign of Her present Majesty, intituled *An Act for making a Railway from Glasgow to Paisley and Ayr, and from a Point on the said Railway near Blairland to Kilmarnock, to be called "The Glasgow, Paisley, Kilmarnock, and Ayr Railway,"* whereby the *Glasgow, Paisley, Kilmarnock, and Ayr Railway Company* were incorporated, with Powers to make and maintain the Railway and Branches in the Act mentioned, and to raise by the Creation or Issue of Shares a Capital of Six hundred and twenty-five thousand Pounds, and to borrow on Mortgage or raise by the Creation of additional Shares the Sum of Two hundred and eight thousand three hundred Pounds, and it was provided that the Portion of the said Railway extending from a Point on the South Side of *King Street, Tradeston*, in *Glasgow*, to a Point on the West Side of *Moss Street* in the Town of *Paisley*, should belong to the said *Glasgow, Paisley, Kilmarnock, and Ayr Railway Company* and the *Glasgow, Paisley, and Greenock Railway Company* jointly, and be under the Superintendence and Control of a Joint

[*Local.*] 15 I Committee

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

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3 & 4 Vict.
c. liii.

Committee of Management appointed by the said Two Companies : And whereas an Act was passed in the Session of Parliament held in the Third Year of the Reign of Her present Majesty, intituled *An Act to amend and continue the Act relating to the Glasgow, Paisley, Kilmar- nock, and Ayr Railway, and to make a new Branch therefrom*, whereby the *Glasgow, Paisley, Kilmar- nock, and Ayr Railway Com- pany* were authorized to make the Railway in the Act mentioned, and the Limits of the said Portion of the said *Glasgow, Paisley, Kilmar- nock, and Ayr Railway* held jointly by the *Glasgow, Paisley, Kilmar- nock, and Ayr Railway Company* and the *Glasgow, Paisley, and Greenock Railway Company* were extended in manner therein mentioned, and which Portion of the said *Glasgow, Paisley, Kilmar- nock, and Ayr Railway* so extended, held jointly by the said *Glasgow, Paisley, Kilmar- nock, and Ayr* and *Glasgow, Paisley, and Greenock Railway Companies*, and Works connected therewith, is herein-after called for Distinction "the Joint Line:" And whereas an Act was

5 & 6 Vict.
sess. 2.
c. xxix.

passed in the Second Session of Parliament held in the Fifth Year of the Reign of Her present Majesty, intituled *An Act to amend the Acts relating to the Glasgow, Paisley, Kilmar- nock, and Ayr Railway, and to grant further Powers to the Company of Proprietors thereof*, whereby the said *Glasgow, Paisley, Kilmar- nock, and Ayr Railway Company* were authorized to raise by the Creation or Issue of Shares the Sum of Three hundred and twelve thousand five hundred Pounds, and to borrow on Mortgage or raise by the Creation of additional Shares the Sum of One hundred and four thousand one hundred Pounds : And whereas an Act was passed in the Session of Parliament held in the Eighth and Ninth Years of the Reign of Her present

8 & 9 Vict.
c. xc.

Majesty, intituled *An Act to authorize an Extension of the Glasgow, Paisley, Kilmar- nock, and Ayr Railway to near Cumnock, and to amend the Acts relating to such Railway*, whereby the said *Glasgow, Paisley, Kilmar- nock, and Ayr Railway Company* were authorized to execute the Railway in the Act mentioned, and to raise by the Creation and Issue of Shares the further Sum of Two hundred and four thousand Pounds, and to borrow on Mortgage or raise by the Creation of additional Shares the further Sum of Sixty-eight thousand Pounds :

9 & 10 Vict.
c. lx.

And whereas an Act was passed in the Session of Parliament held in the Ninth Year of the Reign of Her present Majesty, the Short Title whereof is "The *Glasgow, Paisley, Kilmar- nock, and Ayr Railway Amendment and Branches Act* (No. 1.), 1846," whereby the said *Glasgow, Paisley, Kilmar- nock, and Ayr Railway Company* were authorized to execute the Railways in the Act mentioned, and to raise by the Creation and Issue of Shares the further Sum of Sixty thousand Pounds, and to borrow on Mortgage or raise by the Creation of additional Shares the further Sum of Twenty thousand Pounds :

9 & 10 Vict.
c. lxi.

And whereas an Act was passed in the same Session, the Short Title whereof is "The *Glasgow, Paisley, Kilmar- nock, and Ayr Railway Amendment*

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Amendment and Branches Act (No. 2.), 1846," whereby the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company were authorized to execute the Railways in the Act mentioned, and to raise by the Creation and Issue of Shares the further Sum of Eighty thousand Pounds, and to borrow on Mortgage or raise by the Creation of additional Shares the further Sum of Twenty-six thousand six hundred and sixty-six Pounds Thirteen Shillings and Fourpence: And whereas an Act was passed in the same Session, the Short Title whereof is "*The Glasgow, Paisley, Kilmarnock, and Ayr* Railway Amendment and Branches Act (No. 3.), 1846," whereby the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company were authorized to execute the Railway in the Act mentioned, and to raise by the Creation and Issue of Shares the further Sum of Two hundred and thirty thousand Pounds, and to borrow on Mortgage or raise by the Creation of additional Shares the further Sum of Seventy-six thousand Pounds: And whereas an Act was passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her present Majesty, the Short Title whereof is "*The Glasgow and Belfast Union* Railway Act, 1846," the Powers of which Act, including a Power to raise by the Creation and Issue of Shares the Sum of Three hundred and thirty thousand Pounds, and to borrow on Mortgage or raise by the Creation of additional Shares the further Sum of One hundred and ten thousand Pounds, were in virtue of said Act acquired by and vested in the *Glasgow, Kilmarnock, and Ayr* Railway Company: And whereas an Act was passed in the Session of Parliament held in the Tenth and Eleventh Years of the Reign of Her present Majesty, the Short Title whereof is "*The Glasgow, Paisley, Kilmarnock, and Ayr* Railway and *Glasgow and Belfast Union* Railway Amendment and Branches Act (No. 1.), 1847," whereby the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company were authorized to execute the Railways in the Act mentioned, and to raise by the Creation and Issue of Shares the further Sum of One million and twenty-five thousand Pounds, and to borrow on Mortgage or raise by the Creation of additional Shares the further Sum of Three hundred and forty-one thousand Pounds: And whereas an Act was passed in the same Session, the Short Title whereof is "*The Glasgow, Paisley, Kilmarnock, and Ayr* Railway Amendment and Branches Act (No. 2.), 1847," whereby the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company were authorized to execute the Railways in the Act mentioned, and to raise by the Creation and Issue of Shares the further Sum of Three hundred thousand Pounds, and to borrow on Mortgage or raise by the Creation of additional Shares the further Sum of One hundred thousand Pounds: And whereas an Act was passed in the same Session, the Short Title whereof is "*The Glasgow, Paisley, Kilmarnock, and Ayr* Railway and *Ayrshire and Bridge of Weir* Railway Amendment and Branches Act (No. 3., 1847),"

9 & 10 Vict.
c. lxii.9 & 10 Vict.
c. ccxcii.10 & 11 Vict.
c. clxxxiv.10 & 11 Vict.
c. clxxxv.10 & 11 Vict.
c. ccxxxiv.

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10 & 11 Vict.
c. clxxxvi.

11 & 12 Vict.
c. lxxxiv.

9 & 10 Vict.
c. cxxi.

1847),” whereby the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company were authorized to purchase the *Ayrshire and Bridge of Weir* Railway, and execute the Railways in the Act mentioned, and to raise by the Creation and Issue of Shares the further Sum of One hundred and fifty thousand Pounds, and to borrow on Mortgage or raise by the Creation of additional Shares the further Sum of Fifty thousand Pounds: And whereas an Act was passed in the same Session, the Short Title whereof is “*The Glasgow, Paisley, Kilmarnock, and Ayr* Railway Amendment Act (No. 4.), 1847,” whereby the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company were authorized to execute the Works in the Act mentioned: And whereas an Act was passed in the Session of Parliament held in the Eleventh and Twelfth Years of the Reign of Her present Majesty, the Short Title whereof is “*The Glasgow, Paisley, Kilmarnock, and Ayr* Railway Rates Act, 1848,” whereby the maximum Charges leviable in respect of the Railways authorized by the Acts relating to the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway, herein-before recited, were limited and regulated as in the Act mentioned: And whereas an Act was passed in the Session of Parliament held in the Ninth and Tenth Years of Her present Majesty, the Short Title whereof is “*The Kilmarnock and Troon* Railway Act, 1846,” whereby the *Kilmarnock and Troon* Railway Company were authorized to grant in Lease to the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company the *Kilmarnock and Troon* Railway, and the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company were authorized to raise by the Creation and Issue of Shares the Sum of Seventy-five thousand Pounds, and to borrow on Mortgage or raise by the Creation of additional Shares the further Sum of Twenty-five thousand Pounds: And whereas by the said “*Kilmarnock and Troon* Railway Act, 1846,” the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company were authorized, on the Execution of the said Lease, to make certain Alterations in the Line of the said *Kilmarnock and Troon* Railway, and to convert it into an Edge Railway; and it was enacted, that after the said Line should be so altered and converted into an Edge Railway, it should be and remain the Property of the said *Kilmarnock and Troon* Railway Company, subject to the said Lease: And whereas by the said “*Kilmarnock and Troon* Railway Act, 1846,” the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company was also authorized to make the Branch Railways in the Act mentioned, which Branch Railways it was enacted should, when executed, form Part of their Undertaking: And whereas the said *Kilmarnock and Troon* Railway Company, in virtue of the said Act, granted a Lease of the said *Kilmarnock and Troon* Railway to the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company for the Period of Nine hundred and ninety-nine Years from and after the Sixteenth Day of *July* One thousand eight hundred and forty-

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forty-six, which Lease is dated First and Fourteenth *January* One thousand eight hundred and forty-seven: And whereas an Act was passed in the same Session, the Short Title whereof is “*The Ayrshire and Bridge of Weir Railway Act, 1846,*” whereby the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company were authorized to take on Lease the Undertaking in the Act mentioned: And whereas an Act was passed in the Session of Parliament held in the Tenth and Eleventh Years of the Reign of Her present Majesty, the Short Title whereof is “*The Paisley and Renfrew Railway (Sale and Improvement) Act, 1847,*” under the Provisions of which Act there were transferred to and vested in the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company the *Paisley and Renfrew* Railway and Wharfs, and other Works connected therewith, and all the Powers and Provisions, so far as in force, of an Act passed in the Session of Parliament held in the Fifth and Sixth Years of His late Majesty *William* the Fourth, intituled *An Act for making and maintaining a Railway between the Town of Paisley and the South Side of the River Clyde at Renfrew Ferry, and for constructing Wharfs, Quays, or Landing Places there, all in the County of Renfrew;* and the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company were by the said Act of the Tenth and Eleventh Years of Her present Majesty authorized to execute the Works in the Act mentioned, and to raise by the Creation of Shares the Sum of Seventy-five thousand Pounds, and to borrow on Mortgage or raise by the Creation of additional Shares the further Sum of Twenty-five thousand Pounds: And whereas an Act was passed in the Session of Parliament held in the Eleventh and Twelfth Years of the Reign of Her present Majesty, the Short Title whereof is “*The Paisley, Barrhead, and Hurlet Railway Act, 1848,*” by which Act the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company were authorized to purchase Shares in that Undertaking, and to raise Money for that Purpose by the Creation of Shares or by Mortgage, not exceeding the Amount which the Company incorporated by the said Act are authorized to raise, and the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company have accordingly purchased Eight thousand nine hundred and forty-nine Shares in the said Undertaking: And whereas an Act was passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her present Majesty, the Short Title whereof is “*The Glasgow, Dumfries, and Carlisle Railway Act, 1846,*” whereby the *Glasgow, Dumfries, and Carlisle* Railway Company were incorporated, and were authorized to make and maintain the Railways in the Act mentioned, and to raise by the Creation and Issue of Shares the Sum of One million three hundred thousand Pounds, and to borrow on Mortgage the Sum of Four hundred and thirty-three thousand three hundred Pounds, and the said Company were also authorized to unite and amalgamate with the *Glasgow, Paisley, Kilmarnock, and Ayr* Rail-

9 & 10 Vict.
c. ccxxxvii.10 & 11 Vict.
c. ccxxix.5 & 6 W. 4.
c. lxxxv.11 & 12 Vict.
c. clv.9 & 10 Vict.
c. ccclxxii.

*The Glasgow and South-western Railway Consolidation Act, 1855.*10 & 11 Vict.
c. clxxxi.10 & 11 Vict.
c. clxxxii.10 & 11 Vict.
c. clxxxiii.

way Company, as therein mentioned: And whereas an Act was passed in the Session of Parliament held in the Tenth and Eleventh Years of the Reign of Her present Majesty, the Short Title whereof is “The *Glasgow, Dumfries, and Carlisle* Railway Amendment Act (No. 1.), 1847,” whereby the Provisions of the last-recited Act were in some respects amended: And whereas an Act was passed in the same Session, the Short Title whereof is “The *Glasgow, Dumfries, and Carlisle* Railway Amendment and Branches Act (No. 2.), 1847,” whereby the *Glasgow, Dumfries, and Carlisle* Railway Company were authorized to execute the Railways in the Act mentioned, and to raise by the Creation and Issue of Shares the further Sum of Seven hundred thousand Pounds, and to borrow on Mortgage or raise by the Creation of additional Shares the Sum of Two hundred and thirty-three thousand three hundred Pounds: And whereas an Act was passed in the same Session, intituled *An Act to amend the Acts and alter the Terms of Amalgamation of the Glasgow, Dumfries, and Carlisle Railway Company, and of the Glasgow, Paisley, Kilmarnock, and Ayr Railway Company*, the Short Title whereof is “The *Glasgow and South-western* Railway Incorporation Act, 1846,” whereby the Terms on which the said *Glasgow, Dumfries, and Carlisle* Railway Company were authorized to amalgamate with the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company were altered and amended, and the Name of the last-mentioned Company from the Time of the Amalgamation was changed to the *Glasgow and South-western* Railway Company, and the Sum of One million three hundred thousand Pounds, which the said *Glasgow, Dumfries, and Carlisle* Railway Company were authorized to raise by the said “*Glasgow, Dumfries, and Carlisle* Railway Act, 1846,” was limited and reduced to the Sum of Four hundred and thirty-three thousand three hundred and thirty-three Pounds Six Shillings and Eightpence, and the *Glasgow and South-western* Railway Company were authorized to raise by the Creation or Issue of Shares the further Sum of Nine hundred thousand Pounds: And whereas under and in virtue of the said last-mentioned Act, and of “The *Glasgow, Dumfries, and Carlisle* Railway Act, 1846,” the said *Glasgow, Dumfries, and Carlisle* Railway Company has been amalgamated with the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company; and the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company is called by the Name of the *Glasgow and South-western* Railway Company, and the Railways, Lands, Property, and Effects of and belonging to the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company and *Glasgow, Dumfries, and Carlisle* Railway Company, and the Rights, Privileges, Powers, and Authorities given to or vested in them or either of them by the Acts herein-before recited, including the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company’s Interest in the Lease and other Rights in the said *Kilmarnock and Troon* Railway, and including the said

Paisley

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Paisley and Renfrew Railway and Wharfs and Works, are now vested in the *Glasgow and South-western* Railway Company: And whereas an Act was passed in the Session of Parliament held in the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, the Short Title whereof is "*The Glasgow and South-western Railway Branch Act, 1853,*" whereby the *Glasgow and South-western* Railway Company were authorized to execute the Railway in the Act mentioned, and to raise by the Creation and Issue of Shares the Sum of Five thousand Pounds: And whereas an Act was passed in the Session of Parliament held in the Tenth Year of Her present Majesty, the Short Title whereof is "*The Ayrshire and Galloway (Smithstown and Dalmellington) Railway Act, 1847,*" whereby the *Ayrshire and Galloway (Smithstown and Dalmellington)* Railway Company were incorporated, and authorized to make and maintain the Railway in the Act mentioned, and to raise by the Creation and Issue of Six thousand nine hundred Shares of Fourteen Pounds Ten Shillings each the Sum of One hundred thousand and fifty Pounds: And whereas an Act was passed in the Session of Parliament held in the Sixteenth and Seventeenth Years of Her present Majesty, the Short Title whereof is "*The Ayr and Dalmellington Railway Act, 1853,*" whereby the said *Ayrshire and Galloway (Smithstown and Dalmellington)* Railway Company were reconstituted under the Name of the *Ayr and Dalmellington* Railway Company, and were authorized to make and maintain the new Lines of Railways in the Act mentioned, to apply in the Execution thereof the Arrears which they might recover in respect of the Calls amounting to Seven Pounds Ten Shillings *per* Share made in respect of the Share Capital created under the last-recited Act, but not to call up the remaining Seven Pounds *per* Share of such Capital, and to receive such further Sums as might be necessary for the Execution of such new Lines, not exceeding the Sum of Ninety thousand Pounds, from the *Glasgow and South-western* Railway Company, who should in respect of the Sum paid by them be entitled to a corresponding Amount of paid-up Capital Stock of the said *Ayr and Dalmellington* Railway Company, and who were thereby authorized to contribute the said Sum, and to borrow the same on Mortgage on the Security of their Undertaking, or by the Creation of Shares in lieu thereof: And whereas the said *Ayr and Dalmellington* Railway Company and the *Glasgow and South-western* Railway Company were thereby authorized to enter into any Contracts for the Working and Use of the said new Lines of Railway, the Management of the Traffic thereon, and the Apportionment of the Rates leviable in respect thereof: And whereas an Act was passed in the Session of Parliament held in the Seventeenth and Eighteenth Years of the Reign of Her present Majesty, the Short Title whereof is "*The Ardrossan Railway Transfer Act, 1854,*" under the Provisions of which Act the *Ardrossan* Railway,

16 & 17 Vict.
c. xciv.10 & 11 Vict.
c. x.16 & 17 Vict.
c. cxlviii.17 & 18 Vict.
c. clxxxii.

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Railway, and the Branch therefrom from *Dubbs* to *Doura*, the Branch from *South Fergushill* to *North Fergushill*, and the Branch from the said first-mentioned Branch near *Millburn* to *Perceton Colliery*, have been transferred to and are now vested in the *Glasgow and South-western Railway Company*; and the Powers and Provisions of the said Act, and also of the Acts following, (that is to say,) an Act passed in the Session of Parliament held in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act for separating the Management of the Ardrossan and Johnston Railway from the Management of the Glasgow, Paisley, and Johnston Canal, for incorporating the Proprietors thereof, for doubling and improving the said Railway, and for other Purposes relating thereto*, “*The Glasgow, Kilmarnock, and Ardrossan Railway Act, 1846*,” “*The Glasgow, Kilmarnock, and Ardrossan Railway Amendment, Deviations, and Branches Act, 1847*,” and “*The Glasgow, Kilmarnock, and Ardrossan Railway Dissolution Act, 1852*,” are vested in and made applicable to the said *Glasgow and South-western Railway Company*, so far as such Powers and Provisions are unrepealed, and relate to the said *Ardrossan Railway* and Branches: And whereas by the said “*Ardrossan Railway Transfer Act, 1854*,” the *Glasgow and South-western Railway Company* were authorized to create new Stock of the said Company, or set apart Stock already created and held by or on behalf of the said Company, to the Amount of Ninety thousand Pounds, and to apportion the same among the Shareholders of the *Ardrossan Railway Company*, which Stock should be denominated “*Glasgow and South-western Railway (Ardrossan) Guaranteed Stock*,” and should during the Period after mentioned be entitled to a minimum guaranteed Dividend of the Amount therein mentioned; and the *Glasgow and South-western Railway Company* were also authorized by the said last-mentioned Act to borrow on Mortgage, or raise by the Creation or Issue of new Shares in lieu thereof, the further Sum of Forty-six thousand nine hundred Pounds: And whereas an Act was passed in the Session of Parliament holden in the Seventeenth and Eighteenth Years of Her present Majesty, the Short Title whereof is “*The Ayr and Maybole Junction Railway Act, 1854*,” whereby the *Ayr and Maybole Junction Railway Company* were incorporated, and authorized to make and maintain the Railway in the Act mentioned, and to raise by the Creation or Issue of Shares the Sum of Thirty-three thousand Pounds, and the said *Ayr and Maybole Junction Railway Company* and the *Glasgow and South-western Railway Company* were authorized to enter into Agreements with respect to the Working and Maintenance of the said Railway: And whereas an Agreement for the Working and Maintenance of the said *Ayr and Maybole Junction Railway* by the *Glasgow and South-western Railway Company* is now subsisting: And whereas the total Amount of the various specific Sums herein-before stated as authorized to be raised

3 & 4 Vict.
c. civ.

9 & 10 Vict.
c. clix.

10 & 11 Vict.
c. cxix.

15 & 16 Vict.
c. lxxviii.

17 & 18 Vict.
c. cxlvi.

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raised by the various Acts conferring Powers upon the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company, *Glasgow, Dumfries, and Carlisle* Railway Company, and *Glasgow and South-western* Railway Company, herein-before recited, is Five millions five hundred and ninety-four thousand eight hundred and thirty-three Pounds Six Shillings and Eightpence by the Creation of Shares, and One million nine hundred and fifty-seven thousand five hundred and sixty-six Pounds Thirteen Shillings and Fourpence by Mortgage or the Creation of Shares in lieu thereof: And whereas there has been raised by the Creation of Ordinary Shares, now converted into Ordinary Consolidated Stock, the Sum of Two million eight hundred and thirty-one thousand six hundred and thirty-three Pounds Six Shillings and Eightpence, whereof the Sum of Six thousand five hundred and sixty Pounds has not been issued, and the Sum of One hundred and forty-four thousand nine hundred and sixty-three Pounds Six Shillings and Eightpence was issued, and is now partly held by certain Parties on behalf of the said *Glasgow and South-western* Railway Company: And whereas there has been raised, under the Provisions of the herein-before recited Act relating to the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway, of the Fifth Year of Her present Majesty, by the Creation and Issue of Guaranteed Shares, now converted into Guaranteed Consolidated Stock, the Sum of One hundred and fifty-six thousand two hundred and fifty Pounds, and, under the Provisions of "*The Glasgow and South-western* Railway Incorporation Act, 1846," by the Creation and Issue of Twenty-five thousand Ten Pounds Preference Shares, the Sum of Two hundred and fifty thousand Pounds, the Holders of which Guaranteed Stock and Preference Shares are entitled to a preferable minimum Dividend of Five *per Centum per Annum*, with Right to participate in all Dividends beyond that Amount payable to the Holders of Ordinary Stock: And whereas in virtue of the Provisions of the said "*Ardrossan* Railway Transfer Act, 1854," the said *Glasgow and South-western* Railway Company have created new Stock of the said Company to the Amount of Sixty thousand Pounds, and have set apart Thirty thousand Pounds of the said Sum of One hundred and forty-four thousand nine hundred and sixty-three Pounds Six Shillings and Eightpence held on behalf of the said Company, and have apportioned the said Ninety thousand Pounds of Stock among the Shareholders of the *Ardrossan* Railway Company, and the same is now denominated "*The Glasgow and South-western* Railway (*Ardrossan*) Guaranteed Stock," and is entitled to a guaranteed Dividend after the Rate of Three Pounds *per Centum per Annum* up to the Thirty-first Day of *July* One thousand eight hundred and sixty-one: And whereas the said *Glasgow and South-western* Railway Company have borrowed on Mortgage or Bond, in virtue of the Powers of the various Acts conferring borrowing Powers upon the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company, and *Glasgow, Dumfries, and*

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Carlisle Railway Company, and *Glasgow and South-western* Railway Company, herein-before recited, or some of those Acts, the Sum of Nine hundred and sixty-four thousand and forty-nine Pounds Five Shillings and One Penny, as on the Thirty-first Day of *January* Eighteen hundred and fifty-five, and have other outstanding Engagements, the Amount of which has not been ascertained: And whereas Doubts have arisen as to the Validity of the Creation of certain of the said Ordinary Shares, and as to whether the said Company have not exceeded their borrowing Powers; and it is expedient that such Doubts should be removed, and that the Titles of the present Holders of the Stock created in lieu of such Shares, and of the Mortgages and Bonds issued by the Company, should be confirmed: And whereas the Sums raised by the Creation of the said Shares and on Loan have been applied to the Purposes of the said Acts herein-before recited, or some of them, and in the Acquisition of the said Stock held by certain Parties on behalf of the said Company, or some Portion of such Stock, and in the Acquisition of Four thousand nine hundred and sixty-five Shares in the *Ayrshire, Bridge of Weir, and Port Glasgow Junction* Railway Company, created under "The *Ayrshire and Bridge of Weir* Railway Act, 1846," and of Six thousand and seventy Shares in the *Ayr and Dalmellington* Railway Company, created under "The *Ayrshire and Galloway (Smithstown and Dalmellington)* Railway Act, 1847," and it is expedient that such Application and the Acquisition of such Shares should be confirmed: And whereas it is also expedient that the Capital and borrowing Powers of the said Company should be limited and defined, and that the said Company should be authorized to acquire additional Shares in the *Ayr and Dalmellington* Railway Company, and Shares in the *Ayr and Maybole Junction* Railway Company, and that the Power conferred by "The *Ayr and Dalmellington* Railway Act, 1853," upon the *Glasgow and South-western* Railway Company, of working the new Lines of Railway authorized by the said Act, should be extended to the whole of the *Ayr and Dalmellington* Railway: And whereas it will be attended with great public Advantage if the *Glasgow and South-western* Railway Company were authorized to form a Railway in extension of the Branch of the *Glasgow and South-western* Railway, authorized by "The *Glasgow and South-western* Railway Branch Act, 1853," and to complete a Railway at present in course of Construction from the *Glasgow and South-western* Railway near *Longford*, to the *Dubbs and Doura* Branch of the *Ardrossan* Railway near *Byrehill*: And whereas it is also expedient that the Powers of the *Glasgow and South-western* Railway Company should in some respects be extended and enlarged, and that some of the Acts herein-before recited should be repealed, and that some of the Provisions thereof, so far as now applicable and in force, should be re-enacted and consolidated, and that "The Companies Clauses Consoli-

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Consolidation (Scotland) Act, 1845," "The Lands Clauses Consolidation (Scotland) Act, 1845," and "The Railway Clauses Consolidation (Scotland) Act, 1845," should, except as otherwise provided by this Act, be made applicable to the whole Undertaking of the Company; 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 of the Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. This Act may be cited for all Purposes as "*The Glasgow and South-western Railway Consolidation Act, 1855.*" Short Title.

II. The Expression "the Company" in this Act shall denote the *Glasgow and South-western Railway Company* as incorporated by this Act, and the Expression "*The Glasgow and South-western Railway Company*" shall denote the *Glasgow and South-western Railway Company* as incorporated previous to the passing of this Act, unless there be something in the Subject or Context regugnant to such Construction. Interpretation of Terms.

III. The recited Acts herein-after mentioned, (that is to say,) "*The Glasgow, Paisley, Kilmarnock, and Ayr Railway Amendment and Branches Act (No. 2.), 1846;*" "*The Glasgow, Paisley, Kilmarnock, and Ayr Railway Amendment and Branches Act (No. 3.), 1846;*" "*The Glasgow and Belfast Union Railway Act, 1846;*" "*The Glasgow, Paisley, Kilmarnock, and Ayr Railway and Glasgow and Belfast Union Railway Amendment and Branches Act (No. 1.), 1847;*" "*The Glasgow, Paisley, Kilmarnock, and Ayr Railway Amendment and Branches Act (No. 2.), 1847;*" "*The Glasgow, Paisley, Kilmarnock, and Ayr Railway and Ayrshire and Bridge of Weir Railway Amendment and Branches Act (No. 3.), 1847;*" "*The Glasgow, Paisley, Kilmarnock, and Ayr Railway Amendment Act (No. 4.), 1847;*" "*The Paisley and Renfrew Railway (Sale and Improvement) Act, 1847;*" the Act passed in the Session of Parliament held in the Fifth and Sixth Years of the Reign of King *William* the Fourth, intituled *An Act for making and maintaining a Railway between the Town of Paisley and the South Side of the River Clyde at Renfrew Ferry, and for constructing Wharfs, Quays, or Landing Places there, all in the County of Renfrew;*" "*The Glasgow, Dumfries, and Carlisle Railway Act, 1846;*" "*The Glasgow, Dumfries, and Carlisle Railway Amendment Act (No. 1.), 1847;*" "*The Glasgow, Dumfries, and Carlisle Railway Amendment and Branches Act (No. 2.), 1847;*" the Act passed in the Year One thousand eight hundred and forty-seven, whereof the Repeal of certain of the recited Acts.

Short

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Short Title is "The *Glasgow and South-western* Railway Incorporation Act, 1846;" and "The *Glasgow and South-western* Railway Branch Act, 1853;" shall be and the same are hereby repealed.

Remaining Acts relating to the Glasgow, Paisley, Kilmarnock, and Ayr Railway repealed, except as to the Joint Line from Glasgow to Paisley and the Line of Railway from Kilmarnock to Troon.

IV. The following Sections of the recited Act passed in the First Year of the Reign of Her present Majesty, intituled *An Act for making a Railway from Glasgow to Paisley and Ayr, and from a Point on the said Railway near Blairland to Kilmarnock, to be called "The Glasgow, Paisley, Kilmarnock, and Ayr Railway, with Branches,"* (that is to say,) the First Section, the One hundred and fourth and following Sections to the One hundred and fifty-fourth Section inclusive, and the One hundred and fifty-seventh Section, and the Two hundred and tenth and following Sections to the Two hundred and sixteenth Section inclusive; also the following Sections of the recited Act passed in the Third Year of the Reign of Her present Majesty, intituled *An Act to amend and continue the Act relating to the Glasgow, Paisley, Kilmarnock, and Ayr Railway, and to make a new Branch therefrom,* (that is to say,) the Forty-first, Forty-second, Forty-third, and Forty-fifth Sections; also the following Sections of the recited Act passed in the Second Session of Parliament held in the Fifth Year of the Reign of Her present Majesty, intituled *An Act to amend the Acts relating to the Glasgow, Paisley, Kilmarnock, and Ayr Railway, and to grant further Powers to the Company of Proprietors thereof,* (that is to say,) the Second and following Sections to the Twenty-seventh Section inclusive, and the Thirty-second Section; also the following Sections of the recited Act passed in the Session of Parliament held in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act to authorize an Extension of the Glasgow, Paisley, Kilmarnock, and Ayr Railway to near Cumnock, and to amend the Acts relating to such Railway,* (that is to say,) the Sixteenth and following Sections to the Twentieth Section inclusive, and the Twenty-second to the Twenty-fourth Section inclusive; also the following Sections of the recited "*Glasgow, Paisley, Kilmarnock, and Ayr* Railway Amendment and Branches Act (No. 1), 1846," (that is to say,) the Fifth and following Sections to the Ninth Section inclusive (and which said Sections relate to the Incorporation of the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company, their Capital and Loans, their Meetings, Directors, and Officers, Accounts and Service of Notices on or by the Company), shall be and the same are hereby repealed, and all the other Sections of the said Acts, and also all the Sections of the recited "*Glasgow, Paisley, Kilmarnock, and Ayr* Railway Rates Act, 1848," shall be and the same are hereby repealed, except so far as they relate or are capable of being enforced with reference to the said Joint Line and the Line of Railway extending from *Saint Marnock Street, Kilmarnock*, to the Town and Harbour of *Troon*.

V. The

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V. The whole Provisions of “*The Kilmarnock and Troon Railway Act, 1846*,” relating to the raising of Money by Shares or on Loan, the Application thereof, and the Conversion of Loans into Capital, and which are contained in the Ninth, Tenth, Eleventh, and Twelfth Sections of the said Act, are hereby repealed, and the whole remaining Provisions of the said Act are also repealed, so far as such Provisions relate to the Branch Railways which the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company are by the said “*Kilmarnock and Troon Railway Act, 1846*,” authorized to execute, to the Acquisition of Lands for the Purposes of such Branch Railways, and to the Construction, Maintenance, and Use thereof, and the Tolls thereon.

Repeal of Provisions in certain Acts relating to the Kilmarnock and Troon Railway.

VI. The Fortieth and following Sections of “*The Ayrshire and Bridge of Weir Railway Act, 1846*,” to the Forty-fifth Section inclusive, and the Forty-seventh and Forty-eighth Sections of that Act, are hereby repealed, so far as they confer Powers on the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company, or the *Glasgow and South-western* Railway Company, to lease the *Ayrshire and Bridge of Weir* Railway.

Repeal of Provisions in certain Acts relating to the Ayrshire and Bridge of Weir Railway and Paisley, Barrhead, and Hurlet Railway.

VII. The Twenty-fourth and Twenty-fifth Sections of “*The Ayr and Dalmellington Railway Act, 1853*,” conferring Power on the *Glasgow and South-western* Railway Company to raise by Mortgage or by the Creation of Shares in lieu thereof the Sum of Ninety thousand Pounds, shall be and the same are hereby repealed.

Repeal of Provisions in certain Acts relating to the Ayr and Dalmellington Railway.

VIII. The said Act of the Third and Fourth Years of Her present Majesty, relating to the *Ardrossan* Railway, and “*The Ardrossan Railway Transfer Act, 1854*,” and so far as concerns the said Branch to *Perceton*, “*The Glasgow, Kilmarnock, and Ardrossan Railway Act, 1846*,” “*The Glasgow, Kilmarnock, and Ardrossan Railway Amendment, Deviation, and Branches Act, 1847*,” and “*The Glasgow, Kilmarnock, and Ardrossan Railway Dissolution Act, 1852*,” are hereby repealed, except in so far as the said several Acts relate to the Winding-up of the Affairs of the *Ardrossan* Railway Company, to the carrying into Effect the Purposes of the said “*Ardrossan Railway Transfer Act, 1854*,” so far as concerns the *Ardrossan* Railway Company and the Shareholders thereof, and to the Powers and Authorities conferred by the said “*Ardrossan Railway Transfer Act, 1854*,” on the *Ardrossan* Railway Company and Directors thereof, for that End.

Repeal of Provisions in certain Acts relating to the Ardrossan Railway.

IX. “*The Companies Clauses Consolidation (Scotland) Act, 1845*,” “*The Lands Clauses Consolidation (Scotland) Act, 1845*,” “*The Railways Clauses Consolidation (Scotland) Act, 1845*,” and “*The Harbours, Docks, and Piers Clauses Act, 1847*,” except the

Provisions of 8 & 9 Vict. cc. 17. 19. and 33. and 10 & 11 Vict.

[*Local.*]

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Provisions

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c. 27. to apply to this Act.

Interpretation of Terms herein mentioned.

Provisions thereof with respect to Life Boats, and to keeping a Tide and Weather Gauge, shall, so far as they are not expressly altered or varied by the Provisions of this Act, be incorporated with and form Part of this Act; and in construing the said Acts for the Purposes of this Act, the following Expressions shall have the Meanings hereby assigned them, unless there be something in the Subject or Context repugnant to such Construction; that is to say,

The Expression "the Special Act" shall mean this Act:

The Expressions "the Company," or "the Undertakers," or "the Promoters of the Undertaking," shall mean the Company:

The Expression "the Undertaking" when used in the said Companies Clauses Consolidation Act and Lands Clauses Consolidation Act, and the Expression "the Works" when used in the said Lands Clauses Consolidation Act, shall mean the whole Undertaking of the Company as herein-after defined:

The Expressions "the Undertaking" and "the Railway," when used in the said Railways Clauses Consolidation Act, shall mean the Railways and Works comprised in the said Undertaking, except the Wharfs, Landing Places, Quays, and tidal Harbour herein-after mentioned:

And the Expression "the Lands," when used in the said Harbours, Docks, and Piers Clauses Act, shall mean the Lands vested in or authorized to be taken by the Company for the Purposes of the said Wharfs, Landing Places, Quays, and tidal Harbour, and when used in the said Railways Clauses Consolidation Act shall mean the Lands vested in or authorized to be taken by the Company for the Purposes of the rest of their Undertaking:

And all other Words and Expressions in the said Acts having special Meanings assigned to them in such Acts shall have the Meanings so assigned to them respectively:

Provided always, that nothing in the said Railways Clauses Consolidation (*Scotland*) Act contained shall be held or construed to render necessary any Alteration in or Reconstruction of any Railway or Work already constructed in conformity with the Provisions of the Acts authorizing the same, or of Agreements with the Parties interested therein: Provided also, that nothing in this Act contained shall empower the Company to purchase or take Lands otherwise than by Agreement, except for the Branch Railways and Works by this Act authorized to be made.

Incorporating the Shareholders of the Company.

X. The Creations of the said Ordinary Shares, now converted into Ordinary Consolidated Stock, which have already taken place, are hereby declared to be valid and effectual in Law, to all Intents and Purposes whatsoever, and the several Persons or Corporations who immediately

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diately before the passing of this Act were Proprietors of or entitled to the said Ordinary Consolidated Stock, to the said Consolidated Guaranteed Stock, to the said Ten Pounds Preference Shares, and to the said *Glasgow and South-western Railway (Ardrossan)* Guaranteed Stock, and all other Persons or Corporations who shall hereafter subscribe towards the Undertaking of the Company, and the Executors and Administrators, Successors and Assigns of such Persons and Corporations, are hereby incorporated into a Company, with perpetual Succession, a Common Seal, Powers to purchase, hold, sell, and dispose of Lands and other Property and Effects, and all other Privileges and Incidents of a Body Corporate, under the Name and Style of "*The Glasgow and South-western Railway Company*," called in this Act "the Company."

XI. The Seal of the *Glasgow and South-western Railway Company* shall be the Seal of the Company. Seal of the Company.

XII. The Officers and Servants of the *Glasgow and South-western Railway Company* shall be Officers and Servants of the Company until removed, and shall be subject to the Provisions of this Act and of the Acts incorporated herewith, as regards both their by-past and future Intromissions; and all Bonds or Securities for such Intromissions granted to the *Glasgow and South-western Railway Company* may be enforced by the Company to the same Extent and Effect that such Bonds or Securities might have been enforced by the *Glasgow and South-western Railway Company* if this Act had not been passed. Officers to continue.

XIII. The Tolls, Rates, Charges, Byelaws, Rules, and Regulations published or enacted by the *Glasgow and South-western Railway Company*, or which at the Time of the passing of this Act are in force, shall, so far as not inconsistent with this Act, be deemed to be Tolls, Rates, Charges, Byelaws, Rules, and Regulations of the Company, and shall, until altered, continue in force in respect to the several Railways and Works therein specified, and the Traffic thereon, and the Officers, Servants, and others thereby designated. Tolls and Byelaws to continue.

XIV. All Books, Registers, Accounts, and other Documents and Vouchers of the *Glasgow and South-western Railway Company*, and of all other Companies incorporated with or represented by them, and the Minutes of the Proceedings of the said Companies and the Directors thereof, and Resolutions come to at the Meetings of the said Companies and Directors, shall be deemed to be the Books, Registers, Accounts, Documents, Vouchers, Minutes, and Resolutions of the Company, and shall receive Effect in the same Way and to the same Documents, &c. of the Glasgow and South-western and other Railway Companies to be deemed the Documents, &c. of the Company.

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same Extent that they would have done in any Question or Proceeding to which the *Glasgow and South-western Railway* Company were Parties, if this Act had not been passed.

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

XV. The several Maps, Plans, Sections, and Books of Reference, and Corrections and Certificates of Correction of Maps, Plans, Sections, and Books of Reference, which prior to or in pursuance of the hereinbefore recited Acts or any of them have been deposited with any Clerks of the Peace, Sheriff Clerks, Town Clerks, Schoolmasters, or Session Clerks of the several Counties, Cities, Boroughs, Parishes, and Places to which the same relate, or any Parishes and Places adjoining thereto, shall remain in the Custody of the said Clerks of the Peace, Sheriff Clerks, Town Clerks, 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 Clerks of the Peace, Sheriff Clerks, Town Clerks, 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, and the said Corrections and Certificates of Correction thereof, 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 Clerks of the Peace, Sheriff Clerks, or Town Clerks who have made the same, shall be admitted as Evidence in all Courts of Law or elsewhere, as fully and for all the like Intents as if this Act had not been passed.

Moneys be-
longing to
incapaci-
tated Persons
to be applied
according to
Provisions of
Acts under
which Pur-
chases made.

XVI. In all Cases in which, under the Provisions of any of the Acts hereby repealed, in whole or in part relating to the *Glasgow and South-western Railway* Company, or to any Company incorporated with or represented by them, any Sum of Money has already been paid by the *Glasgow and South-western Railway* Company, or by any Company incorporated with or represented by them, into Bank, or to any Trustee or Trustees, on account of the Purchase of any Land or any Interest therein, or for any Compensation or Satisfaction or on any other Account, such Sum, or the Stocks, Funds, or Securities in or upon which the same has been or shall be invested, either by the Order of the Court of Session in *Scotland* or otherwise however, and the Interest, Dividends, and annual Produce thereof, shall be applied and disposed of pursuant to the Act or Acts under which the same has been so paid into Bank, or to such Trustee or Trustees as aforesaid, or pursuant to the Act or Acts under which the same would have been applied

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applied and disposed of if this Act had not been passed; and all the Sections, Provisions, Powers, and Authorities contained in such Act or Acts respectively, in relation to such Monies, Stocks, Funds, and Securities, and the Interest, Dividends, and annual Produce thereof, shall for the Purposes of this Act remain in full Force, and shall be construed and taken as if the Company were named in each such Act instead of the Company to which such Act relates.

XVII. The Capital of the Company shall be Three millions five hundred thousand Pounds, whereof the Sum of Three millions two hundred and ninety-seven thousand eight hundred and eighty-three Pounds Six Shillings and Eightpence, being the Amount which has been created as aforesaid of the said Ordinary Consolidated Stock, the said Consolidated Guaranteed Stock, the said Ten Pounds Preference Shares, and the said *Glasgow and South-western Railway (Ardrossan)* Guaranteed Stock, is herein-after, for Distinction, called the original Capital of the Company, and the remaining Sum of Two hundred and two thousand one hundred and sixteen Pounds Thirteen Shillings and Fourpence is herein-after, for Distinction, called the additional Capital of the Company.

Capital of
the Company.

XVIII. Every Person and Corporation who immediately before the passing of this Act was possessed of or entitled to any Part of the Stock, or to One or more Share or Shares in the Capital of the said *Glasgow and South-western Railway Company*, of the several Descriptions before mentioned, shall in respect thereof be possessed of or entitled to the same Amount of Stock or a like Number of Shares of the same Description and of the same nominal Value in the original Capital of the Company, and such Stock or Shares are hereby vested in such Persons and Corporations accordingly.

Stock and
Shares to
vest in the
Proprietors
of Stock and
Shares of the
*Glasgow and
South-western
Company.*

XIX. The Certificates of the original Stock and Shares created under the Powers of the Acts hereby wholly or partially repealed, and which shall be existing at the Time of the passing of this Act, shall be the Certificates of the Stock and Shares created by this Act in substitution of such original Stock and Shares, and it shall not be necessary or required for the Company to issue fresh Certificates in respect of such Stock and Shares, except under the Provisions of the said "Companies Clauses Consolidation (*Scotland*) Act," in Cases where such Certificates shall be worn out or damaged, or lost or destroyed.

Certificates
of old Stock
and Shares to
apply to the
new Stock
and Shares.

XX. All Persons and Corporations in whom any of the said new or substituted Stock or Shares shall become vested under the Provisions aforesaid shall stand and be possessed of such Stock and Shares upon the same Trusts, and subject to the same Powers, Provisions, Declarations, and Agreements, Charges, Liabilities, and

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

[*Local.*]

15 N

Incum-

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Incumbrances, as the Trusts, Powers, Provisions, Declarations, and Agreements, Charges, Liabilities, and Incumbrances upon and to which the original Stock and Shares for which such new Stock and Shares was or were substituted was or were subject and liable 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 original Stock and Share or Shares.

Calls paid upon the original Stock and Shares to be considered as paid upon the substituted Stock and Shares.

XXI. All Sums of Money which at the Time of the passing of this Act shall have been called up and paid, or called up but not paid, for or on account of any Stock or Shares in the Capital of the *Glasgow and South-western* Railway Company, shall be considered as having been called up and paid, or called up and not paid, (as the Case may be,) for or on account of the new Stock or Shares which shall be substituted for such original Stock or Shares by virtue of this Act.

Dividend on Guaranteed Consolidated Stock.

XXII. Every Proprietor of the said Guaranteed Consolidated Stock shall receive in respect of the Stock held by him, out of the Profits of the Company, on the same Day on which the half-yearly Dividend is payable on the Ordinary Stock of the Company, and in the Event of no such Dividend being payable in any Half Year, then on some Day in the Month of *March* or *September*, to be fixed by the Directors of the Company, and in the event of no such Day being fixed, then on the last *Friday* of each of these Months, a Dividend at the Rate of Five Pounds *per Centum per Annum*.

Dividend on 10*l.* Preference Shares.

XXIII. Every Proprietor of the said Ten Pounds Preference Shares shall, subject to the Payment of such Dividend on the said Consolidated Guaranteed Stock, and on the same Day as that on which Payment is directed to be made of such Dividend, receive on the Shares held by him, out of the Profits of the Company, a Dividend at the Rate of Five Pounds *per Centum per Annum*.

Dividend on Glasgow and South-western Railway (*Ardrossan*) Guaranteed Stock.

XXIV. Every Proprietor of the said *Glasgow and South-western* Railway (*Ardrossan*) Guaranteed Stock shall, subject to the Payment of the said Dividends on the said Guaranteed Consolidated Stock and Ten Pounds Preference Shares, and on the same Day as that on which Payment is directed to be made of such Dividends, receive in respect of the Stock held by him out of the Profits of the Company, up to the Thirty-first Day of *July* in the Year of our Lord One thousand eight hundred and sixty-one, a Dividend at the Rate of Three Pounds *per Centum per Annum*, and thereafter a Dividend of the same Amount with the Holders of the Ordinary Stock or Shares of the Company; subject, nevertheless, to any Deduction to be made in respect of Mortgages or Debts due from the *Ardrossan* Railway Company under or in

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in pursuance of the Twentieth Section of the said *Ardrossan* Railway Transfer Act, 1854.

XXV. Whenever the Amount applicable to the Payment of Dividends shall be more than sufficient to pay the said preferential Dividends in full, and also to pay Dividends on the Ordinary Stock or Shares of the Company equal to the guaranteed or preferential Dividends on all or any of the said Consolidated Guaranteed Stock, Ten Pounds Preference Shares, and *Glasgow and South-western* Railway (*Ardrossan*) Guaranteed Stock, then and in every such Case the Holders of all or any (as the Case may be) of the said Consolidated Guaranteed Stock, Ten Pounds Preference Shares, and *Glasgow and South-western* Railway (*Ardrossan*) Guaranteed Stock, shall receive in lieu of such their guaranteed or preferential Dividends a higher Dividend of the same Amount as and rateably with the Holders of the Ordinary Stock or Shares of the Company.

Holders of guaranteed or preferential Stock or Shares to participate in Dividend on ordinary Stock or Shares when higher than Dividends on guaranteed or preferential Stock or Shares.

XXVI. The Proprietors of the said *Glasgow and South-western* Railway (*Ardrossan*) Guaranteed Stock shall, for and during the Period of their said guaranteed Dividend, have a Lien over the *Ardrossan* Railway, and Three Branches therefrom, and whole other Stations and Works connected therewith, acquired by the *Glasgow and South-western* Railway Company in virtue of "The *Ardrossan* Railway Transfer Act, 1854," and over the whole Revenues of the said *Ardrossan* Railway, Branches, Stations, and Works, for Payment to them of the aforesaid Dividend on the said Guaranteed Stock.

Proprietors of the Glasgow and South Western Railway (*Ardrossan*) Guaranteed Stock to have a Lien over the *Ardrossan* Railway.

XXVII. It shall be lawful for the Proprietors of the *Glasgow and South-western* Railway (*Ardrossan*) Guaranteed Stock to render effectual their said Lien or Security, in the event of any Half Year's Dividend on any such Stock or any Part thereof not having been paid within the Period of Three Months after the Day of Payment herein-before fixed, by the Appointment, in manner herein-after mentioned, of a Judicial Factor upon the said *Ardrossan* Railways, Branches, Stations, and Works, including the Revenues thereof.

Lien and Payment of Dividend may be enforced by Judicial Factor.

XXVIII. The Application for the Appointment of such Judicial Factor shall be made by summary Petition to the Court of Session, or in Time of Vacation to the Lord Ordinary on the Bills, in the Name of Proprietors of the said *Glasgow and South-western* Railway (*Ardrossan*) Guaranteed Stock holding Guaranteed Stock to the Amount of not less than Ten thousand Pounds the Dividends on which shall be in arrear for the said Period of Three Months; and the Court of Session, or the Lord Ordinary on the Bills, as the Case may be, is hereby authorized and required, on such Application being made, to appoint a Judicial Factor, to the Effect and with the Powers herein-after mentioned,

Mode of Appointment of Judicial Factor.

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mentioned, unless previous to the said Application being advised the Amount of the Dividend in arrear, with any Interest due thereon, shall have been paid, or unless the Court or the Lord Ordinary, as the Case may be, shall be satisfied that Consignation should, under the Circumstances, be accepted in lieu of Payment, and such Consignation shall be made accordingly; and a certified Copy of the Interlocutor making such Appointment shall be sufficient Warrant for the Judicial Factor thereby appointed entering upon his Office; and such Interlocutor shall be subject to Review or Appeal; but the Presentation of a Reclaiming Note or Petition of Appeal shall not have the Effect of suspending the Operation of the Appointment and Powers of the Judicial Factor.

Powers and
Duties of Ju-
dicial Factor.

XXIX. The Judicial Factor so appointed, on finding Security in common Form, shall be entitled to collect the Revenues of the said *Ardrossan* Railway, Branches, Stations, and Works, and after defraying therefrom the working Expenses applicable thereto, including Charges usually and properly placed to the Debit of Revenue Account, to apply the Balance for the Use and Behoof of the Proprietors of the said *Glasgow and South-western* Railway (*Ardrossan*) Guaranteed Stock; and such Judicial Factor shall continue in Office, not only until all Arrears of Dividend due at the Date of his Appointment, with Interest and Costs, including the Charges of collecting the Revenue aforesaid, shall have been paid, but until any Half Year's Dividend which may become due or current during his Continuance in Office, with Interest, shall have been paid, or secured by Consignation, as herein-after mentioned.

Company
may, on Pay-
ment or Con-
signation,
apply for Re-
call of Factor.

XXX. It shall be in the Power of the Company at any Time, by Payment of all Arrears of Dividend due at the Date of the Appointment of such Judicial Factor, with Interest thereon, and of any Dividends which shall have become due after his Appointment, and by consigning in One of the Banks in *Scotland* incorporated by Act of Parliament or Royal Charter the full Amount of the Dividend for the Half Year which may be current at the Time, and which Dividend is to become due at the then next ensuing Term of Payment, together with such Sum as the Court of Session, or in Time of Vacation the Lord Ordinary on the Bills, may fix as sufficient to meet the Charges and Costs as aforesaid, to apply to the Court or Lord Ordinary on the Bills to recall the Appointment of such Judicial Factor, and to declare his Powers to have ceased; and the Court or Lord Ordinary on the Bills, as the Case may be, shall, on finding that such Payment and Consignation have been made, recall the Appointment accordingly.

Directors of
Company to
keep an Ac-

XXXI. In the event of a Judicial Factor having been appointed as aforesaid, it shall be lawful for the Proprietors of the said *Glasgow and*

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and South-western Railway (*Ardrossan*) Guaranteed Stock, on whose Application such Judicial Factor has been appointed, in order to enable their Lien or Security to be more easily enforced, to require the Directors of the Company to keep, and upon the said Requisition being made the said Directors shall keep, during the Subsistence of the said Judicial Factory, at the Expense and in the Books of the Company, separate detailed Accounts of the gross Revenues drawn from Week to Week from the said *Ardrossan* Railway, Branches, Stations, and Works, and from the other Portions of the Undertaking of the Company, the said Joint Line, and the said Railway from *Saint Marnock Street, Kilmarnock*, to the Town and Harbour of *Troon*.

count of the Revenues of the *Ardrossan* Railway during Factory.

XXXII. The Directors of the Company shall also, in the event and during the Period aforesaid, and upon being required as aforesaid, keep in the Books of the Company, and at the Expense of the Company, separate detailed Accounts of the working Expenses incurred during each Half Year upon the said *Ardrossan* Railway, Branches, Stations, and Works, and upon the other Portions of the Undertaking of the Company, the said Joint Line, and the said Railway from *Saint Marnock Street, Kilmarnock*, to the Town and Harbour of *Troon*, and shall apportion to each of such Accounts so much of the general Charges of the Undertaking of the Company as shall apply to the said *Ardrossan* Railway, Branches, Stations, and Works, and to the other Portions of the Undertaking of the Company, the said Joint Line, and the Railway from *Saint Marnock Street, Kilmarnock*, to the Town and Harbour of *Troon*; and the Judicial Factor, and the Proprietors of the said *Glasgow and South-western* Railway (*Ardrossan*) Guaranteed Stock, by himself and themselves, or by an Accountant nominated in Writing by any Five or more of such Proprietors for that Purpose, shall be entitled at all Times to examine and check the Accounts of gross Revenue, and the Accounts of working Expenses, so kept in the Books of the Company, and all Vouchers and Entries in the Books of the Company connected therewith, and to enforce in the most summary Way Compliance with the aforesaid Provisions for keeping Accounts of Revenue and working Expenses as aforesaid.

Directors to keep Accounts of the Working Expenses of the *Ardrossan* Railway during Factory.

XXXIII. All Dividends which have accrued or were accruing to the Proprietors of Stock or Shares in the *Glasgow and South-western* Railway Company at the Time of the passing of this Act, and which shall not have been paid to them, shall be paid by the Company at the Dates and in the Way they would have been paid by the *Glasgow and South-western* Railway Company if this Act had not been passed.

Arrears of Dividends to be paid.

[*Local.*]

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XXXIV. The

The Glasgow and South-western Railway Consolidation Act, 1855.

As to creat-
ing the ad-
ditional
Capital.

XXXIV. The additional Capital shall be created on such Terms, divided into Shares of such Amount, and shall be apportioned and allotted to such Persons and in such Manner as may be determined by the Order of any General Meeting of the Company specially convened for the Purpose; and it shall be lawful for the Company, if they shall think fit, with the Consent of Three Fifths of the Proprietors present, personally or by Proxy, at such Meeting, to confer on such Shares a guaranteed or preferential Dividend out of the Profits of the Company at such Rate, not exceeding Five Pounds *per Centum per Annum*, payable at such Time, and with such Privileges and Advantages, as shall be fixed by such Meeting.

Stock
already held
by or on
behalf of
the Glasgow
and South-
western
Railway
Company, or
unissued,
may be sold
or cancelled.

XXXV. The Issue of the Shares now converted into One hundred and fourteen thousand nine hundred and sixty-three Pounds Six Shillings and Eightpence of the Ordinary Capital Stock of the *Glasgow and South-western* Railway Company, and Thirty thousand Pounds *Glasgow and South-western* Railway (*Ardrossan*) Guaranteed Stock, and the Acquisition thereof by certain Parties on behalf of the said *Glasgow and South-western* Railway Company, and the Application of the Funds of the said Company, and of the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company, and of the *Glasgow, Dumfries, and Carlisle* Railway Company, in the Acquisition thereof, is hereby ratified and confirmed, and declared valid and effectual; and the Company may at any General Meeting from Time to Time either instruct and authorize the Directors of the Company to sell and dispose of, to such Persons and at such Prices as may be directed at such Meeting, or as can be obtained for the same, the whole or any Part of the said Stock still held by or on behalf of the *Glasgow and South-western* Railway Company, amounting to One hundred and fourteen thousand nine hundred and sixty-three Pounds Six Shillings and Eightpence, and also the whole or any Part of the said Ordinary Capital Stock of the said *Glasgow and South-western* Railway Company which has not been issued as aforesaid, amounting to Six thousand five hundred and sixty Pounds, or the Company may at any General Meeting from Time to Time cancel the said Stock amounting to One hundred and fourteen thousand nine hundred and sixty-three Pounds Six Shillings and Eightpence and Six thousand five hundred and sixty Pounds, or any Part thereof, and the same shall thereupon be cancelled, and be deemed not to have been created.

Titles to said
Stock.

XXXVI. In the event of such Sale or Disposal of the said Stock amounting to One hundred and fourteen thousand nine hundred and sixty-three Pounds Six Shillings and Eightpence, or any Part thereof, Transfers duly executed by the Persons in whose Names the same shall at the Time of such Transfers be registered, and in the event of such Sale or Disposal of the said Stock amounting to Six thousand

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thousand five hundred and sixty Pounds, or any Part thereof, Transfers duly executed by the Directors of the Company for the Time being, or their Quorum, shall be sufficient Titles to the Transferees respectively; and in the event of the said Stock or any Part thereof being cancelled, the Directors of the Company shall not, after such Stock shall have been cancelled, make any Call or receive any Money thereon or in respect thereof, and shall not issue, sell, or dispose of such Stock, or the Part thereof cancelled.

XXXVII. Instead of proceeding to forfeit any Stock or Shares already created or which may hereafter be created, it shall be lawful for the Directors, in any Case where in their Opinion any Stock or Shares, if sold, would not produce a sufficient Sum to discharge the Arrears of Calls thereon, or in any other Cases in which they deem it for the Advantage of the Company to agree with the last registered Proprietor thereof, or his Representatives, for the Surrender of the same to the Company on such Terms as the Directors shall think fit; and such Stock or Shares may be held by or on behalf of the Company, and may be sold by them, in the like Manner and subject to the like Provisions as in this Act contained with reference to the Sale or Disposal of the said Stock amounting to One hundred and fourteen thousand nine hundred and sixty-three Pounds Six Shillings and Eightpence, or may be cancelled, and new Shares created in lieu thereof, under the Provisions herein-after contained.

Power to Directors to agree with Holders of Stock or Shares in arrear for Surrender of their Stock or Shares, instead of forfeiting the same.

XXXVIII. In all Cases where any Stock or Shares already created or which may hereafter be created shall hereafter be declared forfeited, and such Declaration of Forfeiture shall be confirmed at a General Meeting of the Company in manner prescribed by "The Companies Clauses Consolidation (*Scotland*) Act, 1845," and when Notice shall be given by the Company in the *Edinburgh Gazette* and in a Newspaper published in the City of *Glasgow* of such Forfeiture, and that in case the Arrears of Calls, and Interest due thereon, shall not be paid within the Space of One Month from the Publication of such Notice, such Stock or Shares will be merged in the Capital Stock of the Company, then, in case such Arrears and Interest shall not be paid within such last-mentioned Period, and the Market Price of Stock or Shares of the same Class in the Company in the City of *Glasgow* upon which the same Amount shall have been called shall then or at any Time during the said Period of One Month be less than the Arrears of Calls and Interest due in respect of such Stock or Shares, the said Stock or Shares shall merge in the Capital of the Company; and a Declaration in Writing, made by some credible Person not interested, before any Justice of the Peace, or before the Sheriff of the County of *Lanark* or any of his Substitutes, stating that a Sum of Money sufficient to pay the Arrears of Calls

Forfeited Stock or Shares which cannot be sold may merge in the Company.

and

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and the Interest due in respect of such Stock or Shares could not be obtained for the same, according to the Market Price of Shares in the City of *Glasgow*, shall be sufficient Evidence of the Facts therein stated, and the Proprietor of such Stock or Shares shall from and after the making such Declaration be precluded from all Right, Title, or Interest therein; but nevertheless such merging shall not affect or alter the Liability of the Proprietor of any such Stock or Shares to pay the Company the Arrears of Calls and Interest due in respect of such Stock or Shares, after deducting therefrom the Market Value of such Stock or Shares, according to the Market Price of such Stock or Shares in the said City of *Glasgow* at the Time of such merging as aforesaid, or the Powers of the Company to enforce Payment thereof by Action.

Company
may issue
new Shares
in lieu of
Stock or
Shares
merged in
the Com-
pany.

XXXIX. In lieu and instead of any Stock or Shares which shall be so cancelled, surrendered, or forfeited and merged as aforesaid, it shall be lawful for the Company from Time to Time, with the Approbation of Three Fifths at least of the Votes of the Proprietors present, in Person or by Proxy, at any General Meeting of the Company especially convened for that Purpose, to create and issue such new Shares, of such Amount, to such Persons, in such Manner, and with such Preference or Priority and Guarantee of Dividend not exceeding the Rate of Five Pounds *per Centum per Annum*, and generally on such Terms and with such Privileges and Advantages as shall be fixed by such Meeting: Provided always, that (except as regards any new Shares which may be issued in lieu of the before-mentioned Sum of One hundred and fourteen thousand nine hundred and sixty-three Pounds Six Shillings and Eightpence) the aggregate Amount to be raised by the Issue of any such new Shares shall not exceed the aggregate Amount left unpaid on the old Stock or Shares in lieu of which such new Shares shall be issued at the Time of cancelling, Surrender, Forfeiture, and merging as aforesaid of such old Stock or Shares.

Closing of
Transfer
Book.

XL. The Period during which the Register of Transfers may be closed shall be Twenty-one Days.

Confirming
Mortgages.

XLI. All Mortgages granted by the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company, the *Dumfries and Carlisle* Railway Company, or the *Glasgow and South-western* Railway Company, prior to the passing of this Act, are hereby validated and confirmed, and shall have the same Priorities *inter se* as before the passing of this Act, and shall during the Continuance thereof have Priority over all Mortgages granted under the Authority of this Act.

XLII. It

The Glasgow and South-western Railway Consolidation Act, 1855.

XLII. It shall be lawful for the Company to borrow on Mortgage of their Undertaking, and of their Interest in the Joint Line, and in the said Railway from *Saint Marnock Street, Kilmarnock*, to the Town and Harbour of *Troon*, or on Bond, any Sums not exceeding in the whole the Sum of One million one hundred and sixty-six thousand six hundred and sixty-six Pounds; but the Sums which have been borrowed and which shall from Time to Time be outstanding under the Mortgages granted in virtue of the Acts conferring borrowing Powers on the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company, *Glasgow, Dumfries, and Carlisle* Railway Company, and *Glasgow and South-western* Railway Company, herein recited and hereby repealed, in whole or in part, or any of them, shall be deemed a Part of the said Sum of One million one hundred and sixty-six thousand six hundred and sixty-six Pounds.

Power to
borrow on
Mortgage,
&c.

XLIII. All Monies raised by the Company under the Provisions of this Act, whether by Shares or Mortgage, shall be applied to the Purposes of this Act.

Application
of Monies
raised by
Shares or
Mortgage.

XLIV. It shall be lawful for the Company, from Time to Time, in lieu of continuing on Mortgage or Bond the said Sum of One million one hundred and sixty-six thousand six hundred and sixty-six Pounds which they are by this Act authorized to borrow, or any Part thereof, to resolve at any General Meeting specially convened for the Purpose to fund the whole or such Part thereof as they think fit, and on any such Resolution being passed the Amount stated therein shall be called Funded Debt of the Company, and it shall be lawful for the Directors to issue to any Person or Corporation paying to them on behalf of the Company the Price for a Portion of the said Debt, according to the Value thereof for the Time being, a Certificate of such Person or Corporation being the Holder of Funded Debt of the Company to the Amount for which such Price has been paid.

Company
may fund
this Debt,
and issue
Certificates
of funded
Debt.

XLV. The several Holders of such Funded Debt may thenceforth transfer their respective Interests therein, or any Parts of such Interests, in the same Manner and subject to the same Regulations and Provisions as or according to which any Stock or Shares in the Capital of the Company may be transferred, under the Provisions of this Act and the Acts incorporated herewith; and the Company shall cause an Entry to be made in some Book to be kept for that Purpose of every such Transfer, and for every such Entry they may demand any Sum not exceeding Two Shillings and Sixpence.

Transfer of
Funded Debt.

XLVI. The Company shall from Time to Time cause the Names of the several Parties who may be interested in such Funded Debt as aforesaid, with the Amount of the Interest therein possessed by them

Register of
Holders of
Funded Debt.

[*Local.*]

15 P

respectively,

The Glasgow and South-western Railway Consolidation Act, 1855.

respectively, to be entered in a Book kept for that Purpose, and to be called "The Register of Holders of Funded Debt," and such Book shall be accessible at all reasonable Times to the several Holders of such Debt, or of Mortgages or Bonds by the Company.

Application
of Sums
received on
account of
Funded Debt.

XLVII. The Sums which may from Time to Time be received by the Company from Parties agreeing to take any Portion of the said Funded Debt shall be applied by the Directors exclusively in paying off the Mortgages or Bonds in lieu of which such Funded Debt has been created, and until so applied shall be deposited by them in a separate Account, to be called "*Glasgow and South-western Railway (Funded Debt) Account*," to be opened by them in One of the Banks of *Scotland* incorporated by Act of Parliament or Royal Charter.

Annuity
payable in
respect of
Funded Debt.

XLVIII. The several Holders of the Funded Debt of the Company shall not be entitled, except in the Event after mentioned, to Repayment of the Capital thereof, but shall receive an Annuity thereon at the Rate for the Time being agreed upon, not exceeding Five Pounds Sterling *per Centum per Annum*, payable half-yearly on the Second Day of *February* and the Second Day of *August* in every Year.

Holders of
Funded Debt
to be Credi-
tors and
Mortgagees.

XLIX. The several Holders of such Funded Debt shall be Creditors of the Company for the Payment of the said Annuity, and in the Event after mentioned, for the Repayment of the Portion of the Principal of the said Debt held by them respectively, and shall also be deemed to hold by virtue of this Act a Mortgage over the whole Undertaking of the Company, and their Interest in the said Joint Line, and in the said Railway from *Saint Marnock Street, Kilmarnock*, to the Town and Harbour of *Troon*, for Payment of the said Annuity, and for Payment, in the Event herein-after mentioned, of the Portion of the Principal of the said Debt held by them respectively, which Mortgage shall have the same Order of Priority as other Mortgages issued in pursuance of this Act.

Mortgagees
may apply
for the Ap-
pointment of
a Judicial
Factor.

L. The Holders of all Mortgages granted by the Company, including the Holders of the Funded Debt of the Company, may enforce Payment of the respective Sums which may from Time to Time become due to them by the Appointment of a Judicial Factor; but in order to authorize the Appointment of such Judicial Factor the Application shall be made by the Holders of Mortgages the Principal Sums due in respect of which amount to the Sum of Fifty thousand Pounds, or by the Holders of Mortgages or of Funded Debt the Interest or Annuities due in respect of which to the Amount of Five thousand Pounds have for more than One Month been in arrear.

LI. In

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LI. In the event of the Appointment of a Judicial Factor to enforce Payment of the said Debts, and of the said Appointment not being recalled within Six Months thereafter, it shall be lawful for any of the Holders of the Funded Debt of the Company, by a Minute lodged in the Process in which the said Appointment was made, to intimate their Option to require Payment of the Portion of the Principal Sum of the said Funded Debt held by them, and such Principal Sum shall thereupon become payable on the Second Day of *February* or Second Day of *August* which shall next occur, and after the said Date the Annuities payable to the Holders who have intimated such Option shall cease, and in lieu thereof the said Principal Sum shall, until paid, bear Interest at the Rate of Five Pounds *per Centum per Annum*.

Holder of Funded Debt may require Repayment of Principal if Annuity not regularly paid.

LII. In the event of any Portion of the Principal Funded Debt of the Company being paid under the Provision herein-before contained, the Directors may re-issue Certificates for such Portion to any other Person or Corporation paying to them on behalf of the Company the Price for such Portion according to the Value thereof for the Time being.

Funded Debt may be re-issued.

LIII. It shall be lawful for the Company, if they think fit, at any General Meeting specially convened for the Purpose, instead of raising the said Sum of One million one hundred and sixty-six thousand six hundred and sixty-six Pounds on Mortgage or Bond, or any Portion thereof, to raise the whole or any Portion of the said Sum, or, having so borrowed the said Sum or any Portion thereof on Mortgage or Bond, to raise the whole or any Portion of the Money required for paying off and discharging the said Sum, or the Portion thereof so borrowed, or any Part thereof, as the Case may be, or to raise the Money required for Payment of the Funded Debt or any Portion thereof which may not be reissued under the Provisions herein-before contained, by the Creation of new Stock or Shares in the Company, to be called "*Glasgow and South-western Railway First Preference Stock*," or "*Glasgow and South-western Railway First Preference Shares*," and to confer upon such Stock or Shares a fixed guaranteed Rate of Dividend or Interest not exceeding Five Pounds *per Centum per Annum*, and payable, or not, as they shall think fit, before any other Preference or Guaranteed Stock or Shares of the Company, and *pari passu* with the Funded Debt (if any) of the Company, and to issue such Stock or Shares to such Persons, in such Manner, and either as a permanent Stock, or as temporary Stock redeemable at any future Time for Ordinary Stock of the Company, and upon such other Terms and Conditions, and with such other Rights and Privileges thereto annexed, as they shall think fit; and it shall be lawful for the Company from Time to Time to create such Ordinary Stock or Shares in their Undertaking as may be necessary to

Power to create First Preference Stock or Shares with a First Preference at Five per Cent.

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to redeem such of the said First Preference Stock or Shares as may be redeemable.

Power of
mortgaging
to cease pro-
portionably.

LIV. After funding any Portion of their said Mortgage Debt, or creating any First Preference Stock or Shares as aforesaid, the Power of the Company to borrow on Mortgage of their Undertaking shall cease to the Extent of the Amount of Debt funded or for which such First Preference Stock or Shares shall be so created.

Former
Grants of
Preference
not to be
affected.

LV. No Guarantee, Preference, Privilege, or Advantage which may be conferred on any Stock or Shares which may be created in virtue of this Act, except the said *Glasgow and South-western Railway First Preference Stock*, and *Glasgow and South-western Railway First Preference Shares*, to the Extent aforesaid of Five Pounds *per Centum per Annum* thereon, shall prejudice or affect any Preference or Priority in the Payment of Interest or Dividend on any other Stock or Shares which may have been previously granted by the said *Glasgow, Paisley, Kilmarnock, and Ayr Railway Company*, the *Glasgow, Dumfries, and Carlisle Railway Company*, or the *Glasgow and South-western Railway Company*, in pursuance of or which may have been confirmed by any Act of Parliament, or which may be otherwise lawfully subsisting.

Half-yearly
Meetings.

LVI. The Half-yearly General Meetings of the Company shall be held in the Month of *February* or *March* and of *August* or *September* respectively.

Quorum of
General
Meetings.

LVII. The Quorum for every General Meeting of the Company shall be Twenty Shareholders holding in the aggregate in Stock or Shares not less than Twenty thousand Pounds of the Capital of the Company.

Scale of
voting.

LVIII. At all General Meetings of the Company every Shareholder shall have One Vote for every nominal Sum of One hundred Pounds of Consolidated Stock or Shares held by him in the Company up to One thousand Pounds, and he shall have an additional Vote for every nominal Sum of Five hundred Pounds of such Stock or Shares beyond the first One thousand Pounds held by him up to Ten thousand Pounds, and an additional Vote for every nominal Sum of One thousand Pounds of such Stock or Shares held by him beyond the first Ten thousand Pounds.

Number and
Qualification
of Directors.

LIX. The Number of Directors shall be Ten, and the Qualification of a Director shall be the Possession in his own Right of Shares or Stock of the Company of the nominal Value of One thousand Pounds.

Number of
Directors
may be
increased.

LX. The Company may from Time to Time increase the Number of Directors, provided that the increased Number do not exceed Fifteen.

LXI. The

The Glasgow and South-western Railway Consolidation Act, 1855.

LXI. The Quorum of Meetings of Directors shall be Five, and of Meetings of Committees of Directors, unless otherwise fixed by the general Body of Directors, Three.

Quorum of
Directors.

LXII. The Persons who at the Time of the passing of this Act are Directors of the *Glasgow and South-western Railway Company* shall be the First Directors of the Company, and shall retire from Office by Rotation as nearly as may be in the Proportions and in the Manner prescribed by "The Companies Clauses Consolidation (*Scotland*) Act, 1845" (those longest in Office without having been re-elected retiring first); and such retiring by Rotation shall commence at the First Ordinary Meeting of the Company to be held in the Year One thousand eight hundred and fifty-six; and at such Meeting, and at all subsequent Meetings of the Company held in the Months of *February* or *March*, the Shareholders of the Company shall elect Directors in the Place of those then retiring.

Directors of
old to be
Directors
of new
Company.

LXIII. It shall not be necessary that any Auditor appointed under this Act shall be a Holder of Stock or Shares in the Company.

Qualification
of Auditor.

LXIV. The Books of the Company shall be balanced as at the Thirty-first Day of *January* and the Thirty-first Day of *July* in each Year.

Time for
balancing
Books.

LXV. The aforesaid Acquisition of the said Four thousand nine hundred and sixty-five Shares in the *Ayrshire, Bridge of Weir, and Port Glasgow Junction Railway Company*, and Six thousand and seventy Shares in the *Ayr and Dalmellington Railway Company*, and the Application of the Funds of the *Glasgow, Paisley, Kilmarnock, and Ayr Railway Company*, the *Glasgow, Dumfries, and Carlisle Railway Company*, and the *Glasgow and South-western Railway Company*, in the Acquisition thereof, and in the Payment of Calls thereon, is hereby ratified and confirmed; and the Company is hereby authorized to purchase and acquire, at such Price as the same can be obtained for, the whole or such Portion as they may think proper of the remaining Eight hundred and thirty Shares not already acquired as aforesaid in the *Ayr and Dalmellington Railway Company*, created in virtue of "The *Ayrshire and Galloway (Smithstown and Dalmellington) Railway Act, 1846*," and to hold, or to purchase or acquire, at such Price as the same can be obtained for, such Number of the Shares in the *Ayr and Maybole Junction Railway Company* as (including any Shares held on behalf of the Company) shall represent Ten thousand Pounds of the Capital of the *Ayr and Maybole Junction Railway Company*, or such larger Number of the Shares in that Company as may from Time to Time be agreed upon between the Company and Two Thirds of the Shareholders of the said *Ayr and Maybole Junction Railway Company* present, in Person or by Proxy, at a General

Confirmation
of the Ac-
quisition by
the Glasgow
and South-
western
Railway
Company of
Shares in
certain
Railways
herein
named.
Power to the
Company to
purchase
further
Shares in
the Ayr and
Dalmelling-
ton Railway
Company,
and in the
Ayr and
Maybole
Junction
Railway
Company.

[Local.]

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Meeting

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Meeting of that Company specially convened for the Purpose, and to apply the Funds of the Company in Payment of the Price of the said Shares, and of the Calls due or to become due thereon.

Company to take a Transfer of Shares so purchased in these Companies.

LXVI. The Company shall and may accept and take Transfers of such Shares in the *Ayrshire, Bridge of Weir, and Port Glasgow Junction* Railway Company as may have already been acquired as aforesaid, but not transferred to them, and of such Shares in the *Ayr and Dalmellington* Railway Company and the *Ayr and Maybole Junction* Railway Company as may have been or shall be acquired as aforesaid; and the Company shall, in respect of all such Shares which may be registered in their Name in the Books of the said Companies, have, exercise, and enjoy (subject to the Provisions of this Act) all the Rights, Powers, Privileges, and Authorities of Shareholders in the said Companies.

Power to nominate Persons to vote at Meetings of these Companies.

LXVII. The Directors of the Company may from Time to Time nominate and appoint, by a Writing under the Hand of the Secretary of the Company, or under the Common Seal of the Company, any Person or Persons, being a Shareholder or Shareholders in the Company, to vote at any Meetings of the said Companies on behalf of the Company, and to have and exercise all the other Rights and Privileges of a Shareholder, including the Right of being elected a Director or Directors in respect of the Shares or Stock in such Companies which may be registered as aforesaid; and such Person or Persons shall have and enjoy and may exercise, to all Intents and Purposes, the same Right of Voting and other Rights and Privileges as aforesaid in respect of such Shares as if he or they were the Holders of such Shares, and as if the same stood registered in his or their own Names, but so nevertheless that any Number of such Persons shall not together be entitled to more Votes in respect of such Stock or Shares than One Person would have been entitled to if possessed of all the said Stock or Shares.

Power for Company to appoint a Director in the Ayr and Maybole Company.

LXVIII. If the Company shall acquire Shares in the *Ayr and Maybole Junction* Railway Company representing not less than Five thousand Pounds of the Capital of that Company, it shall be lawful for them to nominate and appoint a Person, whether duly qualified or not to be a Director of that Company, to be a Director thereof on their Behalf; and it shall be lawful for the Company to remove the Person so appointed, and to nominate and appoint another Person as aforesaid in his Stead, and so from Time to Time; and no Person so appointed shall go out of Office by Rotation or be removable except by the Company; and if at the Time when such Appointment shall be made the Board of Directors of the *Ayr and Maybole Junction* Railway Company shall consist of the full Number authorized by Parliament,

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liament, One of such Directors, to be determined by Agreement amongst themselves, or, in case they cannot agree, by Ballot, shall forthwith retire from Office, to make Room for the Director so appointed: Provided always, that if and so long as there shall be a Director of the *Ayr and Maybole Junction* Railway Company appointed by the Company the Company shall only vote at the Election of other Directors of the *Ayr and Maybole Junction* Railway Company in respect of any other Shares they may hold in the Capital of that Company over and above the Number representing Five thousand Pounds of such Capital: Provided also, that if, having appointed a Director as aforesaid, the Company shall afterwards sell their Shares in the *Ayr and Maybole Junction* Railway Company, or such Number of them as shall reduce their Interest in the Capital of the said Company to less than Five thousand Pounds, the Director so appointed by them shall *ipso facto* cease to be a Director.

LXIX. The whole Railways, Interest in Railways, Wharfs, Quays, Landing Places, Works, Lands, Tenements, Railway Plant, Stock in Trade, Shares in Railway Companies, Mortgages over Turnpike or other Roads, Goods, Debts, Moneys, and other Property and Effects whatsoever, heritable and moveable, real and personal, belonging or owing to or held by the *Glasgow and South-western* Railway Company, or the Companies incorporated with or represented by them, subject to the existing Debts, Liabilities, Engagements, Contracts, Obligations, and Incumbrances affecting the same, are hereby vested in and may be lawfully held, used, exercised, enforced, and enjoyed by the Company.

Vesting
Property of
the old in
the new
Company.

LXX. The Company may enforce in their own Name, against any Person or Corporation, and any Person or Corporation may enforce against the Company, to the same Extent and Effect as might have been enforced by or against the *Glasgow and South-western* Railway Company if this Act had not been passed,

Contracts
and Agree-
ments of the
old Company
may be
enforced by
and against
the new
Company.

All Acts of Parliament and Provisions of Acts, whether herein-before recited or not herein-before recited, other than those hereby specially repealed, conferring any Right or Power or imposing any Duty or Liability on the *Glasgow and South-western* Railway Company, or any of the Companies incorporated with or represented by them, or on such Person or Corporation or their Predecessors:

All Notices for taking Land, or other Notices given or preliminary Steps of Procedure taken by the *Glasgow and South-western* Railway Company, or by any of the Companies incorporated with or represented by them, or by such Person or Corporation or their Predecessors, in pursuance of any of the said recited Acts:

All Claims for Compensation or Damages, or for Penalties, Debts, Moneys, Costs, or Expenses, payable to or recoverable from the
Glasgow

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Glasgow and South-western Railway Company under any of the said recited Acts, or in consequence of any Act, Deed, Matter, or Thing done or omitted to be done by such Person or Corporation or their Predecessors, or by the *Glasgow and South-western* Railway Company, or any of the Companies incorporated with or represented by them :

All Contracts or Agreements for the Sale or Purchase of Land, and other Contracts or Agreements whatever, entered into or adopted by the *Glasgow and South-western* Railway Company, or any of the Companies incorporated with or represented by them, and such Person or Corporation or their Predecessors :

All Grants, Conveyances, Leases, Discharges, or other Deeds or Writings granted to the *Glasgow and South-western* Railway Company, or any of the Companies incorporated with or represented by them, by such Person or Corporation or their Predecessors, or to such Person or Corporation, or their Predecessors, by the *Glasgow and South-western* Railway Company or any of the said Companies, or to which any of the said Parties have acquired Right :

All Rights, Privileges, Liberties, Exemptions, Decrees, or Causes of Action possessed or enjoyed or claimed by the *Glasgow and South-western* Railway Company in their own Right, or in right of any of the Companies incorporated with or represented by them, or by such Person or Corporation or their Predecessors, under any of the said recited Acts, or in consequence of any Act, Deed, Matter, or Thing done or omitted to be done by such Person or Corporation or their Predecessors, or by the *Glasgow and South-western* Railway Company, or any of the Companies incorporated with or represented by them as aforesaid, so far as such Rights, Privileges, Liberties, Exemptions, Decrees, or Causes of Action respectively were subsisting or capable of being exercised at the Time of the passing of this Act, or might thereafter subsist or be capable of being exercised.

Certain Provisions of repealed Acts to be enforceable as Agreements.

LXXI. The Company may enforce against the several Persons or Corporations whose Names are contained or who are otherwise designated in the Schedule to this Act annexed, and their Heirs, Assigns, or Representatives, and any such Persons and Corporations, and their Heirs, Assigns, or Representatives respectively, may enforce against the Company the Provisions in the recited Acts which are in the said Schedule referred to, so far as the said Persons or Corporations are interested therein.

Actions not to abate.

LXXII. All Actions, Suits, and Proceedings at Law or in Equity, and all Arbitrations, to which the *Glasgow and South-western* Railway Company

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Company, for themselves or in right of any of the Companies incorporated with or represented by them at the Time of the passing of this Act, have been or are Parties, are hereby specially saved and reserved entire, and shall not be prejudiced or affected by anything in this Act contained, and may be proceeded in by or against the Company without the Necessity of intimating such Action, Suit, Proceeding, or Arbitration to the Company, or making them formally Parties thereto.

LXXIII. Nothing herein or in the Acts incorporated herewith contained shall revive, in favour of or against the Company, any Claim or Cause of Action which at the Date of the passing of this Act had lapsed, or been waived or discharged, or confer any new Claim or Cause of Action, Right, Privilege, Liberty, or Exemption which did not exist previously to the passing of this Act, in favour of or against the *Glasgow and South-western Railway Company*.

Act not to
revive
Claims
which have
lapsed.

LXXIV. All Agreements entered into prior to the passing of this Act between the *Glasgow, Paisley, Kilmarnock, and Ayr Railway Company*, the *Glasgow and South-western Railway Company*, and the *Ardrossan Railway Company*, or any of them, and other Parties, in relation to Traffic, or Tolls or Charges for Traffic, shall be as good, valid, and effectual for or against or with reference to the Company, to all Intents and Purposes as the same would have been for or against or with reference to the *Glasgow and South-western Railway Company* if this Act had not been passed.

Saving
Agreements.

LXXV. Nothing in this Act contained shall injure, prejudice, or affect the Rights, Privileges, and Claims, if any, which any of the Shareholders of the *Paisley, Barrhead, and Hurlet Railway Company* may have against the said *Glasgow and South-western Railway Company* or the Company, under "The *Paisley, Barrhead, and Hurlet Railway Act, 1848*," or otherwise, but the same shall be of the same Force and Effect to all Intents and Purposes as if this Act had not been passed.

Saving
Rights of
Paisley,
Barrhead,
and Hurlet
Railway
Company.

LXXVI. Notwithstanding the total or partial Repeal herein-before contained of the Acts herein-before recited, and except only as is by this Act otherwise expressly provided, everything done or suffered under the said Acts shall be as valid as if the said Acts were not repealed, and the Repeal thereof and this Act respectively shall accordingly be subject and without Prejudice to everything so done or suffered, and to all Rights, Liabilities, Claims, and Demands, both present and future, which, if the said Acts were not repealed, and this Act were not passed, would be incident to or consequent on any and every thing so done or suffered; and with respect to all such Rights,

Proceedings
under the
repealed Acts
saved.

[*Local.*]

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Liabilities,

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Liabilities, Claims, and Demands, the Company shall to all Intents and Purposes represent the *Glasgow and South-western Railway Company*: Provided always, that the Generality of the Provisions in this Enactment shall not be confined or restricted by any special Provision in this Act.

Powers of certain Acts relating to Joint Line vested in the Company.

LXXVII. The Rights, Interests, Privileges, Powers, and Authorities vested in the *Glasgow, Paisley, Kilmarnock, and Ayr Railway Company* and the *Glasgow and South-western Railway Company*, with reference to the said Joint Line, in virtue of the first Five Acts hereinbefore recited, and of “*The Glasgow, Paisley, Kilmarnock, and Ayr Railway Rates Act, 1848*,” so far as the said several Acts are not hereby repealed, including the Power of appointing Four Members of the Joint Committee appointed by the said first-recited Act, for the Purpose of managing the said Joint Line, and fixing, levying, and recovering the Rates and Tolls for the Use thereof, are hereby transferred to and vested in, and may be lawfully held, used, exercised, enforced, and enjoyed by, the Company, in like Manner and to the like Extent as if the Name of the Company had been inserted in such Acts instead of the Name of the said *Glasgow, Paisley, Kilmarnock, and Ayr Railway Company*; and the Members of the said Joint Committee appointed by the *Glasgow and South-western Railway Company* shall continue in Office, in like Manner as they would have continued if this Act had not been passed, until they shall die, retire, or be removed therefrom by the Company.

Same Rate or Toll to be charged for all Traffic passing on Joint Line or any Part thereof.

LXXVIII. All Traffic, of whatsoever Description, and by whomsoever carried, and to or from whatsoever Places, passing along the said Joint Line or any Part thereof, or using the Stations at *Glasgow* or *Paisley* belonging to the *Glasgow and South-western Railway Company* and *Caledonian Railway Company*, or the Side Rails and Approaches thereto, shall be charged one and the same equal Rate or Toll, to be fixed and determined by the Committee of Management of the said Joint Line, or in default of an unanimous Determination thereof by the said Committee, then the same shall be fixed and determined by Arbitration, according to the Procedure directed by “*The Companies Clauses Consolidation (Scotland) Act, 1845*;” and the Award of the Arbitrators in the said Arbitration or Umpire shall be final and conclusive for the Period of Five Years after the same has been given.

Power of certain Acts relating to Railway from Kil-marnock to Troon vested

LXXIX. The Rights, Interests, Privileges, Powers, and Authorities conferred on or vested in the *Glasgow, Paisley, Kilmarnock, and Ayr Railway Company* and the *Glasgow and South-western Railway Company*, with reference to the said Line of Railway from *Saint Marnock Street, Kilmarnock*, to the Town and Harbour of *Troon*,
in

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in virtue of any Act of Parliament, and the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company's and the *Glasgow and South-western* Railway Company's Interest in the said Lease, of Date the First and Fourteenth *January* One thousand eight hundred and forty-seven, are hereby transferred to and vested in, and may be lawfully held, used, exercised, enforced, and enjoyed by the Company, in like Manner and to the like Extent as if the Name of the Company had been inserted in such Acts and Lease instead of the Name of the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company; and all Disputes, Questions, Suits, Arbitrations, and other Proceedings between the Company and the *Kilmarnock and Troon* Railway Company, with reference to the said Railway from *Saint Marnock Street, Kilmarnock*, to the Town and Harbour of *Troon*, and to the said Lease, are hereby reserved entire, in the same Way as if this Act had not passed.

LXXX. The Undertaking of the Company shall consist of the Maintenance of the following Railways and Works; viz. Undertaking of Company defined.

The Railway leading from the Western Terminus of the Joint Line near the Town of *Paisley* to a Point near *Blairland* in the Parish of *Dalry* and County of *Ayr*:

The Branch Railway leading to *Swinlees* from the said last-mentioned Railway:

The Railway leading from *Blairland* aforesaid to the Town of *Ayr*:

The following Branch Railways leading from the said last-mentioned Railway; viz.

First, the Branch Railway to the Town and Harbour of *Ardrossan*;

Second, the Branch Railway to the Harbour of *Irvine*; and,

Third, the Branch Railway to the Harbour of *Ayr*:

The subsidiary Branch Railway leading to *Doura* from the said Branch Railway to the Town and Harbour of *Ardrossan* near *Dubbs*, with the Side Branches therefrom from *South Fergus-hill* to *North Fergus-hill*, and from *Millburn* to *Perceton* Colliery:

The Railway leading from *Blairland* aforesaid to the *Caledonian* Railway near the Crossing of the River *Sark* in the Parish of *Gretna* and County of *Dumfries*:

The following Branch Railways leading from the last-mentioned Railway:

First, the Branch Railway to *Irvine*:

Second, the Branch Railway to the *Kilmarnock and Troon* Railway:

Third, the Branch Railway to *Newmilns*:

Fourth, the Branch Railway to *Muirkirk*:

The subsidiary Branch Railway leading to *Perceton* Colliery from the said Branch Railway to *Irvine*:

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The subsidiary Branch Railway leading to *Mayfield* from the said Branch Railway to *Newmilns* :

The subsidiary Branch Railways leading to *Gillhall* and to *Lugar* Ironworks from the said Branch Railway to *Muirkirk* :

The Branch Railway leading from the *Kilmarnock and Troon* Railway near *Thirdpart* to *Templeton* :

The Railway from *Paisley* to *Renfrew* :

And of the following Railways by this Act authorized to be constructed or completed ; (that is to say,)

First, a Branch Railway to, at, or near *Milton of Grougar*, in extension of the said subsidiary Branch Railway to *Mayfield* :

Second, a Branch Railway in course of Construction from the existing Railway from *Blairland* to the Town of *Ayr* at or near *Longford* to the said subsidiary Branch Railway leading to *Doura* from *Dubbs* at or near *Byrehill* :

All which said Railways already constructed, and by this Act authorized to be constructed or completed, shall hereafter be called by the Name of the *Glasgow and South-western* Railway :

And of the Maintenance, as already constructed, of the Wharf, Landing Place, and Quay at the Termination of the said Railway from *Paisley* to *Renfrew* at or near *Renfrew* Ferry on the South Side of the River *Clyde*, and of the Construction and Maintenance of the new Wharf, Landing Place, Quay, and tidal Harbour in connexion with the said Railway authorized to be constructed by the said "*Paisley and Renfrew* Railway Sale and Improvement Act, 1847."

Power to
construct
Railways.

LXXXI. And whereas Plans and Sections of the Railways by this Act authorized to be made, showing the Lines and Levels thereof, and also Books of Reference thereto containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of the Lands through which the same are intended to pass, have been deposited with the Sheriff Clerk of the County of *Ayr* : Be it enacted, That, subject to the Provisions in this Act, and "*The Lands Clauses Consolidation (Scotland) Act, 1845,*" and "*The Railways Clauses Consolidation (Scotland) Act, 1845,*" as extended to this Act, contained, it shall be lawful for the Company to make, complete, and maintain the said Railways, together with all proper Works and Conveniences, whether permanent or temporary, connected therewith, in the Lines and upon the Lands delineated on the said Plans and described in the said Books of Reference, and according to the Levels defined on the said Sections, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose.

LXXXII. For

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LXXXII. For the greater Convenience and Security of the Public, the Company shall erect and permanently maintain either a Station or Lodge at the several Points where the Railways herein-before described as forming Part of the Undertaking of the Company crosses any public Road 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 each such Road on the Level, or with regard to the Speed at which Trains shall pass each such Road, 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 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 imposed.

Company to erect a Station or Lodge at Points of Crossing, and to abide by Rules, &c. of Board of Trade.

LXXXIII. 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 to require the Company, within such Time as the said Board of Trade shall direct, and at the Expense of the Company, to carry any Road now crossed by the said Railways on a Level either under or over the said Railways by means of a Bridge or Arch in lieu of crossing the same on the Level, and to execute such other Works as under the Circumstances of the Case shall appear to the said Board of Trade the best adapted for removing or diminishing the Danger arising from any such level Crossing.

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

LXXXIV. Notwithstanding the Repeal of "The *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Amendment Act (No. 4.), 1847," and of "The *Paisley and Renfrew* Railway Sale and Improvement Act, 1847," it shall be lawful for the Company to enlarge their Goods Station at *Tradeston*, and to construct the Alterations and Improvements on the said Railway from *Paisley* to *Renfrew*, and the new Wharf, Landing Place, Quay, and tidal Harbour in connexion therewith, in like Manner and to the same Extent as the *Glasgow and South-western* Railway Company could have enlarged or constructed the same if this Act had not been passed.

Continuing Power to enlarge the Tradeston Station.

LXXXV. In all Cases where the Company, or any Company incorporated with or represented by them, have already purchased or shall hereafter purchase a Part only of the Lands belonging to any Proprietor, and possessed by him under the same Titles, and the Feu or Conveyance thereof in favour of the Company or any Company as aforesaid, or the Infetment following thereupon, shall have been duly recorded in a Public Register of Sasines, such Feu or Conveyance

Conveyance to the Company to bar Challenge in certain Events.

[Local.]

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shall

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shall be deemed and taken to be a valid and indefeasible Right and Title to the said Lands, and the Company shall accordingly remain thereafter in the free and undisturbed Possession thereof, subject only to the Provisions and Conditions contained in the said Feu or Conveyance, unless it shall be shown by the Person or Corporation claiming the same or any Right or Interest therein, that the Granter of the said Feu or Conveyance was not at the Time of granting the same capacitated, or capable by completing Titles in his Person to capacitate himself, to execute the said Deed, under or by virtue of the said recited Acts or of this Act: Provided always, that nothing herein contained shall be held to interfere with or bar the Claims of Superiors under whom the Granter of the said Feu or Conveyance held or might have held the said Lands: Provided also, that this Enactment shall not extend to any Lands to which the same or a similar Enactment did not apply under the Acts hereby repealed or some of them.

Modifying
Provisions
as to
Purchase of
Superior-
ties.

LXXXVI. And whereas by the first-recited Act, and by the said "Lands Clauses Consolidation (*Scotland*) Act, 1845," it is provided, that before entering into possession of any Lands full Compensation shall be made to the Superiors thereof for all Loss which they may sustain by being deprived of any Casualties or otherwise: And whereas the Feu Duties and Casualties payable in respect of Lands are frequently small or nominal, and in many Instances Superiors do not make up Titles to their Superiority, and are not in a Situation to receive or discharge such Feu Duties or Casualties; and it would be attended with Inconvenience if the Company were in all Cases obliged to purchase and acquire the Rights of Superiors before entering into possession of such Lands: Be it therefore enacted, That, notwithstanding anything in the said last-mentioned Act contained to the contrary, it shall be lawful for the Company, either before entering into possession of such Lands or at any Time thereafter, to purchase and redeem the Claims of the said Superiors; and the Compensation payable to such Superiors for Loss of Casualties, where untaxed, shall be fixed and ascertained with reference to the Buildings which were upon the Lands, and to the Value of the said Lands at the Time the same were entered upon by the Company, or any of the said Companies incorporated with or represented by them: Provided always, that the said Superiors, whenever they shall have made up their Titles, and shall be in a Situation to discharge and convey their Rights and Interests, may require the Company to purchase and redeem the same forthwith, or within a given Period; and the Company shall and they are hereby required to purchase the same accordingly: Provided further, that in the event of the Parties not being able to agree as to the Amount of Compensation, the same shall be settled as in other Cases of disputed Compensation: Provided also, that this Enactment shall not extend to any Lands to which the same or a similar

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similar Enactment did not apply under the Acts hereby repealed or some of them:

LXXXVII. The Quantity of Land to be taken by the Company for extraordinary Purposes, beyond the Lands hereby transferred to and vested in them, shall not exceed Forty Acres.

Land for extraordinary Purposes.

LXXXVIII. 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 One Year from the passing of this Act.

Period for compulsory Purchase of Lands.

LXXXIX. The Railways by this Act authorized 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 executing the said Railways or otherwise in relation thereto shall cease to be exercised, except as to so much thereof as shall then be completed.

Period for Completion of Works.

XC. If the Railways by this Act authorized to be constructed shall not be completed and opened for public Traffic within Three Years from the passing of this Act, then and from thenceforth it shall not be lawful for the Company to declare or pay any Dividend on the ordinary or unguaranteed Capital of the Company until the said Railways shall have been completed and opened for public Traffic.

Dividends suspended if Railways not opened within a limited Period.

XCI. Whereas by a Disposition and Conveyance, dated the Twenty-eighth Day of *February* and the Sixth Day of *March* One thousand eight hundred and fifty-five, made and granted by *William Baird* and others, Coal and Iron Masters in *Glasgow* and elsewhere, and also Copartners carrying on Trade and Business as Coal Masters and Iron Masters at *Eglinton* near *Kilwinning* and elsewhere in the County of *Ayr*, under the Firm and Designation of the *Eglinton* Iron Company, in consideration of the Burden and Reservation of the Right of Servitude of the Railway herein-after mentioned, and of the Right of crossing the Branch from *Dubbs* to *Doura* of the *Ardrossan* Railway, and of the Obligations and other Provisions and the Consideration Money therein mentioned, the said Parties sold and conveyed to the Company the Piece of Ground in the said Disposition and Conveyance mentioned, then occupied by the Company in the Formation of the Branch Railway secondly herein-before authorized, then in course of Construction, but reserving and excepting from the said Disposition and Conveyance the whole Mines of Coal, Ironstone, Slate, or other Minerals under the Ground conveyed, with Power to work the same, but subject always to the Provisions of "The Railways Clauses Consolidation (*Scotland*) Act, 1845," with respect to
Mines

Providing for Obligations under Conveyance by *William Baird* and others to the Company.

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Mines lying under or near the Railway: And whereas it was further provided by the said Disposition and Conveyance that the same was granted with and under the Burden and Reservation to the Granters thereof, and to the Survivors or Survivor of them, the Majority being always a Quorum, and to the Heir of the Survivor of them, in trust for the said *Eglinton* Iron Company and their Successors in Business, and to the Onerous Assignees of the said Granters, or of the Survivors or Survivor of them, and to the Assignees of the Heir of the Survivor of them, of the Right of Servitude of a Branch Railway to be formed by them or their foresaids through the Lands thereby conveyed, for their and their foresaids sole and exclusive Use, to connect their Lands commonly called *Stobbs* with their Lands of *Byrehill*, and with full Power to them and their foresaids to make and maintain the said Branch Railway at all Times, at their Expense, as the same is delineated on the Plan on the said Disposition and Conveyance, and on a Duplicate of the said Disposition and Conveyance to be kept by the said Granters and their foresaids, which Servitude Branch Railway was to commence at the Lands of *Stobbs* on the East Side of the *Glasgow and South-western* Railway immediately adjoining the North End of the Bridge of said latter Railway over the Branch from *Dubbs* to *Doura* of the *Ardrossan* Railway, now vested in the Company, and to pass through below said Bridge, and after crossing the said *Doura* Branch Railway to enter the Lands conveyed by the said Disposition and Conveyance, and in passing through the latter the Radius of the Curve of said reserved Branch Railway was not to be under Three hundred Feet, and the Gradient thereof to be One Foot in Two hundred Feet; and it was thereby declared, that when the Company should make through the Lands thereby conveyed the Branch Railway secondly herein-before authorized, they should be bound, in so far as not then done, to make a Bridge over the Site of the Granters said reserved Branch Railway of at least Eleven Feet of Headway, and all at their own Expense; and the Company thereby also bound and obliged themselves to make and maintain at all Times in proper Order and Condition, with sufficient Rails and other Things necessary, at their own Expense, for the said Granters and their foresaids Use and Behoof, the foresaid Crossing of the said *Doura* Branch Railway by the Granters said reserved Branch Railway, so that the Granters and their foresaids in all Time coming might have free Access thereby to and from their said Lands of *Stobbs* and *Byrehill*: Be it enacted, That, anything in this Act to the contrary notwithstanding, the said Disposition and Conveyance is hereby ratified and confirmed, and the Burdens, Rights, Powers, and Provisions therein contained and provided for are hereby saved and reserved entire; and the Company shall also be bound and are hereby required to make
and

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and maintain, as provided in the said Disposition and Conveyance, the said Bridge over the Site of the said Granters said reserved Branch Railway, and the said Crossing of the said *Doura* Branch Railway by the said Granters reserved Branch Railway, and to perform and fulfil the other Obligations and Provisions by the said Disposition or Conveyance laid on or undertaken by them: Provided nevertheless, that the Traffic upon the said Granters reserved Branch Railway, where the same crosses the said *Doura* Branch Railway, shall be subject to such Rules and Regulations as shall from Time to Time be made by the said Granters and the Company, subject to the Sanction and Approval of the Board of Trade.

XCII. All superfluous Lands held in connexion with the Company's Undertaking, or with the said Joint Line and Railway from *Saint Marnock Street, Kilmarnock*, to the Town and Harbour of *Troon*, shall be sold within Ten Years of the passing of this Act: Provided always, that in any Case in which the *Glasgow and South-western* Railway Company, either alone, or jointly with the *Glasgow, Paisley, and Greenock* Railway Company or the *Caledonian* Railway Company, have acquired, or the Company, either alone, or jointly with the *Caledonian* Railway Company, shall hereafter acquire, any Houses, Buildings, or Land within the Limits of any City or Town, or Lands built upon, or Lands which shall be used for Building Purposes, or any other Land, being the whole of the Property or Estate adjoining the Railways forming Part of the Company's Undertaking, or the said Joint Line and Railway from *Saint Marnock Street, Kilmarnock*, to the Town and Harbour of *Troon*, on One Side thereof, of the Person or Corporation from whom the same may have been purchased, or any Lands fronting upon a Street or a public Highway, it shall be lawful for the Company to sell and dispose of all or any Part of such superfluous Lands, Houses, and Buildings, or their Interest therein, to such Person and in such Manner as the Company shall think proper, without being required previously to offer to sell the same to the Person or Persons whose Lands and Premises adjoin, or from whose Lands they were originally severed.

Period for disposing of superfluous Lands.

XCIII. It shall be lawful for the Company to acquire, by Agreement with the Owners thereof, all Lands and Heritages upon which the Branch of the *Ardrossan* Railway from *Dubbs* to *Doura*, the Branch from *South Fergushill* to *North Fergushill*, and the Branch from the said Branch from *Dubbs* to *Doura* to *Perceton* Colliery and Works, are situated, and that on such Terms as may be agreed on between the Company and such Owners; and, subject to the Provisions in the said "Lands Clauses Consolidation (*Scotland*) Act, 1845," contained, all Heirs of Entail, or other Persons having a partial or qualified Interest in such Lands and Heritages, or Persons under any legal

Authorizing the Company to acquire by Agreement Land on the Branches of the *Ardrossan* Railway.

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Disability or Incapacity, and the Tutors, Curators, and Guardians of or other Persons acting for such Heirs of Entail, and other Persons, may contract for or sell and convey such Lands and Heritages to the Company.

Wharfs in connexion with Paisley and Renfrew Railway to be used only for Vessels touching to load and unload.

The River opposite the Wharfs to be kept in good Order.

Trustees on Clyde to make Bye-laws, under existing Acts for Regulation of the River, of Vessels using the above Wharfs.

XCIV. The Quays, Wharfs, or Landing Places at or near the Termination of the said Railway from *Paisley* to *Renfrew*, constructed or hereafter to be constructed on the South Bank of the River *Clyde*, or upon any future Southern Bank thereof, so far as the same may extend along the Margin of the said River, shall be placed upon open Piles, or in such other Way as may obstruct as little as possible the free Passage of the Waters, and shall be used exclusively for Vessels temporarily touching thereat *in transitu*, for the Purpose of receiving or landing Goods or Passengers, Cattle or other Things; and the Trustees on the said River shall make and keep the Bed or Channel thereof up to and opposite the said Wharfs in the same proper Order and Depth as other navigable Parts of the said River near to the said Wharfs.

XCV. The said Trustees on the River *Clyde* shall have the same Powers and Authorities of Police, and Regulation of the Vessels on the said River resorting to and touching at such Wharfs, and the Conduct of Persons in charge thereof, as they now possess under existing Acts in relation to Vessels on any other Part of the said River, so as to prevent Obstruction thereon; and for that Purpose so much of the Provisions of the Act of the Sixth Year of the Reign of His late Majesty King *George* the Fourth, Chapter One hundred and seventeen, Section Fifty-six, intituled *An Act for amending Three Acts, for enlarging the Harbour of Glasgow, and improving the Navigation of the River Clyde to the said City, and for other Purposes therein mentioned*, as authorizes and empowers the said Trustees from Time to Time to make and establish such Rules, Orders, and Byelaws as they may deem necessary and expedient for the better carrying into effect the Purposes of that Act, and of the Acts therein recited, shall be extended to the Provisions of this Act, so far as they may be applicable to and necessary for the Regulation of the Vessels on the said River resorting to or touching at such Wharfs, in the Manner and for the Purposes aforesaid, and the Conduct of Persons in charge thereof as aforesaid: Provided always, that such Laws shall not be repugnant to the Law of *Scotland*, nor to the said recited Act of the Sixth Year of His late Majesty *George* the Fourth, or to the true Intent and Meaning of this Act.

Wharf for Vessels remaining stationary to

XCVI. Any Wharf, Quay, or Landing Place which the Company may require, and which they are authorized to construct in connexion with the said Railway from *Paisley* to *Renfrew*, for the Use of Vessels

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Vessels requiring Accommodation as a Port of ultimate Destination, and intended to remain stationary thereat for the Purpose of loading or unloading or otherwise, shall be carried back from the present or any future Southern Margin of the said River, and constructed so that the Vessels using such Wharf shall not lie in the Bed or Channel of the said River, nor extend North of the Southern Bank thereof for the Time being; and the said Trustees shall have no Right to interfere with or Power of Control over the Vessels resorting to such Wharf, while removed from and lying clear of the Bed of the River as aforesaid.

load and
unload.

XCVII. And whereas by an Act passed in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act for further deepening and improving the River Clyde, and enlarging the Harbour of Glasgow, and for constructing a Wet Dock in connexion with the said River and Harbour*, Powers were granted to the Parliamentary Trustees of the said River *Clyde* for executing certain Works and Improvements upon, in, and along the River, according to the Map or Plan and Sections referred to in the said Act, subject to the Conditions, Provisions, and Reservations therein contained: And whereas the Lords Commissioners of the Admiralty assented to the Works authorized by the said "*Paisley and Renfrew Railway (Sale and Improvement) Act, 1847,*" provided their Assent was not taken as prejudicing the carrying out the Improvement of the said River *Clyde* according to the Provisions of the said last-recited Act: Be it enacted, That the Execution of the Works by the said "*Paisley and Renfrew Railway (Sale and Improvement) Act, 1847,*" and this Act authorized, shall not prejudice the Improvement of the River *Clyde* at *Renfrew*, according to the Provisions of the said last-recited Act, and that the Company shall not be entitled to make any additional Claim for Compensation, or for Damages, or otherwise, against the said Trustees, by reason of the Construction of any new Works in virtue of the said "*Paisley and Renfrew Railway (Sale and Improvement) Act, 1847,*" and this Act, in the event of such Trustees executing their Improvements under the said last-recited Act.

Works not
to prejudice
Improvement
of River
Clyde, &c.

XCVIII. And whereas the Corporation of the Royal Burgh of *Renfrew* claims Right to exact Dues on all Goods landed or shipped on the Grounds belonging to them, and certain Provisions in reference thereto were made in the recited Acts relating to the *Paisley and Renfrew Railway*, which it is expedient should be continued in this Act: Be it therefore enacted, That the Company shall and they are hereby required to pay to the said Corporation of *Renfrew* One Penny Sterling for every Ton of all or any Class of Goods, Commodities, or Articles which shall be landed from or shipped on board of any Vessel at the aforesaid Wharfs, Landing Places, and Quays already

Company to
pay One
Penny per
Ton to
Burgh of
Renfrew for
Goods
landed or
shipped at
Renfrew.

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already constructed at the Termination of the said Railway from *Paisley* to *Renfrew*, at or near *Renfrew Ferry* aforesaid, and also at the new Wharf, Landing Place, Quay, and tidal Harbour in connexion with the said Railway authorized to be constructed by the said "*Paisley and Renfrew Railway Sale and Improvement Act, 1847*," and this Act, excepting always all Materials that may be landed at the said Wharfs for the Maintenance of the said *Paisley and Renfrew Railway* and Works, and for the Construction of the Alterations and Improvements thereon, which shall be exempt from the Payment of such Dues; which said Duty of One Penny *per Ton* shall be payable by the Company to the said Corporation, or to their Treasurer for their Behoof, at the half-yearly Terms of *Martinmas* and *Whitsunday* in each and every Year, and shall be in full of all Dues which the said Burgh of *Renfrew* may or can demand from the Company in respect of Goods so landed or shipped at the said Wharfs and other Works as aforesaid: Provided always, that nothing herein contained shall injure, take away, or abridge the Right of the said Burgh of *Renfrew* to exact Dues on all Goods landed or shipped within the Bounds belonging to them adjoining to the said River *Clyde*, and all other Rights of Wharfage, Anchorage, or otherwise competent to them by Charter or Usage, excepting on the Ground acquired by the Company; and provided also, that Goods landed at the Stone Quays belonging to the said Corporation of *Renfrew* shall not be charged higher for Transit along the said Railway than Goods landed at the Company's Wharfs.

Books kept by the Company or their Lessee, of Goods landed or shipped at the Wharfs at *Renfrew*, to be open to the Corporation.

XCIX. The Books kept by the Company or their Lessee of all Goods, Commodities, and Articles landed from or shipped at the aforesaid Wharfs and other Works shall be at all seasonable Times open and patent to the Corporation of the said Royal Burgh of *Renfrew*, and its Officers and Servants, on due Notice, who may take Copies thereof or Extracts therefrom; and in the event of any Dispute arising between the Company and the said Corporation as to the Time and Manner of the said Corporation having Access to the said Books, or taking Copies thereof or Extracts therefrom, or as to the Manner in which such Books are kept, such Dispute, so often as it occurs, shall be settled by the Sheriff of the County of *Renfrew*, in as summarily a Manner as the Circumstances will admit, on the Application either of the Company or of the said Corporation; and the Decision of the said Sheriff shall in all Cases be final and conclusive between the Parties, and he shall have Power to award Costs in favour of or against either Party, or to make such other Order as to the Costs as to him shall seem fit.

Saving Rights of Royal Burgh of *Renfrew*.

C. Nothing in this Act contained shall extend or be construed to extend to repeal, abridge, or in any way prejudice, diminish, alter, or affect

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affect any of the Rights, Powers, and Privileges vested in, conferred on, or enjoyed under existing Acts of Parliament, Charters, or other Deeds of Conveyance, or by Usage, or at Common Law, or otherwise, by the Corporation of the Royal Burgh of *Renfrew*, all of which are hereby saved and reserved entire.

CI. The Company may lease to any Person or Persons the Right of establishing and using any Carriage or Carriages and any locomotive or moveable Engine or Engines or other Power on the said Railway from *Paisley* to *Renfrew*, and may grant Licences to Persons willing to establish the same, for the Conveyance and Transport of Passengers, Goods, Wares, and Merchandise, and other Articles and Things, upon and along the said Railway, at such annual Sum or Rent as may be mutually agreed on by the said Company and such Person or Persons: Provided always, that no such Lease or Licence shall in any Manner alter, affect, increase, or diminish any of the Tolls which the Company shall for the Time being be authorized and entitled to demand and receive from any other Person or Company, but all other Persons and Companies shall, notwithstanding any such Lease and Licence, be entitled to the Use of the said Railway, upon the same Terms and Conditions and on Payment of the same Tolls as they would have been in case no such Lease or Licence had been granted.

Company authorized to lease and grant Licences for establishing Carriages on Railway from Paisley to Renfrew.

CII. The Company may at any General Meeting let to farm the Tolls and Rates hereby made payable, or any Part or Parts thereof, upon the whole or any Part or Parts of the said Railway from *Paisley* to *Renfrew*, unto any Person or Persons, for any Term or Time they shall think proper, not exceeding Three Years from the Commencement of any Lease; and every such Lease shall be valid and effectual, and the Lessee or Lessees, and also such Person or Persons as the Lessee or Lessees shall appoint to collect and receive the Rates so let, shall during the Continuance of every such Lease be deemed Collectors of the Rates so let, but for the proper Use of such Lessee or Lessees, and shall have the same Power and Authority for collecting and recovering the same as if they had been appointed for that Purpose by the Company.

Rates may be leased on Railway from Paisley to Renfrew.

CIII. Subject to the Provisions of "The Railways Clauses Consolidation (*Scotland*) Act, 1845," it shall be lawful for the *Ayr and Dalmellington* Railway Company and the Company from Time to Time to make and enter into any Contracts, Agreements, or Arrangements which may by them mutually be deemed advisable for the working and Use of the whole Lines of Railways authorized by the said "*Ayrshire and Galloway (Smithstown and Dalmellington)* Railway Act 1847," and "*Ayr and Dalmellington* Railway Act, 1853,"

Company empowered to work the Ayr and Dalmellington Railway.

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and Works connected therewith, or any Part of such Railways and Works, the Management of the Traffic thereon, and the Apportionment of the Rates leviable in respect of such Traffic, on such Terms and Conditions and in such Manner as may be agreed on by and between the said Companies.

Engines of
Company on
joint Line.

CIV. The Section numbered One hundred and seven of "The Railways Clauses Consolidation (*Scotland*) Act, 1845," shall extend to all Locomotive Steam Engines used upon the Joint Line by the Company or by any Person under their Control.

Tolls on the
Railways
belonging to
the Com-
pany :

CV. It shall be lawful for the Company to demand any Tolls for the Use of the Railways belonging to them, and herein-before described as forming Part of their Undertaking, not exceeding the following; (that is to say,)

On Articles
of Merchan-
dise ;

1st. In respect of the Tonnage of all Articles conveyed upon the said Railways or any Part thereof, as follows :

For all Dung, Compost, and all Sorts of Manure (except Guano and artificial Manures), Lime and Limestone, and all undressed Materials for Repair of public Roads or Highways, *per Ton per Mile* not exceeding One Penny Halfpenny ; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Penny :

For all Coals, Coke, Culm, Charcoals, and Cinders, Guano and artificial Manures, all Stones for building, pitching, and paving, all Bricks, Slates, Clay, Sand, Ironstone and Iron Ore, and Pig Iron, *per Ton per Mile* not exceeding Twopence ; 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, Tiles, Timber, Staves, and Deals, Metals (except 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, Nails, Anvils, Vices, and Chains, *per Ton per Mile* 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, Earthenware, 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 :

For every Carriage, of whatever Description, having more than Two Wheels, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed

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conveyed on a Truck or Platform, *per* Mile not exceeding Sixpence; and a like Sum of One Penny Halfpenny *per* Mile for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh:

2. In respect of Passengers and Animals conveyed in Carriages upon the said Railways or any Part thereof, as follows: For Passengers and Cattle.

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

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 Fourpence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding Threepence *per* Mile:

For every Calf, Pig, Sheep, Lamb, or Hog, 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 not exceeding One Penny Halfpenny *per* Mile:

3. And in respect of the Trouble occasioned by loading or unloading, or for the Use of any Wharf, Basin, Loading Place, or Station, except the Wharves and Basins in connexion with the said Railway from *Paisley* to *Renfrew*, such reasonable Sum as to the Company shall seem fit.

CVI. The Tolls which the Company may demand for the Use of Engines for propelling Carriages on the said Railways or any Part thereof 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. Tolls for propelling Power.

CVII. And with respect to small Packages, and single Articles of great Weight conveyed on the said Railways or any Part thereof, it shall be lawful for the Company to demand the Tolls following; (that is to say,) Tolls for small Parcels and Articles of great Weight.

For the Carriage of small Parcels, (that is to say,) Parcels not exceeding Five hundred Pounds Weight each, as follows:

For any Parcel not exceeding Seven Pounds in Weight, Ninepence:

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

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

For

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

And for any Parcel exceeding Fifty-six 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 :

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 be less than Four Tons, the Company may demand such Sum as they think fit, not exceeding Sixpence *per Ton per Mile* :

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, the Company may demand such Sum as they think fit, not exceeding Twelvence *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.

Passengers
Luggage.

CVIII. Every Passenger travelling upon the said Railways 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.

Limiting
Charges for
Conveyance
of Passen-
gers.

CIX. 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 said Railways or any Part thereof 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 Goods
and Cattle.

CX. 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 by them on the said Railways, any greater Sum, including the Charges for the Use

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Use of the Carriages, Waggon, or Trucks, and for locomotive Power, and all other Charges incidental to such Conveyance, except a reasonable Charge for the Expense of loading and unloading, where such Service is performed by the said Company, and for the Use of any Wharf, Basin, Loading Place, and Station, except as aforesaid, than the several Sums herein-after mentioned; (that is to say,)

For all Dung, Compost, and all Sorts of Manure (except Guano and artificial Manures), Lime, 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, Guano and artificial Manures, all Stones for building, pitching, and paving, all Bricks, Slates, Clay, Sand, Ironstone and Iron Ore, and Pig Iron, *per Ton per Mile* Twopence:

For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Tiles, Timber, Staves, and Deals, Metals (except Iron), Bar, Rod, Hoop, Sheet, and all other Descriptions of Wrought Iron, and Iron Castings not manufactured into Utensils or other Articles of Merchandise, Nails, Anvils, Vices, and Chains, *per Ton per Mile* Threepence:

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

And for every Carriage, of whatever Description, and not being a Carriage adapted and used for travelling on a Railway, *per Mile* Ninepence:

For every Horse, Mule, or Ass, *per Mile* Sixpence:

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

For every Calf or Pig, *per Mile* Twopence:

For every Sheep, Lamb, or other small Animal, *per Mile* One Penny.

CXI. The following Provisions and Regulations shall be applicable to the fixing of such Tolls and Charges; (that is to say,) Regulations
as to the
Tolls and
Charges.

For Articles, Matters, and Things, Animals or Passengers, conveyed on the said Railways for a less Distance than Six Miles, the Company may demand Tolls and Charges as for Six Miles, and in addition to the prescribed Tolls and Charges a reasonable Charge for the Expense of loading and unloading, and the Use of Wharves, Basins, Loading Places, and Stations:

For a Fraction of a Mile beyond Six Miles or beyond any greater Number of Miles the Company may demand Tolls and Charges on Passengers, Animals, and Articles, Matters and Things, as for One Mile:

[*Local.*]

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For

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For a Fraction of a Ton the Company may demand Tolls and Charges 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.

Company
may take
increased
Charges by
Agreement.

CXII. Provided always, That nothing herein contained shall be held to prevent the Company from taking any increased Charge, over and above the Charges herein-before limited, for the Conveyance of Passengers, Animals, or Goods of any Description, by Agreement with such Passengers or the Owners or Persons in charge of such Animals or Goods, either in respect of the Conveyance of such Passengers, Animals, or Goods (except small Parcels) by Special or Passenger Trains, or by reason of any other special Service performed by the Company in relation thereto.

Rates and
Duties on
the Wharves
and in con-
nexion with
the Railway
from Paisley
to Renfrew.

CXIII. It shall be lawful for the Company to take, for the Use and Privilege of the said Wharfs, Landing Places, and Quays at the Termination of the said Railway from *Paisley* to *Renfrew*, already constructed, and for the new Wharf, Landing Place, Quay, and tidal Harbour authorized to be constructed by the said "*Paisley and Renfrew* Railway Sale and Improvement Act, 1847," any Rates and Duties, not exceeding the following:

For all Ships, Barges, Boats, Steam Vessels and Steam Boats, Lighters and other Vessels, which shall or may come alongside any such Quays or Wharfs, or which may enter such Harbour for the Purpose of loading or discharging Cargoes of any Description, or for landing or receiving Passengers, any Sum not exceeding Threepence *per* Ton Burthen of such Ships or Vessels according to the registered Measurement of the same:

And for all Lime to be used as Manure, Dung, Compost, or other Manure, and all Materials for making and repairing public Highways, which may be shipped or unshipped at such Quay, Landing Place, Wharf, Harbour, and Depôts in connexion therewith, any Sum not exceeding Threepence *per* Ton:

For all Lime and Limestone to be used otherwise than as Manure, Coal, Kennel, or Gas Coal, Coke, Culm, Charcoal, Cinders, Stone, Sand, Brick, Slates, Earth, Iron, Lead, or other Metals or Minerals unmanufactured, which may be shipped or unshipped as aforesaid, any Sum not exceeding Fourpence *per* Ton:

For all Sugar, Corn, Grain, Flour, Dyewoods, Timber, Staves, Deals, Lead, Bar Iron, and other Metals which may be shipped or unshipped as aforesaid, any Sum not exceeding Fourpence *per* Ton:

For all Cotton and other Wools, Hides, Drugs, manufactured Goods, and for all other Wares and Merchandise, Articles, Matters,

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Matters, or Things, which may be shipped or unshipped as aforesaid, any Sum not exceeding Fourpence *per* Ton :

And for each Day such Goods, Articles, or Things may remain upon such Wharfs or Landing Places, or the Sides of such Harbours and Depôts, any Sum not exceeding One Penny *per* Ton additional :

And for all Persons, Cattle, and other Animals shipped or unshipped at the said Quays, Wharfs, or Harbours, such reasonable Sum or Sums as the Company shall from Time to Time appoint.

CXIV. The following Provision and Regulation shall be applicable to the fixing of such Rates and Duties ; (that is to say,) Regulation as to the Rates and Duties.

For a Fraction of a Ton the Company may demand Rates and Charges 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.

CXV. If any Person (except the Agents of and other Persons authorized by the Company, and by them authorized for the Purposes only of their Undertaking,) shall ride, lead, or drive, or cause to be ridden, led, or driven, or shall aid or assist in leading or driving, or shall permit or suffer to be upon their Railways or any Part thereof, any Horse, Mule, or Ass, or any Cow or other Neat Cattle, or any Sheep, Swine, or any other Beast or Animal, (except only in directly crossing the same at any Roads or Places to be appointed for that Purpose, or for the necessary Occupation of the respective Lands, Works, or Mining Privileges through which any of the said Railways shall pass,) every Person so offending shall forfeit and pay any Sum not exceeding Two Pounds for every such Offence. Railway not to be used as a Passage for Horses and other Cattle.

CXVI. If any Person shall be or travel or pass upon Foot upon the Railways belonging to the Company without the Licence and Consent of the Company, (unless for the Purpose of attending any Carriage under his Care, or in crossing the Railways by any Road or Footway on the Level thereof,) every Person so offending shall forfeit and pay any Sum not exceeding Two Pounds for every such Offence. Penalty on Persons on Foot using the Railway.

CXVII. The Company shall not, out of any Money by this Act or any other Act relating to the Company authorized to be raised, pay to any Shareholder Interest or Dividend on the Amount of Calls made in respect of the Shares held by him in the Capital by this Act authorised to be raised : 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 Interest not to be paid on Calls paid up.

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the Provisions in "The Companies Clauses Consolidation (*Scotland*) Act, 1845," in that Behalf contained.

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

CXVIII. It shall not be lawful for the Company, out of any Money by this Act or any other Acts 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 in force for the Time being 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 Railway or execute any other Work or Undertaking.

Railways
not exempt
from Pro-
visions of
present and
future
General
Acts.

CXIX. Nothing in this Act contained shall be deemed or construed to exempt the Railways by the said recited Acts authorized to be made from the Provisions of any General Act relating to such Acts, or of any General Acts 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 or by the said recited Acts, or to exempt the said tidal Harbour, authorized to be constructed by "*The Paisley and Renfrew* Railway Act, 1847," from the Provisions of any General Act now in force or hereafter to be passed relating to Docks and Harbours or to Dues on Shipping.

Expenses of
Act.

CXX. All the Costs, Charges, and Expenses of obtaining and passing this Act and incidental thereto shall be paid by the Company.

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The SCHEDULE referred to in the foregoing Act.

Section.	Name.	Title of Provision.
	ACT 1 VICT. c. 117.	
8	Trustees of the River and Harbour of Clyde.	Company not to take possession of any Part of the Harbour of Glasgow without Consent of Trustees.
9	Charles Snodgrass Buchanan, and Proprietors of Nos. 41, 47, 63, of the Parish of Lochwinnoch; 33 and 29, of the Parish of Kilwinning; 16 and 10, of the Parish of Lochwinnoch.	Company empowered to deviate from Plan to a limited Extent; and Proviso as to Deviation of Lands therein described.
13	Captain Alexander Montgomery of Annick Lodge.	For Protection of Annick Lodge.
17	Duke of Portland - - -	A sufficient Archway to be formed at a Place to be appointed by the Duke of Portland in the Branch to Kilmarnock, and Restriction against the Erection of Buildings at Troon without his Consent.
18	Ludovic Houston, Esquire - -	For Protection of Ludovic Houston, Esquire.
20	Duke of Portland - - -	Power to enter Lands, &c.
25	The Trades House of Glasgow and William Graham.	Regulating the Purchase of Lands belonging to the Trades House and William Graham.
27	John Boyle Gray - - -	For Protection of the Lands belonging to John Boyle Gray.
39	Trustees of the Gorbals and Clark's Bridge Division or District of Turnpike Roads in the County of Renfrew.	Providing Compensation to the Trustees of the Gorbals District of Roads and Clark's Bridge Roads.
40	" " "	Money paid to the Company to be a Charge on the Gorbals District of Roads and Clark's Bridge Roads.
41	" " "	Company to vote as a Trustee at Meetings of Trustees of Roads, and to exercise a Vote in certain Cases.
42	Trustees on the Lochlibo and Clark's Bridge Districts of Roads in the County of Ayr.	Providing Compensation to the Trustees of certain Roads in Ayrshire.
43	" " "	Money paid by the Company to be a Charge on such last-mentioned Roads.
44	" " "	Company to vote as a Trustee at Meetings of Trustees of such last-mentioned Roads.

[Local.]

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Section.	Name.	Title of Provision.
ACT 1 VICT. c. 117— <i>continued.</i>		
45	Company of Proprietors of the Glasgow, Paisley, and Ardrossan Canal.	Saving Rights of the Glasgow, Paisley, and Ardrossan Canal-Company.
46	" " "	Regulating Construction of Bridges over Canal.
47	" " "	Providing for the Erection of Screens against the Canal.
48	" " "	Penalty on obstructing Canal.
52	Magistrates and Town Council of Paisley.	Bridges over Streets at Paisley.
53	Marquis of Abercorn - - -	Bridges on the Estate of the Marquis of Abercorn.
57	Richard Alexander Oswald, Esq., and Proprietor of No. 46, of the Parish of Lochwinnoch.	Owners of adjoining Lands may make Communications across the Railway.
68	Magistrates of Paisley and Lord Abercorn.	Providing Compensation to the Magistrates of Paisley and Lord Abercorn.
ACT 3 VICT. c. 53.		
11	Colonel William Blair of Blair -	As to Deviation through the Estate of Colonel Blair.
14	John Taylor Gordon - - -	For Protection of the Railway occupied by John Taylor Gordon.
50	Trades House of Glasgow and William Graham.	Relating to the Lands purchased from the Trades House and William Graham.
ACT 5 VICT. SESS. 2. c. 29.		
33	John Taylor Gordon - - -	Regulating Crossing at Peebles Street and the private Railway.
34	" " "	No more Lines of Rails to be laid across the private Railway.
35	Trustees upon the Gorbals and Clark's Bridge Division or District of Turnpike Roads in the County of Renfrew.	Providing for Appeal to Solicitor General of Scotland instead of Commissioners of Highland Roads.
ACT 8 and 9 VICT. c. 95.		
21	Trustees on Turnpike Roads from Kilmarnock to Cumnock, and on the Turnpike Road from Ayr by Cumnock to the March of the County of Ayr.	Company to contribute towards Part of the Debt on the Kilmarnock and Cumnock Turnpike Road.
ACT 9 and 10 VICT. c. 211.		
20	Sir John Cunninghame Fairlie -	Exemption in favour of Sir J. C Fairlie.
ACT 10 and 11 VICT. c. 229.		
25	Royal Burgh of Renfrew and Trustees of River Clyde.	General Saving of Rights.
28	Commissioners for executing Office of Lord High Admiral.	Works across tidal Waters, &c. abandoned may be removed by Admiralty.

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Section.	Name.	Title of Provision.
30	ACT 10 and 11 Vict. c. 229— <i>cont.</i> Commissioners of Woods, Forests, Land Revenues, Works, and Buildings.	Saving Rights of the Crown.
7	ACT 5 and 6 Wm. IV. c. 85. Trustees of the River Clyde -	Saving Rights of the River Clyde Trustees.
9	Proprietors in Abercorn Street of Paisley.	Provision as to Abercorn Street.
11	Trustees on the Turnpike Road between Renfrew and Green- ock.	Provisions as to crossing Glasgow and Greenock Road to the West of the Town of Renfrew.
22	Trustees of the River Clyde - -	Company to make Drains at the Northern Termination of the Railway.
23	Alexander Spiers, Esq., of El- derslie, or other Proprietors of Ground conterminous on the River Clyde.	Waters of the Clyde not to be raised to a higher Level on conterminous Grounds in Time of Flood than at present.
31	ACT 9 and 10 VICT. c. 372. Caledonian Railway Company -	As to Communication with the Caledonian Railway.
32	„ „ „	Company not to interfere with the Caledonian Railway or Works.
33	„ „ „	Saving Rights of the Caledonian Railway Company.
49	ACT 17 and 18 VICT. c. 182. Owner of Ardrossan Harbour -	Saving Rights of Owner of Ar- drossan Harbour.
18	ACT 3 and 4 VICT. c. 104. Trustees on the Turnpike Road from Irvine to Kelly Bridge.	Provision in favour of Trustees on Turnpike Road from Irvine to Kelly Bridge.
19	Parties interested in Raise Road	Provisions as to crossing Raise Road on Level.
21	The Stevenston Coal Company -	Provision in favour of Stevenston Coal Company.
8	ACT 15 VICT. c. 78. Patrick Boyle Mure Macredie and Mrs. Rachael Anne Mure Mac- redie.	Ardrossan Railway Company not to use a certain Portion of Branch Railway without Consent.

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