ANNO DECIMO NONO & VICESIMO

VICTORIÆ REGINÆ.

Cap. xcix.

An Act for making a Railway from the Town of *Maybole* to the Town and Harbour of *Girvan*, to be called "The *Maybole and Girvan* Railway."

[14th *July* 1856.]

WHEREAS the making of a Railway from the Town of *Maybole*, commencing by a Junction with the *Ayr and Maybole Junction* Railway near *Lyonstone* Farmhouse in the Parish of *Maybole*, to the Town and Harbour of *Girvan*, all in the County of *Ayr*, would be of great local and public Advantage, by opening up an additional, certain, and expeditious Means of Communication between the Towns of *Maybole* and *Girvan*, and also by facilitating Communication with more distant Towns and Places: And whereas the Persons herein-after named, together with the *Glasgow and South-western* Railway Company and others, are willing, at their own Expense to carry such Undertaking into execution, and it is expedient that they should be incorporated for this Purpose, and that the said *Glasgow and South-western* Railway Company should be empowered to contribute towards the said proposed Undertaking: And whereas the said proposed Railway might be beneficially worked in connexion with the *Glasgow and South-western* Railway, and the Company to whom the said last-mentioned Railway belongs are willing to work the said

said intended Railway, and it is expedient that Provision should be made for this Purpose, and also in reference to the Traffic on the said proposed Railway and on adjoining Railways; but the Objects aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

I. This Act may be cited for all Purposes as "The *Maybole and Girvan* Railway Act, 1856."

8 & 9 Vict. cc. 17. 19. & 33. incorporated.

II. The several Acts of Parliament following, (that is to say,) "The Companies Clauses Consolidation (*Scotland*) Act, 1845," "The Lands Clauses Consolidation (*Scotland*) Act, 1845," and "The Railways Clauses Consolidation (*Scotland*) Act, 1845," shall be incorporated with and form Part of this Act.

Subscribers incorporated.

III. Sir *James Fergusson* Baronet, *John Graham*, *William McMorran*, *John Bodan Ross*, *George Kirkpatrick Young*, *Robert Ballantine*, *William Wright*, *Robert McKechnie*, *Walter Gray*, and *James Lumsden* junior, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be and are hereby united into a Company for the Purpose of making and maintaining the Railway herein-after described, with all proper Works and Conveniences connected therewith, to be called "The *Maybole and Girvan* Railway," according to the Provisions of the said Acts herewith incorporated and of this Act; and for the Purposes herein and in the said Acts contained such Company shall be incorporated by the Name of "The *Maybole and Girvan* Railway Company," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have Power to purchase and hold Lands and Heritages for the Purposes of the Undertaking, subject to the Provisions of this Act and the Acts incorporated herewith.

Capital.

IV. The Capital of the Company shall be Sixty-eight thousand Pounds, which shall be applied only to the Objects and Purposes by this Act authorized.

Number and Amount of Shares.

V. The Number of Shares into which the Capital shall be divided shall be Six thousand eight hundred, and the Amount of each Share shall be Ten Pounds.

VI. Two

Calls.

VI. Two Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and Three Fifths of the Amount of a Share shall be the utmost aggregate Amount of Calls that may be made in any One Year upon any Share, and Three Months at the least shall be the Interval between successive Calls.

Power to borrow on Mortgage.

VII. It shall be lawful for the Company to borrow on Mortgage or Bond any Sums of Money not exceeding in the whole the Sum of Twenty-two thousand six hundred Pounds, which shall be applied only to the Objects and Purposes by this Act authorized; but no Part of said Sum shall be borrowed until the whole of the said Capital of Sixty-eight thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up.

Arrears may be enforced by Appointment of Judicial Factor.

VIII. It shall be lawful for the Mortgagees or Bondholders of the Company to enforce the Payment of Arrears of Interest, or of Principal and Interest, due on their respective Mortgages or Bonds, by the Appointment of a Judicial Factor; and in order to authorize the Appointment of such Judicial Factor the Amount owing to the Mortgagees or Bondholders by whom Application for such Judicial Factor shall be made shall not be less than Five hundred Pounds in the whole in the event of the Interest due on such Mortgages or Bonds not being duly paid, and Two thousand five hundred Pounds in the whole in the event of the Principal Moneys due on such Mortgages or Bonds not being duly paid.

Interest not to be paid on Calls paid up.

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

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

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

XI. It

Glasgow and South-western Railway Company to contribute Funds and hold Shares.

XI. It shall be lawful for the *Glasgow and South-western* Railway Company and they are hereby required to contribute and apply their Funds, to the Extent of Twenty thousand Pounds, towards the Execution of the Railway by this Act authorized, and to take and hold a corresponding Number of Shares in the Company; and subject to the Provisions herein-after inserted, they shall in respect of such Shares have all the Powers, Rights, and Privileges, and be subject to all the Obligations and Liabilities, of Proprietors of Shares in the Company: Provided always, that the Shares so held by the *Glasgow and South-western* Railway Company shall not be transferable by them.

Power to the Glasgow and South-western Railway Company to raise Money for that Purpose by the Creation of Shares.

XII. It shall be lawful for the *Glasgow and South-western* Railway Company from Time to Time, with Consent of Three Fifths of the Votes of the Shareholders present, personally or by Proxy, at any General Meeting of that Company called for the Purpose, to raise for the Purpose of the Contribution herein-before mentioned any Sums of Money, not exceeding in the whole the Sum of Twenty thousand Pounds, by the Creation and Issue of new Shares of such nominal Amount, to such Persons, on such Terms, and bearing (if they shall think fit) a guaranteed or preferential Dividend at such Rate, not exceeding Five Pounds *per Centum per Annum*, as the said Company may appoint; and such new Shares shall in other respects be subject to the same Provisions as and become Part of the general Capital of the said Company: Provided always, that any Guarantee or Priority of Dividend which may be granted in respect of such new Shares shall not prejudice or affect any Guarantee, Preference, or Priority in the Payment of Interest or Dividend on any other Shares or Stock which may have been granted by the *Glasgow and South-western* Railway Company in pursuance of or which may have been created or confirmed by any previous Act of Parliament, or which may otherwise be lawfully subsisting.

Meetings of the Company.

XIII. The First Ordinary Meeting of the Company shall be held within Three Months next after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held half-yearly in the Months of *February* or *March* and *August* or *September*, and the First of such Ordinary Meetings shall be held in the Month of *August* or *September* One thousand eight hundred and fifty-six, and all Meetings of the Company, whether ordinary or extraordinary, shall be held in *Girvan*.

Quorum of General Meetings.

XIV. The Quorum of every General Meeting of the Company shall be Ten Shareholders present, personally or by Proxy, holding in the aggregate not less than Two thousand Pounds in the Capital of the Company.

XV. Sir

First Directors.

XV. Sir *James Fergusson* Baronet, *George Kirkpatrick Young*, *John Graham*, *Robert Kerr*, *John Bodan Ross*, *William Wright*, *William McMorran*, *Walter Gray*, and *James Lumsden* junior shall be the First Directors of the Company, and shall continue in Office until the First Ordinary Meeting of the Company held after the passing of this Act.

Future Directors.

XVI. From and after the First Ordinary Meeting of the Company held after the passing of this Act the Number of Directors shall be Seven.

Election of Directors by Shareholders.

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

Appointment of a Person to vote for the Glasgow and South-western Railway Company.

XVIII. It shall be lawful for the Directors of the *Glasgow and South-western* Railway Company to appoint any Person from among their own Number, or any other Person being a Shareholder in the *Glasgow and South-western* Railway Company, to vote and act for that Company in respect of the Shares held by them, and such Appointment shall remain in force until the Person so appointed die or resign or become disqualified, or until his Appointment be revoked as after mentioned; and the Directors of the *Glasgow and South-western* Railway Company shall have Power from Time to Time to revoke the Appointment of the Person who shall have been so appointed by them, and to appoint another Person in place of any whose Appointment shall have been so revoked, or who shall have died, resigned, or become disqualified: Provided always, that a Writing given under the Common Seal of that Company, or under the Hands of their Chairman of Directors and Secretary, and deposited with the Secretary of the Company, shall be Evidence of any such Appointment or Revocation.

Qualification of Directors.

XIX. The Qualification of a Director shall be the Possession in his own Right of Twenty-five Shares in the Capital of the Company: Provided nevertheless, that any Person who shall from Time to Time be appointed by the Directors of the *Glasgow and South-western* Railway

Company to vote and act for such Company in respect of the Shares held by them shall be eligible to be elected a Director of the Company, although not possessed in his own Right of Twenty-five Shares in the Capital of the Company.

Quorum of Meetings of Directors.

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

Periods for balancing Books of Company.

XXI. The Periods to which the Books of Accounts of the Company shall be brought to a Balance shall be the Thirty-first Day of *January* and the Thirty-first Day of *July* in each Year; and the Periods at which Shareholders and Loan Creditors of the Company shall be entitled to the Inspection of such Books shall be Fourteen Days before and Fourteen Days after each of the Ordinary Meetings of the Company.

Newspapers for Advertisements.

XXII. All Advertisements relating to the Affairs of the Company shall be inserted in at least One Newspaper published in the County of *Ayr*.

Domicile of Company.

XXIII. The Domicile of the Company shall be held to be in *Girvan*.

Power to make Railway according to deposited Plans.

XXIV. Whereas Plans and Sections of the Railway hereby authorized showing the Line and Levels thereof, and also a Book of Reference to the said Plans containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands and Heritages through which the same is intended to pass, have been deposited in the Office at *Ayr* of the Principal Sheriff Clerk of the County of *Ayr*: It shall be lawful for the Company, with the Powers of Deviation and other Powers, and subject to the Provisions of this Act and the Acts herewith incorporated, to make and maintain, in the Line and upon the Lands delineated on the said Plans and described in the said Book of Reference, and according to the Levels defined on the said Sections, the Railway herein-after described, and all proper Works and Conveniences in connexion therewith, and to enter upon, take, and use such of the said Lands and Heritages as shall be necessary for the said Purposes.

Line of Railway.

XXV. The Line of Railway to be made and maintained under the Authority of this Act shall commence by a Junction with and diverging out of the authorized Line of the *Ayr and Maybole Junction* Railway, at a Point near to *Lyonstone* Farmhouse in the Parish of *Maybole*, and shall terminate at a Point in the *Watermouth Park* at the Harbour of *Girvan* in the Parish of *Girvan*, all in the County of *Ayr*, and will be situate in or pass from, through, or into the several Parishes

Parishes following, or some of them; (that is to say,) *Maybole*, *Kirkoswald*, *Dailly*, and *Girvan*, all in the County of *Ayr*.

Regulating Junction with Ayr and Maybole Junction Railway.

XXVI. The Junction with the authorized Line of the *Ayr and Maybole Junction* Railway shall be made and completed at the Sight and to the Satisfaction of an Engineer to be appointed by the *Ayr and Maybole Junction* Railway Company, and according to a Plan to be approved of by him previously to the Commencement of the Works connected with such Junction, or, in case of Difference, according to a Plan to be approved of by an Engineer to be appointed by the Board of Trade previously to the Commencement of such Works.

No Deviation of Railway to be made near the Seashore without Consent of the Admiralty.

XXVII. Within Seven Furlongs from the terminal Point of the Railway on the Seashore near *Girvan* no Deviation of the Railway shall be made from the continuous centre Line of Way shown on the Plan deposited at the Admiralty without the previous Consent of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or of the Commissioners for executing the Office of Lord High Admiral, to be signified in Writing under the Hand of the Secretary of the Admiralty, and then only to such Extent and in such Manner and in accordance with the Terms of such Consent.

Sea-shore near Girvan not to be exclusively occupied by Railway Company.

XXVIII. Within One Furlong from the terminal Point of the Railway on the Seashore near *Girvan* the Space between the Line of Railway and the Harbour shall not be exclusively occupied by the Company, but only so much of such Space as may be necessary for the Purposes of the Railway, and any other Persons, if legally entitled, may use the said Space between the Line of Railway and the Harbour not necessary for the Purposes aforesaid, and may have free Access thereto and therefrom over, under, or across the said Railway.

Mode of crossing the River Girvan by the Railway.

XXIX. The lower Crossing of the River *Girvan* by the Railway at *Girvan* shall be by a Viaduct of open Pilework, and should the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral, at any Time hereafter require the same to be constructed so as to have an opening Span of Thirty-five Feet, such Requirement should be in Writing under the Hand of the Secretary of the Admiralty for the Time being, and upon any such Requirement the Company shall convert the same into an opening Span of Thirty-five Feet within Six Months from the Time of such Requirement.

Plans to be deposited at Admiralty before Commencement of Works for

XXX. Previously to commencing either of the Crossings over the River *Girvan* at *Girvan*, and near the *Mill Road*, or the Works respectively connected therewith, the Company shall deposit at the Admiralty Office Plans, Sections, and Working Drawings of both such

crossing the River Girvan.

such Crossings, and Works respectively connected therewith, for the Approval of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral aforesaid, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty, and such Crossings and Works shall be constructed only in accordance with such Approval.

Admiralty may order a Light to be kept burning on the Bridge.

XXXI. During the Construction of the lower Bridge over the River *Girvan* and Works connected therewith the Company shall, when so required by the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral, cause to be hung out or exhibited, every Night from Sunset to Sunrise, a Light, to be kept burning by and at the Expense of the Company, for the Navigation and safe Guidance of Vessels; and for ever after the Completion of the said Crossing the Company shall cause to be hung out or exhibited upon or near to the Centre of the said Crossing, every Night from Sunset to Sunrise, a good and sufficient Light, to be kept burning by and at the Expense of the Company, for the Navigation and safe Guidance of Vessels, and which Lights shall be from Time to Time altered by the Company in such Manner, and be of such Description, and be so used and placed as the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, shall by Writing under the Hand of the Secretary of the Admiralty approve of; and in case the Company shall neglect to exhibit and keep either of such Lights burning as aforesaid they shall forfeit and pay for every such Neglect the Sum of Ten Pounds.

If Bridge constructed with an opening Span, Vessels, &c. not to be detained.

XXXII. In the event of the Bridge having an opening Span, it shall not be lawful for the Company, or any Person or Persons acting under them, to detain any Vessel, Barge, or Boat navigating the River *Girvan* at *Girvan* for a longer Space of Time than may be sufficient to admit of any Carriages or Trains regularly traversing the said Railway, and approaching the said Bridge at *Girvan*, to cross the said River *Girvan*, and for opening the said Bridge to admit such Vessel, Barge, or Boat to pass; and in case the Company, or any Person or Persons acting under them, shall detain any such Vessel, Barge, or Boat for a longer Space of Time than Ten Minutes, or demand, take, or receive any Toll for the Passage of any Person or Persons, Vessel, Barge, or Boat, the said Company or every Person so offending shall in every such Case forfeit and pay the Sum of Ten Pounds; but nothing in this Act shall prevent any Remedy for Damages which any Party may sustain in respect of any such Detention as aforesaid.

XXXIII. Pre-

Works affecting tidal Waters to be constructed, subject to the Approval of Admiralty, and not to be altered without Consent.

XXXIII. Previously to commencing any Work whatever in, over, or across or affecting any tidal or navigable Water or River, the Company shall deposit at the Admiralty Office Plans, Sections, and Working Drawings of the said Work for the Approval of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral aforesaid, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty; and every such Work shall be constructed only in accordance with such Approval; and when any such Work shall have been commenced or constructed, it shall not be lawful for the Company at any Time to alter or extend the same without obtaining, previously to making any such Alteration or Extension, the like Consent or Approval; and if any such Work shall be commenced or completed, or be altered, extended, or constructed, contrary to the Provisions of this Act, it shall be lawful for the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, to abate, alter, and remove the same, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly with Costs of Suit.

Works affecting any tidal Water falling into Decay may be removed at Expense of Company.

XXXIV. If any Work to be constructed by the Company in, under, over, through, or across any tidal Water or navigable River, or if any Portion of any Work which affects or may affect any such Water or River or Access thereto, shall be abandoned or suffered to fall into Disuse or Decay, it shall be lawful for the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral, to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly with Costs of Suit.

Admiralty may order local Survey at Expense of Company.

XXXV. If at any Time or Times it shall be deemed expedient by the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral, to order a local Survey and Examination, of any Works of the Company in, over, or affecting any tidal or navigable Water or River, or of the intended Site thereof, the Company shall defray the Costs of every such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the Company, and if not paid upon Demand may be recovered as a Debt due to the Crown, with the Costs of Suit, or may be recovered with Costs as a Penalty is or may be recoverable from the Company.

Lands and Works of Ayr and Maybole Junction Railway Company not to be interfered with except for forming Junction.

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

A certain Road may be crossed on the Surface.

XXXVII. It shall be lawful for the Company to carry the Railway by not more than Two Lines of Railway across the Surface of the Road in the Parish of *Kirkoswald* numbered 44 on the said deposited Plans: Provided always, that no Train shall either be allowed to stand on the Crossing of the said Road or be shunted over it.

Station or Lodge to be made at level Crossing.

XXXVIII. For the greater Convenience and Security of the Public the Company shall erect and maintain either a Station or a Lodge at the Place where the Railway shall cross the before-mentioned 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 such Road on the Level, or with regard to the Speed at which Trains shall pass 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 such Station or Lodge, or appoint a proper Person to watch or superintend the Crossing at such Point or Station, or to observe or abide by any such Rules or Regulations as aforesaid, or the Provisions relating to the said Crossing herein-before mentioned, they shall for every such Offence be liable to a Penalty not exceeding

Twenty

Twenty Pounds, and also to a daily Penalty not exceeding Ten Pounds for every Day such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred.

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

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

Regulating the Inclinations of certain Roads.

XL. It shall be lawful for the Company to make the Inclinations of the Approaches to the Bridges, Arches, or level Crossing for carrying the following Roads, numbered on the said deposited Plans as after mentioned, over, under, or across the Railway, not steeper than the following; (that is to say,) the Roads numbered 16 and 28 in the Parish of *Maybole* not steeper than One in Twenty, the Road numbered 55 in the same Parish not steeper than One in Eight, the Road numbered 132 in the same Parish not steeper than One in Seventeen, the Road numbered 152 in the same Parish not steeper than One in Fifteen, the Road numbered 44 in the Parish of *Kirkoswald* not steeper than One in Twenty-eight, and the Road numbered 14 in the Parish of *Dailly* not steeper than One in Twenty on One Side and level on the other.

Regulating the Height of a certain Arch.

XLI. It shall be lawful for the Company to make the Height of the Arch of the Bridge for carrying under the Railway the Road to be substituted for the Roads numbered 11 and 76, in the Parish of *Girvan*, on the said deposited Plans, Fifteen Feet from the Surface of the Road to the Summit of the Arch.

Regulating the Widths of certain Bridges.

XLII. It shall be lawful for the Company to make the Width of the Bridges for carrying over the Railway the Roads numbered 16 and 28, and 48 and 55, in the Parish of *Maybole*, in the said deposited Plans, not less than the following; (that is to say,) the Bridge for the said Roads numbered 16 and 28 Twenty-five Feet within the Parapets, and the Bridge for the said Roads numbered 48 and 55 Twelve Feet within the Parapets, and which last-mentioned Bridge shall be placed at the Road numbered 55, and the Road numbered 48 diverted into the same upon the North Side of the Railway.

XLIII. It

Certain Roads may be shut up.

XLIII. It shall be lawful for the Company to shut up and appropriate the Road numbered 8, in the Parish of *Maybole*, on the said deposited Plans, and also the Portion of the Road in the same Parish numbered 16 on the said deposited Plans, situate between the Junction of the same with the said Road numbered 8, and a Point 180 Feet to the South of such Junction, measuring along the said Road numbered 16; and in respect of the Stoppage of the said Road numbered 16, and in lieu thereof, the Company shall at their own Expense widen to Thirty Feet and otherwise improve the Portion of the Road in the said Parish numbered 28 on the said deposited Plans, situate between its Junction with the said Road numbered 16 and the Eastern Boundary of the Garden numbered 44 on the said deposited Plans; and the Company shall further at their own Expense form a Junction on the South Side of the Railway between the said Roads numbered 16 and 28.

Lands for extraordinary Purposes.

XLIV. The Company may purchase by Agreement and hold any Quantity of Land for the extraordinary Purposes mentioned in "The Railways Clauses Consolidation (*Scotland*) Act, 1845," not exceeding in the whole Five Acres.

Power to parties having limited Interests, &c. to convey Lands by Feu Right.

XLV. All Parties having a limited Right or Interest in any Lands required to be taken for the Purposes of this Act, or being under any Disability or Incapacity to sell or convey within the Meaning of Section Seven of "The Lands Clauses Consolidation (*Scotland*) Act, 1845," incorporated herewith, and being only entitled to sell or convey such Lands, or any Right or Interest therein, under the Powers by this Act and the said Consolidation Act granted, may sell and convey to the Company such Lands, or any Part thereof, or any Right or Interest therein, in consideration of an annual Feu Duty or Ground Annual payable by the Company to such Parties and their Successors in the Lands or in the Right or Interest therein so conveyed, and that in the Form prescribed by the said Consolidation Act with respect to Conveyances by Feu by Parties entitled absolutely to dispose of Lands.

Grassums not to be taken by such Parties.

XLVI. It shall not be lawful for the Company to pay, nor for any Party having a limited Right or Interest in or being under Disability or Incapacity to sell or convey any Lands, or any Right or Interest therein as aforesaid, to receive or take, any Grassum, Fine, or Premium, or any Consideration in the Nature thereof, for the Lands or Rights or Interests to be so conveyed, other than the annual Feu Duties or Ground Annuals made payable by such Conveyance; and the Amount of such Feu Duties or Ground Annuals shall, in case of Difference, be ascertained and settled by Valuators in the Manner prescribed

prescribed by the said Consolidation Act with respect to the Valuation of Lands sold by Agreement by Parties under legal Disability or Incapacity to convey as aforesaid.

Provision for recovering all Feu Duties.

XLVII. All Feu Duties or Ground Annuals for any Lands or any Right or Interest therein required for the Purposes of the Railway, or the Works connected therewith, and made payable by any Conveyance under this Act and the said Consolidation Act, shall be a First Charge on the Tolls and Rates leviable under this Act and other Revenues of the Company, anything in this Act or in any of the Consolidation Acts herewith incorporated to the contrary notwithstanding; and if at any Time any such Feu Duties or Ground Annuals remain unpaid for Thirty Days after they respectively become payable, it shall be lawful to the Person entitled for the Time being to Payment of such Feu Duties or Ground Annuals to recover the same from the Company, with Interest and Costs, by Action in the Sheriff Court of the County of *Ayr*, or summarily by Poinding and Sale of the Goods and Effects of the Company on Application by Petition to the said Sheriff, whose Decision in either Case shall be final, and shall not be subject to Review in any Manner howsoever; and it shall not be lawful for any such Person to resume Possession of the Lands or Rights or Interests therein so conveyed, or to proceed by Action of Declarator or Reduction, or by Real Diligence, or any other Process whatever (saving as herein-before mentioned) in respect thereto, or in respect to the said Feu Duties or Ground Annuals.

If Lands purchased by way of Feu, borrowing Powers to be reduced proportionally.

XLVIII. In the event of the Company under the Powers of this Act, or of "The Lands Clauses Consolidation (*Scotland*) Act, 1845," acquiring any Land, or any Right or Interest therein, for the Purposes of the Railway, in consideration of the Payment of an annual Feu Duty or Ground Annual, the Sums by this Act authorized to be raised by Mortgage shall be reduced by an Amount equal to Twenty Years Purchase of such Feu Duty or Ground Annual.

Powers for compulsory Purchases limited.

XLIX. 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 Three Years from the passing of this Act.

Period for Completion of Works.

L. The Railway hereby authorized shall be complete within Five Years from the passing of this Act, and on the Expiration of such Period the Powers by this Act or the Acts incorporated herewith granted to the Company for executing the Railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Railway as shall then be completed.

Tolls.

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

In respect of Articles of Merchandise.

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

For all Dung, Compost, and all Sorts of Manure (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; 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, Charcoal, 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 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 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 Twopence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Penny:

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 One Penny:

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 on a Truck or Platform, *per* Mile not exceeding Sixpence, and a 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:

In respect of Passengers and Cattle.

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

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

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 One Penny *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 Halfpenny *per* Mile:

Third, And in respect of the Trouble occasioned by loading or unloading, or for the Use of any Jetty, Loading Place, or Station, such reasonable Sum as to the Company shall seem fit.

Tolls for propelling Power.

LII. The Tolls which the Company may demand for the Use of Engines for propelling Carriages on the Railway, 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 small Parcels and Articles of great Weights.

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

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, Sixpence;

For any Parcel exceeding Seven Pounds but not exceeding Fourteen Pounds in Weight, Eightpence;

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

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

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 Sums following; (that is to say,) if the Weight thereof, including the Carriage, shall be less than Four Tons, the Company may demand Sixpence *per* Ton *per* Mile; if such Weight shall exceed Four Tons but shall not exceed Eight Tons, One Shilling *per* Ton *per* Mile; and if such Weight shall exceed Eight Tons, the Company may demand such Sum as they think fit.

LIV. Every

Passengers Luggage.

LIV. Every Passenger travelling upon the Railway, or any Part thereof, 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 Passengers.

LV. It shall not be lawful for the Company to demand or receive any greater Sum in respect of the Carriage of Passengers conveyed on the Railway, 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.

LVI. 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 Railway, or any Part thereof, any greater Sum, including the Charges for the Use of the Carriages, Waggons, 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 Company, and for the use of any Jetty, Loading Place, and Station, 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 Fivepence:

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.

Regulations as to the Tolls and Charges.

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

For Articles, Matters, and Things, Animals, or Passengers, conveyed on the Railway 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 any Jetty, Loading Place, or Station:

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 as for One Mile; and in respect of Animals, Articles, Matters, and Things, according to the Number of Quarters of a Mile included in such fractional Part of a Mile; and if there be a Fraction of a Quarter of a Mile such Fraction shall be deemed a Quarter of a Mile:

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.

LVIII. 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 Animals or Goods of any Description, by Agreement with the Owners or Persons in charge of such Animals or Goods, either in respect of the Conveyance of such Animals or Goods (except small Parcels) by Passenger Trains, or by reason of any other special Service performed by the Company in relation thereto.

Restriction as to Charges not to apply to Special Trains.

LIX. The Restrictions herein-before contained as to the Tolls and Charges to be demanded in respect of the Conveyance of Passengers shall not extend to any Special or Extra Train that may be required to be run on the Railway, but shall apply only to the Ordinary and Express Trains to be appointed from Time to Time by the Company.

Power for the Company and the Glasgow and

LX. The Company and the *Glasgow and South-western* Railway Company may from Time to Time enter into Agreements with respect to the following Purposes, or any of them; (that is to say,)

South-western Railway Company to enter into Working Agreements, &c.

The Use and working by the *Glasgow and South-western* Railway Company of all or any Part of the Railway of the Company, and the Use of the Works and Conveniences belonging thereto:

The Conveyance by the *Glasgow and South-western* Railway Company of the whole or any Part of the Traffic upon the said Railway:

The Division and Apportionment of such Traffic between the said Companies:

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

The Use or Purchase by the Company of the Rolling or Working Stock belonging to the *Glasgow and South-western* Railway Company, or any Part thereof:

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

The Costs and Expenses of such Working, Management, Maintenance, and Repair:

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

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

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

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

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

Agreement to be for a Term not exceeding Ten Years, and to be approved by Board of Trade.

LXI. No such Agreement shall be for more than Ten Years, or shall have any Operation until the same shall have been approved of by the Board of Trade, or shall, except as herein-after provided, in any Manner alter, affect, increase, or diminish any of the Tolls, Rates, or Charges which the said Companies shall for the Time being be respectively authorized and entitled to demand and receive from any Person or any other Company, but all other Persons and Companies shall, notwithstanding any such Agreement, be entitled to the Use and

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

Appointment of Joint Committee for carrying any such Agreement into effect.

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

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

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

LXIII. At the Expiration of the said Agreement the said Companies, with the Consent in Special Meeting of the Shareholders of such Companies respectively, and subject to the Approval of the Board of Trade, may enter into a further Agreement for all or any of the Purposes aforesaid; provided, that before such Companies shall enter into any such further Agreement as aforesaid they shall give Notice of their Intention to enter into such Agreement by Advertisement, in a Form to be approved of by the Board of Trade, inserted once in each of Three successive Weeks in some Newspaper published or circulated in each County in which any Part of the Railways to which such proposed Agreement relates is situated; and every such Notice shall set forth within what Time and in what Manner any Company or Person aggrieved by such proposed Agreement, and desiring to object thereto, may bring such Objections before the Board of Trade; and no such Agreement shall be valid at Law or in Equity until the same shall have been approved of by the Board of Trade.

Agreement inoperative until approved by the Board of Trade.

Working Arrangements, &c. not to take effect unless approved by Three Fifths of the Shareholders.

LXIV. None of the said Powers and Provisions with respect to the Use, working, and managing of the Railway by the *Glasgow and South-western* Railway Company shall have any Operation or Effect unless and until the Contracts or Arrangements intended to be made for such Purposes shall have been submitted to and approved by a Majority of not less than Three Fifths of the Votes of the Shareholders present, personally or by Proxy, at Meetings of the Company and

and of the *Glasgow and South-western* Railway Company respectively specially convened for that Purpose.

Meetings how to be convened.

LXV. Such Meetings shall be called by Advertisements inserted once in each of Two successive Weeks in a Morning Newspaper published in *Edinburgh*, and in some Newspaper of the County in which the principal Office of each of the said Companies is situate, the last of which Advertisements shall be published not less than Seven Days before such respective Meetings, and also by a Circular addressed to each Shareholder entitled to vote at Meetings of the respective Companies, to be served in the Manner prescribed by "The Companies Clauses Consolidation (*Scotland*) Act, 1845," with respect to Notices requiring to be served by the Company upon the Shareholders.

During Continuance of Working Arrangement, Tolls to be the same as on Glasgow and South-western Railway.

LXVI. In the event of any such Agreement being entered into between the Company and the *Glasgow and South-western* Railway Company for the working of the Railway by the latter Company as aforesaid, and so long as the Railway shall be worked by the *Glasgow and South-western* Railway Company, the Railway shall in all Matters relating to Tolls and Charges be considered as a Part of the *Glasgow and South-western* Railway, and it shall be lawful to demand and recover for the Use of the Railway, and of Carriages and Engines thereon, Tolls and Charges at the same Rates as shall for the Time be leviable for the Use of the *Glasgow and South-western* Railway, and of Carriages and Engines on that Railway, in lieu of the Tolls and Charges authorized by this Act; and all the Powers and Provisions with respect to Tolls and Charges contained in the *Glasgow and South-western* Railway Consolidation Act, 1855, or in any other Act for the Time in force in relation to the *Glasgow and South-western* Railway, shall apply to the Railway, and to the Conveyance of Passengers, Animals, Articles, Matters, and Things thereon, in lieu of the Powers and Provisions with respect to Tolls and Charges contained in this Act.

Traffic Agreements between the Company, the Glasgow and South-western Railway Company, the Ayr and Maybole Junction Railway Company, and the Ayr and Dalmellington Railway Company.

LXVII. It shall also be lawful for the Company, the *Glasgow and South-western* Railway Company, the *Ayr and Maybole Junction* Railway Company, and the *Ayr and Dalmellington* Railway Company, or any of them, from Time to Time to make and enter into any Contracts and Agreements which may by them mutually be deemed advisable, for or with respect to the Use reciprocally by the said Companies of their respective Lines of Railway, Stations, Offices, and other Accommodations thereof respectively, and for the fixing, Apportionment, and Division of the Tolls and Profits derived from their respective Lines of Railway: Provided always, that such Contracts and Agreements shall be subject to the Assent of Three Fifths of the Shareholders of the respective Companies, by their Votes, in Special Meeting assembled for the Purpose, and shall be subject also to Approval by the Board of Trade.

LXVIII. Nothing

Railway not exempt from Provisions of present and future General Acts.

LXVIII. Nothing herein contained shall be held to exempt the Railway hereby authorized to be made from the Provisions of any General Act relating to this Act, or any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during the present or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges, or of the Rates for small Parcels, authorized by this Act.

Sum deposited pursuant to Standing Orders not to be repaid except in certain Events.

LXIX. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of Her present Majesty, Chapter Twenty, certain Sums, amounting to upwards of Five thousand one hundred Pounds (such Sum of Five thousand one hundred Pounds being One Tenth Part of Three Fourths of the Amount of the Estimate of the Expense of the Railway authorized by this Act) has been deposited in Bank in the Name and with the Privity of the Queen's Remembrancer of the Court of Exchequer in *Scotland* in respect of the Application to Parliament for this Act: Be it enacted, That, notwithstanding anything contained in the said Act of the Ninth Year of Her present Majesty, the said Sum of Five thousand one hundred Pounds so deposited as aforesaid in respect of the Application for this Act, or the Interest or Dividends of such Sum of Money, shall not, except upon the Execution and Deposit of such Bond as herein-after mentioned, be paid or transferred to or on the Application of the Person or Persons, or the Majority of the Persons, named in the Warrant or Order issued in pursuance of the said Act, or the Survivors or Survivor of them, unless the Company shall, previously to the Expiration of the Period limited by this Act for Completion of the Railway hereby authorized to be made, either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if the said Period shall expire before the Company shall either have opened the said Railway for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the said Sum of Money deposited as aforesaid, and the Interest and Dividends thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of

Great Britain and *Ireland*; provided that, at any Time after the passing of this Act, if a Bond in twice the Amount of the said Sum of Five thousand one hundred Pounds shall have been executed by the Company, with One or more Sureties, (such Bond to be prepared to the Satisfaction of and such Surety or Sureties to be approved by the Solicitor to the Lords Commissioners of Her Majesty's Treasury,) conditioned for Payment to Her Majesty, Her Heirs or Successors, of the said Sum of Five thousand one hundred Pounds if the Company shall not within the Time limited for the Completion of the said Railway either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee that the Company have paid up One Half of the Amount of the said Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital, and if such Bond shall have been deposited with the said Solicitor to the said Lords Commissioners, then such Sum of Money, and the Interest or Dividends thereof, shall be paid to or on the Application of the Person or Persons, or the Majority of the Persons, named in such Warrant or Order as aforesaid, or the Survivors or Survivor of them, and it shall not be necessary to produce any Certificate of this Act having passed, anything in the said Act of the Ninth Year of Her present Majesty to the contrary notwithstanding; and the Moneys to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Money, and the Interest or Dividends thereof, would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitor to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Lords of the said Committee that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified: Provided always, that nothing in this Act contained shall apply to or prevent the Repayment, in the Manner provided by said Act of the Ninth Year of Her present Majesty, of the Surplus of the Monies deposited as aforesaid above the said Sum of Five thousand one hundred Pounds.

Expenses of Act.

LXX. All the Costs, Charges, and Expenses of applying for, obtaining, and passing this Act, and in every way preparatory or incidental thereto, shall be paid by the Company.

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