



ANNO NONO & DECIMO

# VICTORIÆ REGINÆ.

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*Cap. cccxcii.*

An Act for making a Railway from the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway near the Manse of *Newton* to the Town of *Girvan*, with a Branch to the Town of *Maybole*, to be called "*The Glasgow and Belfast Union Railway.*"

[26th August 1846.]

**W**HEREAS the making of a Railway leading from the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway near the Manse of *Newton-upon-Ayr* to the Town of *Girvan*, with a Branch to the Town of *Maybole*, would be of great public Advantage, by opening an additional, certain, and expeditious Means of Communication between the said Places, and by facilitating Communication with more distant Towns and Places, and with *Ireland*: And whereas the Persons herein-after named are willing, at their own Expence, to carry such Undertaking into execution, but the same 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, That the several Acts of Parliament following,

[*Local.*]

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(that cc. 17. 19.

and 33. incorporated with this Act.

(that is to say,) the Companies Clauses Consolidation (*Scotland*) Act, 1845, the Lands Clauses Consolidation (*Scotland*) Act, 1845, and the Railway Clauses Consolidation (*Scotland*) Act, 1845, shall, so far as not otherwise provided by this Act, be incorporated with and form Part of this Act.

Short Title.

II. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use the Expression "The *Glasgow and Belfast Union* Railway Act, 1846."

Subscribers incorporated.

III. And be it enacted, That the Right Honourable the Earl of *Stair*, Sir *David Hunter Blair* Baronet, Sir *John M'Taggart* Baronet, *James Oswald* Esquire, *George Stirling* Esquire, *James M'Call* Esquire, *Alexander Dennistoun* Esquire, *John Dalrymple* Esquire, *John Leadbetter* Esquire, *Charles Morland* Esquire, *William Gemmell* Esquire, *George Taylor* Esquire, *James M'Iraith* Esquire, *David Guthrie* Esquire, *William Anderson Wyllie* Esquire, *Nathaniel Taylor* Esquire, *Archibald Smith* Esquire, 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 united into a Company for the Purpose of making and maintaining a Railway, with proper Works and Conveniences belonging thereto, leading from the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway near the Manse of *Newton-upon-Ayr* to the Town of *Girvan*, with a Branch to the Town of *Maybole*, according to the Provisions of the said Acts and of this Act, and for the other Purposes herein and in the said Acts contained; and for the Purposes aforesaid such Company shall be incorporated by the Name of "The *Glasgow and Belfast Union* 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 for the Purposes of the Undertaking, within the Restrictions herein and in the said Acts contained.

Capital.

IV. And whereas the estimated Expence of making the said Railway is Three hundred and thirty thousand Pounds Sterling; be it enacted, That the Capital of the Company shall be Three hundred and thirty thousand Pounds Sterling.

Number and Amount of Shares.

V. And be it enacted, That the Number of Shares into which the Capital shall be divided shall be Thirteen thousand two hundred, and the Amount of each Share shall be Twenty-five Pounds.

Calls.

VI. And be it enacted, That Two Pounds Ten Shillings *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and Two Months at the least shall be the Interval between successive Calls.

Power to borrow Money on Mortgage.

VII. And be it enacted, That it shall be lawful for the Company to borrow on Mortgage or Bond any Sums not exceeding in the whole the Sum of One hundred and ten thousand Pounds, but no Part of such Sum shall be borrowed until the whole of the said Capital of  
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Three hundred and thirty thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up.

VIII. And be it enacted, That the Company may, if they think fit, receive from any Shareholders willing to advance the same all or any Part of the Monies due upon their respective Shares beyond the Sums actually called for, and upon the Principal Monies so paid in advance, or so much thereof as from Time to Time shall exceed the Amount of the Calls made upon the Shares in respect of which such Advance shall have been made, the Company may pay Interest, at such Rate, not exceeding Five Pounds *per Centum per Annum*, as the Shareholders paying such Sum in advance and the Company shall agree upon.

Payment of Subscriptions before Call.

IX. And be it enacted, That, except in the Payment of Interest as herein-before authorized, the Company shall not make any Dividend whereby their Capital Stock will be in any degree reduced.

Dividend not to reduce Capital.

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

Mortgagees may enforce Payment of Arrears by Appointment of a Judicial Factor.

XI. And be it enacted, That the first Ordinary Meeting of the Company shall be held within Two-Months next after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held Twice in every Year, in the Months of *February* or *March* and *August* or *September*, as the Directors may appoint; and all Meetings, whether ordinary or extraordinary, shall be held in *Glasgow*.

First and subsequent General Meetings.

XII. And be it enacted, That the Quorum for every General Meeting of the Company shall be Fifteen Shareholders holding in the aggregate not less than Thirty thousand Pounds in the Capital of the Company.

Quorum of General Meetings.

XIII. And be it enacted, That at all General Meetings of the Company every Shareholder shall have One Vote for each Five Shares or One hundred and twenty-five Pounds of the Company's Stock; but no Shareholder shall have in all more than Twenty Votes.

Votes of Shareholders.

XIV. And be it enacted, That the Number of Directors shall be Seventeen, and the Qualification of a Director shall be the Possession in his own Right of Forty Shares in the Capital of the Company.

Number and Qualification of Directors.

XV. And be it enacted, That it shall be lawful for the Company to increase or reduce the Number of Directors, provided that the increased

Power to vary the increased

Number of Directors. increased Number do not exceed Twenty, and that the reduced Number be not less than Nine.

First Directors. XVI. And be it enacted, That the Right Honourable the Earl of *Stair*, Sir *David Hunter Blair* Baronet, Sir *John M'Taggart* Baronet, *James Oswald* Esquire, *George Stirling* Esquire, *James M'Call* Esquire, *Alexander Dennistoun* Esquire, *John Dalrymple* Esquire, *John Leadbetter* Esquire, *Charles Morland* Esquire, *William Gemmell* Esquire, *George Taylor* Esquire, *James M'Iraith* Esquire, *David Guthrie* Esquire, *William Anderson Wyllie* Esquire, *Nathaniel Taylor* Esquire, and *Archibald Smith* Esquire, shall be the first Directors of the Company.

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

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

Quorum of Directors. XIX. And be it enacted, That the Quorum of a Meeting of Directors shall be Five.

Committees of Directors. XX. And be it enacted, That the Number of Directors of which Committees appointed by the Directors shall consist shall not be less than Three nor more than Nine, and the Quorum of such Committees shall be the major Number of those appointed.

Newspapers for Insertion of Advertisements. XXI. And be it enacted, That the Newspapers in which Advertisements relating to the Affairs of the Company are to be inserted shall be any One Newspaper published in the County of *Lanark* and any One Newspaper published in the County of *Ayr*.

Power to make Railway according to deposited Plans, &c. XXII. And whereas Plans and Sections of the Railway, showing the Lines and Levels thereof, and also Books of Reference, containing the Names of the Owners and Lessees or reputed Owners and Lessees and Occupiers of Lands through which the same is intended to pass, have been deposited in the Offices of the Principal Sheriff Clerks of the County of *Ayr*; be it enacted, That, subject to the Provisions

Provisions in this and the said recited Acts contained, it shall be lawful for the Company to make and maintain the said Railways and Works in the Lines and upon the Lands delineated on the said Plans and described in the said Books of Reference, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose.

XXIII. And be it enacted, That the Lines of Railway to be made and maintained under the Authority of this Act shall be the following; (that is to say,) Line of Railway.

A Main Line of Railway commencing at or leading from the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway near the Manse of *Newton* in the Parish of *Newton-upon-Ayr*, and terminating at or near the Town of *Girvan*, both in the County of *Ayr* :

A Branch Line of Railway diverging out of the said Main Line at or near to *Saint John's* to or near to the Town of *Maybole*, both in the Parish of *Maybole* in the County of *Ayr*.

XXIV. And be it enacted, That the Quantity of Land to be taken by the Company for extraordinary Purposes shall not exceed Fifty Acres. Land for extraordinary Purposes.

XXV. And be it enacted, That the Powers of the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing of this Act. Period within which Lands are to be purchased.

XXVI. And be it enacted, That the Railway shall be completed within Five Years from the passing of this Act, and on the Expiration of such Period the Powers by this or the said Acts 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. Period for Completion of Works.

XXVII. And be it enacted, That it shall be lawful for the Company to carry the Railway across the Surface of the following Roads numbered on the Plans deposited as aforesaid as after mentioned; (that is to say,) Certain Roads may be crossed on the Surface.

In the Parish of *Newton-upon-Ayr*, the Roads numbered 3 and 9 :

In the Parish of *Girvan*, the Roads numbered 72, 79, and 89.

XXVIII. And be it enacted, That it shall be lawful to the Company to construct the Approaches to the Bridges or Arches for carrying the Roads numbered as after mentioned on the Plans deposited as aforesaid with such Inclinations as they think fit, not steeper than the following; (that is to say,) Regulating the Inclination of certain Roads.

In the Case of the Road numbered 91 in the Parish of *Maybole*, not steeper than One Foot in Twenty Feet :

In the case of the Road numbered 191 in the Parish of *Maybole*, not steeper than One Foot in Fifteen Feet :

In the Case of the Road numbered 24 in the Parish of *Kirkoswald*, not steeper than One Foot in Twenty Feet.

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XXIX. And

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

Tonnage on Articles of Merchandize.

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

For all Dung, Compost, and all Sorts of Manure, Lime and Limestone, and all undressed Materials for the Repair of public Roads or Highways, *per Ton per Mile* Two-pence; and if conveyed by Carriages belonging to the Company, an additional Sum *per Ton per Mile* of One Penny :

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

For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per Ton per Mile* Three-pence; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* of One Penny Halfpenny :

For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandize, Fish, Articles, Matters, or Things, *per Ton per Mile* Four-pence; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* of Two-pence :

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

And a like Sum of Sixpence *per Mile* for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh; and if conveyed on a Truck or Platform belonging to the Company, an additional Sum *per Mile* of Sixpence :

Tolls for Passengers or Cattle.

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

For any Person conveyed in or upon any such Carriage, *per Mile* Two-pence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum of Two-pence *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* Two-pence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum of Three-pence *per Mile* :

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

For

For the Use of Wharfs, Stations, and such like Accommodation, such a reasonable Sum, in addition to the above-mentioned Rates, as to the Company shall seem just.

Tolls for the Use of Wharfs, &c.

XXX. And be it enacted, That the Toll which the Company may demand for the Use of Engines for propelling Carriages shall not exceed One Penny *per* Mile for each Passenger or Animal, or for each Ton of Goods or other Articles, in addition to the several other Tolls or Sums by this Act authorized to be taken.

Tolls for propelling Power.

XXXI. And be it enacted, That the following Provisions and Regulations shall be applicable to the fixing of such Tolls; (that is to say,)

Regulations as to the Tolls.

For Articles or Persons conveyed on the Railway for a less Distance than Six Miles the Company may demand as for Six entire Miles, and in addition to the prescribed Tolls for Conveyance a reasonable Charge for the Expence of stopping, loading, and unloading:

For a Fraction of a Mile beyond Six Miles, or beyond any greater Number of Miles, the Company may demand Tolls as for One Mile:

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

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

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

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

Tolls for small Parcels and great Weights.

For the Carriage of small Parcels (that is to say, Parcels not exceeding Five hundred Pounds Weight each,) the Company may demand any Sum which they think fit: 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 exceed Four Tons but shall not exceed Eight Tons, the Company may demand such Sum as they think fit, not exceeding Twelve-pence *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.

XXXIII. And

Limiting  
Charges for  
the Con-  
veyance of  
Passengers.

XXXIII. And be it enacted, That it shall not be lawful for the Company to demand or receive any greater Sum in respect of the Carriage of Passengers conveyed on the Railway by this Act authorized than Two-pence Halfpenny *per Passenger per Mile* in respect of any Passenger travelling in a First-class Carriage, One Penny Halfpenny *per Passenger per Mile* in respect of any Passenger travelling in a Second-class Carriage, and One Penny *per Passenger per Mile* in respect of any 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.

Passengers  
Luggage.

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

Limiting  
Charges for  
Conveyance  
of Goods.

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

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

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

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

For Cotton and other Wools, Drugs, manufactured Goods, and other Wares, Merchandize, Fish, Articles, Matters, and Things, *per Ton per Mile* Four-pence:

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

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

For every Ox, Cow, Bull, or Neat Cattle, *per Mile* Two-pence:

For every Calf, or Pig, Sheep, Lamb, or other small Animal, *per Mile* One Halfpenny.

Less Dis-  
tance to be

XXXVI. Provided always, and be it enacted, That if any Passenger, Animals, or Goods be conveyed for a less Distance than Six Miles



Miles on the Railway, the Company shall be entitled to demand and receive Tolls as for Six entire Miles.

charged as  
Six Miles.

XXXVII. Provided always, and be it enacted, That the Restriction as to the Charges to be made for Passengers, Animals, or Goods shall not extend to any Special Train, but shall apply only to the ordinary Trains appointed or to be appointed from Time to Time by the said Company.

Restriction  
as to  
Charges not  
to apply to  
Special  
Trains.

XXXVIII. Provided further, and be it enacted, That nothing herein contained shall be held to prevent the said Company from taking any increased Charge, over and above the Charges hereinbefore limited, for the Conveyance of Goods of any Description, by Agreement with the Owners of or Persons in charge of such Goods, either in respect of the Conveyance thereof by Passenger Trains, or by reason of any other special Service performed by the said Company in relation thereto.

Company  
may take  
increased  
Charges  
by Agree-  
ment.

XXXIX. And be it enacted, That the Railway and Branch Railway hereby authorized to be made, including Stations, Depôts, and every requisite Convenience for Traffic, shall be executed under the Superintendence and Control and to the Satisfaction of *John Miller Esquire*, Civil Engineer in *Edinburgh*, whom failing, of the Engineer for the Time being of the *Glasgow, Paisley, Kilmarnock, and Ayr Railway Company*.

Works to be  
executed to  
the Satis-  
faction of  
an Engineer.

XL. And be it enacted, That it shall be lawful for the *Glasgow, Paisley, Kilmarnock, and Ayr Railway Company*, by a Requisition under the Hands of any Three of their Directors, to call upon the Company hereby incorporated, at any Time, either before the Execution or not later than Six Months after the Completion of the Railway and Branch Railway by this Act authorized to be made, to transfer and convey such Railway and Branch Railway, or the Right to form the same, to such first-mentioned Company; and the Company hereby incorporated shall upon such Requisition be bound to transfer and convey the said Railway and Branch Railway, or the Right to make the same, to the *Glasgow, Paisley, Kilmarnock, and Ayr Railway Company*, on the Payment of the whole Outlay and Expences which they may have incurred with reference thereto, and with reference to the obtaining and carrying into effect this Act.

Power to  
Glasgow,  
Paisley,  
Kilmarnock,  
and Ayr  
Railway  
Company to  
require the  
Railway to  
be made  
over to them.

XLI. And be it enacted, That it shall be lawful for the Company hereby incorporated, by a Requisition under the Hands of any Three of the Directors, to call upon the *Glasgow, Paisley, Kilmarnock, and Ayr Railway Company*, at any Time, either before the Execution or not later than Six Months after the Completion of the said Railway and Branch Railway, to purchase such Railway and Branch Railway, or the Right to form the same; and the *Glasgow, Paisley, Kilmarnock, and Ayr Railway Company* shall upon such Requisition be bound to purchase and take a Conveyance to the Railway, or to the Right to form the same, from the Company hereby incorporated, and to pay as the Consideration of such Sale and Conveyance the whole Outlay and Expences which they have incurred with reference

Company  
may call  
upon the  
Glasgow,  
Paisley,  
Kilmarnock,  
and Ayr Rail-  
way Com-  
pany to pur-  
chase the  
Railway.

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thereto, or with reference to the obtaining and carrying into effect this Act.

Railway thereupon vested in Glasgow, Paisley, Kilmarnock, and Ayr Railway Company.

XLII. And be it enacted, That from and after the Period at which such Requisition shall have been made by either of the said Companies, to the Effect herein-before mentioned, and upon the Execution of a Deed of Conveyance, duly stamped for denoting the Payment of the full and proper Stamp Duty by Law payable in respect of the Purchase or Consideration Money, all the Railways, Works, Lands, and Hereditaments, and all Chattels, Monies, and other Property and Effects of, belonging, due, and owing to the Company hereby incorporated, and all the Rights, Privileges, Powers, and Authorities by this Act given to or vested in the said Company, in relation to the said Railway and Branch Railway, shall, subject to the existing Debts, Liabilities, Engagements, Contracts, Obligations, and Incumbrances affecting the same, and the said *Glasgow and Belfast Union* Railway Company, be and be held to be and the same are hereby vested in the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company, and may be lawfully held, used, exercised, and enjoyed by and in the Name of such last-mentioned Company, in the same Manner and to the same Extent as if the Undertaking hereby authorized to be made and maintained had been authorized to be made and maintained by them, or as if their Name had been inserted in this Act in lieu of the Name of the *Glasgow and Belfast Union* Railway Company.

All previous Contracts, &c. made with Company, to bind the Glasgow, Paisley, Kilmarnock, and Ayr Railway Company.

XLIII. And be it enacted, That all Conveyances, Contracts, Agreements, Obligations, Bonds, Covenants, Liabilities, and Securities made or entered into before such Requisition shall have been made with, by, or for the said *Glasgow and Belfast Union* Railway Company, shall, subject to the Provisions in this Act contained, be and remain as good, valid, and effectual, for or against or with reference to the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company, to all Intents and Purposes as if the last-mentioned Company had been a Party to and had executed the same, or had been named or referred to therein instead of the *Glasgow and Belfast Union* Railway Company.

Purchases, &c. made by Company transferred to Glasgow, Paisley, Kilmarnock, and Ayr Railway Company.

XLIV. And be it enacted, That all and every Purchase, Sale, Conveyance, Grant, Lease, Agreement, Security, Right, Liability, Privilege, Omission, Act, Matter, or Thing whatsoever, already made, done, executed, granted, incurred, obtained, omitted, transacted, commenced, or instituted, under or by virtue or in pursuance of this Act, or otherwise, by, to, for, on behalf of, against, or in respect of the *Glasgow and Belfast Union* Railway Company, shall (subject to the Provisions in this Act contained) be and the same are hereby declared to be, from and after such Requisition as aforesaid, as good, valid, and effectual, and of the same Condition and Quality, to all Intents and Purposes whatsoever, by, to, for, on behalf of, against, or in respect of the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company, as they respectively were immediately before such Requisition with reference to the *Glasgow and Belfast Union* Railway Company, and shall and may (subject as aforesaid) be executed, done,

done, performed, continued, completed, and terminated by, to, for, on behalf of, against, or with respect to the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company, under and subject to the Provisions and Regulations of this Act, as fully and effectually as the same could or might have been by and in the Name of the *Glasgow and Belfast Union* Railway Company if such Requisition had not been made.

XLV. And be it enacted, That from and after such Requisition and Conveyance shall have been made in manner herein-before mentioned the Company hereby incorporated shall be and the same is hereby dissolved.

Upon such Transfer, Company to be dissolved.

XLVI. And be it enacted, That it shall be lawful for the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company, in the event of such Requisition being made, from Time to Time to raise by creating new Shares, in addition to the Sums of Money which they are authorized to raise under and by virtue of the Acts relating to their Undertaking, or any of them, or which they may be authorized to raise under or by virtue of any other Act to be passed in the present Session of Parliament, any Sum of Money not exceeding in the whole the Sum of Three hundred and thirty thousand Pounds, which Sum may be raised by the said Company in the like Way, and with the like Powers, and subject to the like Restrictions and Conditions, as the Capital authorized to be raised by the last-recited Act relating to the said Undertaking.

Power to the Glasgow, Paisley, Kilmarnock, and Ayr Railway Company to raise additional Capital.

XLVII. And be it enacted, That in the event of such Requisition it shall be lawful to the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company, after One-Half of the Sums by this and the Acts relating to their Undertaking authorized to be raised by Shares shall have been paid up, and the whole of such Shares shall have been issued and taken up, to borrow on Mortgage, and if subsequently paid off again to reborrow, such Sums of Money as shall from Time to Time be authorized to be borrowed by an Order of any General or Special General Meeting of the said Company, not exceeding in the whole the Sum of One hundred and ten thousand Pounds, in addition to the Sums which they are authorized to borrow by the Acts already passed, or which they may be authorized to borrow by any other Act to be passed in the present Session of Parliament relating to such Undertaking, and for securing the Repayment of the Sums so borrowed, with Interest, to mortgage the Undertaking belonging to them, including the Undertaking hereby authorized, and also, if they think fit, the whole or any of the future Calls on the Shareholders of the Company.

Power to borrow on Mortgage.

XLVIII. And be it enacted, That the respective Mortgagees shall be entitled to the same Rights and Privileges, and the said Mortgages shall be subject to the same Restrictions and Conditions, as are provided in the last-recited Act relating to the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway with respect to the Mortgages thereby authorized to be granted: Provided always, that all Mortgages of the said Undertaking heretofore granted under the Powers of the said recited

Rights of Mortgagees.

recited Acts or any of them shall during the Continuance thereof have Priority over any Mortgage thereof to be granted under the Powers of this Act.

Power to  
convert  
Loan into  
Capital.

XLIX. And be it enacted, That it shall be lawful for the said last-mentioned Company, if they shall think fit, to raise the Sums authorized to be borrowed on Mortgage by this Act, or any Part thereof, by creating new Shares of the said Company, instead of borrowing the same, or, having borrowed the same, it shall be lawful for them to continue at Interest only a Part of the said Sums, if they so think fit, and to raise the Remainder thereof, or any Part of the Remainder thereof, by creating new Shares of the Company; and all Provisions with regard to the additional Capital by this Act authorized to be raised shall apply in like Manner to the new Shares which may be so created as aforesaid, but no such Augmentation of Capital as last herein-before authorized shall take place without the previous Authority of a General Meeting of the Company called for the Purpose.

Railway  
hereby au-  
thorized not  
to be trans-  
ferred till  
Tolls on  
Glasgow,  
Paisley, Kil-  
marnock,  
and Ayr  
Railway are  
reduced to  
Rates hereby  
chargeable.

L. Provided always, and be it enacted, That it shall not be lawful for the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company, in case they purchase or take a Transfer or Conveyance of the Railway and Branch Railway hereby authorized to be made, or of the Right to form the same, under the Powers herein-before contained, to open the same for Traffic, unless and until the maximum Tolls and Charges on the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway shall have been reduced by Parliament to the same Scale as or to a Scale not exceeding the Tolls and Charges which the Company hereby incorporated are by this Act empowered to take on the Railway hereby authorized: Provided nevertheless, that if the said Railway and Branch Railway shall not be purchased by or vested in the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company under the Provisions herein-before contained, it shall be lawful for the said last-mentioned Company to use the Railway hereby authorized, on such Terms, and subject to such Regulations, and on Payment of such Rates and Tolls, not exceeding the Rates and Tolls by this Act limited, as may be agreed on between the said Companies, or, in the event of a Difference between them, as may be settled by Arbitration, the Umpire being appointed by the Board of Trade or other Government Board for the Time being intrusted with the Supervision of Railways.

For Pro-  
tection of  
James  
Campbell,  
Esq., of  
Craigie.

LI. And be it enacted, That the Company shall be bound to allow all Railways coming from the South or North to use the present Line of Railway, in so far as it passes through the Lands belonging to *James Campbell* Esquire, of *Craigie*, and upon Terms to be adjusted by the Parties, and no Station for Goods, Passengers, or Offset or Siding, shall be constructed by the Company within the Two Fields belonging to the said *James Campbell* numbered Thirty-five and Thirty-six of the Parish of *Saint Quivox* upon the Plans before mentioned, or within One hundred and fifty-three Yards to the North of the Carriage Approach to *Craigie House* numbered Thirty-three of the said Parish upon the Plan aforesaid, without the Consent

in

in Writing of the said *James Campbell*; and also that the Company shall not use the Lines of the Railway so far as situated between Two Points, the one at the South Side of the said Two Fields, and the other at the Northern Extremity of the said One hundred and fifty-three Yards to the North of the Approach to *Craigie House*, as a Depôt for Waggons or Engines, or for raising the Steam of the Engines employed on the Railway.

LII. And be it enacted, That nothing in this Act contained shall authorize the Company to take or use the small Stripe of Ground between the *Ayr and Maybole Road*, and the Cottages lately built by *Archibald Hamilton Esquire*, of *Carcluie*, numbered 91 on the Plan in the Parish of *Ayr*, without the Consent in Writing of the Owner thereof for the Time being.

Limiting Powers of Company to acquire a certain Piece of Ground.

LIII. And be it enacted, That the Line of the Railway shall be carried on the East Side of the House of *Parkhouse* numbered 71 in the Parish of *Ayr*, in place of on the West Side thereof as laid down on the said Plan.

Line to be deviated at Parkhouse.

LIV. And be it enacted, That in the event of any Railway being in the next or any future Session of Parliament authorized to be made between the Town of *Ayr* and *Dalmellington*, or between the Town of *Ayr* and any Place lying to the South of *Dalmellington*, the Company hereby incorporated shall admit of the Junction of such Railway with the Railway by this Act authorized, at any such convenient Point as may be determined between the Engineers of the respective Companies, or, in case of Difference between them, by an Engineer to be appointed by the Board of Trade; and the said Company shall also admit the Passage along their Railway between such Point of Junction and the Station on the South Side of the River *Ayr* of such Railway so to be authorized of all Traffic to or from such Railway, subject to the Payment of such Rates and to such other Conditions and Regulations as may be determined by the Engineer or Engineers aforesaid.

Providing for the Case of another Railway joining the Railway in approaching the Town of Ayr.

LV. And be it enacted, That nothing contained in this Act, or in the Acts herein recited or referred to, shall extend to authorize the Company to purchase, take, or use any Land or Soil, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or any Two of them, first had and obtained for that Purpose, or to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by Her Majesty, Her Heirs or Successors.

Nothing to authorize Company to take certain Lands, without Consent of Commissioners of Woods, &c.

LVI. And be it enacted, That the said Company shall not open the said Railway, or any Portion thereof, unless and until they open the said Branch to *Maybole*, and shall be obliged to work the said Branch for Passengers by locomotive Power.

Company not to open the Railway till Branch to Maybole shall be opened.

LVII. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the*  
 [Local.] 80 G Conveyance

Railway to be subject

to the Pro-  
visions of  
1 & 2 Vict.  
c. 98.,  
3 & 4 Vict.  
c. 97.,  
5 & 6 Vict.  
c. 55., and  
7 & 8 Vict.  
c. 85.

*Conveyance of the Mails by Railway*; and another Act was passed in the Fourth Year of the Reign of Her present Majesty, intituled *An Act for regulating Railways*; and another Act was passed in the Sixth Year of the Reign of Her present Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops*; and another Act was passed in the Eighth Year of the Reign of Her present Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament*; and for other Purposes in relation to Railways; be it enacted, That nothing in this Act contained shall be held to exempt the said Railway or the said Company from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railway and Company so far as the same shall be applicable thereto.

Railway to  
be subject  
to Provisions  
of any future  
general Act.

LVIII. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railway hereby authorized to be made from the Provisions of any general Act relating to this Act, or of any general Act relating to Railways, which may 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 authorized by this Act.

Expences of  
Act.

LIX. And be it enacted, That all Costs, Charges, and Expences connected with the passing of this Act shall be paid by the Company hereby incorporated, or the Directors thereof, out of the first Monies that shall come to their Hands after the passing thereof.

Public Act.

LX. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.