



ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

Cap. clxxiii.

An Act for making a Railway from the *North British* Railway at *East Linton* to *Ormiston*, to be called "*The East Lothian Central Railway.*"

[9th July 1847.]

WHEREAS the making of a Railway from the *North British* Railway at *East Linton* to the Royal Burgh of *Haddington*, there to communicate with the proposed Extension of the *Haddington* Branch of the said *North British* Railway, and thence to a Point at or near the Village of *Ormiston* in the Parish of *Ormiston*, all in the County of *Haddington*, would be of great public Advantage, by opening an additional, certain, and expeditious Means of Communication between the said Towns or Villages of *East Linton*, *Haddington*, and *Ormiston*, and intermediate Places, and also by facilitating Communication between more distant Towns and Places: 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

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corporated
with this Act.

of the same, That, in so far as not otherwise provided for in this Act, 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 Railway Clauses Consolidation (*Scotland*) Act, 1845, shall be incorporated with and form Part of this Act, and shall receive full Force and Effect accordingly in the Execution of the same, save as to any Provisions thereof respectively which may be modified by or be inconsistent with the Provisions 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 *East Lothian Central Railway Act*, 1847."

Subscribers
incorporated.

III. And be it enacted, That *Henry Marshall Davidson, William Dods, Wallace Houstoun, James William Hunter, Christopher Middlemas, George More, James Aitchison, John Ferme, Andrew Gray Cuthbertson, John Dick Lauder, Patrick Haliburton Hume, Alexander M'Neill*, 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 from the *North British Railway* at the Town or Village of *Linton* or *East Linton* to the Royal Burgh of *Haddington*, there to communicate with the proposed Extension of the *Haddington Branch* of the *North British Railway*, and thence to a Point at or near the Village of *Ormiston* in the Parish of *Ormiston*, all in the County of *Haddington*, with all proper Works, Approaches, and Conveniences belonging thereto, according to the Provisions of the said recited Acts and of this Act, and for other the Purposes herein and in the said recited Acts contained; and for the Purposes aforesaid such Company shall be incorporated by the Name of "The *East Lothian Central 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 recited Acts contained.

Capital.

IV. And whereas the estimated Expence of the Works authorized to be made under the Act amounts to One hundred and thirty-nine thousand nine hundred and seventy-nine Pounds; be it enacted, That the Capital of the Company shall be One hundred and seventy thousand Pounds.

Number and
Amount of
Shares.

V. And be it enacted, That the Number of Shares into which the Capital shall be divided shall be Eight thousand, and the Amount of each Share shall be Seventeen Pounds Ten Shillings.

Calls.

VI. And be it enacted, That Five Pounds *per Share* shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and Four Fifths of the Amount of a Share shall be the utmost aggregate Amount of Calls that may be made in any One Year

Year upon any Share, and Two Months at the least shall be the Interval between successive Calls.

VII. And be it enacted, That it shall not be lawful for the said 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 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 to be raised: Provided always, that nothing herein-before contained shall be deemed to prevent the said Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with the Provisions in the Companies Clauses Consolidation (*Scotland*) Act, 1845, in that Behalf contained.

Interest not to be paid on Calls paid up.

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

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

IX. And be it enacted, That it shall be lawful for the Company to borrow on Mortgage or Bond any Sum not exceeding in the whole the Sum of Forty-six thousand six hundred and sixty-six Pounds Six Shillings and Eight-pence, but no Part of such Sum shall be borrowed until the whole of the said Capital or Sum of One hundred and forty thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up.

Power to borrow Money on Mortgage.

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

Mortgagees may have Judicial Factor appointed.

XI. And be it enacted, That 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* and *August*, and the first of such Ordinary Meetings shall be held in the Month of *August* or *September* One thousand eight hundred and forty-seven; and all Meetings, whether ordinary or extraordinary, shall be held in *Edinburgh*.

First and other Meetings.

XII. And be it enacted, That the Quorum of every General Meeting of the Company shall be Twenty Shareholders, present personally

Quorum of General Meetings.

sonally or by Proxy, holding in the aggregate not less than Five thousand Pounds in the Capital of the Company.

Number and Qualification of Directors.

XIII. And be it enacted, That the Number of Directors shall be Ten, and the Qualification of a Director shall be the Possession in his own Right of Twenty Shares in the Undertaking.

Power to vary the Number of Directors.

XIV. And be it enacted, That it shall be lawful for the Company to increase or reduce the Number of Directors, provided that the increased Number do not exceed Twelve, and that the reduced Number be not less than Six.

First Directors.

XV. And be it enacted, That *William Dods, James William Hunter, James Aitchison, Wallace Houstoun, Henry Marshall Davidson, John Ferme, George More, Christopher Middlemas, Andrew Gray Cuthbertson, and Thomas Todrick* shall be the first Directors of the Company.

First Election of Directors.

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

Future Directors.

XVII. 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.

Providing for Election of new Directors in case of Resignation, Death, or Disqualification of those ordinarily elected.

XVIII. And be it enacted, That if the whole of the Directors of the said Company herein named or hereafter to be appointed in Terms of the Provisions of this Act shall resign or die, or shall from any Cause become disqualified to act, or if so many of them shall so resign or die, or become disqualified, that the Number of acting Directors shall be reduced below the Quorum hereby appointed, then in that Case it shall be lawful for One or more Shareholders of the Company holding in all not less than Twenty-five Shares, by Advertisement for Three successive Weeks in any Two of the *Edinburgh* Newspapers, to call a Special General Meeting of the Company, and the Majority of the Shareholders present, personally or by Proxy, at such Meeting shall and may elect new Directors to act in the Room and Stead of the Directors so dying or resigning,
or

or becoming disqualified: Provided always, that in electing Directors at the said Meeting it shall be specified in whose Room and Place each of the said Directors is elected, and they shall only retain Office for the same Period as the Directors would have done in whose Room and Place they shall be so elected.

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

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

XXI. And be it enacted, That the Newspapers in which Advertisements relating to the Affairs of the Company are to be inserted shall be Two of the Newspapers published in the City of *Edinburgh*. Newspapers for Insertion of Advertisements.

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, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers, of the Lands through which the same is intended to pass, have been deposited with the Sheriff Clerk of the County of *Haddington*; be it enacted, That, subject to the Provisions in this and the said recited Acts contained, it shall be lawful for the Company to make and maintain the said Railway and Works in the Line and upon the Lands delineated on the said Plans and described in the said Books of Reference, and according to the Levels defined on the said Sections, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose, save and except the Lands numbered 83, 85, 96, 97, 98, 99, 103*a*, 104*a*, 105*a*, 106*a*, 107*a*, 108*a*, 109*a*, 110*a*, 111*a*, 112*a*, 113*a*, 114*a*, 115*a*, 116*a*, 117*a*, 118*a*, 119*a*, 120*a*, in the said Parish of *Haddington*, and which several Numbers are hereby declared to be struck out of the Book of Reference, and the said Company shall have no Power to take or use the same. Power to make Railway according to deposited Plans.

XXIII. And be it enacted, That the said Railway shall commence at a Point on the *North British* Railway at or near to the Town or Village of *Linton* or *East Linton* in the Parish of *Prestonkirk*, shall proceed to the Royal Burgh of *Haddington* in the Parish of *Haddington*, shall there form a Junction with the proposed Extension of the *Haddington* Branch of the *North British* Railway at *Poldrate Street* in the said Royal Burgh of *Haddington*, and shall thence proceed to and terminate at a Point or Points at or near the Village of *Ormiston* in the Parish of *Ormiston*, all in the County of *Haddington*, and which Railway and Works will be situate in, and will pass by, through, or into, the Parishes of *Prestonkirk*, *Haddington*, *Gladsmuir*, *Pencaitland*, and *Ormiston*, and the Royal Burgh of *Haddington*, in the County of *Haddington*. Line of Railway.

XXIV. And be it enacted, That as the Railway by this Act authorized is intended to form a Junction with the Line of the *North British* Power to enter into Contracts for
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the Use of
the Line and
Station of
the North
British
Railway.

British Railway near the proposed Station of the said *North British* Railway at *Haddington*, and to communicate with the said Station, it shall be lawful for the Company hereby incorporated to enter into any Contracts or Agreements with the said *North British* Railway Company for a Right or Interest to use the said Station and the Works connected therewith, and also for the Passage over or along the *North British* Railway of any Engines, Coaches, Waggon, or other Carriages of the Company hereby incorporated, upon the Payment of such Tolls or other Consideration, and upon such Conditions and Restrictions, as may be mutually agreed upon between the Companies.

Not to take
Lands be-
longing to
the North
British
Railway
Company.

XXV. And be it enacted, That nothing in this Act contained shall extend to authorize the *East Lothian Central* Railway Company in making and constructing the said Railway to alter, vary, or interfere with the *North British* Railway, or any of the Works thereof, without the Consent in Writing of the said *North British* Railway Company first had and obtained thereto, nor without such Consent to take or enter upon any of the Lands belonging to the said *North British* Railway Company, or which they are authorized to take and acquire by any Act to be passed in the present Session of Parliament.

Junctions to
be made
under the
Superinten-
dence of the
Engineer of
the North
British Rail-
way Com-
pany.

XXVI. And be it enacted, That the Junctions of the Railway hereby authorized with the *North British* Railway, and the proposed Extension of the *Haddington* Branch thereof, and all such Openings in the Ledges or Flanches of the *North British* Railway, and proposed Extension of the *Haddington* Branch thereof, as may be necessary or convenient for effecting such Junctions, and all other Works that may at any Time be necessary for altering, repairing, and maintaining the Rails and Points at such Junctions, and for regulating and adjusting the same, shall be made and effected under the Direction and Superintendence and to the entire Satisfaction of the Engineer for the Time being of the said *North British* Railway Company, or other Person authorized by them for that Purpose, at the sole Expence of the Company by this Act authorized.

Saving
Right of
the North
British
Railway
Company.

XXVII. Provided always, and be it enacted, That nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in the *North British* Railway Company in and by the several Acts relating to such Railway, but all their Rights, Privileges, Powers, Franchises, and Authorities (under their several Acts of Parliament or otherwise) are hereby expressly saved and reserved as if this Act had not been passed.

Differences
thence
arising to be
referred to
the Commis-
sioners of
Railways.

XXVIII. And be it enacted, That if any Dispute or Difference between the *North British* Railway Company and the Company hereby incorporated respecting the Tolls to be charged by the *North British* Railway Company for the Use of their Railway by the Company hereby incorporated, or concerning the Time or Method of forwarding the Traffic thereon, or concerning the Use of the said Station, or concerning any other Cause, Matter, or Thing wherein the Convenience of the Public or the Interest of the said Companies may

may be concerned, such Dispute or Difference shall be referred to the Commissioners of Railways appointed under the Act passed in the Ninth and Tenth Years of the Reign of Her present Majesty for constituting Commissioners of Railways.

XXIX. And be it enacted, That it shall be lawful for the Company, notwithstanding the Provisions of the said Railway Clauses Consolidation (*Scotland*) Act, to make the Inclinations of the Approaches to the Bridges or Arches for carrying over or under the Railway the Road numbered on the Plans deposited as aforesaid at any Rate of Inclination not steeper than that herein-after mentioned, *viz.*,

Regulating the Inclination of Approaches to Bridges, &c.

In the Parish of *Haddington*, the Parish Road marked N° 105 not steeper than 1 in 17.

XXX. And be it enacted, That it shall be lawful for the said Company to take Lands for extraordinary Purposes, but the Quantity of Land to be taken for such Purposes shall not exceed Twenty Acres.

Lands for extraordinary Purposes.

XXXI. 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.

XXXII. And be it enacted, That the said Railway and Works shall be completed within Seven Years from the passing of this Act; and on the Expiration of such Period the Powers of this Act or the recited Acts granted to the Company for executing the said Railway and Works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the same as shall then be completed.

Period for Completion of Works.

XXXIII. 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,)

Tolls.

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

Tonnage on Articles of Merchandize.

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* not exceeding Two-pence; and if conveyed by Carriages belonging to the said Company, an additional Sum *per Ton per Mile* not exceeding One Penny:

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

For

For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Stones, Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per Ton per Mile* not exceeding Three-pence; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Penny Halfpenny:

For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandize, Fish, Articles, Matters, or Things, *per Ton per Mile* not exceeding Four-pence; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding Two-pence:

And for every Carriage, of whatever Description, having more than Two Wheels, and 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 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* not exceeding Sixpence.

Tolls for
Passengers
and Cattle.

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

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

And for the Trouble occasioned by loading or unloading, and for the Use of any Loading Place, Stations, or any of them, such reasonable Sum as to the said Company shall seem fit.

Locomotive
Power.

XXXIV. And be it enacted, That the Toll which the Company may demand for the Use of Engines for drawing or propelling Carriages on the Railway shall not exceed the Sum of One Penny *per Mile* for each Passenger or Animal, or for each Ton of Goods, or other Matters or Things, in addition to the several other Rates, Tolls, and Sums by the said Act authorized to be taken.

Maximum
Rate of
Charge for
Passengers.

XXXV. And be it enacted, That the maximum Rate of Charge to be made by the Company for the Conveyance of Passengers upon the said Railway, including the Tolls for the Use of the Railway and

and of Carriages, and for locomotive Power, and every other Expende incidental to such Conveyance, shall not exceed the following Sums :

For every Passenger conveyed in a First-class Carriage, the Sum of Three-pence *per* Mile :

For every Passenger conveyed in a Second-class Carriage, the Sum of Two-pence *per* Mile :

For every Passenger conveyed in a Third-class Carriage, the Sum of One Penny Halfpenny *per* Mile.

And with respect to the Conveyance of Horses, Cattle, Carriages, and Goods, the maximum Rate of Charge to be made by the Company, including the Tolls for the Use of the Railway, and Waggon or Trucks, and locomotive Power, and every Expende incidental to such Conveyance (except the loading and unloading of Goods, where such Service is performed by the Company), shall not exceed the following Sums :

For Cattle,
Goods, &c.

For every Horse, or other Beast of Draught or Burden before classed with Horses, the Sum of Five-pence *per* Mile :

For Cattle, the Sum of Two-pence *per* Head *per* Mile :

For Sheep and small Animals, Three Farthings each *per* Mile :

For every Carriage, the Sum of Seven-pence *per* Mile :

For Manure, and other Articles herein-before classed therewith, the Sum of One Penny Halfpenny *per* Ton *per* Mile :

For Coals, and other Articles herein-before classed therewith, the Sum of Two-pence *per* Ton *per* Mile :

For Sugar, and other Articles herein-before classed therewith, the Sum of Three-pence *per* Ton *per* Mile :

For Cotton, and other Goods and Articles herein-before classed therewith, the Sum of Four-pence *per* Ton *per* Mile.

XXXVI. Provided always, and be it enacted, That nothing herein contained shall be held to prevent the said Company from taking any increased Charges over and above the Charges herein-before 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
Charge by
Agreement.

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

Foregoing
Charges not
to apply to
Special
Trains.

XXXVIII. 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 Miles, and, in addition to the Tolls and Charges for Conveyance, a reasonable Charge for the Expences of stopping, loading, and unloading :

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For a Fraction of a Mile beyond Six Miles, or beyond any greater Number of Miles, the Company may demand Tolls and Charges 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 and Timber, the Weight shall be determined according to the usual Avoirdupois Weight :

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

Tolls for
small Parcels
and Articles
of great
Weight.

XXXIX. And with respect to small Packages, and single Articles of great Weight, be it enacted, That the Company may lawfully 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,) 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, and to Parcels not being aggregate Quantities of the same Description of Articles sent in the same Package :

For the Carriage of any 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 may from Time to Time think fit, not exceeding One Shilling *per Ton per Mile* :

For the Carriage of any single Piece of Timber, Stone, Machinery, or other single Article, the Weight of which, with the Carriage, shall exceed Eight Tons, the Company may demand such Sum as they think fit.

Passengers
Luggage.

XL. And be it enacted, That every Passenger travelling upon the Railway may take with him his ordinary Luggage at his own Risk, not exceeding the Weights following ; (that is to say,) if travelling in a First-class Carriage One hundred Pounds, if in a Second-class Carriage Sixty Pounds, and if in a Third-class Carriage Forty Pounds, without any Charge being made for the Carriage thereof.

Power to
Magistrates
and Town
Council of
Haddington
to compound
for Customs.

XLI. And whereas certain Rights and Privileges are claimed by the Magistrates and Town Council of the Royal Burgh of *Haddington* to levy Customs on Cattle, Carriages, Goods, or other Matters and Things passing, led, driven, or carried within or through the Boundaries of the said Royal Burgh ; be it enacted, That it shall be lawful for the said Magistrates and Town Council to compound for such Customs or Dues if the same shall be admitted or established, either
by

by Payment of a gross Sum, or by an annual fixed Charge in lieu or in redemption of such Cústoms and Dues, or an Indemnification for any Diminution thereof, as may be agreed upon by and between the said Company and the said Magistrates and Town Council; and all Acts, Deeds, and Agreements, or other Writings or Documents which may be necessary for carrying into and giving effect to any such Redemption or Compromise as aforesaid shall, if duly executed, be binding and conclusive upon the said Magistrates and Town Council, and upon their Successors and others claiming under them in all Time to come; and for the Purposes aforesaid it shall be lawful for the Company to enter into such Arrangements and Agreements with the said Magistrates and Town Council as they may consider necessary or expedient.

Agreement made by them to be binding on their Successors.

XLII. And be it enacted, That, except when otherwise specially provided, the Domicile of the Company in reference to all judicial Proceedings or Actions at Law shall be held to be in *Haddington*.

Domicile of the Company.

XLIII. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railway*; and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways*; and another Act was passed in the Sixth Year of the Reign of Her said 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 said 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*; and Two other Acts were passed in the Ninth and Tenth Years of the Reign of Her present Majesty, the one intituled *An Act for regulating the Gauge of Railways*, and the other intituled *An Act for constituting Commissioners of 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 Company to be subject to the Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., and 9 & 10 Vict. cc. 57. & 105.

XLIV. Provided always, and be it enacted, That nothing herein contained shall be deemed or construed to exempt the said Railway by this or the said recited Acts authorized to be made from the Provisions of any general Act relating to this Act, or of any general Act relating to Railways, already passed 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 authorized by this Act.

Railway to be subject to Provisions of future general Acts.

XLV. And be it enacted, That all the Costs, Charges, and Expences of obtaining and passing this Act, and of making the Survey, Plans, and Estimate, and all other Costs, Charges, and Expences in any way incident thereto, shall be paid and defrayed by the said Company

Expences of Act.

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Company out of the Money already raised and received, or out of the first Money to be raised or received by them, in preference to any other Payment whatsoever.

Public Act.

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

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