



attended with local and public Advantage if the Company were authorized to make a Railway or Branch Railway from the *Newport* Branch of the *Edinburgh and Northern* Railway to the City of *Saint Andrew's*, and another Railway or Branch Railway from the Main Line of the *Edinburgh and Northern* Railway to the River *Tay* at or near to the Harbour of *Newburgh*, and if certain Turnpike Roads in the Line of the said *Newport* Railway Extension were diverted and the Levels thereof altered: And whereas the said *Edinburgh and Northern* Railway Company are desirous of carrying into effect the several Objects aforesaid if authorized by Parliament so to do: 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 all the Provisions, Matters, and Things contained in or incorporated with "The *Edinburgh and Northern* Railway Act, 1845," and "The *Newport* Railway Extension Act, 1846," in so far as the same respectively are or may be applicable and are now in force, and are not inconsistent with or altered by this Act, shall extend to this Act, and to the making, maintaining, and using of the Railways or Branch Railways and Works by this Act authorized to be made and maintained, and to the several Purposes of this Act, as fully and effectually as if the said Provisions, Matters, and Things were repeated and re-enacted in this Act in reference to such Purposes; and the Railways or Branch Railways and Works by this Act authorized to be made and maintained shall form Part of the Undertaking of the *Edinburgh and Northern* Railway, and shall as such be subject to all the Provisions of the said Acts relating thereto, except as aforesaid.

Recited  
Acts ex-  
tended to  
this Act.

Short Title.

II. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Deeds, Instruments, and Proceedings, it shall be sufficient to use the Expression "The *Edinburgh and Northern* Railway (*Saint Andrews* and *Newburgh* Harbour Branches, and Road Crossings, *Newport* Railway Extension) Act, 1847."

Interpreta-  
tion.

III. And be it enacted, That in this Act the Words "the Company" shall mean the *Edinburgh and Northern* Railway Company, incorporated by the said *Edinburgh and Northern* Railway Act, 1845.

Power to  
raise addi-  
tional  
Capital.

IV. And be it enacted, That it shall be lawful for the Company to raise for the Purposes of this Act the Sum of Sixty-four thousand Pounds by the Creation of new Shares, in addition to any Sums which they are already authorized to raise, upon such Terms and in such Manner as may have been or may be agreed upon at any General Meeting or Meetings of the Company specially called for the Purpose, and the Capital so to be raised shall be considered Part of the general Capital of the Company.

V. And

V. And be it enacted, That the Proprietors of the new Shares created under the Powers of this Act shall be entitled to such Number of Votes in respect thereof as the Amount of Capital represented by such Shares would have entitled them to if the same Amount of Capital had been original Shares of the Company; and no Shareholder shall be entitled to any Vote unless possessed of Shares representing Fifty Pounds at the least in the Capital Stock of the Company.

As to Votes of Proprietors of new Shares.

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 Holders of Shares created by this Act.

Calls.

VII. And be it enacted, That after the whole of the Capital by this and the said recited Acts authorized to be raised shall have been subscribed, and One Half thereof paid up, it shall be lawful for the Company to borrow on Mortgage or Bond such Sums of Money as shall from Time to Time be authorized to be borrowed by Order of a General Meeting of the Company, not exceeding in the whole, in addition to the Sums they are already authorized to borrow, the Sum of Twenty-one thousand three hundred and thirty-three Pounds Six Shillings and Eight-pence, and to secure the Payment of the Sum so to be borrowed, with Interest, by Mortgage of their Undertaking, subject to the same Provisions as by the said recited Acts are made applicable to the Monies thereby authorized to be raised on Mortgage or Bond, and to the Securities thereby authorized to be granted in respect of the same.

Power to borrow Money on Mortgage.

VIII. Provided always, and be it enacted, That all Mortgages or Bonds granted by the Company before the passing of this Act, and which shall be in force at the Time of the passing of this Act, shall, during the Continuance thereof, have Priority over any Mortgages or Bonds to be created or granted in virtue of this Act.

Former Mortgages to have Priority.

IX. And be it enacted, That every Mortgage, Bond, or other Security for Money to be granted or made by virtue of the said recited Act or this Act shall be by Deed duly stamped, wherein the Consideration for the same shall be duly stated, any thing herein or in the said Act contained to the contrary notwithstanding.

Bonds, &c. to be stamped.

X. And whereas Plans and Sections of the Railways and Works by this Act authorized showing the Lines and Levels thereof, and also a Book of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers, of the Lands through which the same are intended to pass, have been deposited in the Office of the principal Sheriff Clerk of the County of *Fife* at *Cupar*; be it enacted, That, subject to the Provisions and Powers of Deviation in this and the said recited Acts contained, it shall be lawful for the Company to make and maintain the said Railways and Works on the Lines and upon the Lands delineated on the said Plans and described in the said Book of Reference, and according to

Power to make Branch Railways and Works according to deposited Plans.

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.

Lines of  
Railway  
and Works.

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

A Branch Railway from the *Newport* Branch of the *Edinburgh and Northern* Railway at a Point thereon at, in, or near to *Seggie Hill* in the Parish of *Leuchars* in and through the Parishes of *Leuchars*, *Saint Andrews*, and *Saint Leonards*, and the Royal Burgh of *Saint Andrews*, to the City of *Saint Andrews*, all in the County of *Fife*:

A Branch Railway from the Main Line of the *Edinburgh and Northern* Railway at a Point thereon at or near to *Craig-Mill* in the Parish of *Abdie* or Parish of *Newburgh*, and in and through the Parish of *Abdie* and Parish of *Newburgh* and Royal Burgh of *Newburgh* to the River *Tay* at or near to the Harbour of *Newburgh* and Royal Burgh of *Newburgh*:

In the Construction of the Railway to be made under the Powers of the said *Newport* Railway Extension Act, 1846, to divert the Turnpike Road leading from the Town of *Cupar* to the Town of *Kirkaldy* from a Point at or near to where the said Road crosses the River *Eden* by the South Bridge of *Cupar* to a Point at or near the West Gate or Approach to *Tarvit House* (such Road being numbered 45, 45, 45 on the deposited Plans and Book of Reference relating to the united Parish of *Cupar* and *Saint Michael's* referred to in the said Act), and to alter the Levels of the said Road by carrying the same over the said *Newport* Railway Extension in order to avoid the surface Crossing of the said Road authorized by the said Act; also to divert the Turnpike Road leading from *Cupar* by *Callinchbridge* to *Balcarres* from a Point at or near to where the same crosses the River *Eden* to a Point at or near to the Road leading to *Tailabout Farm* (such Road being numbered 116, 116, 116 on the said deposited Plans and Book of Reference of the united Parish of *Cupar* and *Saint Michael's*), and to alter the Levels of the said Road by carrying the same over the said *Newport* Railway Extension instead of under the said Railway as authorized by the said Act, and to shut up the Portions of the said Roads which will be rendered unnecessary in consequence of such Diversions thereof.

Restrictions  
in construct-  
ing the  
*Newburgh*  
Branch.

XII. And be it enacted, That the Branch Line of the said Railway from the Main Line to *Newburgh* shall not deviate Northward of the Black continuous centre Line of Way shown on the Plan deposited at the Admiralty Office on and after reaching the Shore of the Firth of *Tay*, near *Newburgh*, at the Premises marked on the Plan deposited at the Admiralty Office with the Reference No. 12.

XIII. And

XIII. And be it enacted, That the Line of the said *Saint Andrews* Branch Railway where it skirts the Sea Shore near *East Edenside* shall not deviate to the North of the Black continuous centre Line shown on the Plan deposited at the Admiralty Office.

Restrictions in constructing the *St. Andrews* Branch.

XIV. And be it enacted, That the Line of the said *Saint Andrews* Branch Railway within the Line of High-water Mark, near the Third Mile from the Main Line, shall be constructed on the extreme Southern Line of Deviation shown on the said deposited Plan.

Further Restrictions in constructing the *St. Andrews* Branch.

XV. And be it enacted, That the *Saint Andrews* Branch of the said Railway shall be carried across the Tide River *Eden* near the Guard Bridge on a Bridge to be constructed in such Position and Form, and according to such Plans, as shall be approved of by the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, by Writing under the Hand of the Secretary of the Admiralty; and if by any other Bridge, it shall be lawful for the said Lord High Admiral or the said Commissioners to abate and remove the same and all Works connected therewith, 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 Costs and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly.

As to the crossing of the River *Eden* on the *St. Andrews* Branch.

XVI. And be it enacted, That during the Construction of the said Bridge and Works connected therewith the Company shall cause to be hung out or exhibited every Night, from Sunset to Sunrise, a Light, to be kept burning by and at the Expence of the Company, for the Navigation and safe Guidance of Vessels; and for ever after the Completion of the said Bridge the Company shall cause to be hung out or exhibited upon or near to the Centre of the said Bridge, every Night from Sunset to Sunrise, a good and sufficient Light, to be kept burning by and at the Expence of the Company, for the Navigation and safe Guidance of Vessels; and which Lights shall from Time to Time be altered by the Company in such Manner, and be of such Description, and be so used, 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.

During the Construction of the Bridge Lights to be exhibited.

XVII. And be it enacted, That if any Bridge or other Work to be constructed by the Company across any Tidal Water or navigable River, or if any Portion of the Railway which affects any such Water or River, or Access thereto, shall be abandoned by the Company, 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,

Works abandoned by the Company may be removed by the Admiralty

dition, 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.

Certain  
Roads may  
be crossed  
on the Sur-  
face.

XVIII. And be it enacted, That it shall be lawful for the Company to carry the said *Newburgh Harbour* Branch Railway across the Surface of the following Road or Roads and Quays numbered on the said deposited Plans as after mentioned; (that is to say,)

In the Parish of *Newburgh*, the Road or Roads and Quays numbered 20, 27, 29, 29, 31, 31, 31, 36, 36.

Company  
to erect a  
Station or  
Lodge at  
level Cross-  
ings, and  
abide by  
rules, &c. of  
Commis-  
sioners of  
Railways.

XIX. And be it enacted, That in the event of locomotive Power being used on the said *Newburgh Harbour* Branch Railway, the Company shall, for the greater Convenience and Security of the Public, erect and permanently maintain either a Station or a Lodge at the Points where the said Branch Railway shall cross on the Level the before-mentioned Road or Roads, and the Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Roads on the Level, or with regard to the Speed at which Trains shall pass such Roads, as may from Time to Time be made by the Commissioners of Railways; and if in the event aforesaid the Company shall fail to erect or at all Times maintain any such Station or Lodge, or appoint a proper Person to watch or superintend the crossing at any such Point or Station, or to observe or abide by any such Rule or Regulation as aforesaid, they shall for every such Offence be liable to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred.

Regulating  
Construc-  
tion of a cer-  
tain Bridge.

XX. And be it enacted, That it shall be lawful for the Company to make the Bridge or Arch at the Road shown on the said deposited Plans as aforesaid of Dimensions not less than those herein-after mentioned; (that is to say,)

The Arch of the Road N<sup>o</sup>. 6. in the Parish of *Newburgh* shall not be less than Fifteen Feet in Height and Thirty-five Feet in Width.

Lands for ex-  
traordinary  
Purposes.

XXI. And be it enacted, That the Quantity of Land which the Company may purchase for extraordinary Purposes shall not exceed Ten Acres, in addition to the Lands which they are authorized to purchase for such Purposes under any other Act of Parliament.

Period  
for Purchase  
of Lands  
limited.

XXII. 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 for  
Completion  
of Works.

XXIII. And be it enacted, That the Branch Railways and Works hereby authorized to be made shall be completed within Five Years from the passing of this Act, and on the Expiration of such Period  
the

the Powers by this Act granted for executing the same, or other wise in relation thereto, shall cease to be exercised, except as to so much of the said Branch Railways and Works as shall then be completed.

XXIV. And be it enacted, That it shall be lawful for the Company to demand and receive for and in respect of the Branch Railways and Works by this Act authorized the same Tolls and Charges as they are by the said first-recited Act authorized to demand and receive for and in respect of the Railway and Branch Railways by such Act authorized to be constructed.

Same Tolls to be taken as in first-recited Act.

XXV. Provided always, and be it enacted, That the maximum Tolls and Charges to be made by the Company in respect of the said Branch Railways by this Act authorized shall in no Case exceed the maximum Tolls and Charges respectively authorized by the said recited Act.

Maximum Tolls and Charges.

XXVI. And whereas an Act was passed in the last Session of Parliament called "The *East of Fife* Railway Act, 1846," for incorporating a Company for making a Railway from the Main Line of the *Edinburgh and Northern* Railway at or near the Village of *Markinch* to the Burgh and Harbour of *Anstruther Easter*, with a Branch to the *Kirkland* Works, all in the County of *Fife*, to be called "The *East of Fife* Railway," which Railway might be advantageously worked by the *Edinburgh and Northern* Railway Company: And whereas by the said Act of Incorporation the said Company are authorized to lease or sell their said Railway to the *Edinburgh and Northern* Railway Company: And whereas it is expedient that Powers should be granted to the *Edinburgh and Northern* Railway Company to take on Lease the said *East of Fife* Railway; be it enacted, That it shall be lawful for the *Edinburgh and Northern* Railway Company, with the Concurrence of Three Fifths of the Shareholders present, personally or by Proxy, at any General or Special General Meeting, to take from the *East of Fife* Railway Company a Lease of the Railway, Branch Railway, Deviation, and Works by the said recited Act and by any other Act authorized to be made, or any Part or Parts thereof, for such Rent, or on such other Consideration, and on such Conditions as shall be agreed on, and for such Purpose it shall be lawful for the said Companies respectively to enter into such Agreements and Leases as may be necessary.

Power to the *Edinburgh and Northern* Railway Company to lease the *East of Fife* Railway.

XXVII. And whereas the Magistrates and Town Councils of the Royal Burghs of *Cupar* and *Saint Andrews* in, through, or near to which One of the Branch Railways authorized by this Act, and the Railway authorized by the Act second herein-before recited, will pass or be situated, have been in use to levy certain Customs, Imposts, or other Duties on Goods, Articles, Matters, and Things entering, leaving, or passing through the said Burghs respectively: And whereas it would be attended with Delay and Inconvenience if such Customs, Imposts, or Duties were levied by the said Magistrates and Town Councils on

Power to contract with the Town Councils of *Cupar* and *St. Andrews* as to Petty Customs payable in such Burghs.

Goods,

Goods, Articles, Matters, and Things conveyed by Railway, and it is expedient that Provision should be made for obviating such Inconvenience and Delay by enabling the Company to purchase or lease such Customs, Imposts, or other Duties: be it enacted, That it shall be lawful for the Company to purchase or lease such Customs, Imposts, or other Duties, and to levy the same, and for the said Magistrates and Town Councils respectively to sell or lease, or agree with the Company for the Sale or Lease of the same for such Terms and for such Consideration as shall be mutually agreed upon; and all such Agreements shall be valid and binding upon the Parties and their respective Constituents.

As to the Construction of the Newburgh Branch along the Shore belonging to the Proprietor of *Mugdrum*.

XXVIII. And be it enacted, That the Company shall be obliged in constructing the said *Newburgh Harbour* Branch Railway along that Portion of the Shore belonging to the Proprietor of the Estate of *Mugdrum* which lies on the West Side of the Town of *Newburgh*, and opposite and contiguous to the Pier called *Blayd's Wharf*, to provide and maintain all such convenient Passages over and across the said Portion of the Railway as the Sheriff of the County of *Fife* shall from Time to Time fix and determine, on Application to him by the Proprietor or Tenants of the Estate of *Mugdrum*: Provided always, that nothing in this Act contained shall be held to diminish or abridge the Rights and Privileges presently enjoyed by the said Proprietor in and to the said Harbour or Pier, and the Dues leviabie therefrom, in so far as the same are not inconsistent with the Powers hereby granted.

Interest not to be paid on Calls paid up.

XXIX. And be it enacted, That it shall not be lawful for the said Company, out of any Money by this Act or any other Act relating to the said Railway Company 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.

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

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

XXXI. And



XXXI. And be it enacted, That all the Costs, Charges, and Expences of and attending the passing of this Act, or incidental thereto, shall be paid by the Company, *pari passu* with the Costs, Charges, and Expences of any other Act of Parliament to be passed in the present Session for which they may be liable, out of the first Monies which shall come to their Hands, and in preference to any other Payment whatsoever.

Expences of Act.

XXXII. And be it enacted, That nothing contained in the said recited Acts or in this Act 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, and which such Commissioners, or any Two of them, are hereby authorized and empowered to give, 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 and Successors.

Saving the Rights of the Crown.

XXXIII. 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 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*; and Two other Acts were passed in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled respectively *An Act for regulating the Gauge of Railways*, and *An Act for constituting Commissioners of Railways*; be it enacted, That nothing in this Act contained shall be held to exempt the Railway or Branch Railways by this Act authorized to be made, or the Company, from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railways and Company so far as the same shall be applicable thereto.

Railway Company to be subject to 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.

XXXIV. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railways or Branch Railways by this Act authorized to be made from the Provisions of any general Act relating to Railways which may be passed during the present or any future Session of Parliament, or from any future Revision or Alteration, under the Authority of Parliament, of the maximum Rates of Tolls and Charges authorized to be levied by virtue of the said recited Acts and this Act.

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

[*Local.*]

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XXXV. And

4070 .

10° & 11° VICTORIÆ, *Cap.*cclxxvii.

Public Act.

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

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LONDON: Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE,  
Printers to the Queen's most Excellent Majesty. 1847.