

The Ayr and Maybole Junction Railway Act, 1854.

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,

8 & 9 Vict.
cc. 17. 19.
and 33. in-
corporated.

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

Subscribers
incorporated.

II. That *Rigby Wason, Hugh Miller, Thomas Campbell, William Rennie, Thomas Dykes, Gavin Gemmell, William Baynham Cuthbertson, John Ross junior, Thomas M' Cosh, Robert Duncan*, 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 the Railway herein-after described, to be called "The *Ayr and Maybole Junction Railway*," with all proper Works and Conveniences connected therewith, according to the Provisions of the said Acts herewith incorporated and of this Act; and for the Purposes herein and in the said Acts contained such Company shall be incorporated by the Name of "The *Ayr and Maybole Junction Railway Company*," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have Power to purchase and hold Lands and Heritages for the Purposes of the Undertaking, within the Restrictions herein and in the said Acts contained.

Capital.

III. That the Capital of the Company shall be Thirty-three thousand Pounds, which shall be applicable only to the Objects and Purposes by this Act authorized.

Number and
Amount of
Shares.

IV. That the Number of Shares into which the Capital shall be divided shall be Three thousand three hundred, and the Amount of each Share shall be Ten Pounds.

Calls.

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

Power to
borrow
Money on
Mortgage.

VI. That it shall be lawful for the Company to borrow on Mortgage or Bond any Sums of Money not exceeding in the whole the Sum of Ten thousand Pounds, which shall be applicable only to the
Objects

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Objects and Purposes by this Act authorized; but no Part of said Sum shall be borrowed until the whole of the said Capital of Thirty-three thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up.

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

Arrears may be enforced by Appointment of Judicial Factor.

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

Interest not to be paid on Calls paid up.

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

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

X. 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* or *March* and *August* or *September*; and the First of such Ordinary Meetings shall be held in the Month of *August* or *September* One thousand eight hundred and fifty-four, and all Meetings of the Company, whether ordinary or extraordinary, shall be held in *Ayr*.

Meetings of the Company.

XI. That

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Quorum of
General
Meetings.

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

Number and
Qualification
of Directors.

XII. That the Number of Directors shall be Seven, and the Qualification of a Director shall be the Possession in his own Right of Twenty-five Shares in the Undertaking.

Power to
reduce the
Number of
Directors.

XIII. That it shall be lawful for the Company to reduce the Number of Directors, provided that the reduced Number be not less than Four.

First
Directors.

XIV. That *Rigby Wason, Hugh Miller, Thomas Campbell, William Rennie, Thomas Dykes, William Baynham Cuthbertson, and John Ross junior*, shall be the First Directors of the Company.

First Elec-
tion of Di-
rectors by
Shareholders.

XV. That the Directors appointed by this Act 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.

Subsequent
Elections of
Directors by
Shareholders.

XVI. 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, and in every Year thereafter, the Shareholders present, personally or by Proxy, shall elect Persons to supply the Places of the Directors then retiring from Office agreeably to the Provisions in "The Companies Clauses Consolidation (*Scotland*) Act, 1845," contained; and the several Persons elected at any such Meeting, being neither removed nor disqualified, nor having resigned, shall continue to be Directors until others are elected in their Stead, in manner provided by the said last-mentioned Act.

Quorum of
Meetings.

XVII. That the Quorum of a Meeting of Directors shall be Three.

Quorum of
Committees
of Directors.

XVIII. That the Quorum of Meetings of Committees of Directors shall be a Majority of the Members of which such Committees consist respectively.

Periods for
balancing
Books of
Company.

XIX. That the Periods to which the Books of Accounts of the Company shall be brought to a Balance shall be the Thirty-first Day of *January* and the Thirty-first Day of *July* in each Year; and the
Periods

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Periods at which Shareholders and Loan Creditors of the Company shall be entitled to the Inspection of such Books shall be Fourteen Days before and Fourteen Days after each of the Ordinary Meetings of the Company.

XX. That all Advertisements relating to the Affairs of the Company shall be inserted in at least One Newspaper published in the County of *Ayr*. Newspapers for Advertisements.

XXI. That the Domicile of the Company shall be held to be in *Ayr*. Domicile of Company.

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

XXIII. That the Line of Railway to be made and maintained under the Authority of this Act shall commence at and diverge out of the authorized Line of the *Ayr and Dalmellington* Railway at or near the Cot Houses on the Farm of *Pleasantfield* in the Parish of *Ayr*, and terminate at or near the Town of *Maybole*, adjacent to the *Duncanland* Toll Bar in the Parish of *Maybole*, all in the County of *Ayr*, and will be situate in, or pass from, through, or into the several Parishes following, or some of them, (that is to say,) *Ayr*, *Alloway*, *Ayr* and *Alloway* united, *Dalrymple*, and *Maybole*, all in the County of *Ayr*: Provided always, that it shall be lawful for the Company to terminate the said Line of Railway at the Fields numbered 79 and 80 in the Parish of *Maybole* on the said Plans, or either of them. Line of Railway.

XXIV. That the Junction with the authorized Line of the *Ayr and Dalmellington* Railway shall be made and completed at the Sight and to the Satisfaction of the Engineer for the Time being of the *Ayr and Dalmellington* Railway Company, and according to a Plan to be approved of by him previously to the Commencement of the Works connected with such Junction, or in case of Difference as the same Regulating Junction with *Ayr* and *Dalmellington* Railway.

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may be approved by the Railway Department of the Board of Trade, or any Engineer to be appointed by them.

Expense of maintaining Junction, and providing Signals, &c., to be borne by Company.

XXV. That the Company shall, at their sole Expense, maintain and keep in repair the Rails, Points, and Crossings connected with the said Junction, and shall provide and maintain at or near the said Junction such and so many Distance Signal Posts, with Lamps and Signals, as are required for Protection and Security to Traffic passing such Junction, whether upon the Railway hereby authorized or on the said *Ayr and Dalmellington* Railway, which Distance Signal Posts, Lamps, and Signals shall be of the Construction and Description in use and most approved at the Time upon the *Ayr and Dalmellington* Railway, and the Company shall employ proper and sufficient Persons at the said Junction to watch, light, and regulate the same.

Prescribing Inclinations of certain Roads.

• XXVI. That it shall be lawful for the Company to make the Inclinations of the following Roads, numbered respectively on the Plans deposited as aforesaid, not steeper than herein-after mentioned; (that is to say,)

The Road numbered 23 in the Parish of *Ayr* and *Alloway* united, and 5 in the Parish of *Dalrymple*, 1 in 15:

The Road numbered 75 in the Parish of *Maybole*, 1 in 10.

Lands for extraordinary Purposes.

XXVII. That the Company may purchase by Agreement and hold any Quantity of Land for extraordinary Purposes, not exceeding in the whole Five Acres.

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

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

Grassums not to be taken by such Parties.

XXIX. Provided always, That it shall not be lawful for the Company to pay, nor for any Party having a limited Interest in or being under Disability or Incapacity to sell or convey any Lands, or any Right or Interest therein as aforesaid, to receive or take, any Grassum, Fine,

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Fine, or Premium, or any Consideration in the Nature thereof, for the Lands or Rights or Interests to be so conveyed, other than the annual Feu Duties or Ground Annuals made payable by such Conveyance; and the Amount of such Feu Duties or Ground Annuals shall, in case of Difference, be ascertained and settled by Valuers, in the Manner prescribed by the said Consolidation Act with respect to the Valuation of Lands sold by Agreement by Parties under legal Disability or Incapacity to convey as aforesaid.

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

Provisions
for recover-
ing Feu
Duties.

XXXI. 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 Two Years from the passing of this Act.

Powers for
compulsory
Purchase of
Lands
limited.

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

Period for
Completion
of Works.

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

Tolls.

First, in respect of Passengers conveyed in Carriages upon the Railway, or any Part thereof, as follows:

In respect of
Passengers.

For

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For every Person conveyed in or upon any such Carriage, *per* Mile Twopence; and if conveyed in any Carriage belonging to the Company, an additional Sum *per* Mile of One Penny:

In respect of
Goods.

Second, in respect of Articles, Matters, and Things conveyed in Carriages, Waggon, or Trucks 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 Twopence; and if conveyed in Carriages, Waggon, or Trucks belonging to the Company, an additional Sum *per* Ton *per* Mile of One Penny:

For all Coal, Coke, Culm, Charcoal, and Cinders, Stones for building, pitching, or paving, Bricks, Slates, Tiles, Clay, Sand, Ironstone calcined or raw, 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 Merchandise, *per* Ton *per* Mile Twopence Halfpenny; and if conveyed in Carriages, Waggon, or Trucks 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 Threepence; and if conveyed in Carriages, Waggon, or Trucks belonging to the Company, an additional Sum *per* Ton *per* Mile of One Penny Halfpenny:

For all Cotton and other Wools, Drugs, Fish, manufactured Goods, and all other Wares, Merchandise, Articles, Matters, or Things, *per* Ton *per* Mile Fourpence; and if conveyed in Carriages, Waggon, or Trucks belonging to the Company, an additional Sum *per* Ton *per* Mile of Twopence:

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 Fourpence; and if weighing more than One Ton, Fourpence *per* Mile for the First Ton, and One Penny *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 Fourpence for every Ton which any such Carriage may weigh:

In respect of
Animals.

Third, in respect of Animals conveyed in Carriages upon the Railway, or any Part thereof, as follows:

For every Horse, Mule, Ass, or other Beast of Draught or Burden conveyed in or upon any such Carriage, *per* Mile Threepence; and

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and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile of Twopence:

For every Ox, Cow, Bull, or Neat Cattle conveyed in or upon any such Carriage, *per* Mile Twopence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile of Twopence:

For every Calf, 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 *per* Mile of One Penny Halfpenny.

XXXIV. That the Tolls which the Company may demand for the Use of Engines for drawing or propelling Carriages, Waggon, or Trucks shall not exceed One Penny *per* Mile for each Passenger or Animal, or for each Ton of Goods or other Articles of any kind whatever, in addition to the several other Tolls or Sums by this Act authorized to be taken.

Tolls for propelling Power.

XXXV. That it shall not be lawful for the Company to demand any greater Sum in respect of the Carriage of Passengers conveyed on the said Railway than Threepence *per* Passenger *per* Mile in respect of any Passenger travelling in a First-class Carriage, Twopence *per* Passenger *per* Mile in respect of any Passenger travelling in a Second-class Carriage, and One Penny Halfpenny *per* Passenger *per* Mile in respect of any Passenger travelling in a Third-class Carriage, including the Charges for the Use of Carriages and for locomotive Power, and all other Charges incidental to such Conveyance.

Limiting Charges for Conveyance of Passengers.

XXXVI. That every Passenger travelling upon the said Railway may take with him his ordinary Luggage, not exceeding One hundred and twelve Pounds in Weight if a First-class Passenger, One hundred Pounds in Weight if a Second-class Passenger, and Sixty Pounds in Weight if a Third-class Passenger, without any Charge being made for the Carriage thereof.

Passengers Luggage.

XXXVII. That the Charges herein-before limited in respect of the Carriage of Passengers shall not extend to any Special Train, but shall apply only to the Express and Ordinary Trains appointed or to be appointed from Time to Time by the Company.

Limited Charges for Passengers not to apply to Special Trains.

XXXVIII. That it shall not be lawful for the Company to demand in respect of the several Articles, Matters, and Things, and of the several Descriptions of Animals herein-after mentioned, conveyed on the said Railway, any greater Sum, including the Charges for the Use of Carriages, Waggon, or Trucks, and for locomotive Power, and all

Limiting Charges for Conveyance of Goods and Animals.

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other Charges incidental to such Conveyance, except a reasonable Charge for the Use of any Loading or Unloading Place, Station, or Depôt, than the several Sums herein-after mentioned; (that is to say),

For Dung, and the other Articles, Matters, and Things herein-before classed therewith, *per Ton per Mile* Twopence :

For Coal, and the other Articles, Matters, and Things herein-before classed therewith, *per Ton per Mile* Twopence Halfpenny :

For Sugar, and the other Articles, Matters, and Things herein-before classed therewith, *per Ton per Mile* Threepence :

For Cotton, and the other Articles, Matters, and Things herein-before classed therewith, *per Ton per Mile* Fourpence :

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 if weighing more than One Ton, Sixpence *per Mile* for the First Ton, and One Penny Halfpenny *per Mile* for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh :

For every Horse, or other Animal herein-before classed therewith, *per Mile* Fivepence :

For every Ox, or other Animal herein-before classed therewith, *per Mile* Threepence :

For every Calf, or other Animal herein-before classed therewith, *per Mile* One Penny.

Company
may take
increased
Charges for
such Convey-
ance by
Agreement.

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

Regulations
as to the
Tolls.

XL. That the following Provisions and Regulations shall be applicable to the fixing of the Tolls, Rates, and Charges hereby granted; (that is to say,)

For Passengers, Animals, Articles, Matters, and Things conveyed on the Railway, or any Part thereof, for a less Distance than Three Miles, the Company may demand Tolls as for Three entire Miles :

For a Fraction of a Mile beyond Three Miles, or any greater Number of Miles, the Company may demand Tolls for such Fraction, in respect of Passengers, as for an entire Mile, and in respect of Animals, Articles, Matters, and Things, in proportion
to

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to the Number of Quarters of a Mile contained in such Fraction; and if there be a Fraction of a Quarter of a Mile, such Fraction shall be deemed a Quarter of a Mile:

For a Fraction of a Ton the Company may demand 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, Matters, and Things, (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, Beech, or Ash, or Fifty Cubic Feet of any other Timber, shall be deemed One Ton Weight, and so in proportion for any smaller or greater Quantity.

XLI. That with respect to small Parcels, (that is to say, Parcels not exceeding Five hundred Pounds in Weight each,) and single Articles of great Weight, the Company may, notwithstanding the other Tolls prescribed by this Act, demand the following Tolls; (that is to say,)

Tolls for
small Parcels
and Articles
of great
Weight.

For the Carriage of every Parcel not exceeding Seven Pounds in Weight, Fourpence; exceeding Seven Pounds but not exceeding Fourteen Pounds in Weight, Sixpence; exceeding Fourteen Pounds but not exceeding Twenty-eight Pounds in Weight, One Shilling; exceeding Twenty-eight Pounds but not exceeding Fifty-six Pounds in Weight, Two Shillings; exceeding Fifty-six Pounds but not exceeding One Hundredweight, Three Shillings; and any Sum not exceeding One Shilling for every Hundredweight beyond One Hundredweight up to Five Hundredweight: Provided always, that Articles sent in large 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 shall think fit, not exceeding One Shilling *per Ton per Mile*:

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

XLII. That

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Power for
the Company
and the
Glasgow and
South Wes-
tern Railway
Company to
enter into
Traffic Ar-
rangements.

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

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

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

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

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

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

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

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

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

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

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

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

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

Duration of
Agreement,
and to be
approved by
Board of
Trade, but

XLIII. That any such Agreement shall not be for more than Ten Years; and no such Agreement shall have any Operation until the same shall have been approved of by the Board of Trade; and no such Agreement as aforesaid shall in any Manner alter, affect, increase, or diminish any of the Tolls, Rates, or Charges which the said Companies

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panies shall for the Time being be respectively authorized and entitled to demand and receive from any Person or any other Company, but all other Persons and Companies shall, notwithstanding any such Agreement, be entitled to the Use and Benefit of the Railways to which the said Agreement may relate, upon the same Terms and Conditions, and on Payment of the same Tolls, Rates, and Charges as they would have been in case no such Agreement had been entered into: Provided always, that the said Board shall not approve such Agreement without being satisfied that the same has been duly assented to by the Shareholders of the several Companies Parties thereto in Special Meeting assembled for that Purpose.

not to affect
Persons not
Parties
thereto.

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

Appoint-
ment of
Joint Com-
mittee for
carrying the
Agreement
into effect.

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

Agreement
may be
renewed with
the Approval
of the Board
of Trade, but
public Notice
to be given.

XLVI. That none of the said Powers and Provisions with respect to the Use, working, or managing of the Railway by the *Glasgow and South-western* Railway Company shall have any Operation or Effect, unless and until the Contracts or Arrangements intended to be made

Working Ar-
rangements
&c. not to
take effect
unless ap-

[*Local.*]

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for

The Ayr and Maybole Junction Railway Act, 1854.

proved by
Three Fifths
of the Share-
holders.

for such Purposes shall have been submitted to and approved by a Majority of not less than Three Fifths of the Votes of the Shareholders present personally or by Proxy at Meetings of the Company and of the *Glasgow and South-western Railway Company*, respectively, specially convened for that Purpose.

Meetings
how to be
convened.

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

Nothing to
affect a cer-
tain Agree-
ment as to
working and
Maintenance
of Railway.

XLVIII. Provided always, That whereas the said *Glasgow and South Western Railway Company* did, by Minutes of Meetings of the Directors of the said Company, bearing Date respectively the Third Day of *May* and the Twentieth Day of *September* in the Year One thousand eight hundred and fifty-three, agree to work and maintain the Railway by this Act authorized from and after the opening thereof, and this on the Terms therein mentioned during Five Years, and with and under the Stipulations thereby provided, nothing in this Act contained shall alter, prejudice, or affect such Agreement.

Railway
Company to
be subject to
the Provi-
sions of
1 & 2 Vict.
c. 98.,
3 & 4 Vict.
c. 97.,
5 & 6 Vict.
c. 55.,
7 & 8 Vict.
c. 85.,
9 & 10 Vict.
c. 57., and
14 & 15 Vict.
c. 64.

XLIX. That nothing herein contained shall be held to exempt the Railway hereby authorized, or the Company, from the Provisions of the following General Acts; (that is to say,) an Act of the First and Second Years of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railway*; an Act of the Third and Fourth Years of the Reign of Her said Majesty, intituled *An Act for regulating Railways*; an Act of the Fifth and Sixth Years of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops*; an Act of the Seventh and Eighth Years 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*; an Act of the Ninth and Tenth Years of the Reign of Her said Majesty, intituled *An Act for regulating the Gauge of Railways*; and an Act of the Fourteenth and Fifteenth Years of the Reign of Her said Majesty, intituled *An Act to repeal an Act for constituting Commissioners of Railways*; but such Provisions shall be in force in respect to the
said

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said Railway and Company so far as the same shall be applicable thereto, and not otherwise specially provided for by this Act.

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

Railway not exempt from Provisions of future General Acts.

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

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

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Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*: Provided that, at any Time after the passing of this Act, if a Bond in twice the Amount of the said Sum of Two thousand four hundred and seventy-five Pounds shall have been executed by the Company, with One or more Sureties (such Bond to be prepared to the Satisfaction of, and such Surety or Sureties to be approved by, the Solicitor to the Lords Commissioners of Her Majesty's Treasury,) conditioned for Payment to Her Majesty, Her Heirs or Successors, of the said Sum of Two thousand four hundred and seventy-five Pounds if the Company shall not, within the Time limited for the Completion of the said Railway, either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee that the Company have paid up One Half of the Amount of the said Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if such Bond shall have been deposited with the said Solicitor to the said Lords Commissioners, then such Sum of Money, and the Interest or Dividends thereof, shall be paid to or on the Application of the Person or Persons or the Majority of the Persons named in such Warrant or Order as aforesaid, or the Survivors or Survivor of them, and it shall not be necessary to produce any Certificate of this Act having passed, anything in the said Act of the Ninth Year of Her present Majesty to the contrary notwithstanding; and the Moneys to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Money, and the Interest or Dividends thereof, would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitor to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Lords of the said Committee that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

Expenses of Act.

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

Short Title.

LIII. That in citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "*The Ayr and Maybole Junction Railway Act, 1854.*"

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