



ANNO VICESIMO & VICESIMO PRIMO

VICTORIÆ REGINÆ.

Cap. lxxxvi.

An Act for making a Railway from the *Edinburgh, Perth, and Dundee* Railway at *Markinch* Station to the Town of *Leslie*, with Branches to *Auchmuty Mills*, *Leven Bank Mill*, and *Prinlaws Lower Mills*, and other Purposes.

[27th July 1857.]

WHEREAS the making of a Railway leading from the *Edinburgh, Perth, and Dundee* Railway at or near to the *Markinch* Station in the Parish of *Markinch* and County of *Fife* to the Town of *Leslie* in the Parish of *Leslie* and County aforesaid, with Branch Railways to *Auchmuty Mills*, *Leven Bank Mill*, and *Prinlaws Lower Mills*, would be of great local and public Advantage, by opening an additional, certain, and expeditious Means of Communication between the said Places, and by facilitating Communication with more distant Towns and Places: And whereas the Persons herein-after named, with others, are willing, at their own Expense, to carry such Undertaking into execution: And whereas it is expedient that the Company should be enabled to enter into working Agreements with the *Edinburgh, Perth, and Dundee* Railway Com-
[Local.] 14 H pany,

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pany, and that Provision should be made for that Purpose; but the various Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

8 & 9 Vict.
cc. 17., 19.,
& 33. incor-
porated.

I. 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, so far as the same are not hereby expressly varied or altered, be incorporated with and form Part of this Act.

"The Rail-
way."

II. The Expression "the Railway" shall include the Main Line and Branches by this Act authorized to be made, unless there be something in the Subject or Context repugnant to such Construction.

Short Title.

III. In citing this Act for any Purpose it shall be sufficient to use the Expression "The *Leslie* Railway Act, 1857."

Subscribers
incor-
porated.

IV. *John Fergus, John Balfour, William Tullis, John Jackson, James Thrift Smith, and George Wilson*, 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 and Approach or Road herein-after particularly described, with all proper Works and Conveniences belonging thereto, according to the Provisions of the said Acts and of this Act, and for the other Purposes herein and in the said Acts contained; and for the Purposes aforesaid such Company shall be incorporated by the Name of "The *Leslie* Railway Company," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, within the Restrictions herein and in the said Acts contained.

Capital.

V. The Capital of the Company shall be Thirty-five thousand Pounds, and the whole thereof, when raised, shall be applicable only to the Purposes authorized by this Act.

Number and
Amount of
Shares.

VI. The Number of Shares into which the Capital shall be divided shall be Three thousand five hundred, and the Amount of each Share shall be Ten Pounds.

VII. Two

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VII. Two Pounds Ten Shillings *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and Two Months at the least shall be the Interval between successive Calls, and the aggregate Amount of Calls to be made on any Share in any One Year shall not exceed Seven Pounds in the whole.

VIII. 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 Dividend 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.

IX. It shall not be lawful for the Company, out of any Money by this Act authorized to be raised for the Purposes thereof, to pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament now in force or herein-after 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.

X. It shall be lawful for the Company to borrow on Mortgage or Bond any Sums not exceeding in the whole the Sum of Eleven thousand five hundred Pounds, but no Part of such Sum shall be borrowed until the whole of the said Capital of Thirty-five thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up: Provided always, that the Sums so to be borrowed shall be applied solely to the Purposes by this Act authorized.

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

XII. The

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First and
subsequent
General
Meetings.

XII. The First Ordinary Meeting of the Company shall be held within Four Months next after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held twice in every Year, in the Months of *February* or *March* and *August* or *September*, as the Directors may appoint.

Quorum of
General
Meetings.

XIII. The Quorum of General Meetings of the Company shall be Six Shareholders present, personally or by Proxy, holding in the aggregate not less than One thousand Pounds in the Capital of the Company.

Votes of
Share-
holders.

XIV. At all General Meetings of the Company the Scale according to which the Shareholders may vote in respect of their Shares shall be as follows; (that is to say,) for One and up to Ten Shares, One Vote; for more than Ten Shares, an additional Vote for every Ten Shares to the Extent of One hundred Shares; for more than One hundred Shares, an additional Vote for every Twenty Shares over and above the said One hundred.

Number and
Qualification
of Directors.

XV. The Number of Directors shall be Five, and the Qualification of a Director shall be the Possession in his own Right of Twenty Shares in the Capital of the Company.

Power to
vary the
Number of
Directors.

XVI. It shall be lawful for the Company to reduce the Number of Directors, provided that the reduced Number be not less than Three.

First
Directors.

XVII. *John Fergus, John Balfour, William Tullis, John Jackson,* and *James Thrift Smith* shall be the First Directors of the Company.

First
Election of
Directors.

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

Future
Directors.

XIX. 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, 1845," contained; and the

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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, 1845."

XX. The Quorum of a Meeting of Directors shall be Three so long as the Number of Directors is more than Three, and shall be Two if the Directors shall be reduced to Three. Quorum of Directors.

XXI. The Newspaper in which Advertisements relating to the Affairs of the Company are to be inserted shall be some Newspaper published in the County of *Fife*. Newspaper for Advertisements.

XXII. And whereas Plans and Sections of the Railway, and the said Approach or Road, 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 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*: 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 Railway and the said Approach or Road in the Lines and upon the Lands delineated upon 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. Power to make Railway according to deposited Plans, &c.

XXIII. The Undertaking to be made and maintained under the Authority of this Act shall be the following; (that is to say,) Line of Railway and Branches.

First. A Main Line of Railway, with all necessary Works and Conveniences connected therewith, commencing by a Junction with the *Edinburgh, Perth, and Dundee* Railway, at or near to the Southern End of the *Markinch* Station of the *Edinburgh, Perth, and Dundee* Railway, in the Parish of *Markinch* and County of *Fife*, and terminating on the Lands of *Prinlaws* to the Westward of and near to the Town of *Leslie*, at or near the Western Boundary of a Field known by the Name of the *Dovecot Park*, and situated in the Parish of *Leslie* and County of *Fife*:

Second. A Branch Railway, with all necessary Works and Conveniences connected therewith, diverging from or out of the said Main Line of Railway at a Point thereon, about Four Furlongs from its Commencement, called the *Bank Park*, situated in the Parish of *Markinch*, and terminating at or near to *Auchmuty Mills* in the said Parish:

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Third.

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Third. A Branch Railway, with all necessary Works and Conveniences connected therewith, proceeding out of the said Main Line of Railway at a Point thereon at or near the Eastern Boundary of the said *Dovecot Park* in the Parish of *Leslie*, and terminating at or near to *Leven Bank Mill* in the said Parish :

Fourth. A Branch Railway, with all necessary Works and Conveniences connected therewith, proceeding out of the said Main Line of Railway at its Termination in the said Parish of *Leslie*, and terminating at or near to *Prinlaws Lower Mills* also in the said Parish :

Fifth. An Approach or Road for the Purpose of giving Access to and from the intended Terminus of the Main Line at or near the Western Boundary of the said *Dovecot Park*, commencing at said proposed Terminus, and proceeding Northwards, and terminating by a Junction with the Road leading from *Auchmuir Bridge* to *Leslie*, about One hundred Yards or thereby to the East of the House called *Bank Place* in the Parish of *Leslie*.

Junction with the Edinburgh, Perth, and Dundee Railway.

XXIV. The Railway hereby authorized shall join the *Edinburgh, Perth, and Dundee* Railway at the Points where, according to the Plan deposited as in this Act mentioned, such Railway appears to join therewith, and such Junction shall be made and completed at the Sight and to the Satisfaction of the Engineer for the Time being of the *Edinburgh, Perth, and Dundee* Railway, and according to a Plan to be approved of by him previously to the Commencement of the Works connected with such Junction.

Lands and Works of Edinburgh, Perth, and Dundee Railway not to be interfered with, except with Consent.

XXV. Nothing herein contained shall be held to authorize the Company to enter upon, purchase, or take any Lands belonging to the *Edinburgh, Perth, and Dundee* Railway Company, nor to alter or vary the Line or Levels of the *Edinburgh, Perth, and Dundee* Railway, nor to interfere with the *Edinburgh, Perth, and Dundee* Railway, except for the Purpose of making and maintaining the Junction before mentioned, and necessary Approaches thereto, without the Consent of the *Edinburgh, Perth, and Dundee* Railway Company, nor in any Manner to interrupt or interfere with the Traffic passing on the said last-mentioned Railway ; and the Company hereby incorporated shall bear all Expense of effecting such Junction as aforesaid, and, unless otherwise agreed upon betwixt the Companies, of maintaining, watching, and working the same, and of the necessary Works for preventing Danger, Inconvenience, or Interruption to the Traffic on the *Edinburgh, Perth, and Dundee* Railway, and shall also at their own sole Costs and Charges construct, and, unless otherwise agreed upon as aforesaid, for ever after maintain such and so many Switches, Turntables, Sidings, and other Works and Conveniences as may be necessary

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sary or convenient in connexion with the said Junction, and for preventing any such Danger, Interruption, or Inconvenience to the Traffic of the *Edinburgh, Perth, and Dundee* Railway: Provided always, that if any Difference shall arise between the Company and the *Edinburgh, Perth, and Dundee* Railway Company as to the Nature or Necessity of any such Works as aforesaid, the same shall be referred to Arbitration or to the Decision of the Board of Trade, at the Option of the *Edinburgh, Perth, and Dundee* Railway Company.

XXVI. The Quantity of Land to be taken by the Company for extraordinary Purposes shall not exceed Two Acres.

Lands for
extra-
ordinary
Purposes.

XXVII. 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
limited.

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

Period for
Completion
of Works.

XXIX. And 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 six hundred and twenty-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 six hundred and twenty-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 the 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

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

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Foreign Plantations that the Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if the said Period shall expire before the Company shall either have opened the said Railway for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the said Sum of Money deposited as aforesaid, and the Interest and Dividends thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*: Provided, that at any Time after the passing of this Act, if a Bond in twice the Amount of the said Sum of Two thousand six hundred and twenty-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 six hundred and twenty-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.

XXX. It

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XXX. It shall be lawful for the Company to carry the Railway across the Surface of the Roads numbered on the said Plans deposited as after mentioned with not more than Two Lines of Rails; (that is to say,) in the Parish of *Markinch* the Roads numbered 44 and 83, in the Parish of *Kinglassie* the Road numbered 9 a, and in the Parish of *Leslie* the Road numbered 13, on the Branch Line to *Leven Bank Mill*.

Certain Roads may be crossed on the Surface.

XXXI. For the greater Convenience and Security of the Public the Company shall erect and maintain either a Station or Lodge at each of the Places where the Railway shall cross the before-mentioned Roads on the Level, and the Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such 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 Board of Trade; and if the Company shall fail to erect and 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.

Lodges or Stations may be made at level Crossings.

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

Board of Trade may require Bridges to be erected in lieu of level Crossings.

XXXIII. 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 under the Powers by this Act and the said Consolidation Act granted, may sell and convey to the Company such Lands, or any Part thereof, in consideration of an annual Feu Duty

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

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or Ground Annual payable by the Company to such Parties and their Successors in the Lands 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.

XXXIV. It shall not be lawful for the Company to pay, nor for any Party having a limited Right or Interest in, or being under Disability or Incapacity to sell or convey, any Lands as aforesaid, to receive or take, any Grassum, Fine, or Premium, or any Consideration in the Nature thereof, for the Lands 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 be ascertained and settled by Valuers in the Manner prescribed by the said last-mentioned Consolidation Act with respect to the Valuation of Land sold by Agreement by Parties under legal Disability or Incapacity to convey as aforesaid.

Provision
for recover-
ing all Feu
Dues.

XXXV. All Feu Duties or Ground Annuals for any Lands required for the Purposes of the Railway, or the Works connected therewith, and made payable by any Conveyance under this Act and the said last-mentioned Consolidation Act, shall be a First Charge on the Tolls and Rates leviable under this Act, and other Revenues of the Company, anything in this Act or in any of the Consolidation Acts herewith incorporated to the contrary notwithstanding; and if at any Time any such Feu Duties or Ground Annuals remain unpaid for Thirty Days after they respectively become payable, it shall be lawful for the Person entitled for the Time being to Payment of any 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 *Fife*, or summarily by Poinding and Sale of the Goods and Effects of the Company, on Application by Petition to the Sheriff of the said County, 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 (saving as above provided) in respect thereto, or in respect to the said Feu Duties or Ground Annuals.

If Land
purchased
by way of
Feu, borrow-
ing Power
to be re-
duced.

XXXVI. In the event of the Company agreeing with any Persons for the Purchase of Land for the Purposes of the Railway in consideration of an annual Feu Duty or Ground Annual under the Powers of this Act, the Capital of the Company to be raised by Mortgage or Bond shall be diminished by an Amount equal to Twenty Years Purchase of the said Feu Duty or Ground Annual.

XXXVII. It

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

I.—In respect to the Tonnage of all Articles conveyed upon the Railway, or any Part thereof, as follows : Tonnage on Articles of Merchandise.

For all Dung, Compost, and all Sorts of Manure, Lime and Limestone, and undressed Materials for the Repair of Public Roads or Highways, *per Ton per Mile* not exceeding One Penny Halfpenny ; and if conveyed by Carriages provided by the Company, an additional Sum *per Ton per Mile* not exceeding One Penny :

For all Coal, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandise, *per Ton per Mile* not exceeding Twopence ; and if conveyed in Carriages provided by the Company, an additional Sum *per Ton per Mile* not exceeding 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* not exceeding Threepence ; and if conveyed in Carriages provided by 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, Merchandise, Fish, Articles, Matters, or Things, *per Ton per Mile* not exceeding Fourpence ; and if conveyed in Carriages provided by the Company, an additional Sum *per Ton per Mile* not exceeding Twopence :

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

And a Sum of One Penny Halfpenny *per Mile* for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh ; and if conveyed on a Truck or Platform provided by the Company, an additional Sum *per Mile* not exceeding Sixpence :

II.—In respect of Passengers and Animals conveyed in Carriages upon the Railway, or any Part thereof, as follows : Tolls for Passengers or Cattle.

For any Person conveyed in or upon any such Carriage, *per Mile* not exceeding Twopence ; and if conveyed in or upon any Carriage provided

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provided by the Company, an additional Sum not exceeding One Penny *per Mile* :

For every Horse, Mule, Ass, or other Beast of Draught or Burden, and for every Ox, Cow, Bull, or Neat Cattle, conveyed in or upon any such Carriage, *per Mile* not exceeding Twopence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding Threepence *per Mile* :

For every Calf or 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 provided by the Company, an additional Sum not exceeding Three Halfpence *per Mile*.

Tolls for propelling Power.

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

Limiting Charges for the Conveyance of Passengers.

XXXIX. It shall not be lawful for the Company to demand or receive any greater Sum in respect of the Carriage of Passengers conveyed on the Railway 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 a Second-class Carriage; and One Penny Halfpenny *per Passenger per Mile* in respect of any Passenger travelling in a Third-class Carriage, including the Charges for the Use of Carriages and locomotive Power, and all other Charges incidental to such Conveyance.

Passengers Luggage.

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

Limiting Charges for the Conveyance of Goods.

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

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

For

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

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

For Cotton and other Wools, Drugs, manufactured Goods, and other Wares, Merchandise, Fish, Articles, Matters, and Things, *per Ton per Mile Fourpence :*

And for every Carriage of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per Mile Sixpence ;* and for every additional Quarter of a Ton which such Carriage may weigh, *per Mile One Penny Halfpenny :*

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

For every Ox, Cow, Bull, or Neat Cattle, *per Mile Twopence per Head :*

For every Calf or Pig, Sheep, Lamb, or other small Animal, *per Mile Three Farthings each.*

XLII. The following Provisions and Regulations shall be applicable to the fixing of the Tolls and maximum Charges by this Act authorized ; (that is to say,) Regulations as to Tolls.

For Articles or Persons conveyed on the Railway for a less Distance than Three Miles the Company may demand as for Three entire Miles :

For a fractional Part of a Mile beyond Three Miles, or beyond any greater Number of Miles, the Company may demand Tolls and Charges in respect of Animals, Goods, and Minerals for such Fraction in proportion to the Number of Quarters of a Mile contained therein, and if there be a Fraction of a Quarter of a Mile such Fraction shall be deemed a Quarter of a Mile ; and in respect of Passengers 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 or Timber, the Weight shall be determined according to the usual Avoirdupois Weight :

[*Local.*]

14 L

With

The Leslie Railway Act, 1857.

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

Restrictions not to apply to Special Trains.

XLIII. The Restriction as to the Charges to be made for Passengers, Animals, or Goods shall not extend to any Special Train.

Company may take increased Charges by Agreement.

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

Tolls for small Parcels and single Articles of great Weight.

XLV. And with respect to small Packages and single Articles of great Weight, the Company, notwithstanding the Rate of Tolls prescribed by this Act, may lawfully demand Tolls not exceeding the following; (that is to say,)

For the Carriage of small Parcels on the Railway, as follows:

For any Parcel not exceeding Seven Pounds in Weight, Fourpence;

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

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

For any Parcel exceeding Twenty-eight Pounds in Weight, but not exceeding Fifty-six Pounds in Weight, One Shilling and Sixpence;

And for Parcels exceeding Fifty-six Pounds in Weight, but not exceeding Five hundred Pounds in Weight, the Company may demand any Sum which they may think fit: Provided always, that Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages:

For the Carriage of any One Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Carriage, shall exceed Four Tons, but shall not exceed Eight Tons, the Company may demand such Sum as they think fit, not exceeding Twelvepence *per Ton per Mile*:

For

The Leslie Railway Act, 1857.

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.

XLVI. The Company and the *Edinburgh, Perth, and Dundee* Railway Company may from Time to Time enter into Agreements with respect to the following Purposes, or any of them; (that is to say,)

Power for the Company and the Railway Company to enter into Working Agreements.

The Use and working by the *Edinburgh, Perth, and Dundee* 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 *Edinburgh, Perth, and Dundee* Railway Company of the whole or any Part of the Traffic upon the 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 *Edinburgh, Perth, and Dundee* Railway Company of the Rolling or Working Stock belonging to the Company, or any Part thereof:

The Management, Maintenance, and Repair of the Railway:

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

The Forwarding, Interchange, and Transmission upon or over the respective Railways of the said Companies of any Passenger or other Traffic which may be conveyed upon and from the Railway hereby authorized to and along the *Edinburgh, Perth, and Dundee* Railway, or any Part thereof, or which may be conveyed upon and from the *Edinburgh, Perth, and Dundee* 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 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 Application and Division of the Receipts arising from the Traffic upon their respective Railways, or either of them, or any Part thereof respectively, subject to any Deductions to be made therefrom, or any Rent, Mileage, or other Consideration to be paid by either of the said Companies by virtue of the said Agreement.

XLVII. Any

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Agreement
to be ap-
proved by
Board of
Trade.

XLVII. Any such Agreement shall be and continue for such Period as shall be mutually agreed upon, but no such Agreement shall have any Operation until the same shall have been approved of by the Board of Trade, or shall in any Manner alter, affect, increase, or diminish any of the Tolls, Rates, or Charges which the said Companies shall for the Time being be respectively authorized and entitled to demand and receive from any Person or any other Company, but all other Persons or 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, except as hereinafter provided, as they would have been in case no such Agreement had been entered into: Provided always, that the said Board shall not approve such Agreement without being satisfied that the same has been duly assented to by a Majority of not less than Three Fifths of the Votes of the Shareholders present, personally or by Proxy, at Meetings of the Companies specially convened for that Purpose; and provided further, that it shall be lawful for the Board of Trade, if they think fit, on the Expiration of every Ten Years from the Commencement of any such Agreement, or on the Expiration of every Ten Years from the Period when any Revision thereof shall be made by them, to cause the same to be revised, and such Revision shall be binding upon both Companies during the Term of the Agreement.

Joint Com-
mittees for
Purposes of
Traffic.

XLVIII. For the Purposes of any such Agreement the Companies may from Time to Time (if they think fit) appoint such Joint Committees, composed of such Number of their Directors respectively as they think fit, and may regulate the Proceedings of such Joint Committees, and may delegate to and confer on such Joint Committees all such Powers for carrying into effect such Agreements, or any of the Objects or Purposes thereof, as the Companies respectively think fit.

Powers of
Joint Com-
mittees.

XLIX. Every such Joint Committee shall have and may exercise the Powers so from Time to Time delegated to and conferred on them, in like Manner as the same might be had and exercised by each of the Companies respectively, or their respective Directors.

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

L. At the Expiration of any such Agreement the said Companies, with the Consent of a Majority of not less than Three Fifths of the Votes of the Shareholders present, personally or by Proxy, at Special Meetings 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

The Leslie Railway Act, 1857.

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

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

Agreement inoperative until approved by the Board of Trade.

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

Meetings how to be convened.

LII. In case the Two Railways shall be worked under any such Agreement, then, during the Continuance of such Agreement, the Railways shall, for the Purpose of computing the Tolls and Charges for a Distance of less than Six Miles, traversed partly upon both Railways, be deemed to be One continuous Railway for such Distance, and in that Case the Tolls and Charges for Articles or Persons so conveyed on the said Two Railways shall be leviable as for Six Miles; and with respect to the Tolls and Charges for small Parcels, it shall not be lawful to charge any greater Sum for the Carriage of the same on both Railways during the Continuance of such Agreement than the Tolls and Charges authorized to be charged therefor by the Acts relating to the *Edinburgh, Perth, and Dundee* Railway.

Railways to be considered One for short Distances.

LIII. The Subscription Contract, which, pursuant to the Standing Orders of Parliament, was entered into with respect to the Undertaking authorized by this Act previously to the Commencement of the last Session of Parliament, shall be as valid and shall be construed as if this Act had been passed in the said last Session.

Subscription Contract to be valid.

LIV. Nothing herein contained shall extend or be deemed or construed to extend to alter, prejudice, or diminish any of the Rights,
[*Local.*] 14 M Powers,

Saving Rights of *Edinburgh*,

The Leslie Railway Act, 1857.

Perth, and
Dundee
Railway
Company.

Powers, Privileges, or Authorities vested in the *Edinburgh, Perth, and Dundee* Railway Company by virtue of the Acts relating to such Company or otherwise, excepting in so far as expressly provided by this Act.

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

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

Expenses of
Act.

LVI. All the Costs, Charges, and Expenses of and incidental to the obtaining of this Act and preparatory thereto shall be paid by the Company in preference to any other Payment whatsoever.

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