ANNO TERTIO & QUARTO

VICTORIÆ REGINÆ.

****

Cap. civ.

An Act for separating the Management of the *Ardrossan* and *Johnston* Railway from the Management of the *Glasgow, Paisley,* and *Johnston* Canal; for incorporating the Proprietors thereof; for doubling and improving the said Railway; and for other Purposes relating thereto.

[23d *July* 1840.]

WHEREAS an Act was passed in the Forty-sixth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for making and maintaining a navigable Canal* 46 G. 3. c. 75.
from the Harbour of Ardrossan *in the County of* Ayr *to* Tradestown *near* Glasgow *in the County of* Lanark, *and a collateral Cut from the said Canal to the Coal Works at* Hurlet *in the County of* Renfrew, whereby certain Persons were incorporated by the Name and Style of "The Company of Proprietors of the *Glasgow, Paisley,* and *Ardrossan* Canal," for making and maintaining the said Canal, and other Works thereby authorized, and were empowered to raise and contribute a Sum not exceeding One hundred and forty thousand Pounds for the Purposes thereof, and in virtue of the said Act the said Canal was thereafter in part formed, namely, from *Tradestown* to *Johnston* in the County of *Renfrew:* And whereas another Act was passed in the Seventh and Eighth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to amend an Act of the Forty-sixth* 7 & 8 G. 4.
Year of the Reign of His late Majesty, incorporating the Glasgow, c. 87.
Paisley, and Ardrossan *Canal Company, and to empower the said Company to form a Railway from* Johnston *in the County of* Renfrew *to*

Ardrossan *in the County of* Ayr, *and certain Branch Railways communicating therewith*, whereby the said Company were authorized to complete the Line of Communication between *Johnston* and *Ardrossan* aforesaid by means of a Railway in place of a navigable Canal, and other Works therein specified, and for these Purposes to raise and contribute the Sum of Ninety-five thousand six hundred and fifty-eight Pounds, being the Remainder of the Capital authorized by the said recited Act to be raised, but not so raised and contributed; and it was thereby enacted, that the Debts incurred by the said Company should attach to and affect only the Portion of the said Canal then formed, extending from *Tradestown* to *Johnston*, and the Works therewith connected, and the Rates, Revenues, and Profits thereof, and that separate Accounts should be kept of the Revenue and Expenditure of the Portion of the said Canal already formed, and of the said Railway: And whereas a Part only of the Railway authorized by the said last-recited Act has been formed, (*videlicet*,) from the Town of *Ardrossan* aforesaid to *Kilwinning* in the County of *Ayr*, and Two Branch Railways not authorized by the said Act have been formed by the said Company, with the Consent and at the Request of the several Owners of the Lands through which the same pass, (*videlicet*,) a Branch Railway leading from the Main Railway at or near *Dubbs* to *Doura*, and another Branch leading from the said Branch Line at *South Fergushill* to *North Fergushill* in the Parish of *Kilwinning*: And whereas of the said Sum of Ninety-five thousand six hundred and fifty-eight Pounds, authorized by the said last-recited Act to be raised for completing the said Line of Communication by means of a Railway, only the Sum of Twenty-eight thousand three hundred Pounds, in Five hundred and sixty-six Shares of Fifty Pounds each, has been contributed and raised, and the same, with sundry other Sums of Money raised by way of Loan to the Amount of about Twenty thousand Pounds, has been applied in making that Part of the said intended Railway lying between *Ardrossan* and *Kilwinning* aforesaid and the said Two Branch Railways, and the Time authorized by the said last-recited Act for the Purpose of acquiring Lands for the said intended Undertaking is now expired: And whereas the Union of the Management of the said Canal and Railway in the same Committee has been attended with great Inconvenience and Expence, and it is therefore expedient that the Management thereof should be rendered entirely separate and distinct, and that the Proprietors of the said Railway and Branches should be erected and incorporated into a separate and independent Company: And whereas the said Two last-mentioned Branches have proved of great Benefit to the said Main Line, and of great public and local Advantage and Convenience, and it is expedient that the said Branches should be joined to and put under the same Regulations and Management with the said Main Line: And whereas it is expedient and necessary that the Railway Company to be hereby incorporated, should be empowered to raise a farther Sum of Money for the Purpose of improving the said Railway and Branches, and that certain Powers and Provisions of the said recited Acts should for these Purposes be enlarged, altered, and amended, but the same cannot be effected without the Aid and Authority of Parliament: May it therefore please your Majesty that it may be enacted; and

and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Two recited Acts of the Forty-sixth Year of the Reign of His Majesty King *George* the Third, and the Seventh and Eighth Year of the Reign of His Majesty King *George* the Fourth, in so far only as the same or any Part thereof relate to the said Railway leading from the Town of *Ardrossan* to *Kilwinning* aforesaid, shall be and the same are hereby repealed, and instead thereof this Act shall, from and after the passing thereof, commence and take effect.

Recited Acts repealed so far as regards the Railway from Ardrossan to Kilwinning.

II. Provided always, and be it enacted, That all Contracts and Agreements made and all Matters and Things done under the Authority of the said recited Acts or either of them in relation to the said Railway, at or prior to the passing of this Act, shall remain in full force, notwithstanding the Repeal of the said Acts.

Saving existing Contracts.

III. And be it enacted, That all and every Person and Persons who is or shall hereafter become a Proprietor of or Subscriber to the said Railway already made or to be made in virtue of this Act, or hereby put under the Powers of this Act, and his, her, or their several and respective Successors, Executors, Administrators, and Assigns, shall be and are hereby united into a separate, distinct, and independent Company, for the widening, improving, and maintaining the said Railway and Branches and other Works, and shall for that Purpose be one Body Corporate, by the Name and Style of the "*Ardrossan* Railway Company," and by that Name shall have a perpetual Succession, and shall have a Common Seal, and by that Name shall and may sue and be sued, and may hold and convey and dispose of Property and Assets; and from and after the passing of this Act all the Right of Management and Interest of the said Company of Proprietors of the *Glasgow*, *Paisley*, and *Ardrossan* Canal of or in the said Railway, Branches, and other Works hereby vested in and put under the said *Ardrossan* Railway Company, or authorized to be widened, improved, or maintained by them, shall, to all Intents and Purposes, cease and determine, and in like Manner all the Right of Management and Interest of the said Company of Proprietors of the said Railway of or in the said Canal and Works connected therewith, shall also, to all Intents and Purposes, cease and determine.

Ardrossan Railway Company incorporated.

IV. And be it enacted, That in the Interpretation or legal Construction of this Act where any Word is used importing the Singular Number or the Masculine Gender only, such Word shall be understood and be held to include several Matters and Things as well as One Matter and Thing, several Persons as well as One Person, and Females as well as Males; and where the Word "Lands" shall be used, the same shall be understood and held to include Tenements, Buildings, and all other Heritages; and where the Word "Company" is used, the same shall be understood and held to mean the said "*Ardrossan* Railway Company;" and where the Word "Railway" is used, the same shall be held to mean the said *Ardrossan* Railway,

Meaning of certain Words in this Act.

Railway, Branches, and Works; and where the Word "Corporation" shall be used, the same shall be understood and held to mean any Body Politic, Corporate, or Collegiate, Civil or Ecclesiastical, Aggregate or Sole; and where the Word "Sheriff" is used, the same shall be understood to include Sheriff Substitute; and where the Word "Month" is used, the same shall be understood to mean Calendar Month; and where the Words "Chartered Banks" are used, the same shall be understood to mean the Royal Bank of *Scotland*, the Bank of *Scotland*, the *British* Linen Company, the Commercial Bank of *Scotland*, and the National Bank of *Scotland*; unless in any of the Cases aforesaid it be otherwise specially provided, or there be something in the Subject or Context clearly repugnant to such Construction.

Vesting the Railway and Works in the Ardrossan Railway Company.

V. And be it enacted, That from and immediately after the passing of this Act the said Railway and Branches made under the Authority of the said last-recited Act, and the said Two Branches before described, (*videlicet*,) from *Dubbs* to *Doura*, and from *South Fergushill* to *North Fergushill* aforesaid, together with the Lands taken in Lease by the said Company in forming the said Branches, with all the Erections, Wharfs, Depôts, Warehouses, and Works of every Description made upon or in connexion with the said *Johnston* and *Ardrossan* Railway, shall be and become the Property of, and the same are hereby transferred to and vested in the said *Ardrossan* Railway Company for the Purposes of this Act.

Double Line of Rails may be formed.

VI. And be it enacted, That it shall be lawful for the said *Ardrossan* Railway Company, and they are hereby authorized and empowered, to widen the said Railway and Branches throughout the whole Course thereof, to make, construct, and maintain and keep in repair a double Line or more Lines of Rails upon the Railway and Branches made by virtue of the said second-recited Act, and upon the said Two Branch Railways from *Dubbs* to *Doura*, and from *South Fergushill* to *North Fergushill*, to lay the said Railway and Branch Railways with heavier Rails and larger Blocks, and to increase the Radii of the Curves, lessen the Gradients, and otherwise improve the said Railway and Branches, with Power to acquire by Purchase, or in Lease or Feu, such Land as may be necessary therefor, and also to adapt such Railway and Branches to the Use of improved locomotive Engines, and to erect and maintain the necessary Offsets, Sidings, Wharfs, Depôts, Warehouses, Sheds, Buildings, Cranes, Weighbeams, and other Works and Conveniences in Connexion therewith.

Plans and Sections deposited, and may be examined.

VII. And whereas Maps or Plans and Sections showing the Line of the said Railway and Branches, and the intended Improvements thereon, and Depôts and other Works, with a Book of Reference thereto containing Lists of the Names of the Owners or reputed Owners, and Lessees and Occupiers, or reputed Lessees and Occupiers, of the Lands through which the same is to be carried, have been deposited with the Principal Sheriff Clerk for the County of *Ayr*; be it further enacted, That the said Maps or Plans and Sections and Book of Reference shall remain in the Custody of the said Clerk of the said County, to the end that all Persons shall have Liberty

Liberty at all reasonable Times to resort to and examine or make Extracts from or Copies of the same as Occasion shall require, paying to the said Clerk the Sum of One Shilling for every such Inspection, and for Copies or Extracts from the said Book of Reference at the Rate of Sixpence for every One hundred Words; and the said Company in making or improving the said Railway and Branches shall be entitled to deviate to the Extent of Ten Yards, but not more, from the Course or Direction delineated on the said Maps or Plans and Sections, and set forth in the said Book of Reference, where the said Railway passes through a Town, and to the Extent of One hundred Yards but not more in any other Part of the said Line.

Omission in Book of Reference not to prevent Execution of the Works.

VIII. Provided always, and be it enacted, That the said *Ardrossan* Railway Company may make and complete the said Railway, Branches, Wharfs, Depôts, and other Works, into, through, or across or over the Lands or Grounds of any Person or Persons who is or may be the Owner or Owners of Land over which the same is set out and described in the said Maps or Plans and Sections as aforesaid, although the Name or Names of such Person or Persons may happen to be erroneously set forth or omitted in the said Book of Reference, in case it shall appear to any Two or more of the Justices of the Peace for the County of *Ayr*, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Company empowered to deviate from Plan to a limited Extent.

IX. And be it enacted, That the said Company, in improving the said Railway and Branches, shall have full Power and Authority to deviate the said Lines delineated on the Maps or Plans so deposited as aforesaid: Provided always, that no such Deviation shall extend to a greater Distance than One hundred Yards, and that in passing through any City or Town no such Deviation shall extend to a greater Distance than Ten Yards from the Line so delineated upon the said Plans, nor shall such Deviation extend into the Lands or Property of any Person whose Name is not mentioned in the said Books of Reference, unless with the Consent of the Person whose Lands are affected by such Deviation, or unless the Name of such Person shall have been omitted by Mistake, and the Fact that such Omission proceeded from Mistake shall have been certified in manner herein-before provided for in Cases of unintentional Errors in the said Book of Reference.

Limiting Deviations from the Datum Line described on the Section, &c.

X. And be it enacted, That in improving the said Railway it shall not be lawful for the said Company to deviate from the Levels of the said Railway, as referred to the common Datum Line described on the said Sections so approved of by Parliament as aforesaid, and as marked on the same, to any Extent exceeding in any Place Five Feet, or in passing through Towns Two Feet, without the Consent of the Owners, Lessees, and Occupiers of the Land in, through, or over which such Deviation is intended to be made; or in case any Street or public Carriage Road shall be affected by such Deviations then the same shall not be made without the Consent of the Trustees or Commissioners thereof, or if there be no such Trustees or Commissioners, without the Consent of Two or more Justices of the Peace in the Petty Sessions assembled for that Purpose, and acting for the

District in which such Street or public Carriage Road may be situate, or without the Consent of the Commissioners for any Public Sewers, or of the Proprietors of any Canal or Navigation affected by such Deviation; and no Increase in the Inclination or Gradients of the said Railway, as denoted by the said Sections, shall be made in any Place to an Extent exceeding the Rate of Three Feet *per* Mile: Provided always, that Notice of every Petty Sessions to be holden for the Purpose of obtaining such Consent as aforesaid shall, within Fourteen Days previous to the holding of such Petty Sessions, be given in some Newspaper circulating in the said County of *Ayr*, and also be affixed upon the Church Door of the Parish in which such Deviation or Alteration is intended to be made, or if there be no Church, on some other Place to which Notices are usually affixed: Provided also, that for the Purpose of consenting to any such Deviation from the said Sections, the Word "Owners" shall be deemed and taken to mean such Persons as are herein capacitated to agree for the Sale of and to convey Land for the Improvement of the said Railway; and the Consent of such Persons, with or without the Consent of any other Persons interested as Owners in the said Lands, shall be deemed and taken to be sufficient for such Purposes.

Limiting Alteration of Curves.

XI. And be it enacted, That it shall not be lawful to diminish the Radius of any Curve, as described on the Plans deposited with the Sheriff Clerk as herein-before mentioned, unless such Radius exceed One Mile, nor to diminish it in any Case so that it shall become less than One Mile, nor to diminish any greater Radius by more than a Quarter of a Mile, unless where it exceeds Two Miles, or by more than Half a Mile, unless where it exceeds Three Miles on the said Plan.

No Power to take Buildings, Gardens, &c.

XII. And be it enacted, That nothing herein contained shall authorize or empower the said Company, or any Person acting by or under their Authority, to take or use for any of the Purposes before specified any House or other Building which was erected at or before the passing of this Act, or any Land or Ground which was then set apart for a Garden, Orchard, Yard, Policy, Paddock, planted Walk or Avenue to a Mansion House, without the Consent in Writing of the Owners and Occupiers thereof or Persons interested therein respectively, other than those set forth in the Schedule hereunto annexed.

Providing for Injury to Roads.

XIII. And be it enacted, That in all Cases where in the Exercise of the Powers hereby granted any Part of any Carriage, Tram, or Horse Road, or any Railway, either public or private, shall be found necessary to be gone across, cut through, raised, sunk, or taken, and so much injured thereby as to be rendered impassable or dangerous for Travellers, Passengers, or Carriages, or to the Persons entitled to the Use thereof, the said Company shall at their own Expence, before any such Road or Railway shall be so gone across, cut through, raised, sunk, or taken and injured as aforesaid, cause a good and sufficient Road or Railway (as the Case may require) to be set out and made, and to be well and sufficiently maintained until the Completion of the said Operation, instead of such Road or Railway so gone across, cut through, raised, sunk, or taken and injured, and such new Road or Railway shall be as convenient for Passengers and

and Carriages as the said Road or Railway so to be gone across, cut through, raised, sunk, or taken and injured as aforesaid, or as nearly so as may be, and shall cause such new Road or Railway to be put into good and substantial Order and Condition where the former Road or Railway cannot be more easily restored; and where the Road so gone across, cut through, raised, sunk, or passed over shall be a Turnpike Road, the substituted Road, if temporary, shall be so made, and the principal Road well and sufficiently restored within Six Calendar Months after the Commencement of such Operation, and the Railway where it shall cross such Turnpike Road shall be made and kept in repair so as to prevent Inconvenience or Obstruction to the Passage along such Turnpike Road; and where any other Road than a Turnpike Road shall be gone across, cut through, raised, sunk, or passed over as aforesaid, such other Road shall be restored by the said Company within Twelve Calendar Months after the Commencement of such Operation, on their being required so to do by a Majority of the Trustees acting for the said Road: Provided always, that in case the said Company shall not in manner aforesaid cause another good and sufficient Road to be set out and made as aforesaid, or in case any such Turnpike Road shall not be restored within Six Months as aforesaid (unless the Trustees of the said Road shall have consented to an Extension of the said Period), then and in either of the said Cases the said Company shall forfeit and pay the Sum of Twenty Pounds for each and every Day during which such good and sufficient Road shall be neglected to be made as aforesaid, or during which such Turnpike Road shall not be restored after the Expiration of such Six Months or such other extended Period as may have been consented to by the said Trustees, which Penalty shall be recovered from the said Company, and be levied and applied in such and the same Manner as other Penalties are by this Act directed to be recovered, levied, and applied.

Providing for Repair of Roads.

XIV. And be it enacted, That the said Company shall and they are hereby required to maintain and keep in repair such Parts of any public or private Roads as may be interfered with by the Works hereby authorized, or as may be substituted in lieu of such Roads during the Construction of such Works; and if any Difference shall arise as to the State or Condition of any such Road, the Question shall be referred to the Sheriff of the County of *Ayr*, who shall have Power to direct such Improvements to be made in the State and Condition of such Road, and within such Period, as to him shall seem reasonable, and to impose any Penalty on the Company for not carrying into effect such Improvements, not exceeding Five Pounds *per* Day, as to the said Sheriff may seem just.

Regulating Ascent of Bridges for carrying public Roads over Railway.

XV. And be it enacted, That, except as herein otherwise provided, where any Bridge shall hereafter be erected for carrying any Turnpike Road, Public Highway, or Occupation Road over the said Railway, the Road over such Bridge shall be formed and shall at all Times be continued of such Width as to leave a clear and open Space between the Fences of such Road of not less than Twenty-five Feet for the Purpose of a Turnpike Road, and for the Purpose of any public Highway of not less than Eighteen Feet, and for the Purpose of any

any Occupation Road of not less than Fifteen Feet; and the Ascent of every such Bridge for the Purpose of such Turnpike Road shall not be more than One Foot in Thirty Feet, and for the Purpose of any such public Highway not being a Turnpike Road not more than One Foot in Twenty Feet, and with respect to any private Carriage Road or Occupation Way not more than One Foot in Fifteen Feet; and a good and sufficient Fence shall be made on each Side of every such Bridge, which Fence shall not be less than Four Feet above the Surface of such Bridge.

Railway not to cross Turnpike Roads or Public Highway on a Level.

XVI. And be it enacted, That in improving the said Main Railway where the said Railway shall cross any Turnpike Road or public Highway whereon locomotive Power shall be used, (except as herein otherwise provided,) either such Turnpike Road or Way shall be carried over the said Railway or the said Railway shall be carried over such Road or Way, at the Expence of the said Company, by means of a Bridge or Tunnel, of such Height and Width and with such an Ascent or Descent as is by this Act in that Behalf provided.

Regulations as to Width and Height of Bridges for carrying Railway over Roads.

XVII. And be it enacted, That, except as herein otherwise provided, where any Bridge shall hereafter be erected by the said Company for the Purpose of carrying the said Railway over or across any Turnpike Road, the Span of the Arch of such Bridge shall be formed and shall at all Times be and be continued of such Width as to leave a clear and open Space under every such Arch of not less than Twenty-five Feet, and of a Height from the Surface of such Turnpike Road to the Centre of such Arch of not less than Sixteen Feet, with Side Walls of not less than Ten Feet in Height, and the Descent under any such Bridge shall not exceed One Foot in Thirty Feet; and where any Bridge shall be erected by the said Company for the Purpose of carrying the said Railway over or across any existing public Carriage Road, not being a Turnpike Road, the Span of the Arch of such last-mentioned Bridge shall be formed and shall at all Times be and be continued of such Width as to leave a clear and open Space under every such last-mentioned Arch of not less than Fifteen Feet, and of a Height from the Surface of such public Carriage Road, not being a Turnpike Road, to the Centre of such Arch of not less than Sixteen Feet, and with Side Walls not less than Ten Feet in Height, and the Descent under any such last-mentioned Bridge shall not exceed One Foot in Twenty Feet; and where any Bridge shall be erected by the said Company for the Purpose of carrying the said Railway over or across any existing private Carriage Road or Occupation Way, the Span of the Arch of such last-mentioned Bridge shall be formed and shall at all Times be and be continued of such Width as to leave a clear and open Space under every such Arch of not less than Fifteen Feet, and of a Height from the Surface of such private Carriage Road or Occupation Way to the Centre of such Arch of not less than Fifteen Feet, with Side Walls not less than Ten Feet in Height, and the Descent under any such last-mentioned Bridge shall not exceed One Foot in Fifteen Feet: Provided always, that in crossing the Parish Road leading from *Stevenston* to *Kilwinning*, marked No. 2. on the said Plan, the Height from the Surface of the Road to the under Side of the Iron Beams for carrying

carrying the Railway over the said Road shall be not less than Twelve Feet throughout.

Provision in favour of Trustees on Turnpike Road from Irvine to Kelly Bridge.

XVIII. And whereas the Line of the said Railway crosses the following Roads, namely, the Turnpike Road leading from *Kilbride* to *Saltcoats*, a Parish Road leading from *Spring Vale* to *Saltcoats* called *Jack's Road*, the Turnpike Road leading from *Saltcoats* to *Kilwinning*, all on the Level, and a Road leading from *Findlysbrae* through *Kyleshill* by means of a Bridge over the Railway: And whereas it is expedient that the said Crossings should be effected by means of Bridges, and the same can be accomplished by varying the Course of the said Roads, and uniting the two first-mentioned Roads into One Road, and the Two last-mentioned Roads into a Road, for a short Part of their Course at the Points of crossing respectively; be it therefore enacted, That it shall and may be lawful for the Trustees on the Turnpike Road from *Irvine* to *Kelly Bridge*, and they are hereby required, at the Cost of the said Company, to deviate the Line and Levels of the Two Roads first above mentioned, and to unite the same into One Road for a short Part of their Course, so as to carry the same over the said Railway by means of a Bridge to be erected near to the present crossing of the first-mentioned Turnpike Road, and also to deviate the Line and Levels of the Two last-mentioned Roads, and to unite the same into One Road for a short Part of their Course, so as to carry the same over the said Railway by means of a Bridge to be erected at or near to the South Side of *Kyles Hill Street* in *Saltcoats*, the said Trustees always making Compensation to the Owners and Occupiers of all Grounds or other Heritages which may be taken or used for the Purpose of making the said Deviations in Terms of the Provisions of an Act passed in the Session of Parliament held in the First and Second Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for amending and making more effectual the Laws concerning Turnpike Roads in* Scotland, commonly called the General Turnpike Act for *Scotland*; and it shall be lawful to and for the said Trustees to contract and agree with the said *Ardrossan* Railway Company for defraying the Costs and Charges of effecting the said Deviations, and erecting the said Bridges, and whenever the said Bridges are so erected the present Roads, so far as deviated, shall and may be shut up and discontinued. 1 & 2 W. 4. c. 43.

Provisions as to crossing certain Roads on a Level.

XIX. And whereas the said Railway, when improved as aforesaid, will still cross *Raise Road*, and a Lane called *Goat Lane*, both in the Town of *Saltcoats*, on a Level; be it enacted, That the said Company shall and they are hereby required, within Six Weeks after the passing of this Act, to erect and in all Time thereafter to maintain good and sufficient Gates across the said Railway on each Side of the said *Raise Road*, and across the said Lane called *Goat Lane*, on each Side of the said Railway, which Gates shall be constructed and maintained at the Expence of the said Company, at the Sight and to the Satisfaction of the Sheriff of the County of *Ayr*, in case he shall be called upon by any Party having an Interest (the said Company paying all the Expences attending the Application for and obtaining such first Inspection and Approval); and the

Gates at *Raise Road* shall at all Times be kept shut and fastened across the said Railway, except only when Waggons or other Carriages are passing along the said Railway across the said Road, and shall not be open longer than is necessary for the passing of such Waggons or Carriages, nor until the said Road be clear for such Passage without Danger of Collision or other Accident, and the said Gates at the said Lane called *Goat Lane* shall be kept shut and fastened at all Times across the said Lane, except when any Carriages, Cattle, or Passengers are passing across the said Railway along the said Lane; and such Gates at *Raise Road* shall be so constructed, as that, when opened from the said Line of Railway, they shall shut upon and close up the said Road on both Sides of the Railway during the Passage of Waggons or other Carriages along the said Railway across the said Road; and the said Gates across the said Lane shall be so constructed, as that, when opened from the said Lane, they shall shut upon and close up the said Railway during the Passage of Carriages, Cattle, and Passengers along the said Road across the said Railway; and the said Company shall and they are hereby required to keep Persons constantly on the watch at the said Points of crossing, for the Purpose of opening and shutting the said Gates, without any undue Delay, and of giving Warning of the Approach of Waggons or other Carriages, under a Penalty, to be paid by the said Company, not exceeding Five Pounds for every Day after the Expiration of the said Six Weeks during which such Gates shall not be so erected, and under a like Penalty not exceeding Five Pounds, to be paid by the said Company for every Neglect of or Offence against any of the Provisions herein-before contained respecting the said Gates, which Penalty shall be recoverable summarily, with full Costs, before the said Sheriff of the County of *Ayr*, at the Instance of, and shall be paid to any Person who may sue for the same: Provided always, that in order to accommodate the Inhabitants of the said Town of *Saltcoats*, the said Company shall be bound, within Six Months after the passing of this Act, to erect and maintain a Station House for Passengers at the said Town of *Saltcoats*, and to stop their Trains at least Three Times each Way within every Twenty-four Hours, at such Station for the Convenience of Passengers going and returning by the said Railway.

Foot Bridges to be made over Goat Lane and M'Lachlan's Lane.

XX. And be it enacted, That the said Company shall, within Two Months after the passing of this Act, make and erect and in all Time thereafter maintain a Wooden Bridge for Foot Passengers over the said Railway, of the Breadth of Ten Feet at the least, at or near the Lane in the Town of *Saltcoats*, called *M'Lachlan's Lane*, marked No. 53, on the said Plans, with a good and sufficient Fence or Railing not less than Four Feet above the Surface of the Roadway, with Stairs of a convenient Acclivity, and not less than Five Feet in Width, leading from the said Lane to the said Bridge, and shall also make and erect and in all Time thereafter maintain a Wooden Bridge for Foot Passengers of the like Dimensions and with the like Conveniences over the said Railway at or near the said Lane called the *Goat Lane*, with Stairs of the like Description as the said Stairs at *M'Lachlan's Lane*, to lead from the said *Goat Lane* to the said Bridge: Provided always, that if required at any Time within One Month after the passing of this Act by any Ten Proprietors of Houses in *Saltcoats* the said Company

pany shall in addition to the said Bridge construct and maintain a Tunnel under the said Railway at or near the said crossing at *M'Lachlan's Lane*, which Tunnel shall not be less than Ten Feet wide and of such Height as the said Railway will admit of, not being less than Six Feet, and such Tunnel shall be so constructed as to be protected as far as practicable against Inundation from the Sea.

Provision in favour of Stevenston Coal Company.

XXI. And whereas a private Railway has been formed along Part of the Country traversed by the said *Ardrossan* Railway, by certain Persons trading under the Firm of the *Stevenston* Coal Company: And whereas the said private Railway crosses the said *Ardrossan* Railway at several Places in its Course from a Point in the Town of *Saltcoats*, where the said Railways cross each other, to a Point at or near the West End of the *Broom* Embankment, where they also cross each other: And whereas, in order to prevent Collision by the Waggons or other Carriages using the said Two Railways, it is desirable to separate the said Railways between the said Two Points; be it enacted, That it shall and may be lawful to the said *Ardrossan* Railway Company and they are hereby required, at and upon the passing of this Act, to make over and convey to the said *Stevenston* Coal Company, or the Individual Partners thereof, the Southern Line of Rails at present belonging to and used by the said *Ardrossan* Railway Company, with the Rails, Chains, Blocks, and others thereto belonging between the Points and Places aforesaid, so that the same may thereafter be and remain the Property of the said *Stevenston* Coal Company; and the said Two Companies shall make and maintain, at their mutual Expence, a good and sufficient Wall for dividing and separating the Property so to be conveyed from that to be retained by the said *Ardrossan* Railway Company, all in Terms of an Agreement entered into between the said Two Companies.

Power to treat for the Purchase of Land, &c.

XXII. And be it enacted, That it shall be lawful for the said Company to treat and agree, and to employ any Person or Persons to treat and agree, for the Purchase, Lease, or Feu of any Lands required to be taken and used by them for the Purposes of this Act, and for the Purchase or Discharge of any subsisting Life-rent Rights, or other Rights, Servitudes, and Leases affecting the same, and Estates and Interests therein, and Burdens or Incumbrances constituted thereon, or such of them or such Part thereof as the said Company shall think proper, or, except in Cases of entailed Properties, for the Acquirement of such Lands in Feu Farm, on the Payment of a perpetual Feu Duty or Ground Rent in respect of the same.

Corporations and Persons under legal Disability empowered to sell and convey Lands.

XXIII. And be it enacted, That it shall be lawful for all Corporations, Heirs of Entail, Life Renters, Husbands, Tutors, and Curators, or other Guardians, Judicial Factors, Trustees for charitable or other Purposes, Executors, and Administrators, and all other Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors in the said Property, but also for and on behalf of those for whom they may act, whether Infants, Minors, Issue unborn, Bankrupts, Lunatics, Idiots, Married Women, or other Persons, and it shall also be lawful for all Married Women who shall have Right to or be possessed of or interested in such Lands, either absolutely or by virtue

virtue of any Right of Terce or other Right, and for all and every Person whomsoever who shall have Right to or be interested in any such Lands, to contract for, sell, feu, or convey or let to the said Company all or any Part thereof; and all such Contracts, Sales, Feus, Charters, Conveyances, and Leases shall be valid and effectual, notwithstanding the limited or defeasible Nature of the Right and Title, or the Inability or Incapacity of the Parties so contracting, selling, feuing, conveying, or leasing, any Law or Custom or Prohibition in the Titles of such Property to the contrary notwithstanding; and all such Corporations and Persons aforesaid so contracting, selling, feuing, conveying, or leasing are hereby indemnified from what they shall so do in pursuance of this Act; and all such Contracts, Sales, Feus, Charters, Conveyances, and Leases shall be made at the Expence and by the Agent of the Company, and according to the Forms usual in such Cases in *Scotland*, or, in the Option of the said Company, the said Feus and Conveyances may be according to or as near as may be in the following Form:

Form of Conveyance.

'I of in consideration of the Sum of paid to me by the *Ardrossan* 'Railway Company, do hereby sell, alienate, and dispone to the said 'Company all and whole [*describe the Premises conveyed*], and all 'my Right, Title, and Interest in and to the same and every Part 'thereof, to be holden by the said Company and their Successors for 'ever, in Terms of an Act passed in the Year of the Reign of 'Her Majesty Queen *Victoria*, intituled [*here set forth the Title of 'this Act, and any Conditions of the Feu or Conveyance*]; and I 'consent to the Registration hereof in the Books of Council and 'Session, or others competent for Preservation and Execution, and also 'in the Register of Sasines, Reversions, &c. for Publication, and 'thereto constitute my Procurators. In 'witness whereof I have subscribed these Presents [*here insert a 'Testing Clause according to the Forms of the Law of Scotland*].'

Which Feu or Conveyance being duly executed, and being registered in the particular Register of Sasines kept for the County of *Ayr*, or in the General Register of Sasines for *Scotland* presently kept at *Edinburgh*, within Sixty Days from the last Date thereof, which the respective Keepers of the said Registers are hereby authorized and required to do, shall give and constitute a good and undoubted Right and complete and valid Feudal Title in all Time coming to the said Company of Proprietors, and their Successors and Assigns, to the Premises therein described, any Law or Custom to the contrary notwithstanding: Provided always, that nothing herein contained shall authorize the Proprietor of any entailed Lands to sell or convey the same in Feu Farm to the said Company, unless the Deed under which such Lands are held shall authorize such Mode of Sale.

Conveyances to the Company to bar Challenge in certain Events.

XXIV. And be it enacted, That in all Cases where the said Company have already purchased or shall hereafter purchase a Part only of the Lands belonging to any Proprietor, and possessed by him under the same Titles, and the Feu or Conveyance thereof in favour of the said Company or the Infeftment following thereupon shall have been duly recorded in a public Register of Sasines, such Feu or Conveyance

ance shall be deemed and taken to be a valid and indefeasible Right and Title to the said Lands, and the said Company shall accordingly remain thereafter in the free and undisturbed Possession thereof, subject only to the Provisions and Conditions contained in the said Feu or Conveyance, unless it shall be shown by the Person or Corporation claiming the same or any Right or Interest therein that the Grantor of the said Feu or Conveyance was not at the Time of granting the same capacitated or capable by completing Titles in his Person to capacitate himself to execute the said Deed under or by virtue of the said recited Acts or of this Act: Provided always, that nothing herein contained shall be held to interfere with or bar the Claims of Superiors under whom the Grantor of the said Feu or Conveyance held or might have held the said Lands.

Holders of Heritable Securities to discharge or convey.

XXV. And be it enacted, That all Persons and Corporations holding any Security by Lien, Wadset, Heritable Bond, Redeemable Bond of Annuity, or Disposition in Security, over or to any Lands to be taken or used for the Purposes of this Act, shall on Payment or Tender by the said Company, or by any Person by them authorized, of the Principal Money and Interest due thereon, or of the Value of the said Annuity, and the Penalty and Expences (if any) then due on the said Principal Money or Value of the said Security, together with the Amount of Six Months Interest on the said Principal Money or Interest for such shorter Period as may be fixed for Intimation of Payment and Redemption of the said Securities as after mentioned, immediately discharge their said Security, or, in the Option of the said Company, convey, assign, and transfer their Interest in and Right to the said Lands and Securities to the said Company, or to such Person and in such Manner as they shall appoint, and which Conveyance, Assignment, and Transfer may be of the like Form as the Conveyances by this Act directed to be used in Cases of Conveyance of Lands, or as near thereto as the Circumstances of the Case will permit, or in the Form of such Deeds in *Scotland;* or in case the Holders of such Securities shall have Notice in Writing from the said Company, or from the Party or Parties entitled to exercise the Power of Redemption of and in the said Lands, that they will pay off the Principal Money and Interest which shall be due on the said Security at the End of Six Months, (to be computed from the Day of giving such Notice,) or at the End of such shorter Period as may be fixed for Intimation of Payment and Redemption by the said Securities, then at the End of such Six Months or shorter Period, on the Payment of the Principal Money and Interest so due, together with any Penalty or Expences then due, the Holders of such Securities shall discharge the same, or, in the Option of the said Company, convey, assign, and transfer their respective Interests in and Right to the said Lands and Securities to the said Company, or as they shall direct; and in case they shall refuse to discharge, or convey, assign, and transfer as aforesaid, on such Tender or Payment, then all Interest on every such Security shall from thenceforth cease and determine: Provided always, that in case any Holder of such Security shall neglect or refuse to discharge, or convey, assign and transfer as aforesaid, or in case of Doubt as to the Right or Title of such Holder, then, upon Consignment of the Principal Money and Interest, as Value of the said

said Annuity, and the Penalty and Expences (if any) due on any such Security as aforesaid in one of the Chartered Banks in *Scotland*, at or at any Time after the End of Six Months from the Day of giving such Notice as aforesaid, or after the End of such shorter Period as may be fixed for Intimation of Payment and Redemption by the said Securities, or in lieu of such Notice, and in addition to the said other Monies, of Interest for Six Months, or such shorter Period as aforesaid, in advance, in Name or on behalf of the Owner of such Security, the Cashier of the said Bank shall give a Receipt for such Money, in like Manner as is by this Act directed in Cases of other Payments into the said Bank; and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of the Holder of such Security, and of all Persons in Trust for him, shall vest in the said Company, and the said Company shall be entitled to take such legal Steps as may be necessary for making up a formal valid Title to such Security.

Directing in what manner Disputes between the Company and certain Heritable Creditors shall be settled.

XXVI. And be it enacted, That in all Cases in which any Lands subject to any Security as aforesaid shall be required for the Purposes of this Act, which Lands shall be of less Value than the Principal Money and Interest or Value of Annuity, with the Penalty and Expences secured thereon, or in which a Part only of any Lands subject to such Security shall be required for the Purposes of this Act, and the Holder of such Security shall not consider the remaining Part of such Lands to be sufficient for the Money secured thereon, or shall not be willing to release the Part of the Lands required for the Purposes of this Act from his Security, the Value of such Lands or (as the Case may be) of such Part of such Lands as shall be so required for the Purposes aforesaid, and also the Compensation (if any) for any Damage done, shall be settled and agreed upon by and between the Holder of such Security, and the Person entitled to exercise the Power of Redemption of such Lands on the one Part, and the said Company on the other Part; and in case of any Difference between them, then such Value and Compensation shall be determined by the Verdict of a Jury in the same Manner as in other Cases of Difference, and the Amount of such Value and Compensation, being so agreed upon and determined as aforesaid, shall be paid to the Holder of such Security in satisfaction of his Claim so far as the same will extend, and the Holder of such Security shall thereupon discharge his Security over the said Lands, the Value whereof shall have been so agreed upon or determined as aforesaid, or, in the Option of the said Company, convey, assign, and transfer his Security to the said Company so far as it extends over the said Lands, and to the Extent of the Sum paid to him; or in case of his neglecting or refusing to discharge, or to convey, assign, and transfer as herein-before directed, then the Amount of such Value and Compensation shall be consigned in one of the Chartered Banks of *Scotland* to the Credit of the Holder of such Security, as by this Act is provided in Cases of a like Nature, and such Payment or Consignment shall be and be accepted in satisfaction of the said Security so far as the same will extend, and also in full Discharge and Exoneration of such Part of the Lands aforesaid as shall be so taken or used from all Principal and Interest, Penalty, and Expences due or secured thereon, and thereupon such Lands

Lands shall become the absolute Property of the said Company: Provided nevertheless, that all Holders of Securities as aforesaid shall have the same Powers or Remedies and Title to pursue for recovering or compelling Payment of their Debts or the Residue thereof, as the Case may be, or the Interest thereof respectively, and Penalties and Expences upon and out of the Residue of the Lands not required for the Purposes aforesaid, as they would otherwise have had or been entitled to for recovering or compelling Payment thereof upon or out of the whole of the Lands originally subject to such Security.

Superiority not to be diminished.

XXVII. And be it enacted, That the Rights and Titles to be granted in manner herein-mentioned to the said Company in and to any Lands used or taken for the Purposes of this Act shall, unless otherwise especially provided, in nowise affect or diminish the Right of Superiority in the same, which shall, although not especially reserved, remain entire in the Person granting such Rights and Titles; and in the Event of the Lands so used or taken being a Part or Portion of other Lands held by the same Owner, under the same Titles, they shall not be liable for any Feu Duties or Casualties to the Superiors thereof, or for any Proportion of the public or parochial Burdens payable from such Lands, nor shall the said Company be bound to enter with the said Superiors: Provided always, that before entering into Possession of any Lands full Compensation shall be made to the said Superiors for all Loss which they may sustain by being deprived of any Casualties, or otherwise, by reason of the above Provision.

Satisfaction to be made for Lands taken for the Railway.

XXVIII. And be it enacted, That all Persons and Corporations by this Act capacitated to sell, feu, and convey any Lands, or to release and discharge Lands from Feu Duties, Ground Annuals, Casualties of Superiority, or other real Burdens or Incumbrances secured thereon, and the respective Owners, Lessees, and Occupiers of any Lands through or upon which the said Railway and other Works hereby authorized are intended to be made, may agree to accept and receive, and may (subject to such Restrictions as in this Act are contained as to the Payment thereof) accept and receive, Satisfaction or Compensation for the Value of such Lands, or of the Interest therein by them conveyed, and also Compensation for any Damage by them sustained by reason of the severing or dividing such Lands, and also for and on account of any Loss or Damage which may be sustained by such Persons and Corporations, by reason of the taking thereof, in such gross Sums or annual Payments as shall be agreed upon between the said Owners, Lessees (including Persons hereby capacitated as aforesaid), and Occupiers respectively, and the said Company; and in case the said Company and such Parties respectively shall not agree as to the Amount or Value of such Purchase Money, Satisfaction, or Compensation, the same respectively, or either of them concerning which they do not so agree, shall be ascertained and settled, if required, by the Verdict of a Jury as herein is directed.

Parties to deliver a Statement of their Estates and Claims within Thirty

XXIX. And be it enacted, That on or before the Expiration of Thirty Days next after Notice in Writing from the said Company, or their Agent duly authorized, of their Intention to take or use any Lands or any Part thereof, setting forth an Account of the Extent of Land required

Days after Notice.

required to be taken, and the Nature of the Work to be executed for the Purposes of this Act, shall have been given to any Person or Corporation having Right to or being interested in, or authorized by this Act to accept and receive Satisfaction or Compensation for the Value of the same, or any Estate, Share, or Interest therein, or Burden or Incumbrance constituted thereon, or for any Injury or Damage sustained or to be sustained on account of the Execution of this Act, such Person or Corporation shall deliver or cause to be delivered at the Office of the said Company a Statement in Writing of the Particulars of the Estate, Share, Interest, Burden, or Incumbrance, which he or they claim to be entitled to or to be authorized to receive Satisfaction and Compensation for, and of the Injury or Damage sustained or to be sustained by him or them, and of the Amount of the Sum of Money which he or they may expect and be willing to receive in satisfaction and compensation for the Value of such Estate, Share, Interest, Burden, or Incumbrance, and for such Injury or Damage respectively.

In case the Parties refuse or are incapable to treat, the Value of Land and Damages to be settled by a Jury.

XXX. And for settling all Differences which may arise between the said Company and the several Owners, whether as Superiors or Vassals, Lessees and Occupiers of, or Persons interested in, any Lands which shall or may be taken, used, damaged, or injuriously affected by the Execution of any of the Powers hereby granted; be it further enacted, that if any Person or Corporation so interested or entitled, or hereby capacitated to sell and convey Lands, or release and discharge Burdens or Incumbrances as aforesaid, shall not agree with the said Company as to the Amount of the Purchase Money, Satisfaction, or Compensation for the same, or if any of the Parties entitled to receive such Purchase Money, Satisfaction, or Compensation shall refuse to accept the Amount offered by the said Company, and shall give Notice thereof in Writing to the said Company, within Twenty-one Days next after such Offer shall have been made, and the Party giving such Notice shall therein request that the Matter in dispute may be submitted to the Determination of a Jury, or if any of such Parties as aforesaid shall for the Space of Thirty Days next after Notice in Writing shall have been given to the Clerk, Agent, or principal Officer of any such Corporation, or to any such Person, or his Factor or known Agent, or left at his last or usual Place of Abode, or with some Lessee or Occupier of any Land required for the Purposes of this Act, neglect or refuse to treat or shall not agree with the said Company for the Sale and Conveyance, or Release and Discharge of his said Estate or Interest, or shall by reason of Absence be prevented from treating, or shall by reason of any Impediment or Disability, whether provided for by this Act or not, be incapable of making such Agreement and Conveyance, or Release and Discharge, as shall be necessary or expedient for enabling the said Company to take such Lands, or to proceed in making the said Railway and other the Works aforesaid; or if the said Company shall for the Space of Twenty-one Days after Notice in Writing given to them by any Person or Corporation, being an Owner, Lessee, or Occupier, or being interested in any Lands taken or to be taken, used, damaged, or injuriously affected by the Execution of the Powers hereby granted, neglect or refuse to treat with such Parties, or shall not agree with them;

them; or if in any other Case an Agreement for Compensation for Damages incurred in the Execution of this Act, or for the Purchase of Lands required for the Purposes of this Act, cannot be made, then and in every such Case the said Company, or the said Owner, Lessee, or Occupier, or Person interested in such Lands, or their Mandatories in their Absence, shall be and they are hereby respectively empowered to make a summary Application in Writing to the Sheriff of the said County of *Ayr*, in which Application they shall state the Amount of the Purchase Money, Satisfaction, or Compensation as aforesaid claimed by them, and shall crave that such Amount may be assessed and ascertained by the Verdict of a Jury; and the said Sheriff is thereupon required to summon a Jury of not more than Fifty nor less than Thirty-six duly qualified Persons, in the Manner in which Juries are in use to be summoned for the Trial of Civil Causes in the Court of Session in *Scotland*, to meet at such Time and Place as such Sheriff shall think fit to appoint, not being less than Ten Days after the Date of such Application, out of whom the said Sheriff shall in the usual Way impannel a Jury of Thirteen Persons, all Parties concerned having their lawful Challenges or Exceptions against any of such Jurymen, and the said Sheriff is hereby empowered and required to preside in the said Court, and to summon and call before him or grant Commission for the Examination of every Person who shall be thought necessary by either Party to be examined as a Haver or Witness touching the Matter in question; and the said Sheriff may order and authorize the said Jury or any Three or more of them to view the Land, Place, or Premises in controversy, and the said Jury shall inquire of, assess, and fix by the Verdict of a Majority of their Number the Sum of Money to be paid for the Purchase of the whole of any such Lands belonging to the same Proprietor, whether situated within the said County or not, or for any Interest therein, or for the Release and Discharge of any such Lands from any Burden or Incumbrance secured thereon, or for Compensation as aforesaid, under Deduction of the Value of any Interest therein which may have been purchased by the said Company from any other Person, and also the Sum of Money to be paid by way of Satisfaction or Compensation, either for the Damages which shall before that Time have been done or sustained, or the future, temporary, or perpetual, or for any recurring Damages to be done or sustained as aforesaid, and the Cause or Occasion of which shall have been in part only obviated, removed, or repaired by the said Company, and which cannot or will not be further obviated, removed, or repaired by them; which Satisfaction or Compensation for Damage or Loss shall be inquired into and assessed distinctly and separately from the Value of the Lands to be taken or used as aforesaid, and the said Sheriff shall accordingly give Judgment and decree for such Purchase Money, Satisfaction, or Compensation as shall be assessed by such Jury, which said Verdict and the Judgment and Decree thereon to be pronounced as aforesaid shall be binding and conclusive to all Intents and Purposes upon all Persons and Corporations whatsoever, and shall not only be enforced by every Diligence of the Law competent on any Decree of the Sheriff in a Civil Cause, but shall not be subject to Review or Stay of Execution by Advocation, Suspension, or Reduction, or to any Question or Review

in any Way whatsoever: Provided always, that in such Inquiry the Person or Corporation claiming Compensation shall, in case he or they have delivered in a Statement of the Particulars of his or their Estates and Claims in manner herein-after directed, if required so to do, be Pursuer, and shall have all such Rights and Privileges as Pursuers in Actions of Law are entitled to: Provided also, that not less than Ten Days Notice in Writing of the Time and Place in which such Jury are so required to be returned shall be given by the Party who shall apply to the Sheriff for the same to the Party with whom any such Dispute shall arise, either by delivering such Notice to such Party, or by leaving the same at his Place of Abode, or with the Clerk or Agent or principal Officer of the Corporation in the Case of a Corporation, or with some Lessee or Occupier of the Lands intended to be valued, or respecting which or any Damage to which any such Question shall arise, a Certificate whereof shall, if called for, be produced under the Hands of the Person giving such Notice, before the Jury is impannelled as aforesaid.

Special Juries may be called.

XXXI. And be it enacted, That it shall be lawful for any of the Parties in any Case where the Matters aforesaid are ordered to be assessed and ascertained by the Verdict of a Jury, to apply to such Sheriff as aforesaid to direct that the same shall be assessed and ascertained by a Jury specially chosen from disinterested Persons qualified to act as Special Jurors in *Scotland*, and the said Sheriff shall thereupon cause to be returned to the Clerk of such Sheriff a List of Thirty-six Persons qualified to be Special Jurors in *Scotland*, and shall appoint a Day for the Parties or their Agents to appear before such Sheriff Clerk to reduce the Number of such Jury, and on the Day appointed the Parties or their Agents shall appear before such Sheriff Clerk, and alternately beginning with the Party who had originally applied to have the Matters aforesaid assessed and ascertained by a Special Jury strike off One from the said List, until the Number of Jurymen is reduced to Twenty, which Twenty only shall be summoned to attend the said Sheriff on the Day appointed for the Trial of the Matter aforesaid; and if either of the Parties or their Agents shall fail to attend on the Day appointed for reducing the Number of Jurymen, then the other Party attending shall proceed to strike off One of the said List, and the Sheriff Clerk shall strike off One alternately, till the List be reduced to Twenty as aforesaid; and on the Day appointed for trying the Matters aforesaid the Jury shall consist of such Thirteen of the said Twenty as shall first appear on the Names being called over, all Persons having their lawful Challenges or Exceptions against any of the said Jurymen, and where a full Jury shall not appear, or shall not remain after such Challenges as aforesaid, it shall be lawful for the said Sheriff to add to the List of the Jury the Names of such other disinterested Persons qualified to act as Special Jurymen in *Scotland* who may be necessary to make a Jury of Thirteen, all Parties having also their lawful Challenges or Exceptions against such Persons; and the said Sheriff shall and may proceed to the Trial of the Matters aforesaid with those Persons who were originally in such List of Jurors, together with the Persons added in manner aforesaid, in the same Manner as the said Sheriff might and ought to have done if all the said

said Persons whose Names were inserted in the said original List had appeared to try the Matters aforesaid; and the said Sheriff may order and authorize the said Jury, or any Three or more of them, to view the Land, Place, or Premises in controversy, and the Verdict shall be returned by a Majority of such Thirteen Persons as aforesaid.

Compensation Money to be apportioned.

XXXII. And be it enacted, That all Juries summoned under the Powers of this Act for the Purpose of ascertaining and determining the Amount of Satisfaction or Compensation to be made for the taking, using, or prejudicially interfering with any Lands, or for any Injury which may arise thereto by reason of the Construction or Use of the said Railway, or any of the Works connected therewith, shall (if required) apportion the Amount of such Compensation among the various Parties interested in such Lands, according to their respective Interests therein, and the proportionate Amount of Loss or Damage which they may respectively sustain.

Verdicts to be recorded.

XXXIII. And be it enacted, That the said Applications, Verdicts, Judgments, and Decrees, being first signed by the said Sheriff, shall be kept by the Sheriff Clerk of the said County, and shall be deemed Records to all Intents and Purposes; and the same, or Extracts thereof, or of any Part thereof, duly authenticated according to the Forms usual in *Scotland*, shall be allowed to be good Evidence in all Courts whatsoever, and all Persons shall have Liberty to inspect such Records, paying for such Inspection the Sum of One Shilling, and also to take or make Copies thereof, paying for every Copy after the Rate of Sixpence for every One hundred Words.

Jurors and Witnesses to be under the same Regulations as those summoned for any Civil Cause.

XXXIV. And be it enacted, That every Juryman and Witness summoned or cited to attend such Trial shall also be subject to the same Regulations, Pains, and Penalties as if the Juryman and Witness respectively had been summoned or cited to serve upon any Jury or give Evidence in any Civil Cause in *Scotland*, and all Persons who in any Examination to be taken by virtue of this Act upon their Oath, or being Quakers, upon their Affirmation, shall wilfully and corruptly give false Evidence before any such Jury or Sheriff, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject to the Pains and Penalties to which Persons guilty of wilful and corrupt Perjury shall or may by Law be subject.

Expences of Jury how to be paid.

XXXV. And be it enacted, That in every Case in which the Verdict of a Jury summoned as aforesaid shall be given for the same or a greater Sum than shall have been previously offered by the said Company for the Purchase of any Lands to be used or taken by them for the Purposes of this Act, or as Compensation for any Damage or Loss which may happen or arise in the Execution of any of the Powers hereby granted, all the Costs, Charges, and Expences of summoning such Jury, and the Expences of Witnesses and of Counsel and of the Inquisition and Judgment thereon, and of the Bond to be given by the Party requiring such Jury to be summoned, shall be defrayed by the said Company, and such Costs, Charges, and Expences shall be taxed and decerned for by the said Sheriff; but if the Verdict of the Jury shall be given for a less Sum than shall have been

previously

previously offered by the said Company, one Moiety of the said Costs Charges, and Expences shall be defrayed by the Party with whom the said Company shall have such Dispute, and the Remainder shall be defrayed by the said Company, and, having been taxed, and decerned for in manner herein-before mentioned, shall and may be deducted out of the Money decerned to be paid to such other Party as so much Money advanced to and for his Use; and the Payment or Tender of the Remainder of the Money so decerned for shall be deemed and taken to all Intents and Purposes to be a good Payment or Tender in satisfaction of the Whole thereof: Provided always, that in Cases in which, by Reason of Absence in foreign Parts, or from any other Cause or Disability not herein-before provided for, any Person shall have been prevented from treating and agreeing as aforesaid, the whole of such Costs, Charges, and Expences shall be borne and paid by the said Company.

Persons requiring Juries to enter into Bonds to prosecute their Complaints and pay Expences.

XXXVI. And be it enacted, That all Parties with whom the said Company shall have any Dispute respecting Damages, and who shall require a Jury to be summoned as aforesaid, shall on Tender thereof by the Company, and before the said Sheriff shall issue his Warrant for summoning such Jury, enter into a Bond with Two sufficient Sureties to the said Company, in a Penalty of One hundred Pounds, to prosecute their Claim, and to bear and pay their Proportion of the Costs, Charges, and Expences attending such Inquiry as herein-before mentioned, in case any Part of such Costs, Charges, or Expences shall fall upon them.

Notice of Injury to be given before any Proceedings taken.

XXXVII. And be it enacted, That the said Company shall not be obliged, nor shall any Jury to be summoned by virtue of this Act be allowed (without the Consent of the said Company), to receive or take notice of any Claim to be made by any Party for any Loss or Injury by him sustained or supposed to be sustained in consequence of the Execution of any of the Powers of this Act, unless Notice in Writing by or on behalf of the Corporation or Person making such Claim, stating the Nature, Extent, and Particulars of such Loss or Injury, and the Amount of the Compensation claimed in respect thereof, shall have been given by such Corporation or Person to the said Company Ten Days before the summoning of such Jury, and within the Space of Six Months after the Time of such supposed Loss or Injury having been sustained, or after the doing or committing thereof shall have ceased.

Persons holding under Leases to produce the same.

XXXVIII. Provided always, and be it enacted, That in all Cases in which any Tenant or Lessee shall claim any Satisfaction or Compensation for or in respect of any unexpired Term or Interest which he shall claim to be possessed of or entitled to in any Lands, Mines, or Minerals intended to be taken or used under the Authority of this Act, under or by virtue of any Lease or Missives of Lease or otherwise, the said Company are hereby authorized to require such Party to produce or show the Lease or Missives of Lease or other sufficient Evidence of the Terms under which he holds, in respect of which such Claim to Satisfaction or Compensation shall be made; and if such Lease or Missives of Lease or such Evidence thereof shall

shall not be produced or be shown within Twenty-one Days after Demand made by the said Company, or by their Clerk or Agent, or sufficient Cause shown for Nonproduction thereof, the Party claiming such Satisfaction or Compensation shall be considered and treated as a Tenant holding only from Year to Year.

For settling Disputes as to Damages to a small Amount.

XXXIX. And be it enacted, That in case any Difference shall arise between the said Company and any of the Owners, Lessees, or Occupiers of the Property to be taken or used for the Purposes of this Act, or to be injured by any thing done in execution of any of the Powers hereby granted, as to the Amount of Purchase Money or Satisfaction or Compensation to be paid for the same, and such Difference cannot be adjusted and settled between the Parties, and in case the Amount claimed does not exceed the Sum of One hundred Pounds, the Sum to be paid shall be ascertained and determined by the Sheriff of the said County of *Ayr*, who, upon summary Application made to him by both or either of the said Parties, shall examine into the Matter in dispute, and shall determine and settle, and also pronounce Decree for the Amount which shall be payable by the said Company; and the Costs of such Application shall be regulated and awarded according to the same Principle as herein-before provided with regard to Inquiries before Juries.

Application of Compensation Money amounting to 200*l.*

XL. And be it enacted, That if any Money shall be agreed or awarded to be paid for the Purchase of any Lands to be taken or used by virtue of the Powers of this Act or of any Interest therein, or for the Release and Discharge of any such Lands from any Burden or Incumbrance secured thereon, or for any Compensation under this Act for Injury done to such Lands, which any Corporation, Heir of Entail, Life Renter, Husband, Guardian, Tutor, or Curator, Judicial Factor or Trustee, or any Executor, or Administrator, or any Infant, Minor, Issue unborn, Bankrupt, Lunatic, Idiot, Married Woman, or other Person under any Disability or Incapacity, shall be entitled to, interested in, or hereby capacitated to convey, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid under the Direction and by the Authority of the Court of Session into some one of the Chartered Banks in *Scotland*, to the Intent that such Money shall be applied under the Direction and Authority of the said Court, to be signified by an Order made upon a summary Petition to be presented to the said Court by the Party who would have been entitled to the Rents and Profits of the said Land, in the Purchase or Redemption of the Land Tax, or in or towards the Discharge of any heritable Debt or other Burden or Incumbrance affecting the said Lands, or affecting other Lands standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes, as the said Court shall authorize to be purchased or paid, or such Part thereof as shall be necessary, or until the same shall upon the like Application be laid out, by Order of the said Court, in the Purchase of other Lands, which shall be conveyed and settled, and thereafter held to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands which shall be so purchased, taken, or used as aforesaid, or in

respect of which such Compensation shall be paid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking effect; and in the meantime, and until such Purchase can be made, the Interest and annual Produce of such Money shall from Time to Time be paid to the Party who would for the Time being have been entitled to the Rents and Profits of such Lands so to be purchased and settled.

When less than 200*l.* and exceeding 20*l.*

XLI. Provided always, and be it enacted, That if any Money agreed or awarded to be paid as last herein-before mentioned shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then the same shall, with the Approbation of the said Company, signified in Writing under the Hands of Three at least of the Directors of the said Company, be paid into any of the Chartered Banks in *Scotland*, and applied in manner herein-before directed; or otherwise the same may be paid upon the Request of the respective Parties for the Time being entitled to the Rents and Profits of the Lands so taken or used, or of such Interest therein, or of their respective Husbands, Guardians, Tutors, or Curators, Judicial Factors, or Trustees in the Cases of Married Women, Infants, Idiots, Lunatics, or other incapacitated Persons, and with the like Approbation, to Two Trustees to be nominated by the respective Parties (such Nomination to be approved of by the said Company), and such Nomination and Approbation to be signified in Writing under the Hands of the nominating Parties, and of Two at least of the Directors of the said Company; and the Money so paid to such Trustees, and the Dividends and Produce so arising thereon and therefrom, shall be by such Trustees applied in like Manner as is herein-before directed with respect to the Money so to be paid into the Chartered Banks as aforesaid, without obtaining or being required to obtain therefor the Direction or Authority of the Court of Session.

When not exceeding 20*l.*

XLII. Provided also, and be it enacted, That when any Money so agreed or awarded to be paid as last herein-before mentioned shall not exceed the Sum of Twenty Pounds, the same shall be paid to the respective Parties who would for the Time being have been entitled to the Rents and Profits of the Lands so taken or used for the Purposes of this Act, or in respect of which such Compensation shall be paid, for their own Use and Benefit, or in the Cases of Married Women, Infants, Idiots, Lunatics, or other incapacitated Persons, then such Money shall be paid for their Use to their respective Husbands, Guardians, Tutors, or Curators, Judicial Factors, or Trustees.

In case of not making out Titles, &c. the Money to be paid into a Bank.

XLIII. And be it enacted, That in case any Party to whom any Money shall be agreed or awarded and decerned to be paid for the Purchase of any Lands to be taken or used by virtue of the Powers of this Act, or for any Interest, or for Satisfaction or Compensation as aforesaid, shall refuse or neglect to accept the same, or to convey the Premises or Interest in the Premises purchased, or shall refuse, neglect, or be unable to make a Title to such Premises, or to such Interest in the Premises, to the Satisfaction of the said Company, or shall be absent from *Scotland*, or cannot be conveniently found, or if any Party

Party entitled unto or to convey such Lands or such Interest therein cannot be conveniently known or discovered, or be not known to the Satisfaction of the said Company to be such Party, then and in every such Case it shall be lawful for the said Company to order the Money so agreed or awarded as aforesaid to be consigned in any of the Chartered Banks in *Scotland*, to be placed in an Account to be opened in Name of the Parties interested in the said Lands (describing them so far as the said Company can do), subject to the Control and Disposition of the Court of Session, which said Court, on the Application of any Party making claim to such Money or to any Part thereof by a summary Petition, is hereby empowered to order the same to be laid out and invested, and to order Distribution thereof or of the Interest thereof, according to the Right, Title, or Interest of the Party making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem proper; and the Cashier of the Bank who shall receive such Money is hereby required to give to the said Company a Receipt for such Money, mentioning and specifying therein for what and for whose Use (described as aforesaid) the same is received.

Persons in Possession presumptively entitled.

XLIV. Provided always, and be it further enacted, That where any Question shall arise in reference to the Provisions aforesaid or otherwise upon this Act regarding the Title of any Party to any Lands, or to any Interest in any Land, or to any Compensation Money in respect of Damage done to any Lands, or to any Money to be paid into any of the Chartered Banks in *Scotland* for the Purchase of any Lands, or of any Estate, Right, Title, or Interest in any Lands to be taken or used in pursuance of this Act, or for the Compensation as aforesaid, the Parties respectively who shall be in Possession or Receipt of the Rents or Profits of such Lands at the Time of such Lands being taken by the said Company, or at the Date of the Purchase thereof by the said Company, and all Persons and Corporations claiming under such Parties, or under or consistently with the Possession of such Parties, shall be deemed to have been lawfully entitled to such Lands or such Interest therein, or to such Money as aforesaid, according to such Possession, unless the contrary shall be shown to the Satisfaction of the said Court of Session, and the Dividends or Interest and also the Capital of such Money, shall be paid, applied, and disposed of accordingly, until it can be shown to the Satisfaction of the said Court that some other Party has a preferable or better Right thereto.

The Court may order reasonable Expences of Purchases to be paid by the Company.

XLV. Provided also, and be it enacted, That where by reason of any Disability or Incapacity of any Party entitled to any Lands to be taken or used, or in respect of which any Satisfaction or Compensation shall be payable under the Authority of this Act, except where Parties shall refuse to convey such Lands, the Purchase Money for the same or the Money payable for such Compensation shall be required to be paid into any of the Chartered Banks in *Scotland*, it shall be lawful for the Court of Session to order the Costs, Charges, and Expences attending the Purchase or the taking or using of such Lands, or which may be incurred in consequence thereof, and also the Costs, Charges, and Expences of the Reinvestment

ment of the Purchase or Compensation Money in other Lands, and likewise the Costs, Charges, and Expences (occasioned only by the Exercise of the Powers conferred by this Act, and not by Litigation between Claimants or otherwise) of any Proceedings had as hereinbefore authorized for the Investment of such Purchase or Compensation Money, and for the Payment of the Interest thereof, and of the Payment of the Money to be produced by realizing the said Re-investments out of Court, or of so much of such Costs, Charges, and Expences as the said Court shall think reasonable, together with the necessary Costs and Charges of obtaining the proper Orders for such Purposes, to be paid by the said Company out of the Monies to be received by virtue of this Act, and the said Company shall from Time to Time pay such Sums of Money for such Costs, Charges, and Expences as the said Court shall direct.

Power to enter Lands, &c. on Payment or Tender of Purchase Money.

XLVI. And be it enacted, That upon Payment or legal Tender of such Sums of Money as shall have been agreed upon between the Parties, or awarded by a Jury in manner aforesaid, for the Purchase, Lease, or Feu of any Lands, or for the Release and Discharge of any Burden or Incumbrance, or as a Compensation for any Loss or Injury as aforesaid to the respective Proprietors of such Lands or other Persons respectively interested therein and entitled to receive such Money, or if the Parties so respectively interested and entitled as aforesaid cannot be found, or shall be absent from the United Kingdom, or shall refuse to receive such Money as aforesaid, or shall refuse, neglect, or be unable to make a good Title to such Lands to the Satisfaction of the said Company, or if any Party entitled to or to convey such Lands shall not be known, or shall be absent from the United Kingdom, or shall refuse, neglect, or be unable to convey the same, or if such Money shall have been agreed or awarded to be paid for the Purchase of or as a Compensation for Injury done to any Lands which any Corporation, Trustee, or Person under Disability is hereby capacitated to convey, then upon Consignment of such Money in any of the Chartered Banks in *Scotland* in the Manner herein provided, in every such Case it shall be lawful for the said Company immediately to enter upon such Lands, and thereupon such Lands, together with the Yearly Profits thereof and all the Estate, Use, Trust, and Interest of all Parties therein, shall thenceforth be vested in and become the sole Property of the said Company to and for the Purposes of this Act, and such Payment or Tender and Conveyance, or such Deposit in a Chartered Bank as aforesaid, shall not only bar all Right, Title, Claim, Interest, and Demand of the Person entitled to or interested in such Lands or Heritages, but shall also extend to and be deemed and construed to bar the Curtesy of the Husband and the Terce of the Wife of every such Person, and all other Right or Title of every other Person whomsoever therein in respect of which such Purchase or Compensation Money shall be paid: Provided nevertheless, that before such Payment, Tender, or Deposit in a Chartered Bank as aforesaid it shall not be lawful for the said Company or for any Person acting under their Authority to bore under, dig, or cut into, or enter upon such Lands for any of the Purposes of this Act, save for the Purposes of ascertaining and setting out the same

same for the Purposes of this Act, without the previous Consent of the Owners, Lessees, and Occupiers thereof respectively.

If Land not contracted for within Three Years Power to take Property on Compulsion to cease.

XLVII. And be it enacted, That unless the said Company shall within the Space of Three Years, to be computed from the passing of this Act, pay for, as in this Act is mentioned, the Land which they are by this Act empowered to take or use, or otherwise so much thereof as shall be by them deemed necessary and proper for the Purposes of improving the said Railway or making the other Works hereby authorized, then and from thenceforth the Powers which are hereby granted to them for taking or using such Land shall cease and be utterly void, save and except with the Consent in Writing of the Owners and Occupiers thereof respectively: Provided always, that nothing herein contained shall enable the said Company to deviate from the Line of the said Railway as at present laid down after the Expiration of Three Years from the passing of this Act, without the Consent in Writing of the Owners and Occupiers of the Lands through which such Deviation would extend.

If Railway not completed in Seven Years the Powers to cease except as to such Part, if any, as shall be completed.

XLVIII. And be it enacted, That in case the said Railway and Works shall not have been made and completed (unless prevented by inevitable Accident) within the Space of Seven Years, to be computed from the passing of this Act, then from and after the Expiration of the said Term of Seven Years all the Powers, Authorities, and Privileges given by this Act shall cease and determine, save only and except as to so much (if any) of the said Railway and Works as shall have been completed within the said Term; and the Sheriff of the said County of *Ayr* is hereby authorized and required, at any Time before the Expiration of the said Term of Seven Years, or within Six Months next after the Expiration thereof, to grant a Certificate of such Completion upon the Evidence of Two or more credible Witnesses to be produced before such Sheriff for that Purpose.

If Railway is abandoned the Land to revert to the adjoining Owners.

XLIX. And be it enacted, That if the said Railway or any Part thereof shall at any Time hereafter be abandoned or given up by the said Company, or after the same shall have been completed shall for the Space of Three Years cease to be used and employed as a Railway, then and in such Case the Lands so purchased or taken by the said Company for the Purposes of this Act, or otherwise the Parts thereof over which the said Railway or any Part of such Railway which shall be so abandoned or given up by the said Company shall pass, shall vest in the Owners for the Time being of the Land adjoining that which shall be so abandoned or given up in manner following; (that is to say,) one Moiety thereof in the Owners of the Land on the one Side, and the Remainder thereof in the Owners of the Land on the other Side.

Provision for Deficiencies of Land Tax.

L. And whereas by reason of the Exercise of the Powers by this Act granted, there may be Deficiencies in the Assessments for Land Tax in the several Parishes through or in which the said Railway and other Works may pass or be situate; be it therefore enacted, That the said Company shall from and after they shall have become seised or possessed of any Premises charged with the Land Tax, and until the Works hereby authorized to be made

shall be completed and assessed to such Land Tax (unless the said Company shall think fit to redeem the same under the Power of the Acts for the Redemption of Land Tax), be subject and liable from Time to Time to pay and make good to or in aid of such several Parishes as aforesaid, out of the Monies to arise by virtue of the said recited Acts and this Act, all such Sums of Money as shall be deficient in the said several Assessments for Land Tax within the said several Parishes by reason of taking or using for the Purposes of this Act any Premises liable to such Assessments, according to the Rental at which the same were valued or rated at the Time of taking the same; and the Treasurer or Collector to be appointed under this Act is hereby required to pay all such Deficiencies, on Demand thereof, to the Collector of the said Assessments.

Railway not to exceed Thirty Yards in Breadth.

LI. And be it enacted, That the Lands and Grounds to be taken or used for the Purposes of this Act shall not exceed Thirty Yards in Breadth, except in such Places where it shall be judged necessary for Waggons or other Carriages to turn, lie, or pass each other, or for raising Embankments for crossing Valleys, or in deep Cuttings, or for Wharfs, Depôts, Warehouses, Sheds, Buildings, Cranes, or other relative Works and Conveniences foresaid, and in those Places only such Breadth of Land as shall be absolutely necessary.

Railway to be free on Payment of Rates.

LII. And be it enacted, That all Persons whomsoever shall have free Liberty to pass upon and use the said Railway with Waggons or other Carriages for the Conveyance of Coals, Lime, or other Commodities or Merchandize, properly constructed for travelling upon the said Railway, in the Manner to be fixed by the said Company, and to use the Wharfs and Depôts hereby authorized to be made, upon Payment only of such Rates as are authorized to be received by this Act: Provided always, that it shall be lawful to the said Company to prohibit the Use of Haulage by Horses on the said Railway where Locomotives are used.

Stock of the Company.

LIII. And be it enacted, That it shall and may be lawful for the said *Ardrossan* Railway Company from Time to Time, and in such Proportions as they may think fit, to raise and contribute Money among themselves or by the Admission of new Subscribers, a further Sum not exceeding Fifty-one thousand seven hundred Pounds Sterling, in addition to the Sum of Twenty-eight thousand three hundred Pounds so raised as aforesaid, by the Creation of new or additional Shares of Fifty Pounds each, of and in the Capital Stock of the said Company and Undertaking, in such Manner as to them shall seem meet; and the several Shareholders shall advance and pay proportionably, according to the Number of their respective Shares, such Sums of Money as have been or shall be subscribed by them, in manner herein-after directed; and such new or additional Shares so to be created by virtue of this Act, and the said several Shares to the Amount of Twenty-eight thousand three hundred Pounds so raised as aforesaid, shall to all Intents and Purposes be and they are hereby declared to be consolidated, and to be one and the same Joint Stock and Property; and the Subscriptions under this Act shall be held to be the same to all Intents and Purposes as a Subscription under the said

said last-recited Act; and all Persons, Bodies Politic, Corporate, and Collegiate, and Parties whatsoever who shall acquire Right to any Share or Shares of such new or additional Stock shall have the same Rights, Profits, and Advantages for such Share or Shares held by or belonging to them respectively as any Person or Persons, Bodies Politic, Corporate, or Collegiate, or Parties whatsoever holding or having Right to the like Number of Shares of original Stock under the said recited Acts.

Proprietors not liable beyond the Amount of their Shares.

LIV. And be it enacted, That no Person or Corporation, nor the Estate, Real or Personal, of any such Person or Corporation who is or shall be a Proprietor of the said Company, shall be liable for or charged with the Payment of any Debt or Demand whatsoever due or to become due by or from the said Company, beyond the Extent of his or their Share in the Capital of the said Company.

Subscription Money to be paid.

LV. And be it enacted, That all Persons, Bodies Politic, Corporate, or Collegiate, or Parties whatsoever, who have subscribed or who shall subscribe for or purchase any of the Shares of the new or additional Stock to be created under this Act, either at the full Sum of Fifty Pounds for every Fifty Pound Share or at any diminished or increased Price, shall be bound to pay the stipulated Sum for each and every Share subscribed for by them respectively to the said *Ardrossan* Railway Company, or the Treasurer for the Time being for behoof of the said Company, at such Time or Times as shall be fixed by the Committee of Management of the said Company for such Payment.

Shares to be deemed Personal Estate.

LVI. And be it enacted, That all the Shares and Proportions of and in the said Undertaking, or the Joint Stock or Fund of the said Company, shall to all Intents and Purposes be deemed Personal Estate, and be transmissible as such, and shall not be deemed to be of the Nature of Real Property.

Shares to be transferable.

LVII. And be it enacted, That it shall be lawful for the several Proprietors of Shares in the said Undertaking, and their respective Executors, Administrators, and Successors (after Payment of Twenty-five *per Centum* upon the Amount of such Shares, and of all Calls which may have been theretofore made thereon, but not before, without the Consent of the said Company) to sell and dispose of any Shares to which they shall be entitled therein, subject to the Rules and Conditions herein-mentioned, and the Form of Conveyance of such Shares shall be by Writing duly stamped, and may be in the following Words, or to the like Effect, varying the Names and Descriptions of the contracting Parties as the Case may require; (that is to say,)

Form of Transfer.

‘ *Ardrossan* Railway.

‘ I *A. B.* of in consideration of the Sum
‘ of paid to me by *C. D.* of
‘ do hereby assign and transfer unto the said *C. D.* Share
‘ [*or* Shares] numbered of and in the Undertaking
‘ called “The *Ardrossan* Railway,” to hold unto the said *C. D.*,
‘ his Executors, Administrators, and Assigns [*or* Successors and

‘ Assigns,

'Assigns], subject to the several Conditions on which I held the 'same immediately before the Execution hereof, and I the said 'C.D. do hereby agree to accept and take the said Share [*or* 'Shares] subject to the Conditions aforesaid. In Witness whereof '[*here insert a testing Clause, according to the Form of the Law of* 'Scotland].'

And on every such Sale the Deed or Conveyance (being executed by the Seller and Purchaser) shall be kept by the said Company or by the Clerk of the said Company, who shall enter in some Book to be kept for that Purpose a Memorial of such Transfer and Sale, and endorse the Entry of such Memorial on the said Deed of Sale or Transfer, for which Entry and Endorsement the Sum of Two Shillings and Sixpence and no more shall be paid to the Clerk of the said Company, and the said Company or Clerk as aforesaid is hereby required to make such Entry or Memorial accordingly, and on Demand to make an Endorsement of such Transfer on the Back of the Certificate of each Share so sold, and to deliver the same to the Purchaser for his Security, for which Endorsement no more than Two Shillings and Sixpence shall be paid; and such Endorsement being signed by such Clerk shall be considered in every respect the same as a new Certificate; and until such Memorial shall have been made and entered as before directed, the Seller thereof shall remain and be held liable for all future Calls, and the Purchaser shall have no Part or Share of the Profits of the said Undertaking, nor any Interest in respect of any Share paid to him, nor any Vote in respect thereof as a Proprietor of the said Undertaking.

Names of Proprietors to be entered in a Book.

LVIII. And be it enacted, That the Clerk of the said Company shall in some proper Book to be provided by the said Company for that Purpose enter and keep a true Account of the Names, Descriptions, and Places of Abode of the several Proprietors of Shares in the said Undertaking, and of the said several Corporations and Persons who shall from Time to Time become Proprietors thereof or entitled to any Share therein, and every such Proprietor (or in the Case of a Corporation the Clerk or Agent of such Corporation duly appointed) may at all convenient Times have Recourse to and peruse such Book *gratis*, and may demand and have Copies thereof, or of any Part thereof, paying to the said Clerk at and after the Rate of Sixpence for every One hundred Words so copied.

Power to close Transfer Books at certain Periods.

LIX. And be it enacted, That it shall be lawful for the said Company and they are hereby authorized to close the Books kept for entering Memorials of Transfers of Shares for a Period not exceeding Seven Days before each of the yearly General Meetings of the said Company, or the Day fixed for the Payment of any Dividend on the Stock of the said Company, and to fix a Day for such closing of the Books, during which Time the said Company shall not be bound to take notice of any Transfer which shall not have been registered previously to the Day fixed for closing the Books; but all such Transfers shall, as between the Parties claiming under the same and the said Company, but not otherwise, be considered as made subsequently to such General Meeting or Period of Payment: Provided always,

always, that Seven Days Notice at least of the Day on which the Transfer Books shall be closed shall be given in One or more Newspapers published in the County of *Ayr*, or by Notice to the Proprietors of the said Stock at the Time of making the Order for closing the said Books.

The Person whose Name stands first as a joint Proprietor with others to be deemed the Owner, and to vote.

LX. And be it enacted, That where several Persons shall be jointly possessed of or entitled to any Share in the said Undertaking, the Person whose Name shall stand first in the Books of the said Company as Proprietor of such Share shall, for the Purpose of voting at any General or Special General Meeting of the said Company be deemed the Proprietor of such Share; and as between several Proprietors all such Proprietors shall be entitled to give their Votes in respect thereof, by the Person whose Name shall so stand first in the Books of the said Company as Proprietor of such Share and not otherwise, and whose Vote, either in Person or by Proxy, shall on all Occasions be deemed and allowed to be the Vote for or in respect of the whole Property in such Share, without Proof of the Concurrence of the other Proprietor or Proprietors of such Share; and all Notices by this Act directed to be given to the Proprietors of Shares in the said Undertaking shall and may, for or in respect of any such Share so jointly held, be given to the Person whose Name shall so stand first in the Books of the said Company, or be left with some Inmate of the last or usual Place of Abode of such Person, or be inserted in the *Edinburgh Gazette*, as the Case may require; and such Notice shall be deemed sufficient Notice to such Person whose Name shall so stand first as aforesaid, and to all other the Proprietors of such Share for all the Purposes for which such Notice is intended to be given.

Receipt of One Proprietor of a Share a sufficient Discharge.

LXI. And be it enacted, That the Receipt of the Person or of any one of the Persons in whose Name or Names any Share in the said Undertaking shall stand in the Books of the said Company, or of his Mandatory, shall from Time to Time be a sufficient Discharge to the said Company and Treasurer, for any Dividend or other Sum of Money which shall become payable and be paid for or in respect of such Share, notwithstanding any Uses or Trusts upon or to which such Share shall be then settled, conveyed, or assigned, whether or not the said Company have Notice of such Uses or Trusts, and the said Company shall not be bound to see to the Application of the Money mentioned in such Receipt.

Receipt of a Parent or Guardian to be a sufficient Discharge.

LXII. And be it enacted, That in all Cases where Money shall be payable under the Provisions of this Act to any Proprietor who shall be a Minor, Idiot, or Lunatic, the Receipt of the Tutor, Curator, or Guardian (if any), or, if not, the Receipt of the Parent of such Minor, or of any Judicial Factor, shall be a sufficient Discharge to the said Company and their Treasurer for the same.

Annual Account to be made, and a Copy transmitted to the Sheriff Clerk.

LXIII. And be it enacted, That the said Company shall and they are hereby required in each and every Year to cause an annual Account in Abstract to be prepared, showing the total Receipts and Expenditure of all Funds levied under or by virtue of this Act for the Year ending on the last Day of *December*, or some other convenient Day

Day in each Year, under the several distinct Heads of Receipt and Expenditure, with a Statement of the Balance of such Account, duly audited and certified by the Clerk for the Time being of the said Company, and shall transmit a Copy of the said Account free of Charge to the Sheriff Clerk of the County of *Ayr* on or before the First Day of *June* then next, which Account shall be open to the Inspection of the Public at all seasonable Hours, on Payment of the Sum of One Shilling for every such Inspection: Provided always, that if the said Company shall omit or neglect to prepare and transmit or cause to be prepared and transmitted such Account as aforesaid, they shall forfeit and pay for every such Omission or Neglect the Sum of Twenty Pounds.

Money raised, how to be applied.

LXIV. And be it enacted, That all the Sums of Money which shall be received by the said Company from Time to Time for such Shares of new or additional Stock to be created by virtue of this Act shall be applied, in the first place, in payment of the Costs of obtaining this Act, and thereafter in payment of the Debts and Engagements due or contracted in defraying the Expences heretofore incurred in relation to the said Railway and Works connected therewith, and the Expences of completing and improving the said Railway and other Works, and in carrying into execution the other Purposes in relation thereto authorized by this Act,

Company may borrow Money, and assign the Property and Rates as Security.

LXV. And be it enacted, That in case the said Company shall be desirous of raising a further or additional Sum on the Credit of the said Railway and Works, it shall be lawful for the said Company, by an Order of any General or Special Meeting of the said Company, to borrow and take up at Interest, either by way of Loan or Cash Credit, any such Sum on the Credit of the said Railway and Works as to them shall seem meet and convenient, and the said Company, or any Three of the Proprietors thereof, upon an Order of any General Meeting of the said Company to that Effect, are hereby authorized and empowered to mortgage, assign, and convey the Property of the said Company, and the Tolls or Rates arising or to arise by virtue of this Act, or any Part thereof, (the Costs and Charges of assigning the same to be paid out of such Tolls or Rates,) as a Security for any such Sum of Money to be borrowed as aforesaid, with Interest, to the Person and Persons who shall advance the same: Provided always, that the Sum to be so borrowed shall not exceed in Amount One Third of the then existing and subscribed Capital Stock of the said Company, and that no such Sum shall be borrowed until Fifty *per Cent.* on the whole of such Capital shall have been paid up, any thing in this Act to the contrary notwithstanding.

Mortgages, Assignments, &c. to be under Seal of the Company, and in the following Form,

LXVI. And be it enacted, That all such Mortgages, Assignments, and Conveyances shall be made under the Common Seal of the said Company, and shall be by Deed or Writing duly stamped, in which the Consideration for such Mortgage, Assignment, or Conveyance shall be truly stated and set forth, and may be in the Words or to the Effect following, or with such Variation therein as the Circumstances of the Loan may render necessary; (that is to say,)

'*Ardrossan*

'*Ardrossan* Railway Company.

'Number .

Form of Mortgage.

'BY virtue of an Act passed in the Year
'of the Reign of Her Majesty Queen *Victoria*, intituled [*here set forth the Title of this Act*], We the *Ardrossan* Railway Company 'incorporated by and under the said Act, in consideration of the Sum 'of paid to us in hand 'by do assign and convey 'unto the said , his Executors, Administrators, and Assigns [*as the Case may be*], the said Undertaking, 'and all and singular the Rates, Tolls, and Sums of Money arising 'by virtue of the said Act, and all the Estate, Right, Title, and 'Interest of the said Company in and to the same, to hold unto the 'said , his Executors, Administrators, and Assigns [*as the Case may be*], until the said Sum 'of together with Interest 'for the same after the Rate of for every One 'hundred Pounds for a Year, shall be fully paid and satisfied. Given 'under our Common Seal this Day of 'in the Year of our Lord .'

And the respective Parties to whom such Mortgages, Assignments, or Conveyances shall be made shall be entitled one with another to their respective Proportions of the said Rates, Tolls, Sums, and Premises according to the respective Sums in such Mortgages, Assignments, or Conveyances mentioned to be advanced, without any Preference by reason of Priority of the Date of any such Order or Meeting, or Priority in Date of such Mortgage, Assignment, or Conveyance, or on any other Account whatsoever; and an Entry or Memorial of such respective Mortgages, Assignments, or Conveyances containing the Numbers and Dates thereof, and the Names of the Parties with their proper Additions to whom the same shall have been made, and of the Sums borrowed, together with the Rate of Interest to be paid thereon respectively, shall within Fourteen Days next after the Date thereof be entered in some Book to be kept by the Clerk of the said Company, which said Book may be perused at all seasonable Times by any of the Proprietors or Mortgagees of the said Undertaking, or other Persons interested therein, without Fee or Reward; and all Parties to whom any such Mortgage, Assignment, or Conveyance shall have been made as aforesaid, or who shall be entitled to the Money due thereon, may from Time to Time transfer their respective Rights and Interests therein to any other Person, and every Transfer thereof shall be by Deed duly stamped, in which the Consideration for such Transfer shall be specified, and may be in the Words or to the Effect following; (that is to say,)

Memorial of Mortgages, &c. to be kept by the Clerk.

Form of Transfer.

'I *A. B.* of in consideration of the
'Sum of paid by *C. D.*
'of do hereby transfer to the said
'*C. D.*, his Executors, Administrators, and Assigns, a certain Assign-
'ment or Conveyance, Number , made by the *Ardrossan*
'Railway Company to bearing
'Date the Day of , for
securing the Sum of and
'Interest

'Interest, and all my Right, Estate, and Interest in and to the 'Money thereby secured, and in and to the Rates, Tolls, and Sums 'of Money and Property thereby assigned. In witness whereof '[*here insert a testing Clause according to the Form of the Law of 'Scotland*].'

Memorial of Tranfers to be kept by the Clerk.

And every such Transfer shall within Twenty Days after the Date thereof, if executed in *Scotland*, or otherwise within Twenty-eight Days after the Arrival thereof in *Scotland*, if executed elsewhere, be produced to the Clerk of the said Company, who shall cause an Entry or Memorial to be made thereof in the same Manner as of the original Mortgage, Assignment, or Conveyance, for which the said Clerk shall be paid the Sum of Two Shillings and Six-pence, and after such Entry or Memorial made every Transfer shall entitle such Assignee, his Executors, Administrators, and Assigns, to the full Benefit thereof and Payment thereon, and it shall not be in the Power of any Person who shall have made such Transfer to make void, release, or discharge the Mortgage, Assignment, or Conveyance so transferred, or any Money thereon due or thereby secured on any Part thereof.

On Repayment of Sums borrowed, the Company may borrow other Sums.

LXVII. Provided always, and be it enacted, That on Repayment of the Sum or Sums of Money hereby authorized to be borrowed, or any Part or Parts thereof, it shall be lawful to the said Company again to borrow and take up at Interest, from Time to Time, the Amount so repaid, or such Part thereof as to them shall seem meet and convenient, but so that the Total Sum borrowed and due by them under this Act shall not at any Time exceed the Sum hereby authorized to be borrowed.

Mortgagees not to be deemed Proprietors or allowed to vote.

LXVIII. Provided always, and be it enacted, That no Person to whom any such Mortgage, Assignment, or Conveyance shall be made or transferred shall by reason thereof be deemed a Proprietor of any Share, or shall be capable of acting or voting as such at or taking any Part in the Proceedings of any Meeting of the said Company.

Power for Directors to make Calls.

LXIX. And be it enacted, That the Directors of the said Company shall have Power from Time to Time to make such Calls of Money from the Subscribers to and Proprietors of the said Undertaking for the Time being, to defray the Expences of and to carry on the same, as they from Time to Time shall find necessary, and Twenty-one Days Notice at the least shall be given of every such Call by Advertisement inserted in One or more of the *Ayr* Newspapers, and all Monies so called for shall be paid to such Persons, at such Times and Places, and in such Manner as in the said Notice shall be appointed; and the respective Owners of Shares in the said Undertaking shall pay their rateable Proportion of the Monies to be called for as aforesaid to such Persons and at such Times and Places and in such Manner as shall be appointed as aforesaid; and if any Owner or Proprietor for the Time being of any such Share shall not so pay such his rateable Proportion, then and in such Case, and as often as the same shall happen, he shall pay Interest for the same after the Rate of Five Pounds *per Centum per Annum* from the Day appointed for the Payment thereof up to the Time when the same shall

If Calls not paid, Interest to be charged thereon.

shall be actually paid; and if any Owner or Proprietor for the Time being of any such Share shall neglect or refuse to pay such his rateable Proportion, together with Interest, if any, then or at any Time thereafter it shall be lawful for the said Company to sue for and recover the same by Action in any competent Court, or the said Directors may and they are hereby authorized to declare the Shares belonging to such Owner to be forfeited, and to order such Shares to be sold: Provided nevertheless, that no Advantage shall be taken of any Forfeiture of any Share in the said Undertaking until Notice in Writing under the Hands of Two Directors, or under the Hand of the Clerk of the said Company, that such Share has been declared forfeited, shall have been given or sent by the Post unto or delivered to some Inmate of the last known usual Place of Abode of the Owner of such Share, nor until the Declaration of Forfeiture of the said Directors shall have been confirmed, either at a General or Special General Meeting of the said Company, such General or Special General Meeting being held after the Expiration of Two Calendar Months at the least from the Day on which such Notice of Forfeiture shall have been given as aforesaid; and after such Declaration of Forfeiture shall have been confirmed by such General Meeting or Special General Meeting, the said Company, by an Order to be made at the same or at any subsequent General Meeting or Special General Meeting, shall have Power to direct the said Directors to dispose of the Shares so forfeited, or any of them, in manner by this Act directed, and the said Directors may in that Case sell and dispose of such Shares at a public Auction, or by private Contract, and together or in Lots, or in such other Manner, and for such Price as they may think fit, and any Proprietor shall be entitled to purchase the same; and a Declaration in due Form of Law as aforesaid, made by some credible Person not interested before any Justice of the Peace, stating that such Call had been made by the said Directors, and that such Notice had been given, and that such Default in Payment had been made in respect of the Share so sold, and that the same Share had been declared to be forfeited, and that such Declaration of Forfeiture had been confirmed in manner herein-before mentioned, shall be sufficient Evidence of the Facts therein stated; and the Purchaser of such Share shall not be bound to see to the Application of his Purchase Money, nor shall his Title to such Share be affected by an Irregularity of Proceeding in reference to such Sale, but such Declaration and the Receipt of the Treasurer or Clerk of the said Company for the Price of such Share shall be sufficient Evidence of Title thereto for all Purposes whatsoever.

If Calls and Interest are not paid the Shares may be declared forfeited and sold.

No such Shares to be sold until after Notice given to the Owner, nor until the Forfeiture thereof has been confirmed by a Meeting of the Company.

LXX. And be it enacted, That in any Action to be brought by the said Company against any Proprietor for the Time being of any Share in the said Undertaking, to recover any Money due and payable for or in respect of any Call, it shall be sufficient for the said Company to declare and allege that the Defender being a Proprietor of a Share in the said Undertaking is indebted to the said Company in such Sum of Money as the Calls in arrear shall amount to, for a Call or so many Calls of such Sums of Money upon a Share belonging to the said Defender, whereby an Action hath accrued to the said Company by virtue of this Act, without setting forth the special Matter; and on the

Proceedings in Actions for Calls.

the Trial of such Action, it shall only be necessary to prove that the Defender at the Time of making such respective Calls was a Proprietor of a Share in the said Undertaking, and that such Call was in fact made, and that such Notice was given as is directed by this Act, without proving the Appointment of the Directors who made such Calls, or any other Matter whatsoever, and the said Company shall thereupon be entitled to recover what shall appear due, including Interest, computed as aforesaid, on such Calls, unless it shall appear that Notice was not given as herein-before required; and in order to prove that the Defender was a Proprietor of such Share in the said Undertaking, as alleged, the Production of the Book in which the said Company is by this Act directed to enter and keep the Names and Additions of the several Proprietors from Time to Time of Shares in the said Undertaking, with the Number of Shares they are respectively entitled to, and of the Places of Abode of the several Proprietors of the said Undertaking, and of the several Persons and Corporations who shall from Time to Time become entitled to Shares therein, shall be *primâ facie* Evidence that such Defender is a Proprietor, and of the Number and Amount of his Shares therein.

Surplus Money arising from Sale of forfeited Shares to be returned to the Owners.

LXXI. And be it enacted, That in case the Money produced by the Sale of any Share which shall be forfeited by reason of the Nonpayment of any Call as aforesaid shall be more than sufficient to pay all Arrears of Calls as aforesaid, and legal Interest thereon as aforesaid, and the Expence attending the Sale thereof, the Surplus of such Purchase Money shall, on Demand, be paid to the Party to whom such forfeited Share shall have belonged: Provided always, that it shall not be lawful for the said Company or for the said Directors to sell or transfer more of the Shares of such Defaulter under the Powers last herein-before contained, than shall be sufficient as near as may be at the Time of such Sale to pay the Arrears of Calls due from such Defaulter, and the Interest and Expences as aforesaid; and from and after Payment of such Arrears of Calls and the Interest and Expences as aforesaid, any Share so forfeited and vested in the said Company as aforesaid, which shall remain in their Hands unsold, shall revert to and again become the Property of the Party to whom such Share shall have belonged immediately before such Forfeiture as aforesaid, in such Manner as if such Calls had been duly paid.

Meetings of the Company.

LXXII. And be it enacted, That the First General Meeting of the said Company to be held under this Act shall be held at *Ardrossan* upon the Second *Friday* after the passing of this Act at Twelve o'Clock Noon to put the same in execution, and from and after such First General Meeting an Annual General Meeting of the said Company shall be held at *Ardrossan* aforesaid on the last *Wednesday* of *January* in each Year, of which Annual Meetings, and all Special General Meetings of the said Company as the Directors shall think proper to convene, which they are hereby authorized to do from Time to Time, or as shall be convened by the Proprietors in manner herein-after mentioned, Fourteen Days previous Notice shall be given in a Newspaper published in the County of *Ayr*.

LXXIII. And

Meetings of Proprietors may be specially convened.

LXXIII. And be it enacted, That Three or more Proprietors of the said Company holding in the aggregate Forty Shares or upwards in the said Undertaking may at any Time by Writing under their Hands left at the Office of the said Company, or given to any One of the Directors of the said Company, or left at or delivered to some Inmate of their last or usual Places of Abode, require the Directors of the said Company to call a Special General Meeting of the Proprietors of the said Company in *Ardrossan*, so as such Requisition fully express the Object for which such Special General Meeting is required to be called, and in case of Neglect or Refusal of the said Directors to call such Meeting for the Space of Twenty-one Days next after such Notice shall have been given as aforesaid, the same may be called by such Three or more Proprietors by giving Fourteen Days Notice thereof by Advertisement inserted in some One or more Newspapers published in the Town of *Ayr*; and the said Company are hereby authorized to meet in pursuance of such Notice, and such of the Proprietors thereof as shall be present at such Meeting (provided there shall within One Hour from the Time appointed for such Meeting be Six Persons present personally or by Proxy, who shall in the whole be entitled to vote in respect of at least One hundred Shares,) shall proceed in the Execution of the Powers by this Act given to the said Company with respect to the Matters so specified in such Notice and to those only, and all Acts of the major Part in Votes of the Proprietors of the said Company met together at any such Special General Meeting shall be as valid with respect to the Matters specified in such Notice and those only, as if the same had been done at a General Meeting held at the Time herein-before appointed for holding the same.

Directing how Proprietors shall vote at Meetings.

LXXIV. And be it enacted, That at all General and Special General Meetings held by virtue of this Act all Persons and Corporations who shall be possessed of or become entitled to Shares in the said Undertaking, and their respective Successors, Executors, Administrators, and Assigns, shall be entitled to have for or in respect of Four Shares One Vote, and so in proportion to any greater Number of Shares; provided always, that no Proprietor shall be entitled to more than Twenty Votes in his own Right, and an equal Number of Votes as Proxy for other Proprietors, and that no such Meeting shall be legal unless it shall have been attended by Persons either as Principals or Proxies possessed of or entitled to Forty Shares at the least, and such Vote or Votes may be given by such respective Parties, or in their Absence by their respective Proxies constituted under the Seals of such Bodies, or under the Hands of the other Proprietors appointing such Proxies, all such Proxies being Proprietors of Shares in the said Undertaking; and every such Vote by Proxy shall be as good and sufficient to all Intents and Purposes as if the Principal had voted in Person, and every Question, Matter, or Thing which shall be proposed in any General or Special General Meeting of the said Company shall be determined by the Majority of Votes of the Proprietors of the said Company then present, personally or by Proxy; and at every such Meeting the Chairman thereof shall and may not only vote as a Principal and also as a Proxy, but in case of an Equality of Votes shall and may also have the deciding or casting Vote; and the Determination

mination of every such Meeting upon any Question, Matter, or Thing shall be and be deemed and taken to be the Decision of the said Company, notwithstanding any Irregularity which may have occurred in the giving or taking of any Votes at such Meeting, and the Appointment of every such Proxy may be made according to the Form following, or as near thereto as the Quality, Nature, and Number of the Appointer or Appointers of the Proxy thereby constituted and other Circumstances will admit; (that is to say,)

Form of Proxy.

'*A. B.* of , one of the Proprietors of the '*Ardrossan* Railway Company hereby appoints *C. D.* of 'to be the Proxy of the said *A. B.*, to vote or give his Assent to 'or Dissent from any Business, Matter, or Thing relating to the 'said Undertaking, which shall be proposed at any General or 'Special General Meeting of the said Company, in such Manner 'as he the said *C. D.* shall think proper. In Witness whereof the 'said *A. B.* hath hereunto set his Hand the 'Day of .'

Proxies to be transmitted to Clerk of Company.

LXXV. Provided always, and be it further enacted, That no Person shall be entitled to vote as the Proxy of any Person or Corporation as aforesaid, unless the Instrument appointing such Proxy shall have been transmitted to and received by the Clerk of the said Company Two Days at least before the holding of the Meeting at which such Proxy is intended to be used.

Lunatics, Idiots, and Minors to vote by Committees and Guardians, &c.

LXXVI. And be it enacted, That in case any Proprietor entitled to vote at any such Meeting as aforesaid shall be a Lunatic, or Idiot, or Minor, such Lunatic or Idiot shall or may vote at such Meeting by his Curator, or by the Judicial Factor on his Estate; and such Curator or Judicial Factor may vote in respect of the Interest of such Lunatics or Idiots either in Person or by Proxy, and such Minor shall and may vote by his Tutor, Curator, or Guardian, or by any of his Tutors, Curators, or Guardians, and such respective Tutors, Curators, or Guardians, or any of them, may vote in respect of the Interest of such Minor either in Person or by Proxy: Provided always, that every such Party may also vote in right of his own Share (if he have any) as well as in the Character of Curator, Judicial Factor, Tutor, or Guardian.

First Directors of the Company.

LXXVII. And be it enacted, That *Alexander Montgomerie* and *Montgomerie Hamilton*, and the Survivor of them, shall be the first Directors of the said Company, and shall continue in Office, and shall have Right to exercise all the Functions of the Office of Director as herein provided, till the First General Meeting of the said Company to be held in pursuance of this Act.

Committee of Management appointed.

LXXVIII. And be it enacted, That the said Company shall at their First General Meeting nominate and appoint, by Ballot or otherwise, as to them shall appear fit, at least Three Persons of and out of the Proprietors of the said Company, severally holding Two Shares at least in the said Undertaking, to be a Committee for the Management of the Concerns of the said Company until the next General Meeting of the said Company, to be holden on the last *Wednesday* in the Month of

of *January* following, and the Powers of the said Committee shall then cease and determine; and the said Company assembled at such General Meeting, on the said last *Wednesday* of *January*, shall proceed to the Nomination and Appointment of another Committee, of whom all of the former Committee may be re-appointed, and so in like Manner at every General Meeting of the said Company held in the Month of *January* in each Year; and the Powers of such Committee shall continue until another Committee shall be appointed in every succeeding *January* in each Year, whereupon the Powers of such Committee shall cease and determine; and the Committees so from Time to Time appointed shall have, possess, and exercise all the Powers granted by the said recited Acts and this Act, for making, maintaining, and using the said Railway, and shall also have Power to appoint Collectors of the Dues, Rates, and Hires payable to the said Company under this Act, and such other Officers as may be found necessary or convenient from Time to Time; but no Person holding any Place, Office, Employment, or Contract under the said Company shall be capable of being one of the said Committee during the Time of his Continuance in such Place, Office, or Employment, or holding such Contract: Provided always, that it shall and may be lawful to and for the said Company, at any Special Meeting, to remove any Member of the Committee, and to nominate another Person, qualified as aforesaid, in the Room or Stead of every Member of the said Committee who shall die, be so removed, refuse to act, or shall hold any Place, Office, Employment, or Contract under the said Company, or shall cease to be a Proprietor in the said Undertaking; and every Person so nominated by the said Special Meeting shall have the like Power and Authority as if he had been nominated by the said Annual Meeting; and any Two Members of the said Committee shall constitute a Quorum, and shall have the same Powers to act as if all Members thereof were present.

Chairman to be elected.

LXXIX. And be it enacted, That the Committee of Management shall, at their first and every other Meeting to be held in pursuance of this Act, elect a Chairman out of the Members of such Committee then present to preside at such Meeting; and any Two or more Members of such Committee, but not less, shall be a sufficient Numbe to constitute a Meeting for the Purpose of doing all the Acts, Matters, and Things, and exercising all the Powers and Authorities hereby directed to be done by and vested in such Committee; and all Questions, Matters, and Things, which shall be proposed, discussed, or considered by the said Committee at their Meetings to be held in manner aforesaid shall be decided and determined by the Majority of Members then present; but no Members shall have more than One Vote at any such Meeting, save and except that, in the Case of an equal Division, the Chairman shall always have a casting Vote: Provided always, that if on the Day appointed for any such Meeting of the Committee of Management as aforesaid there shall not attend so many Members of such Committee as are hereby required to constitute Members of such Committee for exercising the Powers hereby vested in such Committee, then and in such Case and when and so often as the same shall happen, the Meeting shall be adjourned to such subsequent Day as may be fixed by the Member or Members then present; or if no

Member shall be present, by the Clerk to the said Company, or such other Person as shall attend in his Place.

The Company to appoint a Treasurer and Clerk.

LXXX. And be it enacted, That it shall be lawful for the said Company of Proprietors, at any General Meeting assembled, and they are hereby required, from Time to Time to nominate and appoint a Treasurer and Clerk, and such other Officers as they shall think proper, and shall take sufficient Security from every such Treasurer, and other Officer having the Care or Custody of any Money to be raised or received by virtue of this Act, for the due Execution of his Office, as the same Company of Proprietors shall think proper, and from Time to Time to remove and again to replace any such Treasurer, Clerk, and other Officers, or any of them, and such Clerk shall attend the General Meetings and Assemblies of the said Company of Proprietors and the Meetings of the said Committee, and shall in proper Books to be provided for that Purpose enter and keep a true and perfect Account of the Names and Places of Abode of the several Proprietors of the said Undertaking, and of the several Persons who shall from Time to Time become Owners and Proprietors or entitled to any Share or Shares therein, and of all the Acts, Proceedings, and Transactions of the said Company of Proprietors, and of the said Committee, by virtue of and under the Authority of this Act; and every Proprietor of the said Undertaking shall and may at all convenient Times for One Month prior to and One Month after the Annual General Meeting of the said Company have access to and peruse and inspect the same *gratis*, and may demand and have Copies thereof, or any Part thereof, paying Sixpence for every Seventy-two Words so to be copied, and if any such Clerk shall refuse to permit any of the said Proprietors to inspect or peruse any such Books, at all convenient Times and Seasons, or refuse to make any such Copy or Copies in a reasonable Time, at the Rate aforesaid, he shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds for the Benefit of the said Undertaking; and whenever such Treasurer or Clerk shall die, or be removed from or quit the Service of the said Company of Proprietors, it shall be lawful for the Committee of such Proprietors for the Time being, or a Majority of them, to appoint some other fit Person or Persons to be Treasurer or Clerk in the Place of him or them so dying, being removed, or quitting the said Service, until the then next General Meeting of the said Company of Proprietors, when such Appointments shall be confirmed, or another Treasurer or Clerk shall be nominated and appointed in his or their Stead.

No Person to hold the Offices of Clerk and Treasurer at the same Time.

LXXXI. Provided always, and be it enacted, That it shall not be lawful for the said Company to appoint any Person who may be appointed the Clerk in the Execution of this Act, or the Partner of such Clerk, or any Person in the Service or Employ of such Clerk or of his Partner, to be the Treasurer for the Purposes of this Act, or to appoint any Person who may be appointed the Treasurer, or the Partner of such Treasurer, or any Person in the Service or Employ of such Treasurer or of his Partner, to be the Clerk of the said Company for the Purposes of this Act; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of such Clerk, or in the Service

or

or Employ of such Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Treasurer, or the Partner of such Treasurer, or in the Service or Employ of such Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any such Treasurer shall hold any Place of Profit or Trust under the said Company other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds.

Rates to be taken for Goods &c. carried on the Railway.

LXXXII. And be it enacted, That it shall and may be lawful for the said *Ardrossan* Railway Company or Committee at all Times hereafter to ask, demand, take, recover, and receive, to and for the Use and Benefit of the said Company, for all Goods or other Matters which shall be carried and conveyed upon the said Railway and Branches, or upon any Part thereof, any Sum not exceeding the Amount of the Tolls or Rates herein-after mentioned; (that is to say,)

For all Limestone, Ironstone, Stone for Building, Dung, Earth, Sand, and Clay carried or conveyed upon the said Railway, whether the same be carried and conveyed the whole Length or any Part thereof, the Sum of Two-pence *per* Ton *per* Mile, and so in proportion for any greater or less Quantity than a Ton:

For all Coals, Coke, Culm, and Lime, the Sum of Three-pence *per* Ton *per* Mile, and so in proportion for any greater or less Quantity than a Ton:

For all Bricks, Tiles, Slates, Ores, Iron, and Metals, the Sum of Four-pence *per* Ton *per* Mile, and so in proportion for any greater or less Quantity than a Ton:

For all Timber, Bark, Corn, and Grain, the Sum of Five-pence *per* Ton *per* Mile, and so in proportion for any greater or less Quantity than a Ton:

For all Goods, Wares, Merchandize, and Things whatsoever, not herein-before specified, carried and conveyed upon the said Railway, the Sum of Sixpence *per* Ton *per* Mile, and so in proportion for any greater or less Quantity than a Ton:

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 Carriage along the said Railway, any Sum not exceeding Three-pence *per* Mile:

For every Calf, Pig, Sheep, Lamb, or other small Animal conveyed in or upon any Carriage, any Sum not exceeding Two-pence *per* Mile:

For the Use of every Machine for the loading or unloading of Ships, Vessels, Carriages, or Waggons, any Sum not exceeding Two-pence *per* Ton:

For every Passenger carried in any Carriage along the said Railway, any Sum not exceeding Three-pence *per* Mile.

Regulations as to the Parts of a Mile and the Fractions of a Ton.

LXXXIII. And be it enacted, That in all Cases where any Goods, Wares, Merchandize, or other Things whatsoever shall be carried upon the said Railway for any Space less than a Mile, such Goods, Wares, Merchandize, or other Things whatsoever shall pay the same Rates and

and Duties as if they had passed One whole Mile; and if they shall pass more than One Mile but less than Two Miles, they shall pay the same Rates and Duties as if they had passed Two Miles, and so in like Manner for the whole of the said Railway; and in all Cases where there shall be a Fraction of a Ton, a Proportion of the said Rates shall be demanded and taken by the said Company for such Fraction according to the Numbers of Quarters of a Ton contained therein; and in all Cases where there shall be a Fraction of a Quarter of a Ton, such Fraction shall be deemed and considered as a whole Quarter of a Ton; and where there shall be a Fraction of a Penny due upon the Rates and Duties hereby authorized to be levied, such Fraction shall be deemed to be and considered as a whole Penny, and be paid accordingly; and in order to ascertain and calculate with greater Precision and Facility the Distance for which such Rates or Tolls shall be demanded and taken upon the said Railway, the said Company shall cause the said Railway to be measured, and Posts or Stones or other conspicuous Marks, with proper Inscriptions thereon to be set up and maintained along the whole Line thereof at the Distance of One Quarter of a Mile from each other; all which Rates shall be paid to such Person or Persons, at such Place or Places at or near the said Railway or any Part thereof, in such Manner and under such Regulations as the said Committee at any of their stated Meetings shall direct or appoint.

Company may reduce and again raise Rates.

LXXXIV. And be it enacted, That it shall be lawful for the said Company from Time to Time, as they shall think fit, to reduce all or any of the Rates or Tolls by this Act authorized to be taken, and to take the reduced Rates, and afterwards from Time to Time again to raise the same, or any of them, and then to take such higher Rates, so that the same respectively shall not at any Time exceed the Amount by this Act authorized.

Company authorized to carry Passengers, Cattle, and Goods, and to charge for the same.

LXXXV. And be it enacted, That it shall be lawful for the said Company and they are hereby authorized, if they shall think proper, to use and employ locomotive and stationary Engines or other moving Power, and in Carriages or Waggons drawn or propelled thereby to convey upon the said Railway, and also along and upon any other Railway communicating therewith, all such Passengers, Cattle or other Animals, Goods, Wares, and Merchandize, Articles, Matters, and Things as shall be offered to them for that Purpose, and to make such reasonable Charges for such Conveyance as they may from Time to Time think proper and determine upon, in addition to the several Rates or Tolls by this Act authorized to be taken: Provided always, that it shall not be lawful for the said Company to charge for the Conveyance of any Passenger upon the said Railway any greater Sum than the Sum of Three-pence Halfpenny *per* Mile, including the Toll or Rate herein-before granted.

Company authorized to fix the Prices of small Parcels.

LXXXVI. And be it enacted, That it shall be lawful for the said Company from Time to Time to make such Orders for fixing, and by such Orders to fix, the Sum to be charged by the said Company in respect of small Parcels (not exceeding Five hundred Pounds Weight each) as to them shall seem proper: Provided always, that the Provision herein-before

herein-before contained shall not extend to Articles, Matters, or Things sent in large aggregate Quantities, although made up of separate and distinct Parcels, such as Bags of Sugar, Coffee, Meal, and the like, but only to single Parcels unconnected with Parcels of a like Nature which may be sent upon the Railway at the same Time.

Rates to be charged equally.

LXXXVII. And whereas owing to the Steepness of the Gradients and the Smallness of the Radii of the Curves on some Parts of the said Branches, *viz*t, the Branch leading from the Main Line at or near *Dubbs* to *Doura*, and the Branch leading from the said Branch Line at *South Fergus Hill* to *North Fergus Hill*, the said Branches are not adapted throughout for the Use of locomotive Engines, and it is therefore expedient that the said Company should be authorized to take lower Rates for the Use of the said Branches than the Rates to be taken for the Use of the said Main Line on which it is intended to use locomotive Engines; be it therefore enacted, That the aforesaid Rates and Tolls or so much thereof to be taken by virtue of this Act shall at all Times be charged equally, and after the same Rate *per* Mile in respect of all Passengers, Cattle, Goods, Matters, or Things, and after the same Rate *per* Ton *per* Mile, throughout the whole of the Main Line of the said Railway leading from the Town of *Ardrossan* to *Kilwinning*, in respect of the same Description of Articles, Matters, or Things; and the aforesaid Rates and Tolls or so much thereof to be taken for the Use of the said Branches or either of them shall at all Times be charged equally and after the same Rate *per* Mile in respect of all Passengers, Cattle, Goods, Matters, or Things, and after the same Rate *per* Ton *per* Mile throughout the whole of the said Branches or either of them, in respect of the same Description of Articles, Matters, or Things; and no Reduction or Advance in the said Rates and Tolls shall either directly or indirectly be made partially or in favour of any particular Person or Company, or be confined to any particular Part of the said Main Line, or of the said Branches respectively, but that every such Reduction or Advance of Rates and Tolls upon any particular Kind or Description of Articles, Matters, or Things shall extend to and take place throughout the Whole and every Part of the said Main Line, and throughout the Whole and every Part of the said Branches respectively, upon and in respect of the same Description of Articles, Matters, and Things so reduced or advanced, and shall extend to all Persons whomsoever using the same or carrying the same Description of Articles, Matters, and Things thereon, any thing to the contrary thereof in any wise notwithstanding: Provided always, that nothing herein contained shall prevent or be construed to prevent the said Company from charging the full Tolls and Rates herein-before authorized to be taken upon and in respect of the said Branch Railways or any Part thereof, or upon and in respect of any Part of the said Main Railway which may be used by any Person or Company not exceeding Three Miles in length.

Passengers may carry Luggage without extra Charge.

LXXXVIII. And be it enacted, That without extra Charge it shall be lawful for every Passenger travelling along or upon the said Railway to take with him Luggage, not exceeding Sixty Pounds in Weight, or Four Cubic Feet in Dimensions; and the said Company shall in no

Case be in any way liable or responsible for the safe Carriage or Custody of, or for any Loss of or Injury to any Articles, Matters, or Things whatsoever carried upon or along the said Railway, with or accompanying the Person of or belonging to any Passenger, or delivered for the Purpose of being carried, other than and except such Passenger's Articles of Clothing, not exceeding the Weight or Dimensions aforesaid: Provided always, that nothing herein contained shall in any Case extend, or be deemed or construed to extend, to charge or make liable the said Company, further or in any other Case than where, according to the Laws of *Scotland* for the Time being, Stage Coach Proprietors and Common Carriers would be liable, nor shall any thing herein contained extend, or be deemed or construed to extend, in any degree, to deprive the said Company of any Protection or Privilege which either now or at any Time hereafter Common Carriers or Stage Coach Proprietors have or may have, but the said Company shall from Time to Time and at all Times have and be entitled to the Benefit of every such Protection and Privilege.

Packages containing Goods of a dangerous Quality to be marked.

LXXXIX. And for the better preventing of Accidents or Injury which might arise on the said Railway and Works from the unsafe and improper Carriage of certain Goods and Merchandize upon the same; be it further enacted, That every Person who shall send or cause to be sent by the said Railway any Aqua Fortis, Oil of Vitriol, Gunpowder, or other Goods of a dangerous Quality, shall distinctly mark or state the Nature of such Goods on the Outside of the Package containing the same, or shall otherwise give Notice in Writing to the Book-keeper or other Servant of the said Company with whom the same shall be left at the Time of so sending or causing the said Goods to be sent, on Pain of forfeiting for every Default herein the Sum of Ten Pounds: Provided always, that the said Company shall not be compelled or compellable to carry upon the said Railway any Gunpowder or other Goods which in the Judgment of the said Company shall be of a dangerous Character; and it shall be lawful also for the said Company to restrain any Persons from carrying thereon Gunpowder or such other Goods as aforesaid.

Company empowered to provide and charge for locomotive or other Power.

XC. And be it enacted, That it shall be lawful for the said Company, either by themselves or in Connexion with the Company of Proprietors of any Railway which may communicate with the said *Ardrossan* Railway or any other Party, and they are hereby empowered, from Time to Time to build, form, and erect, or purchase or hire, and provide and keep and maintain in repair, such and so many locomotive or stationary Engines and relative Apparatus to be propelled by Steam or other Power fit for the drawing and propelling, and also such and so many Waggons and Carriages fit for the Conveyance of Coal or any other Articles, Matters, or Things, Persons, Cattle, or Animals upon the said Railway and Branches, and also along and upon any Railway communicating therewith, and also such and so many Machines for the loading and unloading of Vessels, Waggons, and other Carriages, and such and so many other Machines and Apparatus required for the said Railway and Works, and the Traffic thereon, as they may find necessary or deem to be proper, and to receive, demand,

and

and recover such Sums of Money for the Use or Hire of such Engines, Apparatus, Waggons, or Carriages as the said Company shall think proper, not exceeding double of and in addition to the several other Rates, Tolls, or Sums by this Act authorized to be taken.

Power to take Wharfage Rates.

XCI. And be it enacted, That it shall and may be lawful for the said Company at all Times hereafter to ask, demand, take, and recover for all Limestone, Dung, Compost, and all Sorts of Manure, and all Materials for making and repairing Public Highways, and for all such Goods, Wares, Merchandize, Commodities, Articles, and Things as aforesaid which shall be shipped from or landed or deposited on any Wharf belonging to the said Company, such Sums respectively, not exceeding Two-pence *per* Ton of any such Article, as the said Committee of Management may appoint, in addition to the Rates payable upon the Carriage of such Goods, Wares, Merchandize, Commodities, Articles, and Things upon the said Railway, which Wharfage Due shall be paid and recoverable, and may be raised and reduced as is before provided in regard to the Rates payable upon the Carriage of Goods as aforesaid.

As to Charges on Traffic from or to the Glasgow, Paisley, Kilmarnock, and Ayr Railway.

XCII. And whereas by an Act passed in the First Year of the Reign of Her present Majesty, intituled *An Act for making a Railway from* Glasgow *to* Paisley *and* Ayr, *and from a Point on the said Railway near* Blairland *to* Kilmarnock, *to be called* "*The* Glasgow, Paisley, Kilmarnock, *and* Ayr *Railway*," *with Branches*, the Company thereby incorporated were authorized to make and maintain the Railway and other Works and Conveniences therein mentioned, together with certain Branches therefrom, One of which Branches is intended to communicate with the said *Ardrossan* Railway, for the Purpose of forming a Communication thereby with the Harbour of *Ardrossan*: And whereas a considerable Amount of Traffic in Goods, Cattle, and Passengers is expected to pass along the said *Ardrossan* Railway to and from the said *Glasgow*, *Paisley*, *Kilmarnock*, and *Ayr* Railway, when the said connecting Branch is made, and it is expedient and will be for the Benefit of the Public that the Rates to be charged for all such Goods, Cattle, and Passengers should be assimilated and regulated: Be it therefore enacted, That notwithstanding any thing in the said recited Act or this Act contained, the said Company shall not exact any higher Rate or Charge *per* Mile, or *per* Ton *per* Mile, on Passengers, Cattle, Goods, or other Articles passing along their said Railway, or any Part thereof, to or from the said *Glasgow*, *Paisley*, *Kilmarnock*, and *Ayr* Railway or Branches, or any Part thereof, either in respect of Tolls, locomotive or stationary Engines, or other Power, Carriages, Waggons, or any other Conveniences, than the average Rate or Charge which shall for the Time being be exacted on Passengers, Cattle, Goods, or other Articles of the same Description carried by the said *Glasgow*, *Paisley*, *Kilmarnock*, and *Ayr* Railway Company on the Portion of their Railway lying between *Paisley* and *Ayr*, for any Distance thereon exceeding Six Miles: Provided always, that the Rates, Tolls, and Charges to be exacted as before mentioned shall not affect the Rates, Tolls, or Charges to be exacted by the said Company hereby incorporated on Passengers, Cattle, Goods, or other Articles

not

not passing from or to the said *Glasgow, Paisley, Kilmarnock,* and *Ayr* Railway and Branches, or any Part thereof.

Saving the Rights of the Glasgow, Paisley, Kilmarnock, and Ayr Railway Company. No Branch to be opened to the Glasgow and Ayr Railway until Branch to Troon be made.

XCIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend to prejudice, diminish, alter, limit, interfere with, take away, control, or suspend any of the Rights, Privileges, Powers, or Authorities vested in or belonging to the said *Glasgow, Paisley, Kilmarnock,* and *Ayr* Railway Company, but that all such Rights, Privileges, Powers, and Authorities shall be as good, valid, and effectual as if this Act had not been passed; and provided also, that it shall not be lawful for the said Company to make any Communication between the said *Ardrossan* and *Johnston* Railway and the said *Glasgow, Paisley,* and *Ayr* Railway, unless and until a Branch from *Barassie Mill* into the Town and Harbour of *Troon* shall have been previously completed and rendered fit for the Use of locomotive Engines in the Manner mentioned in the said recited Act of the First Year of the Reign of Her present Majesty, unless with the Consent in Writing of the Owners of the Lands through which the Line between *Barassie Mill* and the aforesaid Harbour of *Troon* or of the greater Part thereof would pass.

Power to make Bye Laws, &c.

XCIV. And be it enacted, That it shall be lawful for the said Company from Time to Time to make such Bye Laws, Orders, and Regulations as they shall think proper for regulating the Travelling upon and Use of the said Railway, and the Times when the same shall be open for Use, and for or relating to Travellers and Waggons and other Carriages passing upon the said Railway, and for or relating to the Mode or Means by which and the Speed at which such Waggons and other Carriages shall from Time to Time be moved or propelled, and the Times of their Departure and Arrival, and the loading or unloading thereof respectively, and the Weights which they shall respectively carry, and the Delivery of Goods and other Things which shall be conveyed in or upon such Carriages, and also for preventing the Transmission of Gunpowder or other combustible or dangerous Articles upon the said Railway, and the smoking of Tobacco and the Commission of any other Nuisance in or upon any such Carriages, or in any of the Stations or Premises occupied by or belonging to the said Company, and generally for regulating the passing upon, using, or working the said Railway and other Works by this Act authorized, or in anywise relating thereto respectively, and the well governing of the Servants of the said Company, and the Waggoners, Drivers, and others using the same or its Works; and all such Bye Laws, Orders, and Regulations being reduced into Writing, under the Common Seal of the said Company, shall be printed and published, and such Bye Laws, Orders, and Regulations (except such as relate solely to the Proprietors or Directors of the said Company or to any of their Officers and Servants) shall be printed or painted on Boards, and hung up and affixed and continued on the Front or other conspicuous Part of the several Toll Houses erected or to be erected on the said Railway, and other Buildings or Places at which any Rates shall be collected or paid under the Authority of this Act; and such Bye Laws, Orders, and Regulations shall be binding upon and be conformed to by the said Company and their Servants, and by all Owners of

and

and Persons having the Care or Conduct of such Carriages, and by all Persons using or working the said Railway and other Works, and by all Travellers and Passengers passing upon the said Railway, upon Pain of forfeiting and paying a Sum not exceeding Five Pounds, which the said Company may attach to any such Default: Provided always, that in every Case of Infraction or Non-observance of any such Bye Laws, Rules, or Regulations, which shall be attended with Danger to the Public or Annoyance to Travellers, or which shall obstruct or hinder the said Company in their due and lawful Use and working of the said Railway and Works, it shall be lawful for the said Company and their Agents summarily to interfere to obviate such Danger, or to remove or prevent such Obstruction, Nuisance, or Hindrance.

Infraction of Bye Laws.

XCV. And be it enacted, That no Bye Laws or Regulations made by the said Company under the Authority of the said recited Acts or either of them (except such as relate solely to the Proprietors or Committee of the said Company, or to any of their Officers or Servants,) shall continue in force for a longer Space of Time than Six Calendar Months next after the passing of this Act, unless the same shall previously to the Expiration of that Period have been submitted to and approved of by the Sheriff of the County of *Ayr*, or his Substitute, and no Bye Law or Regulation (except as aforesaid) which shall be made by the said Company after the passing of this Act shall have any Operation or Effect until the same shall have been in like Manner approved of by the said Sheriff: Provided always, that a Copy of every such Bye Law shall be deposited with the Sheriff Clerk of the said County One Month at least before the Day on which the same shall be taken into consideration by the said Sheriff, and shall be open to Inspection by all Persons interested: Provided also, that the said Sheriff shall not approve any Bye Law unless Notice of the Application for such Approval, and of the Day fixed for hearing the same, shall have been given in Two or more Newspapers circulating in the County of *Ayr* One Month at least before the Day fixed for the disposing of such Application; and any Party aggrieved by any such Bye Law, on giving Notice of the Nature of his Objection to the said Company Ten Days before the hearing of such Application, may by himself, his Counsel, or Agent, be heard thereon, but not so as to allow more than One Party to be heard on the same Nature of Objection; and every such Bye Law or Regulation, when approved of as aforesaid, shall be binding and conclusive upon all Persons whomsoever.

Bye Laws to be invalid unless allowed by the Sheriff.

XCVI. And be it enacted, That no Waggon or other Carriage shall be permitted to pass upon the said Railway, unless such Waggon or other Carriage shall be constructed agreeably to the Orders and Regulations of the said Company, which Orders and Regulations shall be affixed in or upon some conspicuous Part of every Toll House or other Building at which the Rates and Tolls by this Act granted shall be payable, except in crossing the same as herein authorized for the Occupation of the respective Lands through which such Railway shall pass, or in passing any public or private Carriage Road which may happen to cross the said Railway; and if any Person shall pass upon any Part of the said Railway with any Carriage not constructed

Carriages not to be used unless constructed as directed by the Company.

in the Manner herein-before directed, except as aforesaid, he shall forfeit and pay any Sum not exceeding Ten Pounds, nor less than Forty Shillings, for every such Offence, and which Penalty shall be imposed from Time to Time and as often as such Person shall forfeit the same.

Engines used on Railways to be approved of by the Company.

XCVII. And whereas, for the greater Security of Passengers and other Persons travelling upon and using the said Railway, it is expedient that the locomotive Engines or other mechanical moving Powers to be from Time to Time used in drawing or propelling Carriages upon or along the said Railway should be under the Control of the said Company; be it therefore enacted, That no locomotive or other Engine, or other Description of mechanical moving Power, shall at any Time be brought upon or used on the said Railway without the Permission in Writing of the said Company from Time to Time, and unless such moving Powers shall first have been approved of by the said Company as fit and proper to be used upon the said Railway.

Company may treat with Proprietors of Stone Quarries.

XCVIII. And be it further enacted, That it shall and may be lawful to and for the said Company, and they are hereby empowered to treat and agree with Proprietors of Stone Quarries for the leasing or purchasing thereof for furnishing Stones for making the said Branch Railways and Works hereby authorized, and for repairing the same and the said *Ardrossan* Railway, and also to make and maintain Communication Roads or Railways with the Stone Quarries which shall be so leased or purchased for the Carriage and Conveyance of Stones for the Purposes aforesaid: Provided always, that no such Communication Road or Railway shall be made without the Consent in Writing of the Owners and Occupiers of the Lands through which the same shall be proposed to pass.

Table of Tolls and Rates to be put up.

XCIX. And be it enacted, That the said Company shall and they are hereby required to put or fix up, and afterwards to continue the same so fixed, at or near the Places where such Tolls or Rates are collected, a Table whereon shall be painted or printed, in distinct and legible Black Letters on a Board with a White Ground, a List of all the Tolls or Rates payable by virtue of the said recited Acts and this Act, and to renew such Boards whenever any of the Letters or Figures thereof shall be worn out, defaced, or obliterated, or the Parts thereof worn out, defaced, or obliterated.

Rates or Tolls only payable whilst Boards remain.

C. Provided always, and be it enacted, That it shall not be lawful for the said Company to demand or take any Rates or Tolls for or in respect of any Article, Matter, or Thing, or any Carriage, Passenger, or Cattle, carried or conveyed upon or along the said Railway, except during the Time that such Boards shall be so affixed as aforesaid, unless the same shall have been removed or obliterated without the Knowledge or Privity of the said Company, in which Case the same shall be restored by them with as little Delay as possible after Knowledge thereof.

Penalty on Persons defacing Boards.

CI. And be it enacted, That if any Person shall wilfully, negligently, or maliciously pull down, deface, or destroy any Board whereon any Rules, Orders, Bye Laws, Tolls, or Rates shall be painted or printed, he

he shall on Conviction forfeit and pay to the said Company any Sum not exceeding Five Pounds, nor less than Twenty Shillings, besides Costs of Suit, to be recovered and applied in manner directed by this Act.

For preventing Toll Collectors from taking undue Tolls.

CII. And be it enacted, That if any Collector or other Officer or Servant of the said Company shall demand or take a greater or less Rate or Toll from any Person than he shall be authorized to do by virtue of this Act, or upon the legal Toll or Rate being paid or tendered shall unnecessarily detain or wilfully obstruct or hinder any Carriage or Waggon, or prevent any Person entitled so to do from passing along the said Railway, or shall make use of any scurrilous or abusive Language to any Person, then and in every such Case every such Collector or Officer or Servant shall forfeit and pay any Sum not exceeding Five Pounds, nor less than Twenty Shillings, with Costs of Suit, to be recovered in the Way and Manner herein directed by the said first-recited Act.

For settling Disputes concerning Rates.

CIII. And be it enacted, That if any Dispute shall arise concerning the Amount of the Tolls or Rates due or the Charges occasioned by any Distress to be taken by virtue of the said recited Acts or this Act, it shall be lawful for the Collector or Person distraining to detain such Distress until the Amount of the Tolls or Rates due, and the Charges of seizing, distraining, keeping, or selling such Distress (as the Case shall happen), shall be ascertained by some Justice of the Peace for, or the Sheriff or Sheriff Substitute of the County or Place wherein such Dispute shall happen to arise, who, upon Application made to him for that Purpose, shall examine the said Matter upon the Oath of the Parties or other Witness, and determine the Amount of the said Tolls or Rates; and it shall be lawful for such Judge to assess and award such Costs to be paid by either of the said Parties to the other of them as he shall judge just and reasonable, and in case of Nonpayment thereof, on Demand, by the Party or his Agent to whom the said Judge shall award the same, such Costs shall be levied by Distress and Sale of the Goods and Chattels of the Party directed to pay the same by Warrant under the Hand of such Judge.

Penalty on Persons using Railway without paying legal Rates.

CIV. And be it enacted, That if any Person shall fraudulently carry or convey any Goods or other Matters whatsoever on the said Railway on Payment of a lower Toll or Rate than that to which such Goods or other Matters are made subject or liable by the said Company, and shall thereof be convicted before any Justice of the Peace for the said County of *Ayr*, every Person so offending shall for every such Offence forfeit and pay to the said Company any Sum not exceeding Five Pounds, nor less than Twenty Shillings, over and above the Tolls or Rates to which such Goods or other Matters are liable, to be recovered as directed by this Act.

For preventing the Evasion of Rates.

CV. And be it enacted, That upon the Payment of the Tolls or Rates granted by this Act, the Collector thereof shall and he is hereby required to deliver *gratis* to the Person paying such Tolls or Rates a Note or Ticket denoting the Weight paid for, and which Note

or

or Ticket shall be provided by and at the Expence of the said Company.

Rates how to be levied.

CVI. And be it enacted, That the Tolls or Rates authorized to be demanded and taken shall be paid to such Person, at such Place at or near the said Railway, in such Manner, and under such Regulations as the said Company shall appoint; and in case of Refusal, Neglect, or Delay of Payment of any such Tolls or Rates or any Part thereof, on Demand, to the Person appointed to receive the same as aforesaid, the said Company may sue for the same by Action in any competent Court; or the Person to whom the said Tolls or Rates ought to have been paid may and he is hereby authorized to seize the Goods or other Things for or in respect whereof any such Tolls or Rates ought to have been paid, or any Part thereof, and the Carriage or Waggon laden therewith, as also the Engine, Horse, or other Beast employed in drawing the same, and detain the same until such Payment shall be made, and also until Payment of all Arrears of any Tolls or Rates which may be due from the Owner of such Carriage, Waggon, or Engine, or of such Goods or other Matters, Horse or other Beast (as the Case may be), to the said Company, together with the reasonable Charges for such Seizure and Detention; and if such Carriage, Waggon, or Engine, or such Goods or other Things, Horse or other Beast, shall not be redeemed within Three Days next after the taking thereof, the same shall be distrained, appraised, and sold.

Goods, &c. may be weighed.

CVII. And be it enacted, That if any Difference shall arise between any Collector of the said Tolls or Rates and the Owner of or Person having the Charge of any Carriage, Waggon, or Engine, or the Owner of any Goods or other Matters carried or intended to be carried along the said Railway, it shall be lawful for any such Collector to stop and detain any such Carriage, Waggon, or Engine, and the Goods or other Matters therein, and to weigh the same; and in case the same shall upon such Weighing appear to be of greater Weight than what is set forth and contained in the Account thereof given by the said Owner or Person, then the Person giving in such Account shall pay the Costs and Charges of such Weighing, all which Costs and Charges, upon Refusal of Payment thereof upon Demand, shall and may be recovered and levied by such Ways and Means and in such Manner as the said Tolls or Rates are appointed by this Act to be levied and recovered.

Penalty on Waggons, &c. remaining on Railway.

CVIII. And be it enacted, That if any Carriage or Waggon, Horse or other Beast, or any Coal, Rubbish, or other Matter or Thing, shall be placed or suffered to remain in any Part of the said Railway or Works, so as to obstruct the free Passage along the said Railway, and the Person having the Care of such Carriage, Waggon, or Engine, Horse or Beast, or who may have left such Coal, Rubbish, or other Matter or Thing, shall not immediately, upon Request made by the Surveyor, Agent, Clerk, Manager, or other Person having Charge of the said Railway, remove the same, he shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings; and it shall be lawful for any Officer or Servant of the said Company as aforesaid to cause

cause any such Carriage, Waggon, or Engine to be unloaded if necessary, and to be removed in such Manner as shall be proper for preventing such Obstruction, and detain such Carriage, Waggon, or Engine, and the Loading thereof, until the Charges occasioned by such Removal, together with the Penalty incurred, shall be paid; and if such Payment shall not be made within the Space of Two Days from the Time the Offence is committed, then it shall be lawful for the said Company to sell and dispose of such Carriage, Waggon, or Engine, with the Loading thereof, in such Manner as directed by this Act with regard to Goods taken by Distress, paying the Overplus (if any) to the Owner.

Penalty for Obstructions on Railway.

CIX. And be it enacted, That if any Person shall suffer the Loading of any Carriage or Waggon using the said Railway to project over the Sides of such Carriage or Waggon, or shall overload any such Carriage or Waggon, so as to obstruct the free passing of any other Carriage or Waggon, and shall not immediately, upon Notice given to him by the Servants of the said Company for that Purpose, remove such Obstruction, or if any Person shall throw or in any way lay or spill any Gravel, Stones, Rubbish, or other Matter or Thing into or upon any Part of the said Railway, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, to be recovered as directed by this Act.

Penalty on Trespassers or Foot Passengers.

CX. And be it enacted, That if any Person shall travel or pass on Foot on the said Railway without the Licence and Consent of the said Company (except on a Highway, for the Purpose of attending any Carriage or Waggon under his Care, and except the respective Owners or Occupiers of Lands through which the said Railway shall pass, and their respective Servants, in passing across or over the same for the Purposes of their respective Lands), every Person so offending shall forfeit and pay to the Company, or to any Person authorized to sue for the same, any Sum not exceeding Forty Shillings, nor less than Twenty Shillings, for every such Offence.

Allowing the Owners of adjoining Lands to make Branches to communicate with Railway.

CXI. And be it enacted, That it shall be lawful for the Owners and Occupiers of the respective Lands adjoining to the said Railway, and for all Corporations and Persons, to lay down, either upon their own Lands, or upon the Lands of any other Corporation or Persons with the Consent of such other Corporation or Persons, any collateral Branches from their respective Lands to communicate with the said Railway; and the said *Ardrossan* Railway Company shall be bound to make, upon the Requisition and at the Expence of such Owners and Occupiers, and other Corporations and Persons as aforesaid respectively, Openings in the Ledges or Flanches of the said Railway for effecting such Communication, in such Places only where the said Communication can be made without Prejudice or Injury to the said Railway; and the said Company shall not in any Case be bound to make any such Openings in any Yard or Station, or in any Place where they shall have erected, made, or set up any Building, Steam Engine, Works, or Machinery, or in any Place which the said Company shall have appropriated for any specific Purpose with which such Communication would interfere; and in case any Disagreement shall

arise between any such Owners and Occupiers, or other Corporations or Persons respectively and the said Company as to the proper Places for making any such Openings as aforesaid, the same shall be left to the Decision of the Sheriff of the County of *Ayr* or his Substitute, whose Determination after the Examination of competent Witnesses, to be produced before them by the Parties or either of them desiring to examine such Witnesses, shall be binding and conclusive; and such Sheriff is hereby authorized to take cognizance of all such References, and to act therein accordingly; and the said *Ardrossan* Railway Company shall not receive any Rate, Toll, or Sum for the passing of any Goods or other Things along such Branches so to be made by any such Owner, Occupier, or other Corporation or Person as aforesaid.

Power to extend the Branches to a limited Extent on Application of Land and Mineral Owners and Occupiers.

CXII. And whereas several short Branches have been formed leading from adjoining Coal and Mineral Fields to the said Railway, which have contributed in a considerable Degree to the Trade of the said Railway, and it would promote the public and local Purposes of this Act if the said *Ardrossan* Railway Company were empowered to extend to a limited Extent the Branches of the said Railway into the adjoining Coal and Mineral Fields; be it therefore enacted, That it shall and may be lawful to and for the said Company, on the Application and with the Consent in Writing of the Owners and Occupiers of such adjoining Coal and Mineral Fields, and of the Lands and Grounds through and into which such Extensions shall be desired to pass, to continue to maintain and use such Branches, and also to make and maintain Extension Branches leading from any adjoining Coal or Mineral Field to the said Railway and Branches; provided that no such Branch so to be made with Consent of the Owners and Occupiers of such adjoining Coal or Mineral Field shall exceed Half a Mile in Length; and on the Formation of such extended Branches the same shall to all Intents and Purposes be deemed and taken to be a Part and Parcel of the said Railway and Branches specially authorized by this Act.

Company empowered to contract with other Railways.

CXIII. And whereas it may tend much to the Convenience of the Public if Railway Companies were empowered to enter into mutual Arrangements, so as to avoid the Necessity of a Change of Carriages and other Delays arising from a Diversity of Interests; be it therefore enacted, That it shall be lawful for the said *Ardrossan* Railway Company, and they are hereby empowered, from Time to Time to make and enter into any Contract or Agreement with any other Railway Company (and which Contract or Agreement all other Railway Companies are hereby empowered to make and enter into), either for the Division or Apportionment of the Rates, Tolls, and Duties, or for the Passage over or along the Railway by the said recited Acts and this Act authorized to be made of any Engines, Coaches, Waggons, or other Carriages of or belonging to any other Railway Company, or which shall pass over or along any other Line of Railway, of any Engines, Coaches, Waggons, or other Carriages which shall belong to the Company hereby established, or which shall pass over or along their Line of Railway, upon the Payment of such Rates, Tolls, or Duties, and under such Conditions

and

and Restrictions as may be mutually agreed upon, and also to make and enter into any other Contract with any other Railway Company that may be deemed advisable; and every such Contract may contain such Clauses, Conditions, Provisions, and Agreements as the contracting Parties may respectively think advisable and mutually agree upon: Provided always, that no such Contract shall in any Manner alter, affect, increase, or diminish any of the Rates, Tolls, or Sums which the respective Companies Parties to such Contracts shall for the Time being be respectively authorized to take, demand, receive, or recover of or from any Person or any other Company, but that all other Persons and Companies shall, notwithstanding any such Contract, be entitled to the Use and Benefit of any of the said Railways, upon the same Terms and Conditions, and upon Payment of the same Rates, Tolls, and Sums as they would have been in case no such Contract had been entered into; nor shall any such Contract give any Preference or Advantage to any Company or Person Party thereto over any other Company or Person, but all such Companies and Persons so contracting shall, notwithstanding such Contract, pay the same Amount of Rates, Tolls, or Duties as shall from Time to Time be charged to other Companies or Persons not being Parties to such Contracts.

Company may grant Licences to run locomotive Engines and Carriages.

CXIV. And be it enacted, That it shall be lawful for the said Company and they are hereby authorized, if they shall think fit, to lease to any Person or Persons the Right of establishing and running Carriages to be propelled by locomotive or other Power for the Conveyance of Passengers upon the said Railway, and to grant Licences to Persons desiring to establish and run the same, at such annual Sum or Rent and for such Periods as may be mutually agreed upon between the said Company and such Person or Persons: Provided always, that without such Licence it shall not be lawful to any Person or Persons to run Carriages on the said Railway for the Conveyance of Passengers.

How Notices are to be served on Company

CXV. And be it enacted, That in all Cases where it may be requisite or necessary for any Person to serve any Notice upon the said Company, or any Citation or Summons or other legal Proceedings, the Service upon the Clerk or Treasurer of the said Company, or at the Office of the said Clerk or Treasurer, or left at his last or usual Place of Abode, or in case there shall be no Clerk or Treasurer, then upon any One Director of the said Company, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Company.

Railway Constables may be appointed by Justices of the Peace.

CXVI. And be it enacted, That it shall be lawful for any Two Justices of the Peace for the County of *Ayr*, and they are hereby required, on the Application of the said Company, to appoint from Time to Time such fit and proper Persons as they shall think proper to be Special Constables upon the said Railway and other Works, and every or any Part thereof; and every Person so appointed shall make a solemn Declaration, to be administered by any One Justice of the Peace, that he shall duly execute the Duties of such Special Constable upon and for the said Premises; and every Person so appointed

and

and having made such a Declaration as aforesaid, shall have Power to act as a Constable for the Preservation of the Peace, and for the Security of Persons and Property against Felonies and other unlawful Acts within the Limits of the said Premises, and within One Mile therefrom, and shall have, use, exercise, and enjoy all such Powers, Authorities, Protections, and Privileges for the Apprehension of Offenders, as well by Night as by Day, and for doing all Acts, Matters, and Things for the Prevention, Discovery, and Prosecution of Felonies and other Offences, and for the Preservation of the Peace, as Constables duly appointed now have by the Laws and Statutes of this Kingdom; and it shall be lawful for any Two Justices of the said County to dismiss or remove any such Constable from his Office of Constable, and upon every such Dismissal or Removal all Powers, Authorities, Protections, and Privileges by virtue of such Appointment as aforesaid vested in any Person so dismissed or removed shall entirely cease; and every Person so appointed by such Justices as aforesaid shall, during such Time as he shall act as Constable for the Purposes aforesaid, receive from the said Company such Remuneration as may be agreed upon between him and the said Company, or, for Want of such Agreement, as any Two such Justices shall appoint.

For the Apprehension of Offenders whose Names are unknown, and the summary Removal of Obstructions attended with Danger.

CXVII. And be it enacted, That it shall be lawful for any such Constable and any Officer or Agent of the said Company, and all such Persons as he shall call to his Assistance, to seize and detain any Person whose Name and Residence shall be unknown to such Constable, Officer, or Agent, who shall commit any Offence against this Act, or the Bye Laws and Regulations hereby authorized, and convey him, with all convenient Despatch, before any Magistrate by this Act authorized to take cognizance of such Offence, without any Warrant or other Authority than this Act, and such Magistrate is hereby empowered and required to proceed, with all convenient Despatch, to the hearing and determining of the Complaint; and it shall be lawful for the said Constable, and the Servants and Officers of the said Company, in every Case of Infraction or Non-observance of any of their Rules and Regulations which shall be attended with Danger to the Public or Annoyance to Travellers, summarily to interfere and obviate such Danger, or to remove or prevent the same.

Recovery and Application of Penalties.

CXVIII. And be it enacted, That all Forfeitures and Penalties imposed by this Act shall and may, except as herein otherwise specially directed, be sued for by the said Company or any Person aggrieved by any Act of the said Company, and be adjudged and recovered by and under the Authority of any Sheriff having Jurisdiction over the Party complained of; and it shall be lawful for the said Sheriff, on Complaint made to him by the said Company or Person aforesaid of any Offence against this Act, and he is hereby required, to grant Warrant to summon the offending Party before him, and upon Proof of such Offence, by voluntary Confession, or by the Oath of One or more credible Witnesses or other legal Evidence, forthwith to give Judgment on such Complaint, without any written Pleadings or closed Record or Minutes of Evidence; and where the Sheriff shall find the Complaint relevant and proven, he shall find the Penalty due; and so soon as the Penalty has been found due, and its Amount fixed,

fixed, the Sheriff shall decern for the Amount, with the Expences of Suit, in favour of the said Company or Person to whom the same is or shall be payable: Provided always, that where there is no special Provision in this Act as to the Person to whom any such Penalty shall be due and payable, the Sheriff shall have Power to find the Whole or any Part thereof due to the said Company or Person suing for the same, or the Whole or any Part thereof due to any other Person aggrieved, or the Whole or any Part thereof due to the Poor of the Parish in which the Offence was committed; and the Sheriff shall, at the same Time that he finds the Penalty due and decerns for the Amount and Expences, grant Warrant for the Recovery thereof, failing Payment within Eight Days from the Date of such Decree and Warrant, by Poinding and Sale of the Goods and Effects of the Offender, or by Imprisonment (except in the Case of Offences committed by the said Company) in the House of Correction, Bridewell, or Common Gaol wherein he is authorized by Law to incarcerate Offenders for a Period at the Discretion of the Sheriff, but not exceeding Three Months, it being hereby provided that a Record shall be preserved by the Sheriff Clerk of the County of the Complaint, Judgment, and Warrants: Provided always, that it shall be optional to and in the Power of the said Company or Person entitled to sue for such Penalties, if he or they shall deem it more advisable, to proceed in the Adjudication and Recovery thereof by such ordinary Process for Debt before the said Sheriff as is known to and authorized by the Law of *Scotland*, in deciding which Process the Sheriff shall have all the extraordinary Powers as to fixing the Amount of Penalties and disposing of the same as are herein conferred on him.

Sheriffs to have cumulative Jurisdiction with Justices.

CXIX. And be it enacted, That in all Cases in which Provision is made by this Act for Punishment of Offenders against the same, or against the Rules or Orders made in virtue thereof, by Procedure before any Justice or Justices of the Peace, such Procedure shall be lawful and equally competent before the Sheriff of the County of *Ayr* and his Substitute.

This Act not to affect the ranking of Debts against the Canal.

CXX. Provided always, and be it enacted, That nothing herein contained shall affect or be construed to affect the Provisions in the said last-recited Act regarding the ranking of the Debts therein mentioned upon the said Canal in the Manner therein set forth, nor the saving of the Rights of the Persons therein named as Creditors in a Part of the Debts mentioned in the Schedules annexed to the said Act.

Railway not to be exempted from any general Act.

CXXI. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railway by this Act authorized to be made and improved from the Provisions of any General Act relating to Railways which may pass during the present or any future Session of Parliament.

Public Act.

CXXII. And be it enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

SCHEDULE or Book of Reference referred to in the foregoing Act.

Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	Description of Property.	Parish.
Peter King -	- -	Himself - -	Garden - -	Ardrossan.
James Smith -	- -	Himself - -	Coal Depôt -	Ditto.
John Vinnart -	- -	Himself - -	Garden - -	Ditto.
James Currie -	- -	Himself - -	Ditto - -	Ditto.
Ardrossan Railway Company.	- -	Thomas Graham -	Ditto - -	Ditto.
Earl of Eglinton	Kirk Session of Ardrossan.	Paupers - -	Ditto - -	Ditto.
Ditto -	Ditto -	Ditto - -	Ditto - -	Ditto.
Robert Skeoch -	- -	Himself - -	Ditto - -	Ditto.
Earl of Eglinton	Thomas Young	Thomas Young -	Ditto - -	Ditto.
Ditto -	John Spence	John Spence - -	Ditto - -	Ditto.
Thomas Potter -	- -	Robert Irvine - -	Ditto - -	Ditto.
Francis Brown -	- -	Himself - -	Ditto - -	Ditto.
Agnes Ritchie -	- -	Herself and George Service	Ditto - -	Ditto.
Ditto -	- -	John Pattison - -	Weaver's Shop -	Ditto.
Samuel Easdale and Alexander Love.	- -	Themselves - -	Garden - -	Ditto.
Hugh Higgins -	- -	Himself - - -	House and Garden	Ditto.
Hugh Morris -	- -	William Craig - -	Garden - -	Ditto.
Thomas Graham	- -	Neil M'Kenzie and others	Ditto - -	Ditto.
Earl of Eglinton	- -	John Lennart-and Archibald Durroch.	Ditto - -	Ditto.
Ditto -	Kirk Session of Ardrossan.	Widow Cumming and Mrs. J. Black.	Ditto - -	Ditto.
Ditto -	Mathew Mackie	Mathew Mackie -	Ditto - -	Ditto.
Reverend David Ronald.	- -	James Clark - -	House and Garden	Ditto.
Peter Hill -	- -	Himself and Robert Ritchie	Ditto -	Ditto.
Ditto -	- -	Hugh Chalmers - -	Ditto -	Ditto.
Robert Brown -	- -	Himself - -	Ditto - -	Ditto.
Donald M'Alister	- -	Himself - - -	HouseandBakeShop	Ditto.
Ardrossan Railway Company.	- -	Themselves - -	Shed - -	Ditto.
Margaret Cunningham.	- -	Herself - - -	Garden - -	Stevenston.
John How -	- -	Himself - -	Ditto - -	Ditto.
Mr. M. Dunlop -	- -	Widow Macfie - -	House and Garden	Ditto.
Widow Margaret Miller.	- -	Herself - -	House - -	Ditto.
John Sinclair -	- -	John Logan - -	Garden - -	Ditto.
Ann Punton -	- -	Herself - -	House and Garden	Ditto.
Ardrossan Railway Company.	- -	Henry Corrie - -	Garden - -	Ditto.
Ditto -	- -	Mrs. John Hendry -	Ditto - -	Ditto.
Ditto -	- -	Ditto - - -	House - -	Ditto.
Ditto -	- -	Robert Rodman - -	House and Garden	Ditto.
Ditto -	- -	Themselves - -	Office - -	Ditto.
Robert Hunter, William Miller, and others, Trustees of the Irvine District of Roads.	- -	John Logan - -	Toll House -	Ditto.

Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	Description of Property.	Parish.
Gilbert Gordon	- -	Himself - - -	House and Shop	Stevenston.
Ardrossan Railway Company.	- -	- - -	House - -	Ditto.
RobertCunningham	- -	William Stevenson -	House and Garden	Ditto.
Patrick Warner, Robert Cunningham, and John Brown, Partners in the Stevenston Coal Company.	- -	Themselves - -	Private Railway -	Ditto.
Alexander Ritchie	- -	Himself - -	House and Garden	Ditto.
RobertCunningham	- -	Robert Watt - -	Rope Work -	Ditto.

LONDON: Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1840.

