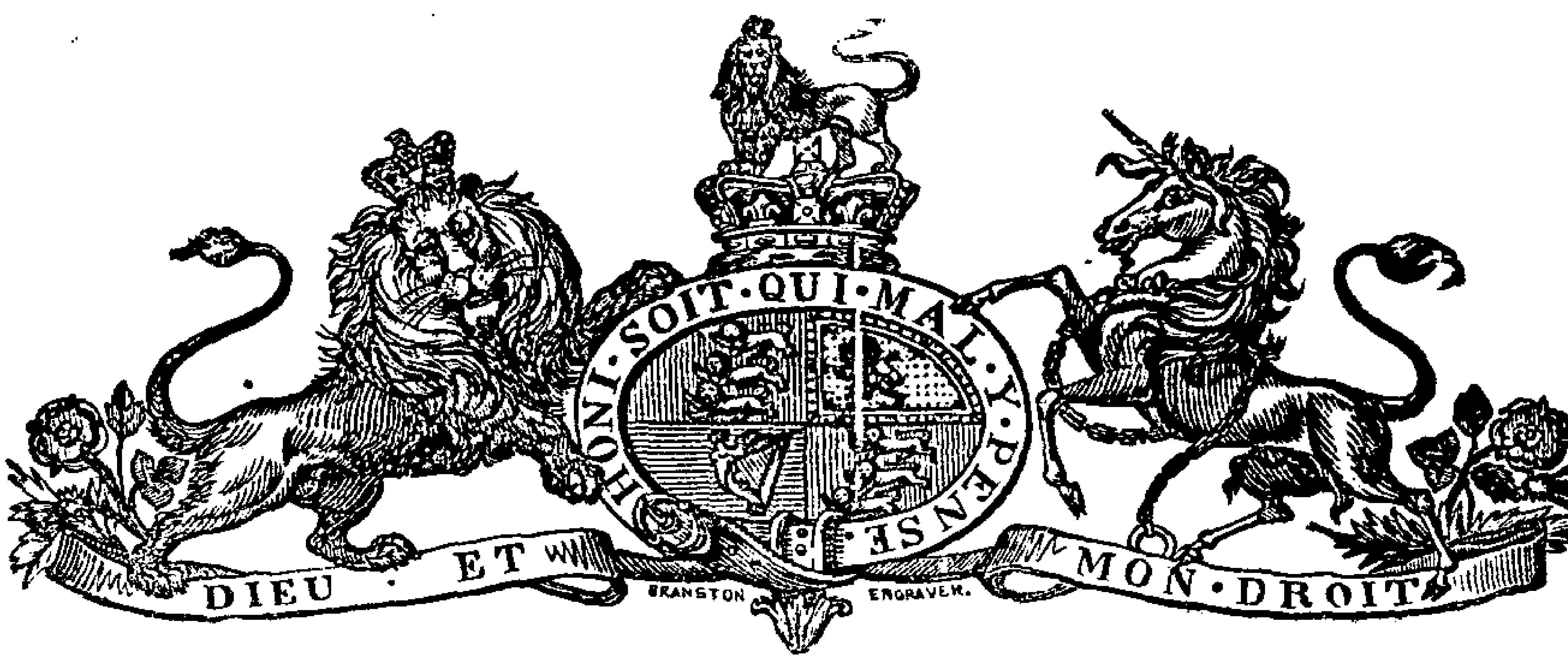


ANNO DECIMO NONO

VICTORIÆ REGINÆ.

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Cap. xxiv.

An Act to enable the *East of Fife* Railway Company to make a Deviation in the Line of their Railway, and for other Purposes.

[5th *June* 1856.]

WHEREAS an Act was passed in the last Session of Parliament called "The *East of Fife* Railway Act, 1855," whereby certain Persons were incorporated by the Name of "The *East of Fife* Railway Company," for the making of a Railway from the *Leven* Railway at the Town of *Leven* to a Point at or near to the Town of *Kilconquhar* in the County of *Fife*: And whereas it is expedient that a Deviation as herein-after mentioned should be made in the Line of the said Railway: And whereas the *East of Fife* Railway Company are desirous of carrying into effect the Object aforesaid, and the Capital already authorized to be raised by the said recited Act will be sufficient to enable them so to do: And whereas the Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty by and with the Advice and Consent of the Lords Spiritual and Temporal,

18 & 19 Vict. c. clxv.

Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same as follows; (that is to say,)

8 & 9 Vict. cc. 19. & 33. incorporated.

I. The Provisions of "The Lands Clauses Consolidation (*Scotland*) Act, 1845," and of "The Railways Clauses Consolidation (*Scotland*) Act, 1845," shall for the Purposes of the Works authorized by this Act be incorporated with and form Part of this Act.

Short Title.

II. In citing this Act for any Purpose whatsoever, it shall be sufficient to use the Expression "The *East of Fife* Railway (Deviation) Act, 1856."

Interpretation of Terms.

III. In this Act the Words "the said recited Act" shall mean "The *East of Fife* Railway Act, 1855;" the Words "the Company" shall mean "the *East of Fife* Railway Company;" and the Words "the Deviation Line of Railway" shall mean the Deviation Line hereby authorized to be made, except where there is something in the Context repugnant to such Construction.

Railway to be made according to deposited Plans.

IV. Whereas Plans and Sections of the Works by this Act authorized, showing the Lines and Levels thereof, and also Books of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers, of the Lands through which the same are intended to pass or to be made, have been deposited with the Sheriff Clerk of the County of *Fife*, at his Office in *Cupar*: It shall be lawful for the Company to execute the said Deviation Line of Railway in the Line and upon the Lands delineated on the said Plans and described in the said Books of Reference, and according to the Levels defined on the said Sections, and to enter upon, purchase, take, and use such of the said Lands as shall be necessary for such Purposes; which said Deviation Line of Railway shall be in lieu and substitution of that Portion of the Line of the said Railway to be relinquished as herein-after provided, and shall be subject to all the Provisions of the said recited Act as if the same had originally formed Portion of the said Railway; and the said Deviation Line of Railway shall be and become Part of the Undertaking of the *East of Fife* Railway Company, and the Capital of the Company shall be applicable to the Construction thereof.

Description of Deviation Line.

V. The Deviation shall commence from and out of the *East of Fife* Railway, as authorized to be made, at or near to the Point in the said Line of Railway marked Five Miles Five Furlongs on the Plans of the said Railway referred to in the said recited Act, and near to *Mount Pleasant*, in the Parish of *Newburn* and County of *Fife*, and shall terminate at or near to *Broomlees* Tile Work, in the Parish of *Kilconquhar* and County aforesaid.

VI. The

Company to abandon Part of Railway marked on Plan deposited under recited Act.

VI. The Company shall abandon and relinquish the Formation of so much and such Part of the Line of Railway as is situated betwixt the aforesaid Point, marked Five Miles Five Furlongs on the Plans deposited for the Purposes of the said recited Act, and the Minister's Glebe at or near to the Town of *Kilconquhar* in the Parish of *Kilconquhar* and County of *Fife*; said Portion of Line so to be relinquished being situated in the Parishes of *Newburn*, *Elie*, and *Kilconquhar*, all in the County aforesaid.

Powers for compulsory Purchases limited.

VII. The Powers of the Company for the compulsory Purchase or taking of Lands for the Purposes of this Act shall not be exercised after the Expiration of the Time limited by the said recited Act.

Period for the Completion of Works.

VIII. The Works hereby authorized shall be completed within the Time limited by the said recited Act for the Completion of the Railway thereby authorized, and on the Expiration of such Period the Powers by this Act granted to the Company for executing such Works, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

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

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

Railways not exempt from Provisions of General Acts.

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

Tolls upon Line of Railway authorized by this Act.

XI. It shall be lawful for the Company to demand and receive for and in respect of the Deviation Line of Railway hereby authorized, the same Tolls and Charges as they are authorized to demand and receive by "The *East of Fife* Railway Act, 1855;" and the Deviation Line of Railway hereby authorized to be made shall, for the Purposes of

of the said Tolls and Charges, be held to be Part of the said *East of Fife* Railway.

Expenses of Act.

XII. All the Costs, Charges, and Expenses of and attending the passing this Act or preparatory or incident thereto shall be paid by the Company.

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