CHAPTER cxlii.

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Glasgow and South Western Railway. A.D. 1904.

[22nd July 1904.]

WHEREAS His Majesty's Secretary for Scotland has after inquiry held before Commissioners made the Provisional Order set forth in the Schedule hereunto annexed under the provisions of the Private Legislation Procedure (Scotland) Act 1899 and it is requisite that the said Order should be confirmed by Parliament: 62 & 63 Vict. c. 47.

Be it therefore enacted by the King'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 as follows:—

1. The Provisional Order contained in the schedule hereunto annexed shall be and the same is hereby confirmed. Confirmation of Order in schedule.

2. This Act may be cited as the Glasgow and South Western Railway Order Confirmation Act 1904. Short title.

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SCHEDULE.

GLASGOW AND SOUTH WESTERN RAILWAY.

Provisional Order for conferring further powers on the Glasgow and South Western Railway Company for the construction of works and the acquisition of lands and in relation to Troon Harbour for conferring further powers upon the Ayr Harbour Trustees with respect to the issue of debenture stock by the said Trustees for empowering the said Company to raise additional capital and for other purposes.

WHEREAS it is expedient that the Glasgow and South Western Railway Company (in this Order called "the Company") should be empowered to construct and maintain the new railways and other works hereinafter mentioned and for those and other purposes of their undertaking to acquire the lands hereinafter respectively described or referred to:

And whereas plans and sections showing the lines and levels of the said railways and works and plans showing the lands required or which may be taken for the purposes or under the powers of this Order and also books of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the said lands have been deposited with the principal sheriff clerks of the counties of Ayr Renfrew Lanark and Dumfries respectively which plans sections and books of reference are hereinafter respectively referred to as the deposited plans sections and books of reference:

And whereas it is expedient that the periods now limited for the completion of the following railways (that is to say):—

Such portions of Railways No. 1 and No. 3 authorised by the Glasgow and South Western Railway Act 1897 as were not by the Glasgow and South Western Railway Act 1899 authorised to be abandoned;

Railway No. 6 authorised by the said Act of 1897 as amended by the Glasgow and South Western Railway (Cairn Valley Light Railway) Order 1899;

The railway authorised by the Glasgow and South Western Railway (Maidens and Dunure Light Railway) Order 1899;

Railways No. 7 No. 8 and No. 9 authorised by the said Act of 1899 and Railway No. 2 authorised by the Glasgow and South Western Railway Act 1901;

should respectively be extended as provided by this Order and that the time now limited by the said Act of 1901 for the compulsory purchase of certain lands by that Act authorised to be acquired should also be extended as provided by this Order:

And whereas it is expedient that the Company should be authorised to work their railways and certain railways connected therewith by electrical power:

And whereas it is expedient that the time limited for the sale of superfluous lands of the Company should be extended:

And whereas under and in pursuance of the Glasgow and South Western Railway Act 1901 the harbour of Troon as defined in the agreement set forth in the Third Schedule to that Act (in this Order referred to as "Troon Harbour") was transferred to and vested in the Company and it is expedient that the Company should be constituted the pilotage authority for the said harbour and should be authorised to exercise certain other powers in connection therewith and with respect to the rates and charges leviable by the Company at the said harbour and that further powers should be conferred upon the Company for selling feuing letting or leasing any part of the lands works and property in or adjoining or connected with the said harbour:

And whereas by the Ayr Harbour Act 1893 the Ayr Harbour Trustees were authorised to issue Ayr Harbour A B and C debenture stocks to be classed and ranked as provided by that Act and under an agreement scheduled to and confirmed by the Ayr Harbour Order 1901 the Company agreed for a period of thirty years from Whitsunday one thousand nine hundred and one or for such further period as the said trustees and the Company might agree to guarantee the interest payable by the said trustees at a rate not exceeding three and a quarter per centum per annum on the said debenture stocks to an amount not exceeding five hundred thousand pounds:

And whereas by the said Act of 1893 the Ayr Harbour Trustees were authorised to issue their C debenture stock at such prices as they might from time to time by resolution direct not being at a discount of more than ten per centum upon the nominal value thereof but it has been found that the said stock cannot be issued

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at that price and it is expedient that they should be authorised to issue the same at lower prices as provided by this Order:

And whereas it is expedient that the Company should be authorised to lend moneys to the said trustees and to take and hold as security therefor any part of the said C debenture stock as provided by this Order:

And whereas it is expedient that the Company should be empowered to raise a further sum of money for the purposes of this Order and for the general purposes of their undertaking and to apply their funds to the purposes authorised by this Order:

And whereas the purposes aforesaid cannot be effected without an Order of the Secretary for Scotland confirmed by Parliament under the provisions of the Private Legislation Procedure (Scotland) Act 1899:

Now therefore in pursuance of the powers contained in the last-mentioned Act the Secretary for Scotland orders as follows:—

Short title and commencement of Order.

1. This Order may be cited for all purposes as the Glasgow and South Western Railway Order 1904 and shall come into operation at the date of the passing of the Act confirming the same which date is in this Order referred to as "the commencement of this Order."

Incorporation of general Acts.

2. The Lands Clauses Acts the Railways Clauses Consolidation (Scotland) Act 1845 Part I. (relating to the construction of a railway) and Part II. (relating to extension of time) of the Railways Clauses Act 1863 the clauses and provisions of the Companies Clauses Consolidation (Scotland) Act 1845 with respect to the following matters (that is to say):—

The distribution of the capital of the Company into shares;

The transfer or transmission of shares;

The payment of subscriptions and the means of enforcing the payment of calls;

The forfeiture of shares for non-payment of calls;

The remedies of creditors of the Company against the shareholders;

The borrowing of money by the Company on mortgage or bond;

The conversion of the borrowed money into capital;

The consolidation of the shares into stock;

The general meetings of the Company and the exercise of the right of voting by the shareholders;

The making of dividends ;

The giving of notices ; and

The provision to be made for affording access to the special Act by all parties interested ;

and Part I. (relating to cancellation and surrender of shares) Part II. (relating to additional capital) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 as amended by subsequent Acts are (except where expressly varied by this Order) incorporated with and form part of this Order and for the purposes of the said Acts this Order shall be deemed to be a special Act.

Interpretation.

3. In this Order the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction :

The expression "the railway" or "the railways" means the new railways authorised by this Order ;

The expression "the Act of 1808" means the Act 48 Geo. III. c. 47 intituled "An Act for the improvement of the "Harbour of Troon situate on the west coast of the county "of Ayr."

Power to make and widen railways.

4. Subject to the provisions of this Order the Company may make and maintain in the lines and according to the levels shown on the deposited plans and sections the new railways and widenings next hereinafter described with all proper stations sidings approaches works and conveniences connected therewith and may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited books of reference as may be required for that purpose The railways and widenings hereinbefore referred to and authorised by this Order are—

(1) A Railway (No. 1) 1 furlong and 8·18 chains in length commencing by a junction with Railway No. 4 authorised by the Glasgow and South Western Railway Act 1897 at a point thereon one hundred and eighty yards or thereabouts measured in an easterly direction from the centre of the bridge carrying said railway over the River Irvine and terminating on the north side of the River Irvine at a point one hundred and thirty yards or thereabouts measured in a northerly direction from Maxholm Farm steading which said intended Railway

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(No. 1) will be situated in the parish of Riccarton and in the parishes of Riccarton and Kilmarnock in the burgh of Kilmarnock in the county of Ayr:

(2) A Railway (No. 2) 4 furlongs and 8·85 chains in length wholly situate in the parish of Paisley in the county of Renfrew commencing by a junction with the Company's Greenock branch at a point sixty yards or thereabouts measured in a south-easterly direction from the bridge carrying the said branch over the occupation road leading to Broomward Farm steading and terminating by a junction with the Company's main line at a point thereon two hundred and twenty yards or thereabouts measured in an easterly direction from Elderslie Junction signal cabin:

(3) A Widening (No. 1) 1 mile 4 furlongs and 7·43 chains in length of the Company's Greenock branch main line and Paisley Canal line situate in the parish of Paisley and in the parish and burgh of Paisley in the county of Renfrew commencing at a point seventy yards or thereabouts measured in a north-westerly direction from Cart Junction signal cabin and terminating at a point ten yards or thereabouts measured in an easterly direction from the bridge carrying the said Paisley Canal line over Chain Road:

(4) A Widening (No. 2) 2 miles 7 furlongs and 0·36 chain in length of the Company's Glasgow Paisley Kilmarnock and Ayr Railway commencing at or near Dalry Junction and terminating at or near Kilwinning Junction which Widening (No. 2) will be situate in the parishes of Dalry and Kilwinning and in the parish of Kilwinning in the burgh of Kilwinning in the county of Ayr.

Railways &c. to form part of Company's undertaking.

5. The railways and widenings by this Order authorised shall for the purposes of maximum rates and charges for merchandise traffic (including perishable merchandise by passenger train) be part of the railways of the Company as if the same had been part of the Glasgow and South Western Railway at the date of the passing of the Railway Rates and Charges No. 22 (Glasgow and South Western Railway &c.) Order Confirmation Act 1892 and shall for all other purposes be part of the undertaking of the Company as it existed at the date of the passing of the Glasgow and South Western Railway Consolidation Act 1855.

Inclination of road.

6. In altering for the purposes of this Order the road numbered on the deposited plans relating to Widening (No. 1) by this Order authorised 34 in the parish of Paisley the Company may make the same of any inclination not steeper than one in thirteen.

Height and span of bridge.

7. The Company may make the arch of the bridge for carrying Widening (No. 1) by this Order authorised over the road numbered on the deposited plans relating thereto 73 in the parish of Paisley of any height not less than fifteen feet six inches and of any span not less than twenty-four feet nine inches.

Widths of certain roadways.

8. The Company may make the roadway over the bridges by which the following roads will be carried over the railways of such width between the fences thereof as the Company think fit not being less than the respective widths hereinafter mentioned in connection therewith respectively (that is to say) :—

Nos. deposited Plans.	Parish.	Description of Roadway.	Width of Roadway.
	WIDENING (No. 1).		
34 34	Paisley - - -	Public road -	16 feet.
	WIDENING (No. 2).		
20 20	Kilwinning - -	Turnpike road -	25 feet 8 inches.

Power to divert roads as shown on deposited plans.

9. The Company may divert the roads referred to in the next following table in the manner shown upon the deposited plans and sections and subject to the provisions of this Order may stop up and cause to be discontinued as a road so much of the existing road as will be rendered unnecessary by the new portion of road so shown on the said plans (that is to say) :—

Railway.	Parish.	No. of Road on deposited Plans.
Widening (No. 1) - -	Paisley - - -	34
Widening (No. 2) - -	Kilwinning -	20

The Company may also permanently stop up without providing any substituted footpath therefor the footpath numbered 37 in the parish of Paisley on the deposited plans of the Railway (No. 2) and Widening (No. 1) and shown on the deposited sections as to be shut up.

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Stopping up road in case of diversion.

10. Where this Order authorises the diversion of a road and the stopping up of an existing road or portion thereof such stopping up shall not take place until the sheriff shall have certified that the new road has been completed to his satisfaction and is open for public use.

Before applying to the sheriff for his certificate the Company shall give to the road authority of the district in which the existing road is situate seven days' notice in writing of their intention to apply for the same.

As from the date of the said certificate all rights of way over or along the existing road or portion shall be extinguished and the Company may subject to the provisions of the Railways Clauses Consolidation (Scotland) Act 1845 with respect to mines lying under or near to the railway appropriate and use for the purposes of their undertaking the site of the portion of road stopped up as far as the same is bounded on both sides by lands of the Company:

Provided that the Company shall make full compensation to all parties interested in respect of any private rights of way extinguished by virtue of this section and such compensation shall be settled in manner provided by the Lands Clauses Acts with reference to the taking of lands otherwise than by agreement.

Company not liable to repair surface of road level of which is not permanently altered.

11. Notwithstanding anything contained in section 39 of the Railways Clauses Consolidation (Scotland) Act 1845 the Company shall not be liable to maintain the surface of any road or public highway which shall be carried over the railways by this Order authorised or any of them by a bridge or bridges or the immediate approaches thereto except so far as the line of such road is materially deviated or the level of such road or highway or approaches is permanently altered.

For protection of county authorities of Renfrewshire.

12. For the protection of the county council of the county of Renfrew and the district committee of the First or Upper District of that county (who are in this section included in the expression "the county council") the following provisions shall have effect and be binding on the Company in connection with the Railway (No. 2) and the Widening (No. 1) by this Order authorised notwithstanding anything in this Order or in the Acts incorporated herewith otherwise provided or shown on the deposited plans and sections to the contrary (that is to say):—

(1) The Company shall reconstruct the bridge at Burnbrae carrying the highway numbered 34 on the deposited

plans in the parish of Paisley and known as the Burnbrae Road over the railway of the Company of a width of not less than twenty-five feet between the parapets and shall construct the diversion of the said Burnbrae Road authorised by this Order from the said bridge northwards to the point where the entrance to the Company's goods station or siding will be situate of a width of not less than twenty-five feet and beyond that point of a width of not less than twenty feet The diversion of the said road shall in all other respects be constructed in the lines and according to the levels shown on the deposited plans and sections and so as to run sweetly into the undiverted portions thereof at either end All works in connection with the said reconstruction and diversion shall be carried out so as not to interrupt the traffic on the said road and the Company shall if necessary for the accommodation of the traffic provide and maintain a sufficient temporary bridge until the said reconstruction and diversion are completed and open to the public Any differences between the county council and the Company after the commencement of the works as to the necessity for a temporary bridge or the sufficiency thereof shall be determined in a summary way without formal procedure by an engineer to be agreed upon or failing agreement to be nominated by the sheriff of Renfrew and Bute on a summary application by either party :

(2) The Company shall not widen the bridge carrying the Paisley Canal line of the Company over the highway known as the Beith Road numbered 65 on the deposited plans in the parish of Paisley or the bridge carrying the said Paisley Canal line over the highway known as the Chain or Fulbar Road numbered 73 on the deposited plans in the said parish to a greater extent than is required for the construction of an additional single line of rails on each side of the said Paisley Canal line and such widenings shall be constructed so as to cover as little as possible of the said highways The Company shall not diminish the present headway of the said bridges nor alter the present level of the said highways nor interfere with the drainage thereof and in the event of any such diminution alteration or interference being

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caused by the works or operations of the Company the Company shall forthwith remove or make good the same at their own expense and in case of default by them in so doing the county council may do the same and recover the cost thereof from the Company The said bridges when widened shall be made so far as practicable watertight with bitumen and so maintained and the Company shall adopt the best practicable means to prevent drip on the footpaths and if necessary for that purpose shall fit up and thereafter maintain in good order corrugated iron screens over the footpaths to intercept the drip with sufficient rhones and down throws to carry off the water : . . .

(3) The Company shall not enter upon take or use (a) any part of the lands lying on the north side of the railway and Greenock branch line of the Company which are vested in the county council for the purposes of the Elderslie sewage purification works which lands so far as within the limits of deviation shown on the deposited plans are numbered 25 and 26 on such plans in the said parish of Paisley nor (b) any part of the strip of land fifteen feet wide lying along the north side of the said Greenock branch line from the said last-mentioned lands westwards to the west side of the Elderslie Burn where it passes under the said line which strip forms the access to the said sewage works and the Company shall construct and maintain upon the adjoining lands belonging to them in a position approved of by and to the reasonable satisfaction of the county council a retaining wall or other work sufficient to prevent the works and embankments of the Company from encroaching on the said lands or other property vested in the county council extending from the eastern extremity of the said first-mentioned lands to the said burn and the Company shall not enter upon take or use the remainder of the said access to the said sewage works along the north side of the said Greenock branch line from the said burn to the Bridge End Road numbered 19 on the deposited plans or any part thereof until they shall have provided in lieu thereof and to the reasonable satisfaction of the county council and shall have vested in the county council in the same

manner as the existing access is vested in them a suitable continuation of the aforesaid access from the east side of the said burn westwards to the said road of equal width and as convenient in line levels and other respects as the said existing access:

(4) The Company shall before proceeding to construct any part of their embankments or other works over fireclay sewers communicating with the said Elderslie sewage purification works substitute therefor iron pipes of such character and dimensions as the county council may approve and the Company shall at any junctions or changes in direction of sewers which may be covered by their embankments or other works provide suitable manholes giving access to such sewers and shall permit the county council their officers and servants to make use of such manholes whenever they may consider it necessary to do so:

(5) The works of the Company authorised by this Order and referred to in this section and all the works of the Company connected therewith so far as they interfere with any roads bridges sewers lands or other property belonging to or under the jurisdiction of the county council shall be executed to the reasonable satisfaction of the county council and according to plans sections and specifications to be approved by them or in case of difference then to the satisfaction of and according to plans sections and specifications to be approved by an engineer to be agreed on or failing agreement to be appointed by the sheriff of Renfrew and Bute on the application of the Company or the county council and the cost of such reference shall be borne as such engineer shall direct:

(6) The Company shall pay to the county council the costs and expenses which they may reasonably incur or be put to in superintending and inspecting the works authorised by this Order so far as involving interference with the roads bridges sewers lands or other property under the jurisdiction of the county council.

For protection of Caledonian Railway Company.

13.—(1) The Company shall not enter upon or interfere with any of the railways of the Caledonian Railway Company (in this section referred to as "the Caledonian Company") or any of the lands or works of that company or execute any works whatever under over or affecting the same until the Company shall have delivered

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to the Caledonian Company plans sections working drawings and specifications of such intended works and those plans sections working drawings and specifications shall have been approved in writing by the principal engineer of the Caledonian Company or in the event of his failure for twenty-eight days after delivery of such plans sections working drawings and specifications so to approve thereof until the same shall have been approved of by an engineer to be appointed on the application of the Company by the Board of Trade and all the intended works shall be executed by the Company at their sole expense in all things according to such approved plans sections working drawings and specifications and to the reasonable satisfaction of the said engineer of the Caledonian Company or in case of difference of an engineer to be appointed by the Board of Trade and the Caledonian Company shall afford the Company all reasonable facilities in the execution of such works.

(2) In constructing the Widening (No. 1) by this Order authorised over the railway of the Caledonian Company it shall be carried over that railway either on the north side of the Paisley Canal line of the Company by means of a bridge of two spans with a headway of not less than thirteen feet ten inches above the level of the rails or on the south side of the said Paisley Canal line by means of a bridge of one span with a headway of not less than thirteen feet ten inches above the level of the rails or on both sides thereof in the manner above described and such crossing of the railway shall be effected in such manner as not to injure the stability of the railway and works of the Caledonian Company in any way whatever.

(3) Should it be necessary in consequence of the construction of any of the works of the Company for the Caledonian Company permanently or at the request of the Company's engineer temporarily to alter or to remove the signalling apparatus telegraph posts and wires or any of them on or connected with their said railway at or near to the said crossings the Company shall bear and on demand pay to the Caledonian Company the expenses of and connected with such alterations and removals and of restoring the same or of substituting other signalling apparatus telegraph posts and wires therefor.

(4) The Company shall bear and on demand pay to the Caledonian Company the reasonable expense of any special employment by them of a sufficient number of inspectors signalmen or watchmen to be appointed by them for watching their railways and

works and the conduct of the traffic thereon with reference to and during the execution of the intended works so far as interfering with their railways and works and for preventing as far as may be all interference obstruction danger and accident from any of the operations or from the acts or defaults of any person or persons in the employ of the Company with reference thereto or otherwise and any difference between the Company and the Caledonian Company as to the reasonableness of such special employment shall be determined by the arbiter as hereinafter provided.

(5) In constructing the Widening (No. 1) by this Order authorised the Company shall not unnecessarily obstruct or interfere with the traffic passing along the railways of the Caledonian Company and if by reason of any works or proceedings of the Company there shall be any unnecessary obstruction or interference with the said railways of the Caledonian Company so as to impede or prevent the convenient passage of engines carriages and waggons along the same the Company shall pay to the Caledonian Company all loss they may sustain thereby.

(6) During the execution of the said works the line level and surface of the railways of the Caledonian Company shall be maintained in a good and substantial condition and if any loss or damage shall be sustained by the Caledonian Company by reason of the failure of any of the works of the Company or of any act default or omission of the Company or of any persons in their employ or of their contractors or otherwise the Company shall pay to the Caledonian Company full compensation in respect thereof.

(7) All the aforesaid works of the Company shall be executed or as the case may be maintained by and in all things at the expense of the Company.

(8) The Company shall not (except with the previous consent of the Caledonian Company under their common seal) acquire any absolute property in any lands of the Caledonian Company occupied by the railways and works of that company but only the right servitude or privilege of making and maintaining the railways and works by this Order authorised under over or through so much of the said lands as may be required therefor.

(9) If any difference shall arise between the Caledonian Company and the Company respecting the matters and provisions in this section contained or any of them such difference shall except as hereinbefore otherwise provided for be settled by an arbiter to be agreed upon between the parties or in case of difference to be appointed on the application of either party by the Board of Trade.

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Extending Caledonian Company's running powers and facilities to Railway (No. 1).

14. The several facilities running powers and privileges conferred on the Caledonian Railway Company by the Glasgow and South Western Railway Act 1897 upon and over Railway (No. 4) by that Act authorised shall extend and apply to Railway (No. 1) by this Order authorised.

Imposing penalty unless railways opened.

15. If the Company fail within the period limited by this Order to complete the railways the Company shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until the railways are completed and opened for the public conveyance of passengers or until the sum received in respect of such penalty amounts to five per centum on the estimated cost of the uncompleted railway or railways and the said penalty may be applied for by any landowner or other person claiming to be compensated or interested in respect of the uncompleted railway or railways in accordance with the provisions of the next following section of this Order and in the same manner as the penalty provided in the third section of the Railway and Canal Traffic Act 1854 Every sum of money recovered by way of such penalty as aforesaid shall be paid under the warrant or order of such court or judge as is specified in that section to an account opened or to be opened in the name of the King's and Lord Treasurer's Remembrancer on behalf of the Court of Exchequer in Scotland in the bank and to the credit specified in such warrant or order and shall not be paid thereout except as hereinafter provided But no penalty shall accrue in respect of any time during which it shall appear by a certificate to be obtained from the Board of Trade that the Company was prevented from completing or opening the uncompleted railway or railways by unforeseen accident or circumstances beyond their control Provided that the want of sufficient funds shall not be held to be a circumstance beyond their control.

Application of penalty towards compensation of parties injured.

16. Every sum of money so recovered by way of penalty as aforesaid shall be applicable and after due notice in the Edinburgh Gazette shall be applied towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the railway in respect of which the penalty has been incurred or any portion thereof or who have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Order for the purposes of the said railway or railways and for which injury

or loss no compensation or inadequate compensation has been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Court of Exchequer in Scotland may seem fit If no such compensation shall be payable or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid has been found sufficient to satisfy all just claims in respect of such compensation then the said sum or sums of money recovered by way of penalty or such portion thereof as may not be required as aforesaid shall if a judicial factor has been appointed or the Company is insolvent or the railway or railways in respect of which the penalty has been incurred or any part thereof has been abandoned be paid or transferred to such judicial factor or be applied in the discretion of the court as part of the assets of the Company for the benefit of the creditors thereof and subject to such application shall be repaid or retransferred to the Company.

Period for completion of railways.

17. If the railways are not completed within the period of five years from the commencement of this Order then on the expiration of that period the powers by this Order granted to the Company for making and completing the same or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

Power to Company to acquire additional lands.

18. Subject to the provisions of this Order and in addition to the other lands which the Company are by this Order authorised to acquire the Company may enter upon take use and appropriate for the purpose of extending their station siding and other accommodation and for other purposes connected with their undertaking all or any of the lands following delineated on the deposited plans and described in the deposited books of reference relating thereto and may hold and use any of the said lands already acquired by them for the said purposes and may execute the works and exercise the powers hereinafter mentioned (that is to say) :—

(1) Certain lands and buildings in the city parish of Glasgow and the county of the city of the royal burgh of Glasgow in the county of Lanark situated on the west side of Stockwell Street and on the north side of and adjoining the Company's railway at St. Enoch Station:

(2) Certain lands and buildings in the city parish of Glasgow and the county of the city of the royal burgh of Glasgow in the county of Lanark situated on the east side of and

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adjoining Stockwell Street and at or near the junction with that street of Howard Street:

(3) Certain lands in the parish of Paisley and in the parish and burgh of Paisley in the county of Renfrew situated on both sides of and adjoining the Company's Paisley Canal line between Hawkhead and Crookston:

(4) Certain lands in the parish and burgh of Paisley in the county of Renfrew situated on the north side of and adjoining the Company's Potterhill and Barrhead branch west of and near to Potterhill Station:

(5) Certain lands in the parish of Paisley in the county of Renfrew situated on the north side of and adjoining the Company's main line between Elderslie Junction and Johnstone Station:

(6) Certain lands in the parishes of Paisley and Lochwinnoch in the county of Renfrew situated on both sides of and adjoining the Company's main line at or near Miliken Park Station:

(7) Certain lands in the parish of Dumfries and in the parish and royal burgh of Dumfries in the county of Dumfries situated on both sides of and adjoining the Company's main line at or near Dumfries Station and to empower the Company to widen and extend on the south side the bridge carrying the said main line over Brooms Road near Dumfries:

(8) Certain lands in the parish of Kilmalcolm in the county of Renfrew situated on the west side of and adjoining the Company's Greenock branch at Kilmalcolm Station:

(9) Certain lands and buildings in the parish of Neilston in the burgh of Barrhead in the county of Renfrew situated on the north-west side of and adjoining the Company's Potterhill and Barrhead branch north of and near Barrhead Central Station:

(10) Certain lands and buildings in the parish and royal burgh of Ayr in the county of Ayr situated on the south side of Ashgrove Street at or near the Company's passenger station at Ayr:

(11) Certain lands and buildings in the parish and royal burgh of Ayr in the county of Ayr situated on the east side of and adjoining the Company's Ayr branch and immediately on the north side of the River Ayr:

(12) Certain lands and buildings in the parish and royal burgh of Ayr in the county of Ayr situated on the east side of and adjoining the Company's Ayr branch between the Company's Ayr Townhead goods station and Belmont level crossing at Ayr and to empower the Company to widen and extend on the east side the bridge carrying the Company's said branch over Chalmers Road:

(13) Certain lands in the parish and burgh of Kilmarnock in the county of Ayr situated on the north and east sides of and adjoining Hill Street near the Company's Kilmarnock Station.

For protection of corporation of Glasgow

19. For the protection of the corporation of the city of Glasgow as such and as acting in execution of the several public and local and personal Acts by which any powers jurisdiction or authorities are conferred on them (in this section called "the corporation") the following provisions shall (unless otherwise agreed upon) have effect and be binding on the Company (that is to say):—

(1) The Company before erecting new buildings not forming part of the structural and permanent works of the railway on any part of the lands situated in or adjoining Stockwell Street acquired by them under the powers of this Order shall submit to the corporation elevations of such new buildings which shall be subject to the reasonable approval of the corporation previously to the buildings being commenced; and

(2) Where any part of the said lands adjoins or fronts any street the Company shall after the acquisition of such lands and any buildings thereon be under all the statutory obligations of an owner of property fronting or abutting on any such street so far as not inconsistent with the powers conferred upon the Company for the use of such property for railway purposes.

For protection of Castlehill Estate.

20. For the protection of Michael Graham Egerton Bowman-Manifold proprietor of the lands and estate of Castlehill in the parish of Ayr and his successors in the said lands and estate (hereinafter together referred to and included in the expression "the owner") the following provisions shall unless otherwise agreed

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upon between the Company and the owner apply and have effect (that is to say) :—

(1) The deposited books of reference shall be deemed to be amended by the substitution therein as owner of the property numbered 15 in the parish of Ayr on the deposited plans of the name of the owner in lieu of "The Trustees for the Ayr Ragged and Industrial School" therein appearing :

(2) The Company shall in constructing the widening and extension of the bridge on the east side of Chalmers Road by this Order authorised at the same time increase the span of that bridge to a width throughout of not less than twenty feet and the owner shall pay to the Company the sum of one hundred and eighty pounds towards the cost incurred by the Company in executing such widening :

(3) Notwithstanding anything shown on the deposited plans or described in the deposited books of reference the Company shall not acquire a greater portion of the lands of the owner than a strip of land twenty-five feet in width abutting on the east side of the railway of the Company where it passes through the said estate and shall fence off the said strip when acquired from the remaining lands of the owner by a stone wall not less than four feet six inches in height having two barbed wires on the top thereof on the side next the railway all to the reasonable satisfaction of the owner :

(4) The Company shall if required by the owner at the same time as they acquire the aforesaid strip of land also acquire (notwithstanding anything shown on the deposited plans) such further portion of the lands of the owner as may be necessary to make the said strip of land at the northern corner thereof of the prescribed width of twenty-five feet :

(5) Any difference between the Company and the owner under this section shall be referred with or without a formal reference to and determined by an arbiter to be mutually chosen or failing agreement to be nominated on the application of either party by the sheriff of the county of Ayr.

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For protection of Ayr Corporation.

21. For the protection of the provost magistrates and councillors of the royal burgh of Ayr (hereinafter in this section called "the corporation") the following provisions shall unless otherwise agreed upon between the corporation and the Company apply and have effect (that is to say):—

(1) Nothing in the section of this Order of which the marginal note is "Power to Company to acquire additional lands" shall exempt the lands and buildings described under the number (10) in that section or the Company in respect of said lands and buildings from the operation of the provisions of the Burgh Police (Scotland) Acts 1892 to 1903 or in any way affect any rights the corporation may have in the footway of Ashgrove Street ex adverso of such lands under said Acts:

(2) The corporation may during the construction by the Company of the widening and extension of the bridge on the east side of Chalmers Road by this Order authorised lower the roadway (including the footways thereof) approaching and under the said bridge so as to provide a clear headway thereunder of not less than fourteen feet but such lowering shall only be done at the sight and to the satisfaction of the engineer for the time being of the Company and the Company shall lower the abutment or abutments of the bridge to meet the lowered level of the roadway and the Company shall if required by the corporation within six months after the commencement of this Order and on receipt of an undertaking under seal of the corporation to contribute the sum of ninety pounds towards the cost thereof increase the span of the said bridge to a width throughout of not less than twenty-five feet.

Period for compulsory purchase of lands by Company.

22. The powers of the Company for the compulsory purchase of lands for the purposes of this Order shall cease after the expiration of three years from the commencement of this Order.

Power to owners to grant servitudes &c.

23. Persons empowered by the Lands Clauses Acts to sell and convey or discharge lands may if they think fit subject to the provisions of those Acts and of this Order grant to the Company any servitude right or privilege (not being a servitude right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Order in over or affecting any such lands and the provisions of the said Acts with respect

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to lands and rent charges or feu duties so far as the same are applicable in this behalf shall extend and apply to such grants and to such servitudes rights and privileges as aforesaid respectively.

Owners may be required to sell parts only of certain lands and buildings.

24. And whereas in the construction of the railways and works by this Order authorised or otherwise in the exercise by the Company of the powers of this Order it may happen that portions only of certain properties shown or partly shown on the deposited plans will be sufficient for the purposes of the Company and that such portions or some other portions less than the whole can be severed from the remainder of the said properties without material detriment thereto Therefore the following provisions shall have effect :—

(1) The owner of and persons interested in any of the properties whereof the whole or part is described in the First Schedule to this Order and whereof a portion only is required for the purposes of the Company or each or any of them are hereinafter included in the term "the owner" and the said properties are hereinafter referred to as "the scheduled properties":

(2) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the scheduled properties the owner shall fail to notify in writing to the Company that he alleges that such portion cannot be severed from the remainder of the property without material detriment thereto he may be required to sell and convey to the Company such portion only without the Company being obliged or compellable to purchase the whole the Company paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise :

(3) If within such twenty-one days the owner shall by notice in writing to the Company allege that such portion cannot be so severed the jury arbiters or other authority to whom the question of disputed compensation shall be submitted (hereinafter referred to as "the tribunal") shall in addition to the other questions required to be determined by it determine whether the portion of the scheduled property specified in the notice to treat can be severed from the remainder without material detriment thereto and if not whether any and what other portion less than the whole (but not exceeding

the portion over which the Company have compulsory powers of purchase) can be so severed:

(4) If the tribunal determine that the portion of the scheduled property specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder without material detriment thereto the owner may be required to sell and convey to the Company the portion which the tribunal shall have determined to be so severable without the Company being obliged or compellable to purchase the whole the Company paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the tribunal:

(5) If the tribunal determine that the portion of the scheduled property specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder without material detriment thereto the tribunal may in its absolute discretion determine and order that the costs charges and expenses incurred by the owner incident to the arbitration or inquiry shall be borne and paid by the owner:

(6) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto (and whether or not they shall determine that any other portion can be so severed) the Company may withdraw their notice to treat and thereupon they shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice:

(7) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto but that any such other portion as aforesaid can be so severed the Company in case they shall not withdraw the notice to treat shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice or such portion thereof as the tribunal shall having regard to the circumstances of the case and their final determination think fit.

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The provisions of this section shall be in force notwithstanding anything in the Lands Clauses Consolidation (Scotland) Act 1845 contained and nothing contained in or done under this section shall be held as determining or as being or implying an admission that any of the scheduled properties or any part thereof is or is not or but for this section would or would not be subject to the provisions of section 90 of the Lands Clauses Consolidation (Scotland) Act 1845.

The provisions of this section shall be stated in every notice given thereunder to sell and convey any premises.

Restriction on taking houses of labouring class.

25. The Company shall not under the powers of this Order purchase or acquire in any district within the meaning of the Public Health (Scotland) Act 1897 ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Secretary for Scotland ten or more houses which were not so occupied on the fifteenth day of December aforesaid but have been or shall be subsequently so occupied.

If the Company acquire or appropriate any house or houses for the purposes of this Order in contravention of the foregoing provisions they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Secretary for Scotland by action in the court of session and shall be carried to and form part of the Consolidated Fund of the United Kingdom Provided that the court may if it think fit reduce such penalty.

For the purposes of this section the expression "labouring class" means mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them and the expression "house" means any house or part of a house occupied as a separate dwelling.

Lands for extra-ordinary purposes.

26. The quantity of land to be acquired by agreement by the Company for the extraordinary purposes mentioned in the Railways Clauses Consolidation (Scotland) Act 1845 in connection with the railways widenings and works authorised by this Order shall not exceed ten acres and such land shall be in addition to the lands

which the Company are authorised by this Order to take compulsorily but nothing in that Act or in this Order shall exempt the Company from any interdict action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them upon any land so acquired by agreement.

Extension of time (Dalry and North Johnstone Railway and Cairn Valley Light Railway).

27. The period now limited by the Glasgow and South Western Railway Order 1902 for making and completing such portions of Railways No. 1 and No. 3 authorised by the Glasgow and South Western Railway Act 1897 as were not by the Glasgow and South Western Railway Act 1899 authorised to be abandoned and for the completion of Railway No. 6 authorised by the said Act of 1897 as amended by the Glasgow and South Western Railway (Cairn Valley Light Railway) Order 1899 is hereby extended for a period of two years from the sixth day of August one thousand nine hundred and four and sections 15 and 16 of the said Act of 1897 so far as the same relate to or affect the said railways shall be read and construed accordingly and the Company may during such extended period exercise the powers granted to the Company by the Act of 1897 and the Order of 1899 with respect to the said railways.

If the said railways be not completed within the said period then on the expiration of that period the powers by the said Act of 1897 and the said Order of 1899 granted to the Company for making and completing the said railways or otherwise in relation thereto shall cease except as to so much thereof as shall be then completed.

Extension of time (Maidens and Dunure Light Railway).

28. The period limited by the Glasgow and South Western Railway (Maidens and Dunure Light Railway) Order 1899 for making and completing the railway by that Order authorised is hereby extended for a period of two years from the thirtieth day of September one thousand nine hundred and four and sections 24 and 25 of the said Order shall be read and construed accordingly and the Company may during such extended period exercise the powers granted to the Company by the said Order with respect to the said railway.

If the said railway be not completed within the said period then on the expiration of that period the powers by the said Order of 1899 granted to the Company for making and completing the said railway or otherwise in relation thereto shall cease except as to so much thereof as shall be then completed.

Extension of time (Seamill Railway

29. The period limited by the Glasgow and South Western Railway Act 1899 for making and completing the Railways No. 7

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and deviation of North Johnstone line).

No. 8 and No. 9 by that Act authorised is hereby extended for a period of two years from the ninth day of August one thousand nine hundred and four and sections 19 and 20 of the said Act of 1899 so far as the same relate to or affect the said railways shall be read and construed accordingly and the Company may during such extended period exercise the powers granted to them by the said Act of 1899 with respect to the said railways.

If the said railways be not completed within the said period then on the expiration of that period the powers by the said Act of 1899 granted to the Company for making and completing the said railways or otherwise in relation thereto shall cease except as to so much thereof as shall be then completed.

Extension of time for purchase of lands under Act of 1901.

30. The powers granted by the Glasgow and South Western Railway Act 1901 for the compulsory purchase of lands for the purposes of the Railway No. 2 by that Act authorised and for the compulsory purchase of the lands including the foreshore of the Firth of Clyde at Newton upon Ayr in the parish and royal burgh of Ayr described under the number (3) in section 12 of that Act are hereby extended and may be exercised by the Company during a period of three years from the commencement of this Order and on the expiration of that period those powers shall cease.

Extension of time for completion of railway under Act of 1901.

31. The period limited by the Glasgow and South Western Railway Act 1901 for making and completing the Railway No. 2 by that Act authorised is hereby extended for a period of three years from the ninth day of August one thousand nine hundred and six and sections 9 and 10 of the said Act shall be read and construed accordingly and the Company may during such extended period exercise the powers granted to the Company by the said Act of 1901 with respect to the said railway.

If the said railway be not completed within the said period then on the expiration of that period the powers by the said Act of 1901 granted to the Company for making and completing the said railway or otherwise in relation thereto shall cease except as to so much thereof as shall be then completed.

Extending time for sale of certain superfluous lands.

32. The Company may notwithstanding anything to the contrary in the Lands Clauses Consolidation (Scotland) Act 1845 or in any Act relating to the Company with which that Act is incorporated retain and hold any lands acquired by them which have not yet been applied to the purposes of the Company or sold or disposed of by them for the periods following (that is to say) As

regards such of the said lands as are situate near to or adjoining any railway or station of the Company for the period of ten years from the commencement of this Order and as regards the rest of the said lands for the period of two years from the commencement of this Order.

But the Company shall at the expiration of such periods sell and dispose of all such parts of those lands as shall not then have been applied to or are not then required for the purposes of their undertaking as superfluous lands.

Lands for generating station.

33. Subject to the provisions of this Order the Company may appropriate and use as stations for generating electrical energy and for providing and working thereon engines dynamos and other electrical plant and works any lands for the time being belonging to them Provided always that the Company shall not be exonerated from any interdict action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them on the lands on which any such generating station may be constructed.

Railways may be worked by electrical power.

34. Subject to the provisions of this Order and of any regulations to be prescribed by the Board of Trade (in this Order referred to as "the Board of Trade regulations") the Company may at any time work by electrical power the traffic on their railways or any part thereof or any railways in connection therewith now worked by them or any railways hereafter to be constructed or worked by them and for that purpose may lay down maintain and use along upon in or under any such railways and upon in or under any lands of the Company electric cables mains wires and apparatus necessary or convenient for transmitting electrical energy or for such working and the Company may make such alterations of the said railways and stations and works connected therewith as may be necessary to adapt the same for working by electrical power Provided that the Company shall not under the provisions of this section work by electrical power the traffic on the railways of any other company without the consent of the owners of such railways unless such power is entirely contained in and carried along with the carriages.

Provisions as to use of electrical power.

35. The following provisions shall apply to the use of electrical power under this Order unless such power is entirely contained in and carried along with the carriages:—

(1) The Company shall employ either insulated returns or uninsulated metallic returns of low resistance:

(2) The Company shall take all reasonable precautions in constructing placing and maintaining their electric lines

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and circuits and other works of all descriptions and also in working their undertaking so as not injuriously to affect by fusion or electrolytic action any gas or water pipes or other metallic pipes structures or substances or to interfere with the working of any wire line or apparatus from time to time used for the purpose of transmitting electrical power or of telegraphic telephonic or electric signalling communication or the currents in such wire line or apparatus:

(3) The electrical power shall be used only in accordance with the Board of Trade regulations and in such regulations provisions shall be made for preventing fusion or injurious electrolytic action of or on gas or water pipes or other metallic pipes structures or substances and for minimising as far as is reasonably practicable injurious interference with the electric wires lines and apparatus of other parties and the currents therein whether such lines do or do not use the earth as a return:

(4) The Company shall be deemed to take all reasonable and proper precautions against interference with the working of any wire line or apparatus if and so long as they adopt and employ at the option of the Company either such insulated returns or such uninsulated metallic returns of low resistance and such other means of preventing injurious interference with the electric wires lines and apparatus of other parties and the currents therein as may be prescribed by the Board of Trade regulations and in prescribing such means the Board shall have regard to the expense involved and to the effect thereof upon the commercial prospects of the undertaking:

(5) At the expiration of two years from the commencement of this Order the provisions of this section shall not operate to give any right of action in respect of injurious interference with any electric wires lines or apparatus or the currents therein unless in the construction erection maintaining and working of such wires lines and apparatus all reasonable and proper precautions including the use of an insulated return have been taken to prevent injurious interference therewith and with the currents therein by or from other electric currents:

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(6) If any difference arises between the Company and any other party with respect to anything in this section contained such difference shall unless the parties otherwise agree be determined by the Board of Trade or at the option of the Board by an arbiter to be appointed by the Board and the costs of such determination shall be in the discretion of the Board or of the arbiter as the case may be:

(7) When any department of His Majesty's Government represents to the Board of Trade that the use of electrical power under this Order injuriously affects or is likely to injuriously affect any instrument or apparatus whether electrical or not used in any observatory or laboratory belonging to or under the control of that department the Board of Trade after such inspection or inquiry as they may think proper may by their regulations require the Company to use such reasonable and proper precautions including insulated returns as the Board of Trade may deem necessary for the prevention of such injurious affection For the purposes of this subsection any inspector of the Board of Trade may during his inspection of the Company's works and apparatus be accompanied by any person or persons appointed in that behalf by the Government department concerned and the Company shall give all due facilities for the inspection Provided always that in the case of any observatory or laboratory established after the commencement of this Order or of any instruments or apparatus hereafter used in any existing observatory or laboratory which may be of greater delicacy than those used therein at the commencement of this Order the Board of Trade shall consider to what extent if any it is expedient in the interests of the public that the powers of this subsection should be exercised regard being had to the site of the observatory or laboratory or the purposes of the instruments or apparatus as the case may be:

(8) The Company using electrical power contrary to the provisions of this Order or of the Board of Trade regulations shall for every such offence be subject to a penalty not exceeding ten pounds and also in the case of a continuing offence to a further penalty not

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exceeding five pounds for every day during which such offence continues after conviction thereof Provided always that whether any such penalty has been recovered or not the Board of Trade if in their opinion the Company in the use of electrical power under the authority of this Order have made default in complying with the provisions of this Order or the Board of Trade regulations may by order direct the Company to cease to use electrical power and thereupon the Company shall cease to use electrical power and shall not again use the same unless with the authority of the Board of Trade and in every such case the Board of Trade shall make a special report to Parliament notifying the making of such order :

(9) In the event of the telegraphic or telephonic or electrical lines or electrical signal communications of the Caledonian Railway Company or the currents therein being at any time injuriously affected by induction or otherwise by reason of the electric lines of the Company the Company shall be at the expense of such alterations of the said telegraphic or telephonic or electrical signal communications or remedial works as may be reasonably necessary for the protection of said Caledonian Railway Company and in the event of any difference between the Company and the said Caledonian Railway Company regarding the alterations or remedial works to be adopted such difference shall be determined by an arbiter to be nominated by the Board of Trade on the application of the Company or said Caledonian Railway Company :

(10) Nothing in this Order contained shall authorise or empower the Company to work by electrical power whether such power is entirely contained in and carried along with the carriages or otherwise the traffic on any railway or any part thereof belonging jointly to the Company and the Caledonian Railway Company either alone or with other companies or on any railway or any part thereof belonging either solely or jointly to the Caledonian Railway Company over which the Company have or may be exercising running powers under any Act or agreement :

(11) The expression "Company" in this section includes licensees and any person owning working or running carriages over any railway of the Company.

For protection of Postmaster-General.

36. In the event of the traffic on the Company's railways or any part thereof or any railways in connection therewith now worked or used by them or any railways hereafter to be constructed worked or used by them being worked by electrical power unless such power is entirely contained in and carried along with the carriages in such a manner that no magnetic or other influence is created which is likely to cause injurious affection to a telegraphic line the following provisions shall have effect:—

(1) The Company shall construct their electric lines and other works of all descriptions and shall work their undertaking in all respects with due regard to the telegraphic lines from time to time used or intended to be used by His Majesty's Postmaster-General and the currents in such telegraphic lines and shall use every reasonable means in the construction of their electric lines and other works of all descriptions and the working of their undertaking to prevent injurious affection whether by induction or otherwise to such telegraphic lines or the currents therein Any difference which arises between the Postmaster-General and the Company as to compliance with this subsection shall be determined by arbitration:

(2) If any telegraphic line of the Postmaster-General is injuriously affected by the construction by the Company of their electric lines and works or by the working of the undertaking of the Company the Company shall pay the expense of all such alterations in the telegraphic lines of the Postmaster-General as may be necessary to remedy such injurious affection:

(3) Before any electric line is laid down or any work for working the railways aforesaid or the traffic thereon by electricity is done within ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs) the Company or their agents not more than twenty-eight nor less than fourteen days before commencing the work shall give written notice to the Postmaster-General specifying the course of the line and the nature of the work including the gauge of any

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wire and the Company and their agents shall conform with such reasonable requirements (either general or special) as may from time to time be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected by the said act or work Any difference which arises between the Postmaster-General and the Company as to any requirement so made shall be determined by arbitration :

(4) If any telegraphic line of the Postmaster-General situate within one mile of any portion of the works of the Company is injuriously affected and he is of opinion that such injurious affection is or may be due to the construction of the Company's works or to the working of the undertaking the engineer-in-chief of the Post Office or any person appointed in writing by him may at all times when electrical energy is being generated by the Company enter any of the Company's works for the purpose of inspecting the Company's plant and the working of the same and the Company shall in the presence of such engineer-in-chief or such appointed person as aforesaid make any electrical tests required by the Postmaster-General and shall produce for the inspection of the Postmaster-General the records kept by the Company pursuant to the Board of Trade regulations :

(5) In the event of any contravention of or wilful non-compliance with this section by the Company or their agents the Company shall be liable to a fine not exceeding ten pounds for every day during which such contravention or non-compliance continues or if the telegraphic communication is wilfully interrupted not exceeding fifty pounds for every day on which such interruption continues :

(6) Provided that nothing in this section shall subject the Company or their agents to a fine under this section if they satisfy the court having cognizance of the case that the immediate doing of any act or the execution of any work in respect of which the penalty is claimed was required to avoid an accident or otherwise was a work of emergency and that they forthwith served on

the postmaster or sub-postmaster of the postal telegraph office nearest to the place where the act or work was done a notice of the execution thereof stating the reason for doing or executing the same without previous notice:

(7) For the purposes of this section a telegraphic line of the Postmaster-General shall be deemed to be injuriously affected by an act or work if telegraphic communication by means of such line is whether through induction or otherwise in any manner affected by such act or work or by any use made of such work:

(8) For the purposes of this section and subject as therein provided sections 2 10 11 and 12 of the Telegraph Act 1878 shall be deemed to be incorporated with this Order:

(9) The expression "electric line" has the same meaning in this section as in the Electric Lighting Act 1882:

(10) Any question or difference arising under this section which is directed to be determined by arbitration shall be determined by an arbiter appointed by the Board of Trade on the application of either party whose decision shall be final and sections 30 to 32 both inclusive of the Regulation of Railways Act 1868 shall apply in like manner as if the Company or their agents were a company within the meaning of that Act:

(11) Nothing in this section contained shall be held to deprive the Postmaster-General of any existing right to proceed against the Company by indictment action or otherwise in relation to any of the matters aforesaid:

(12) In this section the expression "the Company" includes their lessees and any person owning working or running carriages on any of the railways aforesaid.

Company to be pilotage authority for Troon Harbour.

37.—(1) The Company shall be the pilotage authority for Troon Harbour and the following provisions shall have effect with reference to the Company as such pilotage authority Provided always that nothing in this Order or in any byelaws made or which may be made by the Company shall render it compulsory on any shipmaster or other person to employ a pilot within the said harbour or make it compulsory on any master or mate of any vessel to obtain a pilotage licence or certificate.

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(2) The Company may examine and inquire into the skill ability and experience of any person who shall offer himself to be admitted as a pilot for Troon Harbour in such manner as to them shall seem proper and if upon such inquiry the person so offering himself as a pilot shall be approved of by the Company the Company may grant a licence or warrant certifying that such person is duly qualified to act as pilot to conduct vessels within Troon Harbour which licence or warrant shall be subscribed by the general manager of the Company and thenceforth such person shall be deemed qualified to exercise the occupation of pilot for Troon Harbour Provided always that nothing herein contained shall be deemed to exempt Troon Harbour from the provisions of any general Act relating to pilots now in force or which may hereafter pass during the present or any future session of Parliament.

(3) Every person who shall upon his first admission as a pilot receive such licence or warrant shall for his first licence or warrant pay to the Company the sum of two shillings and sixpence and for every subsequent licence or warrant the sum of one shilling and sixpence and shall be subject to the several provisions of this Order and to such orders rules and byelaws as shall be made in pursuance hereof and every such licence or warrant shall continue in force during the period stated therein or until recalled by the Company as hereinafter provided.

(4) In case any pilot who shall receive such licence or warrant shall refuse to take the charge or conduct of any vessel upon a proper signal being made or a gun fired by any vessel inward bound or upon the application of the commander master owner agent or consignor of any vessel outward bound or of the harbour master of Troon Harbour or his assistants or any of them or shall refuse to assist any vessel in distress or in case it shall appear to the Company that such pilot has improperly conducted himself in the conduct of any vessel or in the execution of his duty as a pilot or if any such pilot shall refuse to obey any order the Company may make or shall in anywise offend against the provisions of this Order the Company may upon proof thereof to their satisfaction suspend the licence or warrant granted to such pilot for such time as they shall deem proper or recall such licence or warrant and declare the same to be thenceforth void.

(5) If any person other than the master or any member of the crew employed on board the vessel navigated shall act in the capacity of a pilot within or about Troon Harbour without being

licensed and appointed as aforesaid every person so offending shall be liable in a penalty not exceeding ten pounds The procedure against offenders under this section shall be at the instance of the Company under the Summary Jurisdiction (Scotland) Acts.

(6) All penalties recoverable under the provisions of this section shall be paid over to the Company to be applied by them towards the general purposes of their undertaking.

(7) All pilots licensed by the Company may take rates of pilotage not exceeding the rates specified in the Second Schedule to this Order.

(8) The Company may when and so often and for such periods of time as they may see proper vary all or any of the rates of pilotage according to what may appear to them to be for the interest of the trade and shipping of Troon Harbour Provided always that any advance or increase shall not cause the said rates at any time to exceed those specified in the said Second Schedule and that the same rates shall be at all times charged equally to all persons in respect of the like services in the like circumstances.

(9) The Company shall not be liable or responsible for any loss or damage which may arise to any vessel or to the cargo or to the persons on board thereof or to the property of such persons in consequence of the employment of any pilot licensed by the Company while piloting any vessels nor shall the Company be liable or responsible for any loss or damage which may arise to that vessel or to the cargo or to the persons on board thereof or to the property of such persons in consequence of the employment of any towing vessel belonging to or under the control of the Company while engaged in the act of putting a pilot on board of that vessel or taking a pilot from that vessel but the pilot so employed or the master or other person actually on board of and having the immediate charge of such towing vessel shall be answerable for his own fault or neglect.

(10) Nothing in this section contained shall entitle the owners of any vessel to claim relief from liability or responsibility to the Company or other person for loss or damage caused to Troon Harbour or to any vessel or person or cargo while in Troon Harbour in consequence of the fault or neglect of any pilot licensed by the Company while employed piloting their vessel but without prejudice to any limitation of liability competent to such owners by statute.

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(11) For the purposes of this section the Company shall be deemed a pilotage authority within the meaning of the Merchant Shipping Act 1894 and all the powers by that Act conferred on pilotage authorities shall be vested in the Company as the pilotage authority for Troon Harbour.

(12) The limits within which the Company shall have jurisdiction as pilotage authority for Troon Harbour and within which the powers of the harbour master may be exercised shall be the harbour of Troon and an area seawards within a line drawn from Lady Isle to Black Rock southward and from Lady Isle to Lappoch Rock northward.

Company may provide and use dredgers and tugs.

38. The Company may from time to time build purchase hire work and maintain dredgers and other vessels and apparatus for the purpose of dredging scouring cleansing and deepening Troon Harbour and the entrances to the harbour and may hire and let out the same when not in use in the harbour They may also from time to time build purchase contract for or hire and may maintain use and let steam tugs or other power for towing hauling and assisting vessels and other things or for any of such purposes.

Meters and weighers.

39. The Company shall have the appointment of meters and weighers within the limits of Troon Harbour.

Further rates on goods &c.

40. From and after the commencement of this Order the portions of section 6 and of the schedule to the Act of 1808 which are specified in the first column of the Third Schedule to this Order are hereby repealed and the said section of and schedule to the Act of 1808 are hereby amended to the extent specified in the second column of the said Third Schedule.

Rates on vessels.

41. In fixing the rates specified in the Act of 1808 and which the Company are authorised to levy and recover for vessels the net register tonnage upon which the rates are to be levied shall in no case be deemed for rating purposes to be less than the following (that is to say):—

(1) In the case of steam tugs eighteen per centum of the gross register tonnage of such tugs:

(2) In the case of other steam vessels forty per centum of the gross register tonnage of such steam vessels:

(3) In all cases a fraction of a ton shall be charged as a ton.

Rates for cranes &c. as in Fourth Schedule.

42. The Company may levy for and in respect of the use of cranes and other apparatus and conveniences at Troon Harbour and

for weighing and for the use of machinery and for services the rates respectively specified in the Fourth Schedule to this Order and all such rates shall be paid by the owners or persons in charge of the goods or other articles dealt with or by the owner of any vessel using the said cranes apparatus or conveniences or requiring the services specified in the said schedule and the Company may make reasonable charges for any work done services rendered facilities afforded and plant machinery or appliances provided by them for the despatch of business at Troon Harbour or the convenience of shipmasters merchants and others concerned with the traffic thereat in so far as such charges are not expressly provided for in the Act of 1808 or this Order The word "owner" used in this section in relation to goods or other articles includes the consignor shipper and consignee thereof and their respective agents in relation thereto as well as the owner thereof.

Provisions of Harbours Docks and Piers Clauses Act to apply to rates &c.

43. The provisions of the Harbours Docks and Piers Clauses Act 1847 with respect to the collection and recovery of rates incorporated with the Glasgow and South Western Railway Act 1901 shall apply to the rates and other charges by this Order authorised to be taken at Troon Harbour.

Equality of treatment at Troon Harbour between Company and Caledonian Railway Company.

44. The dues and charges on shipping and upon or with reference to goods and minerals at the harbour of Troon shall be uniform whether the traffic is carried by the Company or the Caledonian Railway Company or by the railways or routes of either of the companies and the Company shall not give or confer any advantage drawback or other privilege to the owners of vessels or others trading in shipping resorting to the said harbour or to the traders forwarding traffic over the said railways or routes when the traffic is carried by the Company without giving the like advantages drawbacks or other privileges where the traffic is carried by or over the railways or routes of the Caledonian Railway Company.

Power to sell feu and lease property at Troon Harbour.

45. The Company may sell feu let or lease any parts or portions of their lands works and property in or adjoining or connected with Troon Harbour for such periods and upon such terms and subject to such conditions as they may think fit.

Provision as to Ayr Harbour debenture stock.

46. Notwithstanding anything contained in section 6 of the Ayr Harbour Act 1893 the Ayr Harbour Trustees may issue the C debenture stock authorised by the said Act and may sell any portion thereof at such prices as they may from time to time

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with the consent in writing of the Company under their common seal by resolution direct.

Company may make advances to Ayr Harbour Trustees.

47. The Company may from time to time advance and lend to the Ayr Harbour Trustees such sums of money for such periods and at such rate of interest as they may deem proper on the security of any portion of said C debenture stock for the time being unissued and the trustees may apply the sums so advanced to them for any purpose of their undertaking to which capital is properly applicable Provided always that this power shall not authorise the trustees to borrow any sums or to issue any debenture stock beyond what they are now or may hereafter be authorised to borrow.

As to statements of amount of Company's capital in accounts.

48. Whereas by the Acts and Orders referred to in the Fifth Schedule to this Order the Company are authorised to create and issue shares and stock to the nominal amount of thirteen million three hundred and sixty-eight thousand pounds and to borrow on mortgage or issue debenture stock to the nominal amount of four million six hundred and sixty-three thousand three hundred and eleven pounds Therefore for the purposes of all statements of capital and accounts and of all declarations and evidence as to the capital of the Company on the thirty-first day of July one thousand nine hundred and three it shall be sufficient to state until and unless the contrary is shown that the above amounts of shares stock mortgages and debenture stock respectively are the amounts which the Company were up to the date aforesaid authorised to create and issue:

Provided that nothing in this Order contained shall alter prejudice or affect any authorities or powers which the Company already possess or which they may acquire by this or any other Order or any Act of the present session of Parliament with regard to the creation and issue of capital or borrowing or the issue of debenture stock in respect thereof or any authorities or powers which the Company now possess or may acquire under any Order or Act of the present session of subscribing to the capital of any other company or any authorities or powers with regard to capital or borrowing which the Company already possess in conjunction with any other company or companies.

Power to Company to raise additional capital.

49.—(1) The Company may raise for the purposes of this Order by the creation and issue of new shares or stock such additional capital as they think fit not exceeding in the whole the sum of one hundred and thirty-five thousand pounds and they may create

and issue such new shares or stock either wholly or partially as ordinary or wholly or partially as preference shares or stock as they may think fit.

(2) The provisions contained in section 37 of the Glasgow and South Western Railway Act 1898 as to the issue of ordinary shares or stock as preferred and deferred shares or stock shall extend and apply to any ordinary shares or stock issued under this Order.

(3) Preference shares or stock issued by the Company under this Order shall be entitled to the preferential dividend or interest assigned thereto only out of the profits of each year ending on the thirty-first day of January.

(4) Preference stock created under the powers of this section shall if so declared by the resolution creating the same form part of and rank pari passu with any preference stock created or to be created under the powers of section 27 (Power to create preference stocks of one class) of the Glasgow and South Western Railway Act 1900.

Shares not to be issued until one-fifth paid.

50. The Company shall not issue any share under the authority of this Order of less nominal value than ten pounds nor shall any share vest in the person accepting the same unless and until a sum not being less than one fifth of the amount of such share shall have been paid in respect thereof.

Dividends on new shares or stock.

51. Every person who becomes entitled to new shares or stock shall in respect of the same be a holder of shares or stock in the Company and shall be entitled to a dividend with the other holders of shares or stock of the same class or description proportioned to the whole amount from time to time called up and paid on such new shares or to the whole amount of such stock as the case may be.

Votes in respect of new shares or stock.

52. Each holder of new shares or stock in the capital by this Order authorised to be raised shall be entitled to the same number of votes in respect thereof which the possession of an equal nominal amount of the existing capital stock of the Company of the same class or description would have conferred upon him Provided always that except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of any new shares or stock to which a preferential dividend shall be assigned.

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Power to Company to raise capital authorised by any other Act or Order and this Order by new shares or stock of one class.

53. Subject to the provisions of any Act or Order already passed or confirmed by which the Company are authorised to raise capital by new shares or stock and to the provisions of this Order the Company may if they think fit raise by the creation and issue of new shares or stock of one and the same class all or any part of the aggregate capital which they are by such other Act or Order and this Order respectively authorised to raise by the creation and issue of new shares or stock.

Power to Company to borrow.

54. The Company may in respect of the additional capital of one hundred and thirty-five thousand pounds which they are by this Order authorised to raise borrow on mortgage of their undertaking any moneys not exceeding in the whole forty-five thousand pounds but no part thereof shall be borrowed until shares for so much of the said additional capital as is to be raised by means of shares are issued and accepted and one half of such capital is paid up and the Company have proved to the sheriff who is to certify under the forty-second section of the Companies Clauses Consolidation (Scotland) Act 1845 before he so certifies that shares for the whole of such capital have been issued and accepted and that one half of such capital has been paid up and that not less than one-fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof and until stock for one half of so much of the said additional capital as is to be raised by means of stock is fully paid up and the Company have proved to such sheriff as aforesaid before he so certifies that such shares or stock as the case may be were issued and accepted bonâ fide and are held by the persons to whom the same were issued or their executors administrators successors or assigns and also so far as the said additional capital is raised by shares that such persons their executors administrators successors or assigns are legally liable for the same and upon production to such sheriff of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence thereof.

Repealing provisions of former Acts and Orders with respect to appointment of a judicial factor.

55. Every provision in any Act or Order passed before the present session of Parliament whereby the Company is authorised to raise by borrowing money for the purposes of their undertaking with respect to the appointment of a judicial factor for enforcing payment by the Company of arrears of principal money or principal

money and interest shall be and the same is hereby repealed but without prejudice to any appointment which may have been made or to the continuance of any proceedings which may have been commenced prior to the confirmation of this Order under any such provision.

For appointment of a judicial factor.

56. The mortgagees of the Company may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a judicial factor In order to authorise the appointment of a judicial factor in respect of arrears of principal the amount owing to the mortgagees by whom the application for a judicial factor is made shall not be less than ten thousand pounds in the whole.

Former mortgages to have priority.

57. All mortgages and bonds granted by the Company in pursuance of the powers of any Act of Parliament or Order before the commencement of this Order and which shall be subsisting at the time of the commencing thereof shall during the continuance of such mortgages and bonds as regards the undertaking comprised in and assigned by such mortgages and bonds respectively and subject to the provisions of the Acts or Orders under which such mortgages and bonds were respectively granted have priority over any mortgages to be granted by virtue of this Order but nothing in this section contained shall affect any priority of the interest of any debenture stock at any time created by the Company.

Power to Company to create debenture stock.

58. The Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 but notwithstanding anything therein contained the interest of all debenture stock at any time after the commencement of this Order created and issued by the Company shall rank pari passu with the interest of all mortgages at any time after the commencement of this Order granted by the Company and shall have priority over all principal moneys secured by such mortgages.

Application of moneys by Company.

59. All moneys raised by the Company under the provisions of this Order whether by shares stock debenture stock or borrowing shall be applied only to the purposes of this Order and to the general purposes of the undertaking of the Company and to defray expenses incurred or to be incurred by them in the execution of works the acquisition of lands the improvement of stations sidings and works the erection of dwelling-houses and other buildings for workmen and employees and the improvement and provision of

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working apparatus machinery plant and stock being in each case purposes to which capital is properly applicable.

Power to Company to apply authorised capital to purposes of Order.

60. The Company may apply to or towards the purposes of this Order to which capital is properly applicable any sums of money which they have already raised or are authorised to raise by any of their Acts or Orders and which are not required for the purposes to which they are by those Acts or Orders made specially applicable.

Interest not to be paid out of capital.

61. No interest or dividend shall be paid out of any share or loan capital which the Company are by this Order or any other Order or any Act authorised to raise to any shareholder on the amount of the calls made in respect of the shares held by him but nothing in this Order shall prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the Companies Clauses Consolidation (Scotland) Act 1845.

Deposits for future Bills or Orders not to be paid out of capital.

62. The Company shall not out of any money by this Order authorised to be raised pay or deposit any sum which by any Standing Order of either House of Parliament or any General Order made in pursuance of the Private Legislation Procedure (Scotland) Act 1899 now or hereafter in force may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act or Order authorising the Company to construct any other railway or to execute any other work or undertaking.

Provision as to general Railway Acts.

63. Nothing herein contained shall exempt the Company or their railway from the provisions of any general Act relating to railways or to the better and more impartial audit of the accounts of railway companies passed before or after the commencement of this Order or from any future revision or alteration under the authority of Parliament of the maximum rates of fares and charges or of the rates for small parcels authorised by this Order.

Expenses of Order.

64. All costs charges and expenses of and incident to the preparing for obtaining and confirming of this Order or otherwise in relation thereto shall be paid by the Company.

The SCHEDULES referred to in the foregoing Order. A.D. 1904.

FIRST SCHEDULE.

DESCRIBING PROPERTIES OF WHICH PORTIONS ONLY ARE REQUIRED TO BE TAKEN.

Parish.	Nos. on deposited Plans.	Description of Property.
		RAILWAY No. 1.
Kilmarnock -	1	River (River Irvine).
	2	Bank of River Irvine and wall.
	3	Vacant land.
		RAILWAY No. 2.
Paisley -	37b	Garden ground outhouses and advertising board.
	38	Garden ground and outhouses.
	39	Garden ground and outhouses.
	40	Garden ground and outhouses.
	41	Garden ground and outhouses.
	42	Garden ground and outhouses.
	43	Garden ground and outhouses.
	44	Garden ground outhouses and vacant land.
	45	Garden ground outhouses and vacant land.
	46	Road.
	47	Garden ground and vacant land.
	48	Garden ground and outhouses.
	49	Garden ground and outhouses.
	50	Garden ground and outhouses.
		WIDENING No. 1.
Paisley -	3	Railway siding and railway embankments.
	4	Railway siding and railway embankments and vacant land.
	8	Vacant land.
	38	Garden ground and outhouses.
	39	Garden ground and outhouses.
	40	Garden ground and outhouses.
	41	Garden ground and outhouses.
	42	Garden ground and outhouses.
	43	Garden ground and outhouses.
	44	Garden ground and outhouses and vacant ground.
	45	Garden ground and outhouses and vacant ground.
	46	Road.
	47	Garden ground and vacant land.
	48	Garden ground and outhouses.
	49	Garden ground and outhouses.
	50	Garden ground and outhouses.
	51	Garden ground and outhouses.
	52	Garden ground and outhouses.
	53	Garden ground and outhouses.
	54	Garden ground and outhouses.

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Parish.	Nos. on deposited Plans.	Description of Property.
		WIDENING NO. 2.
Dalry -	3	Railway siding.
Kilwinning -	10, 10	Plantation and road.
	12	Plantation.
	13	Garden ground.
	14	Vacant land.
	19	Plantation vacant land and stream.
	21	Plantation.
	24	Garden ground.
	26	Approach road and plantation.
		LAND AND WORKS AT DUMFRIES.
Dumfries -	3	Garden ground vacant ground roads hothouses boilers chimney stack dovecots outhouses telegraph and telephone posts and wires.
		LAND AND WORKS AT AYR.
Ayr -	16	Playing ground kitchen garden laundry and outhouse.

SECOND SCHEDULE.

The rates of pilotage for every vessel piloted into or out of Troon Harbour shall be as follows :—

	Per foot of the draught of water of the vessel at the time of entering or leaving the harbour.
	s. *d.*
For all vessels under 100 tons register - -	1 0
„ „ of 100 tons and under 200 tons register	1 3
„ „ of 200 „ „ 300 „ „	1 6
„ „ of 300 tons and upwards - -	2 0

THIRD SCHEDULE.

First Column. Section and Schedule repealed and Extent of Repeal.		Second Column. Extent of Amendment.
Section 6	The words "the sum of one penny halfpenny for every shilling on the amount of the freight."	Instead of the words repealed insert "if by weight at the rate of one shilling and eightpence per ton and if by measurement at the rate of twopence per five cubic feet."
Schedule	The words commencing "For lumber and every other article" to the end of the Schedule.	Instead of the words repealed insert "in weighing and measuring goods for ascertaining the rates payable the weight or measurement of the packing materials is to be included. "All materials or articles whatsoever brought into the harbour for the purposes of the harbour works shall be exempt from rates on goods but the vessels bringing all such materials shall be liable to rates. "Ships' outfit and stores of all kinds including provisions when taken direct on board of any vessel for her own use or landed for the purpose of being again re-shipped for the use of the same vessel out of which they were so landed shall be exempted from payment of rates on goods but all such stores must first be entered at the harbour office and a permit obtained for such shipping and landing respectively. "Goods transferred from one vessel to another within the limits of the harbour without being landed on the quays to pay the same rates as if landed. "Five cubic feet not exceeding two and a half cwt. to be rated as a barrel bulk but when the weight of five cubic feet is greater than two and a half cwt. then two and a half cwt. to be rated as a barrel bulk."

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FOURTH SCHEDULE.

CRANES.

Class I.—Hand Cranes for Lifts not exceeding Eight Tons.

						£	s.	d.
For each lift not exceeding 1 ton						0	0	3
„	exceeding 1 ton	and not exceeding	2	tons		0	0	8
„	„	2 tons	„	3	„	0	1	6
„	„	3 „	„	4	„	0	2	8
„	„	4 „	„	5	„	0	4	2
„	„	5 „	„	6	„	0	6	0
„	„	6 „	„	7	„	0	8	2
„	„	7 „	„	8	„	0	10	8

It being optional to the Company to charge either according to these rates or at the rate of two shillings and sixpence per hour or any part of an hour for the time the crane is employed.

Class II.—For Steam or Hydraulic Cranes or Shears.

						£	s.	d.
For each lift not exceeding 1 ton						0	0	10
„	exceeding 1 ton	and not exceeding	2	tons		0	1	8
„	„	2 tons	„	3	„	0	3	4
„	„	3 „	„	4	„	0	7	4
„	„	4 „	„	5	„	0	12	0
„	„	5 „	„	6	„	0	16	0
„	„	6 „	„	8	„	1	4	0
„	„	8 „	„	10	„	1	12	0
„	„	10 „	„	12	„	2	0	0
„	„	12 „	„	15	„	2	12	0

In no case must the charge for the use of the Company's cranes be less than five shillings per hour with a minimum of two shillings and sixpence.

Class III.—For Cranes capable of Lifting more than Fifteen Tons.

	For Lifts not exceeding Fifty Tons.	For each Ton or part of a Ton. £	s.	d.
For each lift of cargo		0	4	6
But no charge for any single employment of the crane shall be less than for three tons.				
For each lift putting into or taking out of vessels machinery engines or boilers (not being cargo) including fitting up		0	4	6

But if the rates for any single day of ten hours during the employment of the crane do not amount to two pounds two shillings then the charge for such day shall be two pounds two shillings and in proportion for a shorter period but no charge shall be less than for half a day.

Class IV.—For the use of Cranes for Masting and Unmasting Vessels.

	£	s.	d.
For masting or unmasting any vessel not exceeding 200 tons register - - - - - - -	1	15	0
Ditto exceeding 200 and not exceeding 400 tons register -	2	0	0
Ditto ditto 400 ditto 600 ditto -	2	10	0
Ditto ditto 600 ditto 800 ditto -	3	0	0
Ditto ditto 800 ditto 1,000 ditto -	4	0	0
Ditto ditto 1,000 ditto 2,000 ditto -	5	0	0

When the vessel exceeds 2,000 tons register such reasonable sum as the Company may think fit.

For lifting in or out a single mast one half of the above rates.

When the same vessel is unmasted and re-masted one and a half times the above rates.

It shall be optional to the Company to supply labour for working cranes in Classes I. II. III. and IV. and if they supply such labour the men's wages shall be charged in addition to the above rates.

In each of Classes II. III. and IV. all necessary use of a crane from the lifting of an article off its carriage or lighter until stowed or adjusted in the vessel or from the lifting of an article from the vessel until placed on its carriage or lighter shall be included in one lift but if steam is required to be raised a second time in the course of a lift an additional charge of five shillings for a crane of Class I. ten shillings for a crane of Class II. and fifteen shillings for a crane of Class III. may be made.

Hydraulic Capstans.

For any capstan for hauling wagons or trucks per ton or part of a ton of articles hauled one penny.

Coal Cranes and Hoists.

For each ton or part of a ton of coals or minerals shipped one penny.

Use of Weighing Machines including Steelyards and all others.

For weighing coals minerals old iron and similar articles one penny per ton.

For weighing dried fish and other similar articles one shilling per ton.

For weighing any other articles or goods twopence per ton or part of a ton.

For use of weight indicator on cranes twopence per ton or part of a ton.

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USE OF WAREHOUSES SHEDS AND QUAYS OR WHARVES.

For each ton or part of a ton which shall remain in any warehouse or shed or on any quay or wharf for a shorter time than forty-eight hours threepence and for each day during which the same shall remain after the first forty-eight hours one penny halfpenny but the payment of such rate shall not confer right to use such warehouse or shed or such quay or wharf after such forty-eight hours and all articles must be removed from the warehouses sheds quays or wharfs within twenty-four hours after notice has been given to that effect by the Company or their Harbour Master or other officer and failing their being so removed the Company or their officers shall be entitled to remove and store the same where they think proper at the risk and expense of the owners or consignees or in the option of the Company they may charge and the owners or consignees shall pay one shilling per ton or part of a ton per day for any articles remaining unremoved after the expiration of such twenty-four hours.

USE OF HURRIES.

For each ton or part of a ton shipped by means of the hurries one halfpenny.

BALLAST.

	£	s.	d.	
Vessels under 200 tons register - - -	0	0	10	per bucket.
„ of 200 tons and under 300 tons register	0	0	11	„
„ „ 300 „ „ 400 „ „	0	1	0	„
„ „ 400 „ „ 600 „ „	0	1	2	„
„ „ 600 „ „ 700 „ „	0	1	3	„
„ „ 700 „ „ 800 „ „	0	1	4	„
„ „ 800 „ „ 900 „ „	0	1	5	„
„ „ 900 „ and upwards - -	0	1	6	„
Carting ballast or rubbish from ship's side - -	0	1	6	per cart.

For supplying ballast such reasonable rate as the Company may from time to time determine having regard to the cost of labour and other expense at the time.

The master of the vessel to send one or more men to steady the buckets at the hatch mouth and when the ballast requires to be wheeled in the hold the wheeling to be done at the expense of the owner or master of the vessel.

The Company shall be entitled to supply ballast to and to remove and discharge ballast from vessels at the harbour but they shall not be entitled to the exclusive control over the supply of ballast.

FIFTH SCHEDULE.

List of Acts.

The Glasgow and South Western Railway (Additional Powers) Act 1873.

(*a*) For purposes of Company's own undertaking.

(*b*) For purposes of other undertakings viz. :—

The Portpatrick Railway Act 1857.

The Glasgow and South Western Railway (City of Glasgow Union) Act 1865.

The Ayr Harbour Amendment Acts 1866 and 1873.

The City of Glasgow Union Railway Act 1867.

The Girvan and Portpatrick Junction Railway Acts 1865 and 1870 (Permissive) repealed by Glasgow and South Western Railway Act 1892.

The Glasgow and South Western Railway Act 1871 viz. :—

Transfer of Mortgage Debt of Ayr and Maybole Junction Railway Company.

For Payment of Glasgow Paisley and Johnstone Canal Debts.

The Glasgow and South Western Railway Act 1874.

The Caledonian and Glasgow and South Western Railway Companies (Joint Lines) Act 1874.

The Glasgow and South Western Railway Act 1876.

The Glasgow and South Western Railway Act 1878.

The Glasgow and South Western Railway Act 1881.

The Glasgow and South Western Railway Act 1882.

The Glasgow and South Western Railway Act 1883.

The Caledonian and Glasgow and South Western Railway Companies (Joint Lines) Act 1883.

The Glasgow and South Western Railway Act 1886.

The Glasgow and South Western Railway Act 1886 for liability of proportion of the mortgages of the Portpatrick and Wigtownshire Railway Companies as limited by the Glasgow and South Western Railway Act 1889.

The Glasgow and South Western Railway Act 1889.

The Glasgow and South Western Railway (Additional Powers) Act 1891.

The Glasgow and South Western Railway (Steam Vessels) Act 1891.

The Glasgow and South Western Railway (Ayrshire and Wigtownshire Railway and Bridge Street Joint Station Glasgow) Act 1892.

The Glasgow and South Western Railway (Additional Powers) Act 1892.

The Glasgow and South Western Railway Act 1893.

The Glasgow and South Western Railway Act 1895.

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The Glasgow and South Western Railway Act 1896.

The City of Glasgow Union Railway Partition Act 1896.

The Glasgow and South Western Railway Act 1897 (including Cairn Valley Railway now authorised as a light railway—see below).

The Glasgow and Renfrew District Railway Act 1897.

The Glasgow and South Western Railway Act 1898.

The Glasgow and South Western Railway Act 1899.

The Glasgow and South Western Railway (Maidens and Dunure Light Railway) Order 1899.

The Glasgow and South Western Railway (Cairn Valley Light Railway) Order 1899 (see above).

The Glasgow and South Western Railway Act 1900.

The Glasgow and South Western Railway Act 1901.

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