ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

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Powers were conferred on and Provisions enacted relating to the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company: And whereas it would be attended with public and local Advantage and Convenience if the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company were authorized to make and maintain the following Railways; namely, a Railway from the *Cumnock* Extension Line of the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway, at or near *Bonnyhill*, to a Point at or near *Loudoun Kirk;* a Branch Railway from the intended Railway above-mentioned, at or near *Silverwood*, to a Point at or near *East Collery;* a Branch Railway from the *Kilmarnock and Troon* Railway, at or near *Milton Bridge*, to a Point at or near *Busby* Station; a Branch Railway from the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway, at or near *Longford*, to the *Dirrans* Branch of the *Ardrossan* Railway at or near *Byrehill;* a Branch Railway from the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway, near the Station thereon at *Dalry*, to a Point at or near *Ittington;* a Branch Railway from the intended Railway last above-mentioned, at or near *Linncraig*, to a Point at or near *Giffordland;* a Branch Railway from a Point at or near the North Termination of a Branch of the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway as now formed to *Swinlees*, to a Point at or near *Howrat Toll;* and a Branch Railway from the said Branch to *Swinlees* as now formed, at or near *Boreston*, to a Point at or near *Hillend:* And whereas it would also be attended with public Advantage and Convenience if the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company were empowered to abandon the Formation of the Branch Railway to *Swinlees* authorized by the Act passed in the last Session of the Reign of Her present Majesty herein-before referred to, and were empowered to complete and maintain in lieu thereof a new Line of Railway, already partly formed, from the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway, at or near *Pitcon*, to a Point at or near *Swinlees* aforesaid: And whereas it would further be attended with public Advantage and Convenience if the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company were empowered to acquire additional Lands and Houses in the Neighbourhood of their present Stations at *Kilmarnock*, *Busby*, and *Dalry* respectively, for the Purposes of their Railway, and were enabled to divert and alter or permanently to stop up and appropriate the Sites or present Lines of certain Streets or Roads adjoining the said Lands and Houses in *Kilmarnock*, and if some of the Powers and Provisions of the said recited Acts were amended and enlarged, and further Powers granted to the said Company: May it please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

8 & 9 Vict. cc. 17. and 33. extended to this Act.

That the Provisions of the Lands Clauses Consolidation (*Scotland*) Act, 1845, and of so much only of the Railways Clauses Consolidation (*Scotland*) Act, 1845, as relates to the Construction of the Railway as therein defined, the Use and Occupation of Lands for the Purposes thereof, the Mode of crossing Roads by the Railway, the Repair of such Roads, the Construction of Bridges and of Works for the Protection and Accommodation of Lands adjoining the Railway, and the working of Mines under or near to the Railway, shall,

shall, as regards the Branch Railways and Works hereby authorized to be made, be incorporated with and form Part of this Act.

Certain Provisions of 8 & 9 Vict. c. 17. extended to this Act.

II. And be it enacted, That so much only of the Companies Clauses Consolidation (*Scotland*) Act, 1845, as relates to the Consolidation of Shares into Stock, and the Rights of the Holders of such Stock, and to Proceedings for settling Questions by Arbitration, shall be incorporated with and form Part of this Act.

Extending former Acts to this Act.

III. And be it enacted, That, except as to such Matters as are otherwise provided for by or are inconsistent with the said Lands Clauses Consolidation (*Scotland*) Act, 1845, or as are otherwise provided for by or are inconsistent with so much of the said Railways Clauses Consolidation (*Scotland*) Act, 1845, and Companies Clauses Consolidation (*Scotland*) Act, 1845, as is extended to this Act, the Acts herein-before recited or referred to relating to the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company, and all the Provisions thereof, shall, where applicable and in force at the Time of the passing of this Act, operate and be in force with respect to the Objects and Purposes of this Act, as fully and effectually as if the said Provisions were repeated and re-enacted in this Act, and made specifically applicable to such Objects and Purposes.

Short Title.

IV. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments and Pleadings, it shall be sufficient to use the Expression, "The *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Amendment and Branches Act, No. 2., 1847."

Power to raise additional Capital by Creation of new Shares.

V. And be it enacted, That for the Purposes of this Act it shall be lawful for the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company from Time to Time to raise by creating new Shares, in addition to the Sums of Money which they are authorized to raise under and by virtue of the Acts relating to their Undertaking herein-before recited or referred to, or any of them, or which they may be authorized to raise under or by virtue of any other Act to be passed in the present Session of Parliament, any Sum of Money not exceeding in the whole the Sum of Three hundred thousand Pounds, which Sum may be raised by the said Company in the like Way and with the like Powers, and subject to the like Restrictions and Conditions, as the Capital authorized to be raised by the said Company under the Powers of the Act passed in the Second Session of the Fifth Year of the Reign of Her present Majesty herein-before referred to.

Power to borrow Money on Mortgage.

VI. And be it enacted, That after the whole of the Sums by this and the said recited Acts relating to the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway authorized to be raised by Shares shall have been subscribed or taken up, and One Half thereof shall have been paid up, it shall be lawful for the Directors of the said Company to borrow on Mortgage, and if subsequently paid off, again to reborrow, such Sums of Money as shall from Time to Time be authorized to be borrowed by an Order of any General or Special General Meeting of the said Company, not exceeding in the whole the Sum of One hundred thousand Pounds in addition to the Sums which they are

authorized

authorized to borrow by the Acts herein-before recited or referred to, or which they may be authorized to borrow by any other Act to be passed in the present Session of Parliament, and for securing the Repayment of the Sums so borrowed, with Interest, to mortgage the Undertaking belonging to them, and also, if they think fit, the whole or any of the future Calls on the Shareholders of the Company.

Rights of Mortgagees.

VII. And be it enacted, That the respective Mortgagees shall be entitled to the same Rights and Privileges, and the said Mortgagees shall be subject to the same Restrictions and Conditions, as are provided in the said Act passed in the Second Session of the Fifth Year of the Reign of Her present Majesty with respect to the Mortgages thereby authorized to be granted: Provided always, that all Mortgages of the said Undertaking heretofore granted under the Powers of the Acts herein-before recited or referred to, or any of them, shall, during the Continuance thereof, have Priority over any Mortgage thereof to be granted under the Powers of this Act.

Power to convert Loan into Capital.

VIII. And be it enacted, That it shall be lawful for the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company, if they think fit, to raise the Sums authorized to be borrowed on Mortgage by this Act or any Part thereof, by creating new Shares of the said Company instead of borrowing the same, or having borrowed the same it shall be lawful for them to continue at Interest only a Part of the said Sums, if they so think fit, and to raise the Remainder thereof, or any Part of the Remainder thereof, by creating new Shares of the Company, and all Provisions with regard to the additional Capital by this Act authorized to be raised shall apply in like Manner to the new Shares which may be so created as aforesaid, but no such Augmentation of Capital as last herein-before authorized shall take place without the previous Authority of a General Meeting of the Company called for the Purpose.

Interest not to be paid on Calls paid up.

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

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

X. And be it enacted, That it shall not be lawful for the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company, out of any Money by this Act or any other Act relating to the said Railway Company authorized to be raised for the Purposes of such Act or Acts, to pay or deposit any Sum of Money which by any Standing Order of either House of Parliament, now in force or hereafter to be in

in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the said Company to construct any other Railway or execute any other Work or Undertaking.

Railways to be made according to deposited Plans.

XI. And whereas Plans and Sections of the said proposed new and altered Lines of Railway, and of the proposed Diversion and Alteration or Stoppage of Streets in *Kilmarnock*, and other Works, showing the Lines and Levels thereof, and also Plans of the additional Lands and Houses intended to be acquired as aforesaid for the Purposes of the said Railway at *Kilmarnock*, *Busby*, and *Dalry*, and Books of Reference containing the Names of the reputed Owners, Lessees, and Occupiers of the said Lands and Houses, and of the Lands proposed to be taken for the Purposes of the said new and altered Lines of Railway, and for the said Diversion and Alteration of Streets, and other Works, have been deposited with the Sheriff Clerk of the County of *Ayr*; be it enacted, That, subject to the Provisions in this and the said recited Acts as extended to this Act contained, and to the Powers of Deviation contained in the Railways Clauses Consolidation (*Scotland*) Act, 1845, it shall be lawful for the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company to make or to complete and maintain the said new and altered Lines of Railway, and to divert and alter or permanently to shut up and appropriate the Sites or present Lines of the Streets in *Kilmarnock* shown on the said Plan as intended to be so diverted and altered or shut up respectively, and to execute the other Works in the Lines and upon the Lands delineated on the said Plans and described in the said Books of Reference, and according to the Levels defined on the said Sections, and for such Purposes respectively, and also for the Purposes of extended and additional Stations at *Kilmarnock*, *Busby*, and *Dalry*, to enter upon, take, and use so much of the said Lands as they shall consider necessary.

Company to abandon Branch to Swinlees.

XII. And be it enacted, That the said Company shall abandon the Formation of the Branch of the said Railway to *Swinlees* authorized by the said Act passed in the last Session of the Reign of Her present Majesty.

Lines of Railway.

XIII. And be it enacted, That the intended Branch Railway first herein-before mentioned shall diverge from and out of the Extension Line of Railway from *Kilmarnock* to *Cumnock* of the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway, authorized by the Act passed in the Eighth and Ninth Years of the Reign of Her present Majesty, herein-before referred to, at or near to *Bonnyhill* in the Parish of *Kilmarnock* or *Laigh Kirk* of *Kilmarnock* in the County of *Ayr*, and shall terminate in a certain Field or Inclosure marked No. 43 in the Parish of *Loudoun* on the Plan deposited as herein-before mentioned, at or near to *Loudoun Kirk* in the Parish of *Loudoun* in the same County, and shall pass from, in, through, or into the several Parishes, Townships, Burghs, or Places of *Kilmarnock*, *Laigh Kirk* of *Kilmarnock*, and *Loudoun*, all in the County of *Ayr*, or some of them; and the intended Branch Railway secondly herein-before mentioned shall

diverge from and out of the intended Railway last above described at or near to *Silverwood* in the *Laigh Kirk* Parish of *Kilmarnock* in the County of *Ayr*, and shall terminate at or near to *East Collery* in the Parish of *Fenwick* in the same County, and shall pass from, through, or into the Parishes, Townships, Burghs, or Places of *Kilmarnock*, *Laigh Kirk* of *Kilmarnock*, and *Fenwick*, all in the County of *Ayr*, or some of them; and the intended Branch Railway thirdly herein-before mentioned shall diverge from and out of the *Kilmarnock and Troon* Railway at or near to *Milton Bridge* over the Water of *Irvine* in the Parish of *Dundonald* in the County of *Ayr*, and shall terminate on the South Side of the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway at or near to *Busby* Station in the Parish of *Kilmaurs* in the same County, and shall pass from, through, or into the Parishes, Townships, Burghs, or Places of *Dundonald* and *Kilmaurs*, all in the County of *Ayr*, or some of them; and the intended Branch Railway fourthly herein-before mentioned shall diverge from and out of the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway at or near to *Longford* in the Parish of *Kilwinning* in the County of *Ayr*, and shall pass through and terminate in the said Parish and County by a Junction with the *Dirrans* Branch of the *Ardrossan* Railway at or near to *Byrehill;* and the intended Branch Railway fifthly herein-before mentioned shall diverge from and out of the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway at a Point about Half a Mile to the South of the Station thereon at *Dalry* in the Parish of *Dalry* in the County of *Ayr*, and shall terminate at or near to *Ittington* in the Parish of *Ardrossan* in the same County, and shall pass from, through, or into the Parishes, Townships, Burghs, or Places of *Dalry*, *Kilwinning*, and *Ardrossan*, all in the County of *Ayr*, or some of them; and the intended Branch Railway sixthly herein-before mentioned shall diverge from and out of the intended Railway last above described at or near to *Linncraig* in the Parish of *Dalry* in the County of *Ayr*, and shall terminate at or near to *Giffordland* in the said Parish and County, and shall pass from, through, or into the Parishes, Townships, Burghs, or Places of *Dalry*, *Kilwinning*, and *Ardrossan*, all in the County of *Ayr*, or some of them; and the intended Branch Railway seventhly herein-before mentioned shall diverge from and out of a Branch from the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway as now formed to *Swinlees* at or near to its North Termination in the Parish of *Dalry* in the County of *Ayr*, and shall terminate at or near to *Howrat Toll*, in the said Parish and County, and shall pass from, through, or into the Parishes, Townships, Burghs, or Places of *Dalry* and *Kilbirnie*, both in the County of *Ayr*, or one of them; and the intended Branch Railway eighthly herein-before mentioned shall diverge from and out of the said Branch to *Swinlees* as now formed at or near to *Boreston* in the Parish of *Dalry* in the County of *Ayr*, and shall pass through and terminate in the said Parish and County at or near to *Hillend;* and the said intended new or altered Line of the herein-before mentioned Branch to *Swinlees* shall diverge from and out of the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway at or near to *Pitcon*, and shall terminate at a Point at or near to *Swinlees*, both in the Parish of *Dalry* in the County of *Ayr*, and shall pass from, through, or into the Parishes, Townships, Burghs, and Places of *Dalry* and *Kilbirnie* in

the County of *Ayr*, or one of them; and the additional Lands and Houses required for the Purpose of extended or additional Stations, and for the Diversion and Alteration of Streets at *Kilmarnock* herein-before mentioned, shall be situated in the Parishes of *Kilmarnock*, *High Church* of *Kilmarnock*, and *Laigh Kirk* of *Kilmarnock*, in the County of *Ayr*, or one of them; and the additional Lands and Houses required for the Purpose of extended or additional Stations at *Busby* herein-before mentioned shall be situated in the Parish of *Kilmaurs* in the County of *Ayr*; and the said additional Lands and Houses required for the Purpose of extended or additional Stations at *Dalry* shall be situated in the Parish of *Dalry* in the County of *Ayr*.

Powers of the Company for the Construction of the proposed Branch from Longford to Byrehill to be suspended for a certain Period.

XIV. And whereas the Object proposed to be effected by the Construction of the intended Branch Railway fourthly herein-before mentioned, diverging from and out of the *Glasgow, Paisley, Kilmarnock and Ayr* Railway at or near to *Longford* in the Parish of *Kilwinning* in the County of *Ayr*, and terminating in the said Parish and County by a Junction with the *Dirrans* Branch of the *Ardrossan* Railway near to *Byrehill*, will to a great Extent be effected by the Construction of a Branch proposed by the *Glasgow, Kilmarnock, and Ardrossan* Railway Company under the Powers of an Act for which Application is being made to Parliament in the present Session, such last-mentioned Branch being intended to commence by a Junction with the *Ardrossan* Branch of the *Glasgow, Kilmarnock, and Ardrossan* Railway at or near the Farmhouse of *Bog*, and to terminate by a Junction with the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway near the Bridge carrying that Railway over the *Fergushill* Branch of the *Ardrossan* Railway, and it is expedient that the Powers by this Act granted to the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company for the Construction of the said Branch Railway from *Longford* to *Byrehill* should be suspended for the Period and upon the Conditions herein-after mentioned; be it therefore enacted, That in the event of the Bill now pending in Parliament authorizing the Construction by the said *Glasgow, Kilmarnock, and Ardrossan* Railway Company of their said proposed Branch Railway being passed into a Law during the present Session of Parliament, none of the Powers and Authorities by this Act given to and vested in the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company for the Construction of their said proposed Branch shall be capable of being put into force or executed for the Space of Two Years next after the passing of the Act authorizing the Construction by the said *Glasgow, Kilmarnock, and Ardrossan* Railway Company of their said proposed Branch, without the express Consent in Writing of the said *Glasgow, Kilmarnock, and Ardrossan* Railway Company, and if the said *Glasgow, Kilmarnock, and Ardrossan* Railway Company shall before the Expiration of the said Two Years have constructed and opened for the Passage of Locomotive Engines and Carriages their said proposed Branch Railway, then and in such Case all the Powers and Authorities vested in the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company for the Construction of their said Branch shall absolutely cease and be at an end.

XV. Pro-

In case of failure by Glasgow, Kilmarnock, and Ardrossan Railway Company to construct the proposed Branch to Glasgow.

XV. Provided always, and be it enacted, That if at the Expiration of the said Period of Two Years herein-before mentioned the said *Glasgow, Kilmarnock, and Ardrossan* Railway Company shall not have constructed and opened for the Passage of Locomotive Engines and Carriages the said proposed Branch Railway from the *Ardrossan* Branch of their Railway to join the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway, then and from thenceforth all the Powers and Authorities hereby vested in the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company shall take effect and be in as full force in respect of the said Branch from *Longford* to *Byrehill* as in respect of the other Branches by this Act authorized.

Power to cross certain Roads on the Level.

XVI. And be it enacted, That it shall be lawful for the Company, in constructing the said Branch Railways, to carry the same or either of them on the Level across the Roads numbered respectively on the Plans deposited as herein-before mentioned, as follows; *viz.*

On the Branch to *Collery*,

In the Parish of *Laigh Kirk* of *Kilmarnock*, the Road numbered 110:

On the Branch to *Busby* Station,

In the Parish of *Kilmaurs*, the Road numbered 59:

On the Branch to *Ittington*,

In the Parish of *Ardrossan*, the Road numbered 2:

On the Branch to *Swinlees*,

In the Parish of *Dalry*, the Railway numbered $\frac{16}{1}$, and the Road numbered 5:

On the Branch to *Hillend*,

In the Parish of *Dalry*, the Railways numbered 16 and $\frac{21}{1}$, and the Road numbered 95.

Company to erect a Station or Lodge at the Points of crossing, and to abide by the Regulations of the Commissioners of Railways.

XVII. And be it enacted, That for the greater Convenience and Security of the Public the Company shall erect and permanently maintain either a Station or Lodge at the Points where the said Railway crosses the before-mentioned Roads on the Level; and the said Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Roads on the Level, or with regard to the Speed at which Trains shall pass such Roads, as may from Time to Time be made by the Commissioners of Railways; and if the said Company shall fail to erect, or at all Times maintain, any such Station or Lodge, or appoint a proper Person to watch or superintend the crossing at any such Point or Station, or to observe or abide by any such Rule or Regulation as aforesaid, they shall for every such Offence be liable to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred.

XVIII. And

Inclination of a certain Road.

XVIII. And be it enacted, That as regards the Roads herein-after mentioned it shall be lawful for the Company to make the Inclination of such Roads, when altered, as follows; that is to say,

On the Branch to *Busby* Station,

The Road numbered 41 of the Parish of *Kilmaurs* may be made of any Inclination not steeper than One Foot in Fifteen Feet.

Powers for compulsory Purchase of Lands limited.

XIX. And be it enacted, That the Powers hereby conferred on the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company for the compulsory Purchase and taking of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing of this Act.

Period for Completion of Works.

XX. And be it enacted, That if the proposed Branch Railways to near *Loudoun Kirk* and to near *East Collery* respectively shall not be completed within Four Years from the passing of this Act, and if the other new or altered Lines of Railways and other Works hereby authorized shall not be completed within Five Years from the passing of this Act, then on the Expiration of such Periods respectively the Powers by this or the recited Acts granted to the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company for executing the said Branch Railways and new and altered Lines of Railway and other Works respectively, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

Limiting Charges for Conveyance.

XXI. And be it enacted, That the Provisions contained in the Act relating to the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway passed in the Eighth and Ninth Years of the Reign of Her present Majesty herein-before referred to, whereby the Charges for the Conveyance of Passengers and of Goods and Cattle on the Extension Railway to *Cumnock* thereby authorized to be made are limited and regulated, shall extend and apply to the Charges to be made in respect of the Use of the new and altered Lines of Railway by this Act authorized, and of the Engines and Carriages employed by the Company thereon.

As to Use of certain Parts of Glasgow, Paisley, Kilmarnock, and Ayr Railway by Glasgow, Kilmarnock, and Ardrossan Railway Company, and vice versâ.

XXII. And whereas by the *Glasgow, Kilmarnock, and Ardrossan* Railway Act, 1846, a Railway from the *Glasgow, Barrhead, and Neilston Direct* Railway to the Town of *Kilmarnock*, with certain Branches therefrom, was authorized to be made, and the same is now in the course of being or is about to be constructed: And whereas the said Railway is intended to be connected with the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway at or near *Kilmarnock*, and the Traffic in Coal, Iron, and other Minerals between the *Glasgow, Kilmarnock, and Ardrossan* Railway and Places lying on the Lines of the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway and its Branches, to or near to *Loudoun Kirk* and *East Collery*, and also Traffic in Coal, Iron, and other Minerals between the Harbour of *Ardrossan* and the Town of *Kilmarnock*, and the *Glasgow, Kilmarnock, and Ardrossan* Railway, will pass on the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway and its Branches, and it is expedient that Provision should be made for accommodating and facilitating

such Traffic as after mentioned; be it therefore enacted, That the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company shall be bound in all Time coming to allow the *Glasgow, Kilmarnock, and Ardrossan* Railway Company, and all other Companies and Persons lawfully using or intending to use the *Glasgow, Kilmarnock, and Ardrossan* Railway with Engines or Carriages, for Coal, Iron, and other Mineral Traffic, to use in like Manner the said Branches to or near to *Loudoun Kirk* and *East Collery*, and such Portions of the aforesaid *Glasgow, Paisley, Kilmarnock, and Ayr* Railway and Works, excluding the Use of Stations, as are situated between the said Branches and the *Glasgow, Kilmarnock, and Ardrossan* Railway at or near *Kilmarnock*, and at or near to *Fergushill*, on such Terms and Conditions, and on Payment only of such reasonable Tolls, Charges, Rent, or other Consideration as may be agreed upon between the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company and the *Glasgow, Kilmarnock, and Ardrossan* Railway Company, or, failing such Agreement, as shall from Time to Time be determined by the Commissioners of Railways, or by an Arbitrator to be appointed by the said Commissioners; and the said Commissioners are hereby authorized and required, in the event of their not themselves determining the Matter in dispute, from Time to Time to appoint such Arbitrator upon the Requisition of either Party, and the Decision of the Commissioners, or of the Arbitrators to be appointed by them, shall be final and binding on the Parties; and it shall not be lawful for the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company to demand or levy in respect of such Traffic as above mentioned to or from the *Glasgow, Kilmarnock, and Ardrossan* Railway, any Tolls or Charges other than such as shall be fixed by such Agreement or Arbitration as aforesaid; and in consideration of the Powers herein-before granted to the *Glasgow, Kilmarnock, and Ardrossan* Railway Company to use the said Branches and Portions of the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway, the said *Glasgow, Kilmarnock, and Ardrossan* Railway Company shall be bound in all Time coming to allow the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company, and all other Companies and Persons lawfully using or intending to use the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway, with Engines and Carriages, for Coal, Iron, and other Mineral Traffic, to use the Portion of the *Glasgow, Kilmarnock, and Ardrossan* Railway and Works, excluding the Use of Stations, which are situated between *Kilmarnock* and the *Glasgow, Barrhead, and Neilston Direct* Railway, and also to use the Branch to *Fenwick* of the *Glasgow, Kilmarnock, and Ardrossan* Railway, on such Terms and Conditions, and on Payment only of such reasonable Tolls, Charges, Rent, or other Consideration, as may be agreed upon between the *Glasgow, Kilmarnock, and Ardrossan* Railway Company and the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company, or, in case of Difference, as shall be settled in the Manner herein-before provided with reference to the Use by the *Glasgow, Kilmarnock, and Ardrossan* Railway Company of the said Branches and Portions of the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway, and subject to the like Restrictions as are herein-before imposed on the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company with respect thereto.

XXIII. And

Reference to Commissioners of Railways as to Trains, &c.

XXIII. And be it enacted, That the Times and Speed at which the said Trains shall run on the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway shall be subject to the Bye Laws and Regulations of the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company, and the Times and Speed at which the said Trains shall run on the *Glasgow, Kilmarnock, and Ardrossan* Railway shall be subject to the Bye Laws and Regulations of the *Glasgow, Kilmarnock, and Ardrossan* Railway Company; but in the event of Difference of Opinion between the said respective Companies as to Times and Speed suitable for such Trains, or as to the said Bye Laws and Regulations as affecting the said respective Companies, such Difference shall be settled by the Commissioners of Railways, or by an Arbitrator to be appointed by them.

Railway Company to be subject to the Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 15., and 9 & 10 Vict. cc. 57. & 105.

XXIV. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railway;* and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways;* and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops;* and another Act was passed in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament; and for other Purposes in relation to Railways;* and another Act was passed in the last Session of Parliament, intituled *An Act for regulating the Gauge of Railways;* and another Act was passed in the said last Session of Parliament, intituled *An Act for constituting Commissioners of Railways;* be it enacted, That nothing in this Act contained shall be held to exempt the new or altered Lines of Railway by this Act authorized, or the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company, from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railway Company, so far as the same shall be applicable thereto.

Railway to be subject to Provisions of any future general Act.

XXV. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the new or altered Lines of Railway by this or the said recited Acts authorized to be made from the Provisions of any general Act relating to such Acts, or of any general Act relating to Railways, now in force or which may hereafter pass during the present or any future Session of Parliament, or from any future Revision or Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act.

Expences of Act.

XXVI. And be it enacted, That all the Costs, Charges, and Expences of obtaining and passing this Act, and of making the Surveys, Plans, and Estimates, and all other Costs, Charges, and Expences in any way incident thereto, shall be paid and defrayed by the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company, out of the Money already raised and received, or out of the first Money to be

be raised or received by them, in preference to any other Payment whatsoever.

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

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