ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

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Cap. cclxxxviii.

An Act to enable the *Caledonian* Railway Company to make and maintain certain Branch Railways, to supersede certain level Crossings, and to improve certain of their Stations, and acquire additional Lands, in the Counties of *Renfrew, Lanark, Edinburgh, Dumbarton,* and *Cumberland*; and for other Purposes. [5th *July* 1865.]

WHEREAS by "The *Caledonian* Railway Act, 1845," the *Caledonian* Railway Company (in this Act called "the Company") were incorporated, and under the Powers of that Act, and of various subsequent Acts, the Company have constructed various Lines of Railway, and have acquired (among others) the *Glasgow, Paisley, and Greenock* Railway, the *Glasgow, Garnkirk, and Coatbridge* Railway, and the *Wishaw and Coltness* Railway, which now form Parts of their Undertaking: And whereas it would be attended with Advantage and Convenience to the Public and to the Company if the Company were authorized to make and maintain Branch Railways from the said *Glasgow, Paisley, and Greenock* Railway to the *Victoria Quay* at *Greenock*, and to the Harbour

8 & 9 Vict. c. clxii.

Harbour of *Port Glasgow*, and additional Lines of Railway at *Carlisle*, and an Extension of their *Wilsontown* Branch to near *Wester Greenwell* in the Parish of *Carnwath*, and also to substitute Bridges for the existing level Crossings of their Railways by certain Roads at or near *Langbank* in the Parish of *Erskine*, *Gartsherrie* in the Parish of *Old Monkland*, *Craigenhill* in the Parish of *Lanark*, and the *Float* in the Parish of *Pettinain*, and for that Purpose to divert the said Roads, and also to improve and enlarge their existing Stations, Depôts, Sidings, and other Works at the *Lothian Road* in the City of *Edinburgh*, at *Buchanan Street* in the City of *Glasgow*, at *Greenock*, *Port Glasgow*, *Paisley*, and *Langbank* on the *Glasgow, Paisley, and Greenock* Railway, at *Gartsherrie* and *Gartcosh* on the *Glasgow, Garnkirk, and Coatbridge* Railway, at *Holytown* on the *Wishaw and Coltness* Railway, at *Coltbridge* on their *Granton* Branch, and at *Carlisle*, and for those Purposes to take and acquire additional Lands at the Places above named: And whereas Plans and Sections showing the Lines and Levels of the said proposed Railways and Alterations of Roads, and the Lands which may be required to be taken for the Purposes thereof and of the Works connected therewith, and also Plans showing the Lands intended to be taken as aforesaid for the other Purposes herein-before mentioned, together with Books of Reference to such several Plans, have been deposited for public Inspection in the Offices at *Greenock* and *Paisley* respectively of the Principal Sheriff Clerk of the County of *Renfrew*, and in the Offices at *Glasgow*, *Airdrie*, *Hamilton*, and *Lanark* respectively of the Principal Sheriff Clerk of the County of *Lanark*, and in the Office at *Edinburgh* of the Principal Sheriff Clerk of the County of *Edinburgh*, and in the Office at *Dumbarton* of the Principal Sheriff Clerk of the County of *Dumbarton*, and in the Office at *Carlisle* of the Clerk of the Peace for the County of *Cumberland*; but the Objects aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Short Title.

1. In citing this Act for any Purpose it shall be sufficient to use the Expression "The *Caledonian* Railway (Additional Powers) Act, 1865."

8 & 9 Vict. cc. 18., 19., 20., & 33., 23 & 24 Vict. c. 106., and

2. Subject to the Provisions of this Act, "The Lands Clauses Consolidation (*Scotland*) Act, 1845," and "The Railways Clauses Consolidation (*Scotland*) Act, 1845," as respects all Matters relating to the Undertaking so far as situate in *Scotland*, and "The Lands Clauses

Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," as respects all Matters relating to the Undertaking so far as situate in *England*, and "The Lands Clauses Consolidation Acts Amendment Act, 1860," and Part I. of "The Railways Clauses Act, 1863," relating to Construction of a Railway, as respects all Matters relating to the Undertaking wherever situate, are incorporated with this Act.

26 & 27 Vict. c. 92. incorporated.

3. Subject to the Provisions of this Act, the Clauses and Provisions of "The Companies Clauses Consolidation (*Scotland*) Act, 1845," with respect to the Distribution of the Capital of the Company into Shares, and with respect to the Transfer or Transmission of Shares, and with respect to the Payment of Subscriptions and the Means of enforcing the Payment of Calls, and with respect to the Forfeiture of Shares for Nonpayment of Calls, and with respect to the Remedies of Creditors of the Company against the Shareholders, and with respect to the borrowing of Money by the Company on Mortgage or Bond, and with respect to the Conversion of the borrowed Money into Capital, and with respect to the Consolidation of the Shares into Stock, and with respect to the General Meetings of the Company and the Exercise of the Right of voting by the Shareholders, and also the Clauses and Provisions of that Act and of "The Companies Clauses Consolidation Act, 1845," with respect to the Provision to be made for affording Access to the Special Act by all Parties interested, and also Part I. of "The Companies Clauses Act, 1863," relating to Cancellation and Surrender of Shares, and Part II. of that Act relating to additional Capital, are incorporated with this Act; and all the Provisions of "The Companies Clauses Consolidation (*Scotland*) Act, 1845," so incorporated with this Act, which relate to Stock into which Shares in the Capital of the Company have been converted or consolidated, shall apply to the Stock which the Company are by this Act authorized to issue and to the Holders thereof: Provided always, that each Year out of the Profits of which the Preference Shares or Preference Stock issued under the Authority of this Act shall be entitled to the preferential Dividend assigned thereto shall end on the Thirty-first Day of *January*.

Parts of 8 & 9 Vict. cc. 16. & 17. and 26 & 27 Vict. c. 118. incorporated.

4. In construing, for the Purposes of this Act, the Acts wholly and partly incorporated herewith, and in construing this Act, the following Expressions shall have the Meanings hereby assigned to them respectively, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

Interpretation of Expressions in the incorporated Acts and this Act.

The Expression "the Special Act" shall mean this Act:

The Expression "the Company," or "the Promoters of the Undertaking," shall mean the *Caledonian* Railway Company:

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The Expression "Railway," in "The Railways Clauses Consolidation (*Scotland*) Act, 1845," shall apply to and mean the new and improved Roads herein-after specified, as well as the Railways and other Works authorized by this Act:

Other Expressions to which Meanings are assigned in the Acts wholly or partly incorporated herewith shall respectively have the same Meanings in this Act.

Power to raise Money by the Issue of Ordinary or Preference Shares or Stock.

5. It shall be lawful for the Company from Time to Time to raise, in addition to the Sums which they are or may be authorized to raise by any other Act of Parliament, any further Sums of Money not exceeding in the whole the Sum of Two hundred and thirty-five thousand Pounds, by the Issue of new Ordinary Shares or new Ordinary Stock, or of new Preference Shares or new Preference Stock, or at the Option of the Company by any of those Modes.

Shares or Stock not to issue until One Fifth paid up.

6. It shall not be lawful for the Company to issue any Share or Portion of Stock under the Powers of this Act, nor shall any such Share or Portion of Stock vest in the Person accepting the same, unless and until a Sum not being less than One Fifth Part of the Amount of such Share or Portion of Stock shall be paid up in respect thereof.

Votes in respect of new Shares or Stock.

7. Each Holder of new Shares or Stock in the Capital by this Act authorized 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 Capital authorized by the recited Act would have conferred upon him.

Capital under several Acts of this Session may be raised by Shares or Stock of One Class.

8. If by any other Act or Acts passed in the present Session of Parliament, whether before or after the passing of this Act, the Company be authorized to raise any Capital by the Issue of new Shares or Stock (whether Ordinary or Preference), the Company may, if they think fit, subject to the Provisions of such other Act or Acts and of this Act, raise by the Issue of Shares or Stock of One and the same Class, and entitled to the same Privileges, all or any Part or Parts of the aggregate Capital which they are by such other Act or Acts and this Act authorized to raise by the Issue of Shares or Stock.

Power to borrow on Mortgage.

9. When and so soon as the said additional Capital of Two hundred and thirty-five thousand Pounds shall have been issued and taken up, and One Half of the said Sum shall have been paid up, it shall be lawful for the Company from Time to Time to borrow on Mortgage, and if paid off again to borrow, any Sum or Sums of Money not exceeding in the whole the Sum of Seventy-eight thousand

thousand three hundred Pounds, in addition to the Amount which they are or may be authorized to borrow by any other Act of Parliament: Provided always, that no Part of such Sum shall be borrowed until the Company shall have proved to the Sheriff who is to certify under the Provisions contained in the Forty-second Section of "The Companies Clauses Consolidation (*Scotland*) Act, 1845," that the whole of such additional Capital has been issued and taken up *bonâ fide*, and that One Half of such additional Capital has been paid up, and that a Sum not less than One Fifth Part of the Amount of each Share and of each Portion of Stock so issued had been paid up thereon at the Time of the Issue and Acceptance thereof, and that the whole of the said Shares or Stock are held by the Persons to whom the same were issued, or their Executors, Administrators, or Assignees, and for which such Persons, or their Executors, Administrators, or Assignees, are legally liable.

Reserving Priority of existing Securities.

10. All Mortgages, Bonds, and Debenture Stock for which or for the Interest whereof the Company are lawfully liable, and which shall be in force at the Time of the passing of this Act, shall, during their Subsistence, have Priority over any Mortgage to be granted by the Company under the Powers of this Act.

Application of Monies.

11. All Monies raised under the Powers of this Act by the Issue of new Shares or Stock, or by borrowing on Mortgage, shall be applied in the first instance to the Purposes by this Act authorized, and, subject thereto, shall be applicable to the Purposes authorized by the other Acts relating to the Company.

Powers for compulsory Purchases limited.

12. The Powers for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing of this Act.

Lands for extraordinary Purposes.

13. In addition to the Lands herein-before authorized to be taken by the Company, it shall be lawful for the Company to purchase by Agreement, in connexion with the Works by this Act authorized, any Quantity of Land near or adjoining thereto not exceeding Five Acres, for the extraordinary Purposes specified in "The Railways Clauses Consolidation (*Scotland*) Act, 1845," and in "The Railways Clauses Consolidation Act, 1845."

Power to construct Works.

14. It shall be lawful for the Company, with the Powers of Deviation and other Powers, and subject to the Provisions contained in this Act and in the Acts wholly and partly incorporated herewith, to make and maintain, in the Lines and upon the Lands delineated on the Plans and described in the Books of Reference deposited as aforesaid,

said, and according to the Levels defined on the Sections deposited therewith, the several Railways, Roads, and other Works hereinafter described, and all proper Works and Conveniences in connexion therewith respectively, and to enter upon, take, and use such of the said Lands as are necessary for the Purposes authorized by this Act and those Acts: Provided always, that nothing in this Act or those Acts contained shall empower the Company to enter upon, take, or use, for the Purposes of the Branch Railway secondly herein-after described, or relative Works, any Lands belonging to Sir *Michael Robert Shaw Stewart* Baronet, other than the Lands described in an Agreement of Feu entered into between him and the Company dated the Twenty-eighth Day of *April* and Third Day of *May* Eighteen hundred and sixty-five, and on the Plan subscribed with reference to the said Agreement.

Description of Works.

15. The Works by this Act authorized to be constructed are:

First, a Branch Railway or Tramway, commencing by a Junction with the said *Glasgow, Paisley, and Greenock* Railway about Eight Chains to the Westward of the Bridge over that Railway at *Ratho Street* in *Greenock*, near *Hillend House*, and terminating by a Junction with the Rails presently laid on the *Victoria Quay* at the Harbour of *Greenock*, near the Northern Termination of *Saint Andrew Street*:

Secondly, a Branch Railway, commencing by a Junction with the said *Glasgow, Paisley, and Greenock* Railway, opposite the Shipbuilding Works at *Port Glasgow* now or lately occupied by Messieurs *Blackwood* and *Gordon*, and terminating on the Eastern Side of the Dock or Basin lying between *Bay Street* and the East Quay of *Port Glasgow* Harbour:

Thirdly, an additional Line or additional Lines of Railway at *Carlisle*, commencing by a Junction with the Main Line of the *Caledonian* Railway at or near the South-eastern End of the Viaduct by which the said Main Line is carried over the River *Caldew*, and terminating by a Junction with the Sidings on the South-western Side of the said Main Line, about Seven and a Half Chains South-eastward from the Bridge by which the Road leading to *Caldew Bridge* is carried over the said Main Line:

Fourthly, a Railway in extension of the Company's *Wilsontown* Branch, commencing by a Junction with that Branch about Twelve Chains South-eastward from its present Termination at *Wilsontown*, and terminating about Twelve Chains Westward from the Farmsteading of *Wester Greenwell* in the Parish of *Carnwath*:

Fifthly, a Diversion of the existing Road leading to the level Crossing of the said *Glasgow, Paisley, and Greenock* Railway at

at *Langbank* Station in the Parish of *Erskine*, by the Formation of a new Road, commencing by a Junction with the said existing Road about Two Chains to the Southward of the said level Crossing, and passing under the said Railway, and terminating by a Junction with the *Glasgow and Greenock* Turnpike Road about Four Chains to the Westward of the Point where the said existing Road at present joins that Turnpike Road:

Sixthly, a Diversion of the existing Parish Road leading to the level Crossing of the said *Glasgow, Garnkirk, and Coatbridge* Railway, which is situate about Nine Chains North-westward from *Gartsherrie* Station in the Parish of *Old Monkland*, by the Formation of a new Road, commencing by a Junction with the said existing Road about Eight Chains North-eastward from the said level Crossing, and passing over the said Railway, and terminating by a Junction with the said existing Road about Six Chains South-westward from the said level Crossing:

Seventhly, a Diversion of the existing Parish Road leading to the level Crossing of the Main Line of the *Caledonian* Railway from *Carlisle* towards *Glasgow*, known as the *Craigenhill* Crossing, and situate near the Post indicating a Distance of Seventy-eight Miles and a Half from *Carlisle* along that Railway, in the Parish of *Lanark*, by the widening, Alteration, and Improvement of the Parish Road (which joins the said existing Road about Five Chains South-eastward from the said level Crossing, and leads Westward therefrom,) between the said Point of Junction and a Point about Eleven Chains Westward from the said level Crossing, and by the Formation of a new Road, commencing at a Point on the Road to be improved as aforesaid about Nine Chains Westward from the said level Crossing, and passing over the said Railway, and terminating at a Point on the said existing Road leading to the said level Crossing about Twelve Chains North-westward from the said level Crossing:

Eighthly, a Diversion of the existing Parish Road leading to the level Crossing of the Main Line of the *Caledonian* Railway near the *Float Cottage* in the Parish of *Pettinain*, by the Formation of a new Road, commencing by a Junction with the said existing Road about Ten Chains South-westward from the said level Crossing, and passing over the said Railway, and terminating by a Junction with the said existing Road about Five Chains North-eastward from the said level Crossing:

Ninthly, the Improvement and Enlargement of the Company's existing Stations, Depôts, Sidings, and other Works at or near the following Places; *viz.*, the *Lothian Road* in the City of *Edinburgh*; *Buchanan Street* in the City of *Glasgow*; *Greenock*, *Port Glasgow*, *Paisley*, and *Langbank*, on the said *Glasgow*, *Paisley*,

Paisley, and Greenock Railway; *Garthsherrie* and *Gartcosh* on the said *Glasgow, Garnkirk, and Coatbridge* Railway; *Holytown* on the said *Wishaw and Coltness* Railway, and the *Cleland* Branch of that Railway; *Coltbridge* on the Company's *Granton* Branch; and *Carlisle.*

Notice to be given of taking of Houses of Labouring Classes.

16. The Company shall, not less than Eight Weeks before they take in any Parish Houses amounting to Fifteen in Number or more, occupied either wholly or partially by Persons belonging to the Labouring Classes as Tenants or Lodgers, make known their Intention to take the same by Placards, Handbills, or other general Notice placed in public View upon or within a reasonable Distance from such Houses; and the Company shall not take any such Houses until they have obtained the Certificate of a Justice that it has been proved to his Satisfaction that the Company have made known their Intention to take the same in manner herein-before required.

Tramway may be constructed upon the Surface of certain Streets and of a Quay.

17. It shall be lawful for the Company to construct the Branch Railway or Tramway in the first place herein-before described, with not more than One Line of Rails, upon the Surface of *Arthur Street, Stanners Street, Cartsburn Street, East Stewart Street, Rue End Street,* and the *Victoria Quay,* numbered respectively on the Plans deposited as aforesaid 10, 11, 12, 23, 24, and 27, in the East Parish of *Greenock;* and the Provisions contained in Section Forty of "The Railways Clauses Consolidation (*Scotland*) Act, 1845," and in Sections Five, Six, Seven, and Eight of "The Railways Clauses Act, 1863," with respect to level Crossings of Turnpike and public Carriageroads by the Railway, shall not apply to the said Branch Railway or Tramway where the same is constructed upon and across the said Streets and Quay as aforesaid.

Regulations with respect to Conduct of Traffic on Streets.

18. The Traffic on that Part of the Branch Railway or Tramway in the first place herein-before described, which extends from the Point at which the said Branch Railway or Tramway enters upon *Arthur Street* to the Point at which it joins the existing Rails on the *Victoria Quay,* shall be conducted subject to such Regulations with respect to Speed, Number of Trucks or Waggons in each Train, Police Attendance, and otherwise, as shall be agreed upon between the Company and the Trustees acting under the Powers of an Act passed in the Third Year of the Reign of Her present Majesty, intituled *An Act for the further Improvement of the Town of* Greenock; *for better lighting and supplying the same with Water; for regulating the Police thereof; and for other Purposes connected therewith,* or of any other Act for regulating the Police of *Greenock* for the Time (herein-after called the *Greenock* Police Trustees); and

3 & 4 Vict. c. xxvii.

until

until other or further Regulations shall be agreed upon as aforesaid, the following Regulations shall be applicable to the Conduct of the said Traffic; that is to say, (first) no Train shall stop on any of the Streets unless for the Purpose of avoiding Accidents; (secondly) no Train shall proceed at a greater Rate of Speed than Three Miles *per* Hour; (thirdly) no Train shall consist of more than the Locomotive Engine, the Tender, and Twelve Waggons or Trucks; (fourthly) a Policeman, to be paid by the Company, shall walk Three Yards in advance of each Train to clear the Way.

Regulations with respect to Conduct of Traffic on Quay.

19. All Trains, when passing or remaining upon that Portion of the said Branch Railway or Tramway which is situate upon the Property of the Trustees acting under the Powers of an Act passed in the Fifth Year of the Reign of Her present Majesty, intituled *An Act for further improving, enlarging, and maintaining the Harbours of the Town of* Greenock, and the Acts therein recited (herein-after called the *Greenock* Harbour Trustees), shall be subject to the Regulations made or which may be made with respect thereto by the *Greenock* Harbour Trustees not inconsistent with the Regulations herein-before contained, or which may be agreed upon as aforesaid between the Company and the *Greenock* Police Trustees, so far as the same are in force at the Time and are applicable to the last-mentioned Portion of the said Branch Railway or Tramway: Provided always, that if the Company shall feel aggrieved by any Regulation made or to be made by the *Greenock* Harbour Trustees as aforesaid, it shall be lawful for them to appeal against the same to the Board of Trade, who shall have Power, if they think fit, to cancel or modify the same, or to make such new Regulation in lieu thereof, as they may consider expedient.

Penalty in case of Failure to observe any of such Regulations.

20. If the Company fail to observe or abide by any of the Regulations herein-before contained, or any Regulation which may be agreed upon between the Company and the *Greenock* Police Trustees in lieu thereof, or made by the *Greenock* Harbour Trustees or the Board of Trade, under the Provisions herein-before contained, they shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Mode of Construction of Tramway on Streets.

21. The said Branch Railway or Tramway so far as laid on the Surface of *Arthur Street* shall be laid upon the North-east Side of that Street to the Satisfaction of the *Greenock* Police Trustees, and the Rails of the said Branch Railway or Tramway, wherever the same are laid on *Arthur Street*, *Stanners Street*, *Cartsburn Street*, *East Stewart Street*, or *Rue End Street*, or on the *Victoria Quay*, shall be of such Form and so laid and maintained by the Company as to permit Horses and Carts to cross or pass along the same in Safety,

and the said Streets and Quay shall be at all Times open to the Public and shall not be shut up by the Company upon any Account whatever without the special Permission in Writing of the *Greenock* Police Trustees as respects the said Streets, and of the *Greenock* Harbour Trustees as respects the said Quay.

Company to form new Portion of Street in substitution for Part of Saint Lawrence Street.

22. Before taking any Part of the Road or Street called *Saint Lawrence Street*, and numbered 48 in the East Parish of *Greenock* on the Plans deposited as aforesaid, the Company shall provide in substitution for the Part so to be taken a new Portion of Road or Street not less in Width and not steeper in Gradient than the Part so to be taken, which substituted Portion of Road or Street shall be fenced, made, levelled, bottomed, and macadamized by the Company at their own Expense, to the Satisfaction of the Master of Works of the Town of *Greenock*, or of such other Person as the *Greenock* Police Trustees may appoint for the Purpose, and the Company shall free and relieve the said Trustees of all Feu Duties and other Burdens affecting the Solum of the said substituted Portion of Road or Street.

Company to form new Road in substitution for certain Roads taken.

23. Before taking any Part of the Roads or Ways numbered respectively 7, 7, and 61 in the East Parish of *Greenock* on the Plans deposited as aforesaid, the Company shall provide in substitution therefor a new Road extending from *Main Street* to *Arthur Street* as shown on the said Plans, which shall be not less than Thirty-five Feet in Width, and shall not be steeper at any Point than One in Twenty-two and a Half, and shall be fenced, made, levelled, bottomed, and macadamized by the Company at their own Expense, to the Satisfaction of the Master of Works of the Town of *Greenock*, or of such other Person as the *Greenock* Police Trustees may appoint for the Purpose, reserving to the said Trustees all Power competent to them by Statute to require the said substituted Road to be causewayed and paved; and the Company shall free and relieve the said Trustees of all Feu Duties and other Burdens affecting the Solum of the said substituted Road; and the Company shall also provide a good and sufficient Communication for Foot Passengers from the said last-mentioned new Road to *Saint Lawrence Street*, by means of a Footway, and of a Footbridge with Steps, not less than Six Feet in Width, over the *Glasgow, Paisley, and Greenock* Railway, and over the said Branch Railway or Tramway first before described, at such Place as the Company shall determine between the Point where the said Road or Way numbered 7, 7, is crossed by the *Glasgow, Paisley, and Greenock* Railway, and a Point One hundred and twenty Yards to the Eastward of such Crossing; which Footway, Footbridge, and Steps shall be constructed to the Satisfaction of the said Master of Works

Works or of such other Person as aforesaid, and shall at all Times be maintained by the Company.

Company to form Street from Cartsburn Street to Junction of East Stewart Street and Rue End Street.

24. The Company shall form, upon the Lands delineated on the Plans and described in the Books of Reference deposited as aforesaid, a Road or Street from *Cartsburn Street*, opposite the North-western End of *Arthur Street*, to the Point of Junction of *East Stewart Street* and *Rue End Street*, of equal Width throughout, such Width not being less than Forty-five Feet, and the Company shall at their own Expense level, pave, and causeway the said Road or Street to the Satisfaction of the Master of Works of the Town of *Greenock*, or of such other Person as the *Greenock* Police Trustees may appoint for the Purpose, and shall simultaneously with the Completion and opening for Use of the said Branch Railway or Tramway open the said Road or Street for the Use of the Public, and the same shall thenceforth be a public Street under the Control and Management of the *Greenock* Police Trustees, in the same Manner and to the same Effect as the other Streets of the said Town, and the Causeway and Pavement thereof shall, when necessary, be repaired and renewed by the said Trustees: Provided always, that the Company shall free and relieve the said Trustees of all Feu Duties and other Burdens affecting the Solum of the said new Road or Street.

Company to restore Drains, Water and Gas Pipes, and Gas Lamps interfered with, and to lay and fit up certain new ones.

25. If in the Formation of the said Branch Railway or Tramway the Company shall interfere with any Drains, Water Pipes, Gas Pipes, or Gas Lamps belonging to or under the Management of the *Greenock* Police Trustees, they shall restore the same with all convenient Speed, and they shall lay such Drains, Water Pipes and Gas Pipes, and fit up such Gas Lamps in and upon the Portion of Road or Street to be substituted for Part of *Saint Lawrence Street*, and the new Road to be substituted for the Roads or Ways numbered 7, 7, and 61 in the East Parish of *Greenock* as aforesaid, as may be necessary in lieu of those belonging to or under the Management of the said Trustees, which may be in the Part of *Saint Lawrence Street*, or in the said Roads or Ways to be taken by the Company; and such substituted Drains and Water Pipes shall be laid to the Satisfaction of the Master of Works of the Town of *Greenock*, or of such other Person as may be appointed for the Purpose by the *Greenock* Police Trustees, and such substituted Gas Pipes shall be laid and such substituted Gas Lamps shall be fitted up to the Satisfaction of the Manager of the *Greenock* Gasworks, or of such other Person as may be appointed for the Purpose by the Committee of Management of the said Gasworks.

Iron Girder Bridges to be substituted for certain existing

26. If either or both of the Arches by which the *Glasgow, Paisley, and Greenock* Railway is at present carried over the Road numbered Seven in the East Parish of *Greenock* as aforesaid, and over *Arthur Street*, shall at any Time hereafter require, in consequence of Decay, to

Arches, if latter be removed owing to Decay.

to be removed, the Company shall replace the Arch or Arches so requiring to be removed by an Iron Girder Bridge or Iron Girder Bridges, Thirty-five Feet in Width between the Piers; and the said Bridge or Bridges shall be so constructed and maintained as to prevent Water from dropping through the same on the Roadway beneath.

Certain Ground to be acquired from Greenock Police Trustees at Price agreed on with them.

27. Whereas the *Greenock* Police Trustees are Proprietors of Two Pieces of Ground (forming Part of the Land Number 59 in the East Parish of *Greenock* on the said deposited Plans), which are required by the Company for the Purposes of this Act, and have agreed to sell the same to the Company at the Price of Five Shillings *per* Square Yard, payable at the Term of *Martinmas* next: It shall be lawful for the Company to enter into possession of the said Pieces of Ground at the said Term, and they shall at same Time pay the Price above specified to the said Trustees, upon receiving from them a Conveyance of the said Pieces of Ground under the Title upon which the said Trustees hold the same, free of all Feu Duties and other Burdens due at and prior to the said Term; and if the said Price be not paid at the said Term, it shall bear Interest at the Rate of Five *per Centum per Annum* thenceforth until Payment.

Regulating the Inclinations of a certain Road.

28. It shall be lawful for the Company to alter the Inclinations of the Road, numbered as after-mentioned on the Plans deposited as aforesaid, to such an Extent as they may think fit, provided that such altered Inclinations be not steeper than those herein-after specified; (that is to say,)

Number on Plans.	Parish.	Description.	Inclination.
6 & 7	Erskine - -	Road - -	1 in 12½ on one Side of the Railway and level on the other Side.

Regulating the Dimensions of certain Bridges.

29. It shall be lawful for the Company to construct and maintain the Arches of the Bridges for carrying the Roads, numbered as aftermentioned on the Plans deposited as aforesaid, under the Railway, of such Dimensions as they may think fit, provided that such Dimensions be not less than those herein-after specified respectively; (that is to say,)

Number on Plans.	Parish.	Description.	Height of Arch.		Width of Arch.	
			Ft.	In.	Ft.	In.
7	East Parish of Greenock	Statute Labour Road	11	6	14	10
6 & 7	Erskine - -	Occupation Road -	13	0	20	0

And

And it shall be lawful for the Company to construct the Bridges for carrying the Roads, numbered as after-mentioned on the Plans deposited as aforesaid, over the Railway, of such Width between the Fences as they may think fit, provided that in each Case such Width be not less than the Width herein-after specified in respect thereto; (that is to say,)

Number on Plans.	Parish.	Description.	Width between Fences.
			Feet.
1	Old Monkland -	Statute Labour Road -	20
2	Lanark - -	Statute Labour Road -	20
1	Pettinain -	Parish Road - -	20

Power to stop up level Crossings and Portions of Road rendered unnecessary, and to use or sell the Solum thereof.

30. The Company may permanently stop up the several level Crossings herein-before specified, and the Portions of Road leading thereto in lieu of which new or improved Roads are by this Act specially authorized to be made, and also the Footroad numbered on the Plans deposited as aforesaid 61 in the East Parish of *Greenock*, without substituting another therefor; and they may use or sell the Solum of the Portions of Road so stopped up, or any Part thereof; and such new and improved Roads shall be maintained and repaired by the Trustees or other Persons by whom the Portions of Road so stopped up were respectively previously maintainable and repairable: Provided always, that before selling the Solum of any Portion of Road the Company shall first offer to sell the same to the Person or Persons through whose Lands the same passes, or by whose Lands the same is bounded: Provided also, that nothing herein contained shall affect the Liability of the Company to maintain any Bridge for carrying the substituted Road over or under the Railway, with the immediate Approaches and all other necessary Works connected therewith, under the Provisions of "The Railways Clauses Consolidation (*Scotland*) Act, 1845."

Company to form Siding for the Accommodation of Mineral Traffic from the Estate of Carnbroe.

31. Whereas for the Purpose of executing the proposed Improvements upon the Station at *Holytown* a Portion of a Strip or Piece of Land belonging to the Trustees of the late *James Meiklam* Esquire, of *Carnbroe*, numbered on the deposited Plans 40 in the Parish of *Bothwell* and County of *Lanark*, may be required and be taken and used by the Company, which Strip or Piece of Land was acquired by the said *James Meiklam* for the Purpose of connecting his Estate of *Carnbroe* with the *Wishaw and Coltness* Railway by means of a Siding: Be it enacted, That if, in lieu of requiring the Company to purchase compulsorily the Portion required by them as aforesaid of the said Strip or Piece of Land, the said Trustees or the Proprietor for the Time being of the Estate of *Carnbroe* shall convey the same absolutely

absolutely to the Company for the Consideration of Five Shillings Sterling, and no more, then and in such Case, so soon as the said Trustees or the Proprietor for the Time being of the Estate of *Carnbroe* aforesaid shall have made a Line of Railway from the said Estate to the Verge of the Land belonging to the Company near the said Strip or Piece of Land, the Company shall, at their own Expense, form a Siding for connecting such Railway with the *Wishaw and Coltness* Railway equally suitable and convenient as any Siding which might have been formed upon the said Strip of Land numbered 40 as aforesaid; and the said Trustees or other Proprietor of the said Estate, and their or his Mineral Tenants, shall have Right to make use of such Siding for bringing the Mineral and all other Traffic between the said Estate of *Carnbroe* and the *Wishaw and Coltness* Railway without Payment of any Toll or Charge; and in the event of any Difference between the Company and the said Trustees or other Proprietor, or their or his Mineral Tenants, with respect to the Line, Level, or Mode of Construction of the said Siding, such Difference shall be determined by Arbitration in the Manner provided by "The Railways Clauses Consolidation (*Scotland*) Act, 1845," with respect to the Settlement of Disputes by Arbitration.

Limiting Time for Completion of Railways, and Security for their Completion.

32. The Railways by this Act authorized shall be completed and opened for public Traffic within Five Years from the passing of this Act; and if the said Railways shall not be completed and opened for public Traffic within the said Period of Five Years, the Company shall be liable to a Penalty of Fifty Pounds *per* Day, to be recoverable as a Debt due to the Crown, for every Day after the Expiration of the said Period of Five Years, until the said Railways shall be completed and opened for public Traffic; but no Penalty shall accrue in respect of any Time during which it shall appear, by a Certificate from the Board of Trade, that the Company was prevented from completing or opening the said Railways by unforeseen Accident or Circumstances beyond their Control: Provided always, that Deficiency of Funds shall not be held to be a Circumstance beyond the Control of the Company.

Tolls.

33. It shall be lawful for the Company, subject to the Conditions, Limitations, and Provisions contained in "The *Caledonian* Railway Act, 1845," to demand and recover for the Use of the Railways, Tramway, and additional Lines of Railway by this Act authorized, and the Conveyance of Traffic thereon, the same Tolls, Rates, and Charges which the Company are authorized by that Act to demand and recover for the Use of the Railways thereby authorized and the Conveyance of Traffic thereon, as if the said Railways, Tramway, and additional Lines had been original Parts of the *Caledonian* Railway and had been constructed under the Powers of the said Act.

34. It

Interest or Dividend not to be paid on Calls paid up.

34. It shall not be lawful for the Company, out of any Money by this Act or any other Act relating to the Company authorized to be raised by Calls in respect of Shares or by the Exercise of any Power of borrowing, to pay to any Shareholder Interest or Dividend 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 the Company may pay 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 that Behalf of "The Companies Clauses Consolidation (*Scotland*) Act, 1845."

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

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

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

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

Expenses of Act.

37. All the Costs, Charges, and Expenses of applying for and obtaining this Act, and in any way preparatory or incidental thereto, shall be paid by the Company.

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