CHAPTER clxxiii.

An Act for enabling the Caledonian Railway Company to make certain railways and other works and to acquire certain lands in the counties of Lanark, Renfrew, Stirling, Perth, and Forfar, to abandon certain authorised railways in Lanarkshire, and to raise additional money; for extending the periods allowed to that Company by former Acts for acquiring certain lands and completing certain works in Lanarkshire and Renfrewshire, and selling superfluous lands; and for other purposes. [22d July 1878.] A.D. 1878.

WHEREAS it is expedient that the Caledonian Railway Company (herein-after called "the Company") should be authorised to make railways for better connecting their Glasgow, Garnkirk, and Coatbridge and Clydesdale Junction lines with their authorised branch to Hamiltonhill, their Clydesdale Junction line with their Hamilton and Strathaven line, and their new line from Holytown to Motherwell with their Cleland branch; as also a line of railway along certain portions of the Busby Railway and the Kilbride Extension line of that railway, and a siding at Paisley; as also to divert certain roads which are crossed by the Company's lines near their stations at Stepps Road, Stirling, and Crieff respectively, and to make a new piece of road in connexion with one of those diversions:

And whereas it is expedient that the Company should be authorised to acquire certain lands in the parishes of Maryhill, Cadder, Shettleston, Govan, Old Monkland, New Monkland, Bothwell, and Hamilton, in the county of Lanark, Stirling and Saint Ninians, in the county of Stirling, Methven, Tibbermore, and Blairgowrie, in the county of Perth, and Dundee, Liff and Benvie, Saint Vigeans, Dun, and Kirkden, in the county of Forfar, for the purpose of additional station, siding, and other accommodation in connexion

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with existing lines of railway and canal belonging to or worked by the Company:

And whereas it is expedient that the Company should be authorised to raise additional share and loan capital for the several purposes aforesaid, and also for defraying the expense of works already executed and authorised to be executed, and of lands already acquired and authorised to be acquired by them, and for plant and other purposes of the Company, so far as not provided for by means of their existing powers of raising money:

And whereas it is expedient to extend the time limited by the
36 & 37 Vict. c. clxxxviii. Caledonian Railway (Gordon Street, Glasgow, Station), Act, 1873 (herein-after called "the Gordon Street Station Act, 1873"), and by
38 & 39 Vict. c. cxxxiii. the Caledonian Railway (Gordon Street Station Connecting Lines) Act, 1875 (herein-after called "the Gordon Street Station Act, 1875"), respectively, for the completion of the railways and other works authorised by these respective Acts, and the time limited by the last-named Act for the compulsory purchase of lands for the purposes of that Act; as also to extend the time limited by the Caledonian
36 & 37 Vict. c. clxxxv. Railway (Additional Powers) Act, 1873 (herein-after called "the Additional Powers Act, 1873"), for the completion of the railways authorised by that Act, and therein called respectively Railway No. 4 and Railway No. 14; as also to extend the time limited by the Additional Powers Act, 1873, as extended by the Caledonian
39 & 40 Vict. c. lxiv. Railway (Additional Powers) Act, 1876 (herein-after called "the Additional Powers Act, 1876"), for the compulsory purchase of lands for the purposes of the railway authorised by the former of these two Acts, and therein called Railway No. 5; as also to extend
37 & 38 Vict. c. cxxvi. the time limited by the Additional Powers Act, 1873, and by the Caledonian Railway (Additional Powers) Act, 1874 (herein-after called "the Additional Powers Act, 1874"), for the completion of the railway authorised by the former of these two Acts, and therein called Railway No. 10, and for the completion of the two deviations of that railway authorised by the latter of these two Acts, and therein called respectively Deviation No. 1 and Deviation No. 2:

And whereas it is expedient to extend the respective periods limited for the sale and disposal of lands acquired by or for behoof of the Company and the other companies whose undertakings are now vested in the Company, and to empower the Company to retain and hold such lands, or to sell, feu out, and dispose of the same:

And whereas it is expedient to provide for the abandonment of the railway authorised by and called Railway No. 12 in the Additional Powers Act, 1873, and of a portion of the railway

authorised by and called Railway No. 1 in the Additional Powers Act, 1876, and for the abandonment and stopping up of certain portions of the Hamilton line of the Company's Clydesdale Junction Railway, and of their new line from Holytown to Motherwell, all which will be rendered unnecessary by the construction of certain of the railways by this Act authorised:

And whereas plans and sections showing the lines and levels of the several railways, siding, diversions of roads, and new piece of road by this Act authorised to be made, and plans showing the lands by this Act authorised to be acquired, and also books of reference containing the names of the owners and lessees, or reputed owners and lessees, and of the occupiers of the lands required or which may be taken for the several purposes or under the powers of this Act, were duly deposited with the principal sheriff clerks for the counties of Lanark, Renfrew, Stirling, Perth, and Forfar, and are herein-after respectively referred to as the deposited plans, sections, and books of reference:

And whereas the purposes of this Act 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:

Short title.

1. This Act may be cited as the Caledonian Railway (Additional Powers) Act, 1878.

Incorporation of general Acts. 8 & 9 Vict. c. 19. 23 & 24 Vict. c. 106. 8 & 9 Vict. c. 33. 26 & 27 Vict. c. 92. 8 & 9 Vict. c. 17.

2. The Lands Clauses Consolidation (Scotland) Act, 1845, the Lands Clauses Consolidation Acts Amendment Act, 1860, the Railways Clauses Consolidation (Scotland) Act, 1845, Part I. (relating to 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 nonpayment 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

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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, are (except where expressly varied by this Act) incorporated with and form part of this Act; and all the provisions of the Companies Clauses Consolidation (Scotland) Act, 1845, 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 authorised to issue, and to the holders thereof.

26 & 27 Vict. c. 118.

8 & 9 Vict. c. 17.

Interpretation of terms.

3. In this Act 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; and in the Acts wholly or partially incorporated with this Act, as applied to this Act, the expression "the Company" means the Caledonian Railway Company; the expression "the special Act" means this Act; and the expressions "the railway" and "the undertaking" mean and include respectively the railways and other works and the undertaking by this Act authorised.

Power to make railways according to deposited plans.

4. Subject to the provisions of this Act, the Company may make and maintain, in the lines and according to the levels shown on the deposited plans and sections, the railways and works herein-after described, and all proper stations, sidings, approaches, and other works and conveniences in connexion therewith respectively, and may enter upon, take, and use such of the lands delineated on the said plans and described in the deposited books of reference as may be required for those purposes. The railways and works hereinbefore referred to and authorised by this Act are—

(1.) A railway, in the parishes of Barony of Glasgow, Springburn, and Maryhill, in the county of Lanark (in this Act called "Railway No. 1"), five furlongs nine chains and twenty yards or thereabouts in length, commencing by a junction with the Company's line of railway leading from Buchanan Street, Glasgow, to Coatbridge, about seven hundred and thirty yards (measuring along the said line) eastward from the junction (called Milton Junction) between that line and the Company's line of railway leading therefrom to Saint Rollox, and terminating by a junction with the railway authorised by the Additional Powers Act, 1876, and therein called Railway No. 2, about eight hundred yards

(measuring along the last-mentioned railway) from the commencement thereof, and about six hundred yards westward from Milton Junction aforesaid:

(2.) A railway, in the parishes of Springburn, Maryhill, and Cadder, in the county of Lanark (in this Act called "Railway No. 2"), one mile two furlongs nine chains and twenty yards or thereabouts in length, commencing by a junction with the railway authorised by the Additional Powers Act, 1876, and therein called Railway No. 2, and with Railway No. 1 authorised by this Act, at or near the aforesaid point of termination of the last-mentioned railway, and terminating by a junction with the railway authorised by the Additional Powers Act, 1876, and therein called Railway No. 1, about seven hundred and sixty yards north-westward from Balornock House, and about one hundred and eighty yards northward from the house called Stobhill:

(3.) A railway, in the parish of Blantyre, in the county of Lanark (in this Act called "Railway No. 3"), four furlongs two chains and fourteen yards or thereabouts in length, being a deviation of the Hamilton line of the Company's Clydesdale Junction Railway, commencing by a junction with that line about two hundred yards (measuring south-eastward along the said line) from the passenger booking office at Blantyre station, and terminating by a junction with the said line about nine hundred and thirty yards (measuring along that line) south-eastward from the said point of commencement:

(4.) A railway, in the parish of Blantyre, in the county of Lanark (in this Act called "Railway No. 4"), four furlongs nine chains and five yards or thereabouts in length, commencing by a junction with the said Hamilton line at or near the aforesaid point of commencement of Railway No. 3 authorised by this Act, and terminating by a junction with the Company's Hamilton and Strathaven line about one hundred and ninety yards westward from the bridge by which the last-mentioned line is carried over the turnpike road leading from Glasgow by Cambuslang to Hamilton:

(5.) A railway, in the parish of Bothwell, in the county of Lanark (in this Act called "Railway No. 5"), nine chains and seven yards or thereabouts in length, being a deviation of the Company's new line leading from Holytown to

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Motherwell, commencing by a junction with that line about three hundred yards southward from the point where the Company's railway, now in course of construction from near Uddingston station to their Cleland branch near Holytown station, crosses the said line, and terminating by a junction with the said line about one hundred yards southward from the said point of crossing:

(6.) A railway, in the parish of Bothwell, in the county of Lanark (in this Act called "Railway No. 6"), three furlongs three chains and seventeen yards or thereabouts in length, commencing by a junction with Railway No. 5 authorised by this Act, about seventy yards northward from the aforesaid point of commencement of that railway, and terminating by a junction with the said Cleland branch about six hundred and thirty yards eastward from the point where the Company's said railway, now in course of construction from near Uddingston station to the said Cleland branch near Holytown station, crosses their said new line from Holytown to Motherwell:

(7.) A railway, in the parishes of Eastwood, Cathcart, and East Kilbride, in the counties of Renfrew and Lanark (in this Act called "Railway No. 9"), two miles two furlongs and one chain or thereabouts in length, commencing by a junction with the Busby Railway at or near the passenger booking office at Giffnock station, and terminating by a junction with the Kilbride Extension line of the Busby Railway at or near the point where a road is carried over that line, about three hundred and forty yards southward from the passenger booking office at Busby station:

(8.) A railway siding, two furlongs one chain and seven yards or thereabouts in length, in the Middle Church parish of Paisley, in the county of Renfrew, commencing by a junction with the Company's Glasgow, Paisley, and Greenock line about three hundred and twenty yards north-westward from the road bridge under the said line, at or near which the existing siding into the Company's mineral depôt at Paisley leaves the said line, and terminating about one hundred and fifty yards south-eastward from the said bridge:

(9.) A diversion, twenty feet in width, in the parishes of Cadder and Shettleston, in the county of Lanark, of the public road which is crossed on the level by the Company's line of railway leading from Buchanan Street, Glasgow, to

Coatbridge, about six hundred yards eastward from Stepps Road station; such diversion commencing about one hundred yards northward from the said level crossing, and terminating about one hundred yards southward from that level crossing:

(10.) A diversion, thirty-five feet in width, in the parishes of Stirling and Saint Ninians, in the county of Stirling, of the turnpike road leading from Stirling to South Alloa, commencing about thirty-five yards westward from the junction with that road of the road leading therefrom to Burgh Muir Factory, and terminating about one hundred yards westward from the farm-steading of Springkerse, together with a new piece of road in the said parish of Stirling, commencing by a junction with the said turnpike road about one hundred and fifty yards south-eastward from the point where the Company's Scottish Central line crosses that turnpike road, and terminating by a junction with the said diversion about one hundred and ninety yards north-westward from the point of termination of that diversion:

(11.) A diversion, twenty feet in width, in the parish of Crieff, in the county of Perth, of the public road which is crossed on the level by the Company's line of railway immediately to the eastward of their station at Crieff; such diversion commencing about one hundred and thirty yards north-eastward from the said level crossing, and terminating about one hundred and fifty yards south-westward from that level crossing.

Lands of Clydesdale Iron Company not to be taken compulsorily.

5. Notwithstanding anything in this Act, the Company shall not, for the purposes of Railway No. 5 or Railway No. 6, enter upon, take, or use any part of the lands which on the thirtieth day of November one thousand eight hundred and seventy-seven belonged to the Clydesdale Iron Company, or of the lands numbered 5 on the deposited plans of those railways, otherwise than by agreement in writing on the part of that company, or of their successors in the lands belonging to them as aforesaid.

When diversions of roads completed and opened, Company may stop up sites of cor-

6. When the diversions of roads and new piece of road hereinbefore specially authorised are respectively completed and opened to the public the Company may permanently stop up those portions of the existing roads for which such diversions and new piece of road are respectively substituted, which lie between the respective points of commencement and of termination of such respective

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westward from the bridge by which the public road leading from Whifflat to the turnpike road between Coatbridge and Airdrie is carried over the said Monkland and Kirkintilloch line:

(6.) Certain lands in the parish of Bothwell and county of Lanark, extending along both sides of the Cleland branch of the Company's Wishaw and Coltness Railway, between a point about one hundred and forty yards south-eastward from the crossing of the public road leading from Holytown to New Stevenston over the said branch, and a point near the level crossing of the said branch about eight hundred yards south-eastward from the said first-mentioned crossing:

(7.) Certain lands in the parish of Hamilton, in the county of Lanark, extending along the south-western side of the Company's line between Glasgow and Hamilton, between a point about one hundred and seventy yards north-westward from the point where that line crosses under Clyde Street of Hamilton, and a point about nine hundred and eighty yards north-westward from the said point of crossing:

(8.) Certain lands in the parishes of St. Ninians and Stirling, in the county of Stirling, extending along both sides of the Company's Scottish Central line, between the point where that line crosses the turnpike road leading from Stirling to South Alloa, and the point where the said line crosses the road leading from St. Ninians to the said turnpike road near Broadleys farm-steading:

(9.) Certain lands in the parishes of Methven and Tibbermore, in the county of Perth, extending along the southern side of the Company's line from Perth to Methven, between the point where the turnpike road leading from Perth to Crieff crosses that line at Almondbank station, and a point about four hundred and seventy yards south-westward from the said crossing:

(10.) Certain lands in the parish of Blairgowrie and county of Perth, extending along the south-western side of the Company's Blairgowrie branch, between a point about one hundred and seventy yards south-eastward from the passenger booking office at Blairgowrie station, and a point about nine hundred and fifty yards south-eastward from the said booking office;

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(11.) Certain lands in the parish of Dundee and the parish of Liff and Benvie, in the county of Forfar, extending along the northern side of the Company's Dundee and Perth Railway, and lying between that railway on the south, the Magdalene Yard Road on the north, a line drawn from near the junction of that road with the Perth Road to the said railway, and nearly at right angles to that railway, on the east, and a line drawn from the Magdalene Yard Road to the said railway, and nearly at right angles to that railway, on the west, such western boundary being distant about five hundred and twenty yards westward from the said eastern boundary:

(12.) Certain lands in the parish of St. Vigeans and county of Forfar, extending along the western side of the Arbroath and Forfar Railway, between Cairnie Street in Arbroath, and the point where the said railway crosses the River Brothock about eleven hundred yards northward from Cairnie Street aforesaid:

(13.) Certain lands in the parish of Dun and county of Forfar, extending along the northern side of the Company's Scottish North-eastern line, between a point about two hundred and twenty yards eastward from the passenger booking office at Bridge of Dun station, and a point about five hundred and seventy yards westward from the said booking office, and extending along both sides of the Company's Brechin branch, between its junction with the said Scottish North-eastern line and a point about five hundred and twenty yards westward from the said junction:

(14.) A strip of land in the parish of Kirkden and county of Forfar, extending along the southern side of the Arbroath and Forfar Railway, between a point about three hundred and thirty yards eastward from the passenger booking office at Guthrie Junction station, and the stream called Lunan Water, where it is crossed by the said railway about seven hundred and ninety yards eastward from the said booking office:

Provided always, that the Company shall not enter upon, take, or use any of the lands herein-before mentioned lying in the parish of Liff and Benvie without the previous consent of the owners, lessees, and occupiers thereof.

Confirming agreement with Com-

9. The agreement between the Company and the North British Railway Company, dated the twenty-first and twenty-second days

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of March one thousand eight hundred and seventy-eight, relating to the lands at Dundee herein-before mentioned, which is set forth in the Schedule (A.) to this Act, is hereby confirmed, and shall be obligatory upon the said Companies respectively.

pany and North British Railway Company.

Transfer to Company of rights, &c. of North British Railway Company with respect to certain lands at Dundee.

10. Whereas an agreement, relating to certain of the lands at Dundee which the Company are by this Act authorised to take, was on the twenty-seventh day of March one thousand eight hundred and seventy-seven entered into between John McFarlane, solicitor, Dundee, and George Bradley Wieland, secretary and on behalf of the North British Railway Company; and that Company have agreed with the Company that all the rights and obligations of the North British Railway Company under the said agreement shall be transferred to and imposed upon the Company; therefore the Company shall, from and after the passing of this Act, be vested with all the rights to which the North British Railway Company are entitled under the said agreement, and shall fulfil all the obligations imposed by the said agreement upon that Company, in the same manner as if the name of the Company had been inserted in the said agreement instead of the name of the North British Railway Company.

Company may stop up and appropriate site of footpath through lands acquired by them.

11. As soon as the Company have acquired the lands in the parishes of Methven and Tibbermore herein-before described, or those portions thereof which adjoin the footpath numbered on the deposited plans 3 in the parish of Tibbermore, the Company may permanently stop up and appropriate the site of the said footpath, so far as passing through the said lands, and across the Company's line leading from Perth to Methven, and through the lands on the northern side of the said line already belonging to the Company; and all rights of way over the said footpath shall thereupon be extinguished: Provided always, that, before stopping up and appropriating the site of the portion aforesaid of the said footpath, the Company shall form and throw open for public use a footpath along the southern boundary of the lands in the parishes of Methven and Tibbermore, which they may acquire under the powers of this Act, for connecting the portion of the existing footpath lying to the southward of the said lands with the turnpike road leading from Perth to Crieff.

Power to raise additional capital. 26 & 27 Vict. c. 118.

12. The Company may, subject to the provisions of Part II. of the Companies Clauses Act, 1863, raise any additional capital, not exceeding in nominal amount one million five hundred thousand pounds, by the issue at their option of new ordinary shares or stock, or new preference shares or stock, or wholly or partially by any one

or more of those modes respectively; but the Company shall not issue any share of less nominal value than ten pounds, nor shall any share vest in the person or corporation 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: Provided that if in any year ending on the thirty-first day of January there are not profits available for the payment of the full amount of preferential dividend or interest for that year on any such new preference shares or stock, no part of the deficiency shall be made good out of the profits of any subsequent year or out of any other funds of the Company.

Except as otherwise provided, new shares or stock to be subject to same incidents as other shares or stock.

13. Except as by this Act otherwise provided, the capital in new shares or stock created by the Company under this Act, and the new shares or stock therein, and the holders thereof respectively, shall be subject and entitled to the same powers, provisions, liabilities, rights, privileges, and incidents whatsoever, in all respects as if that capital were part of the now existing capital of the Company of the same class or description, and the new shares or stock were shares or stock in that capital.

New shares or stock to form part of capital.

14. The capital in new shares or stock so created shall form part of the capital of the Company.

Dividends on new shares or stock.

15. Every person who becomes entitled to such 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 and paid on such new shares, or to the whole amount of such stock, as the case may be.

Right of voting in respect of new shares or stock.

16. Each holder of new shares or stock in the capital by this Act 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 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 such new shares or stock to which a preferential dividend shall be assigned.

New shares or stock raised under this and any other Act may be of same class.

17. Subject to the provisions of any Act already passed by which the Company are authorised to raise capital by new shares or stock, and to the provisions of this Act, and of any other Act passed in the present session of Parliament, whether before or after the passing of this Act, by which the Company may be authorised to raise capital by new shares or stock, the Company may, if they think fit, raise,

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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 Acts and this Act respectively authorised to raise by the creation and issue of new shares or stock.

Power to borrow on mortgage.

18. The Company may, in respect of the additional capital which they are by this Act authorised to raise, from time to time borrow on mortgage any sums not exceeding in the whole five hundred thousand pounds in manner following; that is to say, a sum of one hundred thousand pounds in respect of each entire sum of three hundred thousand pounds of the said additional capital; but no part of such sum of one hundred thousand pounds shall be borrowed until the whole capital of three hundred thousand pounds in respect of which such sum is hereby authorised to be borrowed is issued and accepted, and one half thereof 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 the whole of such capital of three hundred thousand pounds has been issued and accepted, and that one half thereof has been paid up, and that not less than one-fifth part of the amount of each separate share (forming part of such capital of three hundred thousand pounds) so issued has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such capital of three hundred thousand pounds was issued bonâ fide, and is held by the persons or corporations to whom the same was issued, or their executors, administrators, successors, or assignees, and also, in so far as the said capital is raised by shares, that such persons or corporations, or their executors, administrators, successors, or assignees, 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.

8 & 9 Vict. c. 17.

As to appointment of a judicial factor.

19. The mortgagees of the Company, under this or any previous Act, 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.

Existing securities to have priority.

20. All mortgages and bonds granted by the Company in pursuance of the powers of any Act of Parliament before the passing of this Act, and subsisting at the passing hereof, shall

during the continuance of such mortgages and bonds, and subject to the provisions of the Acts under which the same were respectively granted, have priority over any mortgages granted by virtue of this Act; but nothing in this section contained shall affect any priority of the interest of any debenture stock at any time created and issued by the Company.

Power to create debenture stock. 26 & 27 Vict. c. 118. 30 & 31 Vict. c. 126.

21. The Company may create and issue debenture stock, subject to the provisions of Part III. of the Companies Clauses Act, 1863, as amended by the Railway Companies (Scotland) Act, 1867; but, notwithstanding anything therein contained, the interest of all debenture stock at any time after the passing of this Act created and issued by the Company shall rank pari passu with the interest of all mortgages at any time after the passing of this Act granted by the Company, and shall have priority over all principal moneys secured by such mortgages.

Application of moneys.

22. All moneys raised under this Act, whether by shares or stock, or debenture stock, or borrowing, shall be applied for the purposes of this Act only.

As to application of funds not required for other purposes.

23. The Company may apply towards the purposes authorised by this Act any capital or funds belonging to or authorised to be raised by them, and which may not be required for the purposes for which the same were authorised to be raised or directed to be applied.

Lands for extraordinary purposes. 8 & 9 Vict. c. 33.

24. 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, shall not exceed five acres, in addition to the lands which they are authorised by this Act to take compulsorily, and by any other Acts to take compulsorily or acquire by agreement.

Period for compulsory purchase of lands.

25. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall not be exercised, as respects the lands herein-before mentioned which are situate in the parish of Dundee, after the expiration of two years from the passing of this Act, and as respects all other lands herein-before mentioned the said powers shall not be exercised after the expiration of three years from the passing of this Act.

Power to take easements, &c. by agreement.

26. Persons empowered by the Lands Clauses Consolidation (Scotland) Act, 1845, to sell and convey lands may, if they think fit, subject to the provisions of that Act, and of the Lands Clauses Consolidation Acts Amendment Act, 1860, and of this Act, grant

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8 & 9 Vict. c. 19.
23 & 24 Vict. c. 106.

to the Company any easement, right, or privilege, not being an easement of water, required for the purposes of this Act, in, over, or affecting any such lands; and the provisions of the said Acts with respect to lands and feu duties or ground annuals, so far as the same are applicable in this behalf, shall extend and apply to such grants and to such easements, rights, and privileges as aforesaid respectively.

Owners may be required to sell parts only of certain lands and buildings. 8 & 9 Vict. c. 19.

27. And whereas it may happen that portions only of the lands, buildings, and manufactories shown on the deposited plans as subject to be taken by the Company for certain of the purposes of this Act will be sufficient for those purposes, and that such portions may be severed from the remainder of the said properties without material detriment thereto; therefore, notwithstanding section 90 of the Lands Clauses Consolidation (Scotland) Act, 1845, the owners of and other persons interested in the lands, buildings, and manufactories described in the Schedule (B.) to this Act, and whereof portions only are required for the purposes of this Act, may, if such portions can, in the judgment of the jury, arbiter, or other authority assessing or determining the compensation under that Act, be severed from the remainder of the said properties without material detriment thereto, be required to sell and convey to the Company such portions only, without the Company being required to purchase the whole or any greater portions of such properties; the Company always paying for the portions taken by them, and making compensation for any damage sustained by the owners thereof or other persons interested therein by severance or otherwise: Provided always, that in the event of difference between the Company and the owner of or other person interested in the property numbered on the deposited plans 2 in the parish of Old Monkland, as to whether the portion of that property required by the Company for the purposes of this Act can be severed without material detriment to the remainder, such difference shall be determined in a summary manner by the sheriff of the county in which such property is situated, upon application by the Company, or by such owner or other person interested, before the amount of compensation to be paid by the Company in respect of such property is ascertained; and if such sheriff shall determine that the portion of such property required by the Company cannot be severed without material detriment to the remainder, it shall be in the option of the Company to proceed with the ascertainment of the compensation to be paid for the whole of such property, if the owner or other person interested therein shall require them to purchase the whole, or to

take no part thereof: Provided also, that all the expenses of the said inquiry before the sheriff shall be borne by the Company. A.D. 1878.

Notice to be given of taking houses of labouring classes.

28. The Company shall, not less than eight weeks before they take in any parish fifteen houses 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 they shall not take any such houses until they have obtained the certificate of the sheriff that it has been proved to his satisfaction that they have so made known their intention.

Accommodation to be procured for persons of the labouring classes to be displaced.

29. Before displacing any person or persons belonging to the labouring classes, who may for the time being be the occupier or occupiers of any house or part of any house which the Company are by this Act authorised to take, the Company shall (unless they and such person or persons otherwise agree) procure sufficient accommodation elsewhere for such person or persons: Provided always, that if any question shall arise as to the sufficiency of such accommodation, such question shall be determined by the sheriff; and the Company may, for the purpose of procuring such accommodation, appropriate any lands for the time being belonging to them, or which they have power to acquire, and may purchase by agreement such further lands as may be necessary for such purpose, and may on such lands erect labouring-class dwellings, and may apply for the purposes of this section, or any of them, any moneys which they may have already raised or are authorised to raise.

Powers of lateral and vertical deviation.

30. The Company may deviate from the lines of the diversions of roads and new piece of road by this Act authorised, as delineated on the deposited plans, to any extent within the limits of deviation shown on those plans, and may deviate from the levels of the said works, as delineated on the deposited sections, to any extent not exceeding five feet; but nothing in this section contained shall authorise the Company to increase the rates of inclination respectively prescribed by sections 42 and 43 of the Railways Clauses Consolidation (Scotland) Act, 1845. 8 & 9 Vict. c. 33.

Inclinations of certain roads.

31. In altering for the purposes of this Act the roads next herein-after mentioned, the Company may make the same of any inclinations not steeper than the inclinations herein-after mentioned in connexion with such roads respectively; (that is to say,)

RAILWAY No. 4.

No. on deposited Plans.	Parish.	Description of Road.	Intended Inclination.
35	Blantyre - -	Turnpike -	1 in 23 on the one side.

DIVERSION OF ROAD IN THE PARISH OF CRIEFF.

3	Crieff - -	Public - -	1 in 15 on the one side.

and the Company may make the new piece of road in the parish of Stirling by this Act authorised of any inclinations not steeper than one in ten.

Heights and spans of certain bridges over roads.

32. The Company may make the arches of the bridges for carrying Railway No. 9, and the siding by this Act authorised, over the roads and street next herein-after specified, of any heights and spans not less than the heights and spans herein-after mentioned in connexion with such roads and street respectively; (that is to say,)

RAILWAY No. 9.

No. on deposited Plans.	Parish.	Description of Road or Street.	Height.	Span.
			Feet.	Feet.
4	Cathcart - -	Occupation -	13	12
17	East Kilbride - -	Turnpike - -	14½	30

SIDING NEAR PAISLEY.

6	Middle Church of Paisley.	Street - -	13½	30

Width between fences of certain bridges over railways.

33. The Company may make the bridges for carrying the roads next herein-after mentioned over the railways by this Act authorised, and also the said roads, so far as altered under the powers of this Act, of such width between the fences as they think fit, provided such width be not less than the width herein-after specified in connexion with those roads respectively; (that is to say,)

RAILWAY No. 1.

No. on deposited Plans.	Parish.	Description of Road.	Width between Fences.
8	Barony of Glasgow - -	Parish -	Feet. 20
5	Maryhill - - -		

RAILWAY No. 2.

16	Maryhill - - - -	Parish - -	20
5	Springburn - - - -		
10	Springburn - - - -	Parish - -	20
23	Maryhill - - - -		

Company to allow proprietor of estate of Jerviston to place supports for bridge on their lands.

34. In the event of John Glencairn Carter Hamilton or his successor in the estate of Jerviston resolving at any time to make a bridge across the Company's Cleland Branch Railway, and across Railway No. 6 by this Act authorised, for connecting those portions of the said estate which lie on the north and south sides respectively of the said railways, the Company shall permit him, free of charge by the Company, to place upon their lands adjoining those railways any supports which may be necessary for such bridge, consisting of two spans at least, provided the same is done in such manner as shall not interfere with the working and development of the traffic on the said railways, and that the said bridge shall be of such height, spans, and materials as shall, in the event of difference between him and the Company, be determined by an engineer to be appointed by the Board of Trade, and shall be constructed under the superintendence and to the reasonable satisfaction of the engineer of the Company for the time being.

For protection of certain roads.

35. Nothing in this Act shall authorise the Company, for the purposes of Railway No. 9, to interfere with any of the roads numbered respectively 3 and 4 in the parish of Eastwood, and 16 in the parish of Cathcart, or with the toll-house numbered 23 in the parish of Cathcart, on the deposited plans of that railway, without the previous consent in writing of the trustees having the management of the said roads for the time being.

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For protection of lands of Cardowan.

36. Whereas under the powers of this Act the Company are authorised to acquire certain lands in the parish of Shettleston to the eastward of Stepps Road station, which belong or are reputed to belong to John Jeffray, of Cardowan; and it has been agreed between the Company and the said John Jeffray that those powers should be exercised, subject to the following conditions; therefore,—

(1.) The Company shall properly construct, finish, fence, and fit with the necessary field gates, upon land which the said John Jeffray has agreed to provide for that purpose free of charge, a road twenty feet in width on the south side of their railway, in continuation eastward of the private road belonging or reputed to belong to the said John Jeffray, and numbered 8 in the parish of Shettleston on the deposited plans, from the point on the south side of their railway whence the said private road is now carried across that railway on the level, to a point about two hundred and eighty yards eastward from that level crossing, opposite the western boundary of the lands occupied by the fireclay works and workmen's houses of the tenants of the said John Jeffray:

(2.) The Company shall properly construct and finish a bridge, fifteen feet in width between the parapets, and having a properly constructed and finished roadway thereon, from the eastern termination of the road to be constructed by them as herein-before provided, across their said railway as now existing, or as the same may hereafter be widened, the eastern side of which bridge shall be in line with the hedge forming the western boundary of the lands occupied by the said fireclay works and workmen's houses, and the surface of which roadway shall not be higher at any point than seventeen feet above the level of the rails of the said existing railway; and the Company shall also properly construct, finish, fence, and fit with the necessary gates, approaches from the northern end of the said bridge, to give access to the said fireclay works, and to the other lands of the said John Jeffray on the north side of the said railway:

(3.) Upon the completion of the said road and bridge and approaches as herein-before provided, the Company may stop up the said level crossing, and the private road leading from the north end thereof to the said fireclay works, and numbered 11 in the parish of Shettleston on the deposited plans, and may appropriate the site of the last-mentioned road:

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(4.) If the said John Jeffray or the proprietor for the time being of the lands of Cardowan shall require that the said bridge should be constructed of any greater width than fifteen feet, but not exceeding in all twenty-five feet between the parapets, and shall, before the Company commence the construction of the bridge, intimate to them such requirement, and his willingness to pay the extra cost occasioned by the increase of width beyond fifteen feet, the Company shall construct the said bridge of the additional width so required, and the said John Jeffray or the proprietor requiring such additional width shall pay to the Company the extra cost occasioned thereby:

(5.) If the said bridge shall be constructed of a less width than twenty-five feet between the parapets, and the said John Jeffray or the proprietor for the time being of the lands of Cardowan shall at any time thereafter desire that it should be increased in width to any extent not exceeding such width of twenty-five feet, he may at his own expense increase the width thereof accordingly, provided the work be done under the superintendence and control and to the satisfaction of the engineer for the time being of the Company, and after submitting plans and specifications of the work to such engineer for his approval one month previously to commencing the execution thereof:

(6.) The said road and approaches and the roadway of the said bridge shall in all time after their completion be maintained by the said John Jeffray or the proprietor for the time being of the lands of Cardowan, and shall be free for his use, and the use of such of his tenants as may be authorised by him to use the same:

(7.) The claims of the said John Jeffray and his tenants against the Company for lands taken (including the site of the existing private road mentioned in sub-section 3 of this section) and otherwise are hereby reserved entire, and shall be settled in terms of the provisions of the Lands Clauses Consolidation (Scotland) Act, 1845, and the Railways Clauses Consolidation (Scotland) Act, 1845. 8 & 9 Vict. c. 19. 8 & 9 Vict. c. 33.

As to dimensions of bridge over Murray Street in Paisley.

37. In constructing the railway siding in the Middle Church parish of Paisley by this Act authorised, the Company shall take down the bridge by which their Glasgow, Paisley, and Greenock line is carried over Murray Street in Paisley, and shall erect a new bridge for carrying that line and the said siding over that street, which bridge shall be constructed with a span of thirty feet on

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the square, and a clear height throughout of thirteen feet six inches: Provided always, that if the Paisley burgh road trustees shall, within two months after the passing of this Act, by notice in writing addressed by their clerk to the secretary of the Company, require the Company to construct the said new bridge with a span of forty feet on the square, and shall at same time pay to the Company the sum of two hundred and twenty-five pounds towards the cost of such construction, the Company shall construct the said bridge accordingly, and shall complete the same within twelve months after the passing of this Act.

Periods for compulsory purchase of lands for certain railways extended.

38. The powers granted and the period limited by the Additional Powers Act, 1873, for the compulsory purchase of lands for the purposes of the railway authorised by that Act, and therein called Railway No. 5, as extended by the Additional Powers Act, 1876, and the powers granted and the period limited by the Gordon Street Station Act, 1875, for the compulsory purchase of lands for the purposes of that Act (except the powers for the compulsory purchase of the lands numbered 141 in the parish of Govan on the plans deposited with reference to the last-mentioned Act), are hereby continued and extended until the expiration of two years after the expiration of the respective periods so limited by the two last-mentioned Acts respectively; and the said respective powers may be exercised by the Company at any time previously to the expiration of the said extended periods.

Extending periods for completion of certain railways.

39. The powers granted and the respective periods limited by the Gordon Street Station Act, 1873, and by the Gordon Street Station Act, 1875, respectively, for the completion of the railways and other works authorised by those Acts, and the powers granted and the period limited by the Additional Powers Act, 1873, for the completion of the railways authorised by that Act, and therein called respectively Railway No. 4, Railway No. 14, and Railway No. 10, and the powers granted and the period limited by the Additional Powers Act, 1874, for the completion of the two deviations of the last-mentioned railway authorised by that Act, and therein called Deviation No. 1 and Deviation No. 2, are hereby respectively continued and extended until the expiration of three years after the expiration of the respective periods so limited by those Acts respectively; and the said respective powers may be exercised by the Company at any time previously to the expiration of the said extended periods; and sections fifty-three, fifty-four, and fifty-five of the Gordon Street Station Act, 1873, sections thirty-one, thirty-two, and thirty-three of the Gordon Street Station Act, 1875, sections thirty-three, thirty-four, and thirty-five of the Additional

Powers Act, 1873, and sections twenty-nine, thirty, and thirty-one of the Additional Powers Act, 1874, so far as the same relate to the respective railways and works mentioned in this section, shall be read and construed as if the respective periods referred to in those several sections did not expire until the expiration of the extended periods hereby granted in the case of those railways and works respectively: Provided always, that as respects that portion of the viaduct authorised by the Gordon Street Station Act, 1875, which is to be formed across the River Clyde and the quays belonging to the trustees of the Clyde Navigation, the powers granted and the period limited by that Act for the completion thereof are hereby continued and extended for one year only after the expiration of the period so limited.

Company liable to penalty unless railways are opened within periods limited.

40. If the Company fail, within the respective periods limited by this Act, to complete the several railways authorised to be made by this Act, and the several other railways the time for completion of which is extended by this Act, the Company shall be liable to a penalty of fifty pounds a day for every day after the expiration of the respective periods so limited, until the said railways are completed and opened for public traffic, or until the sum received in respect of such penalty shall amount to five per centum on the estimated cost of the railways not so completed; and the said penalty may be applied for by any landowner or other person claiming to be compensated, in accordance with the provisions of the next following section of this Act, or by the solicitor of Her Majesty's Treasury, and in the same manner as the penalty provided in the third section of the Railway and Canal Traffic Act, 1854; and 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 and with the privity of the Queen's remembrancer 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 herein-after 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 were prevented from completing or opening such railways respectively 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.

17 & 18 Vict. c. 31.

Application of penalty.

41. Every sum of money recovered by way of penalty as aforesaid shall be applicable, and after due notice in the Edinburgh

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Gazette shall be applied, towards compensating any landowners or other persons whose property may have been interfered with or otherwise rendered less valuable by the commencement, construction, or abandonment of the said railways or any portion thereof, or who may have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act, and by the Acts the time limited by which is extended by this Act, and for which injury or loss no compensation, or inadequate compensation, shall have 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; and if no such compensation shall be payable, or if a portion of the sum or sums of money recovered by way of penalty as aforesaid shall have 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 either be forfeited to Her Majesty, and be paid or transferred accordingly to or for the account of Her Majesty's Exchequer, in such manner as the said court thinks fit to order, on the application of the solicitor of Her Majesty's Treasury, and be carried to and form part of the Consolidated Fund of the United Kingdom, or, in the discretion of the said court, if the Company is insolvent and has been ordered to be wound up, or a receiver has been appointed, shall wholly or in part be paid or transferred to such receiver, or to the liquidator or liquidators of the Company, or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof.

Period for completion of railways and works.

42. If the railways and works by this Act authorised to be made shall not be completed within five years from the passing of this Act, then on the expiration of that period the powers by this Act granted to the Company for making and completing the said railways, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

Tolls.

43. Except as otherwise provided by this Act, the Company may demand and take in respect of the use of the railways and siding by this Act authorised to be made, or any of them, or any part thereof, and of carriages and engines thereon, and in respect of accommodation and services provided by the Company in connexion therewith, any tolls, rates, and charges not exceeding the tolls, rates, and charges which the Company are by the Caledonian Railway (Lanarkshire and Midlothian Branches) Act, 1866, autho-

29 & 30 Vict. c. cccxlii.

rised to demand and take in respect of the use of the railways by that Act authorised to be made, and of carriages and engines thereon, and in respect of accommodation and services provided by them in connexion therewith: Provided that the said railways and siding by this Act authorised to be made shall, as respects tolls, rates, and charges, be considered in all respects part of the undertaking of the Company, and that only one short-distance charge shall be made for the conveyance of any traffic partly thereon, or on any part thereof, and partly on any other railways of the Company.

Extending time for sale of certain superfluous lands. 8 & 9 Vict. c. 19. 8 & 9 Vict. c. 18.

44. The Company may, notwithstanding anything to the contrary in the Lands Clauses Consolidation (Scotland) Act, 1845, or in the Lands Clauses Consolidation Act, 1845, or in any Act relating to the Company with which either of those Acts is incorporated, retain and hold any lands belonging to them in the parishes enumerated in the Schedule (C.) to this Act, and which have not yet been applied to the purposes of the Company, for the periods following; that is to say, as regards such of the lands as are situate, adjoining, or near to any railway or station of the Company, or as the Company may be of opinion that they may require for purposes of stations, sidings, or other conveniences, and as regards the Company's lands at Blythswoodholm, in the city of Glasgow, for the period of ten years from the passing of this Act, and as regards the remainder of the said lands for the period of two years from the passing of this Act; but the Company shall, at or before the expiration of the said respective periods, sell and dispose of all such parts of those lands respectively as shall not then have been applied to, or are not then required for, the purposes of their undertaking: Provided always, that nothing in this section contained shall be held as requiring the Company to sell or dispose of any lands which they are not required by some existing Act to sell or dispose of, nor as requiring the Company to sell or dispose of any lands sooner than they are required to sell or dispose of the same by some existing Act.

Company to abandon certain authorised railways.

45. The Company shall abandon the railway authorised by the Additional Powers Act, 1873, and therein called Railway No. 12, and so much of the railway authorised by the Additional Powers Act, 1876, and therein called Railway No. 1, as extends from the commencement of that railway to the point of termination of Railway No. 2 authorised by this Act, and the subsidiary works connected with the said railway and portion of railway; and section thirty-three of the Additional Powers Act, 1873, and section thirty-eight of the Additional Powers Act, 1876, so far as they respectively

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relate to the railway and portion of railway herein-before required to be abandoned, are hereby repealed.

Company may abandon and stop up certain portions of existing lines for which deviations are substituted.

46. As soon as the Company have completed and opened Railway No. 3 for the public conveyance of passengers they may abandon and stop up, and may apply to such uses as they think fit, so much of the Hamilton line of their Clydesdale Junction Railway as lies between the points of commencement and termination of Railway No. 3, and thereupon Railway No. 3 shall for all purposes be deemed a part of the Clydesdale Junction Railway; and as soon as the Company have completed and opened Railway No. 5 for the public conveyance of passengers they may abandon and stop up, and may apply to such uses as they think fit, so much of their new line leading from Holytown to Motherwell as lies between the points of commencement and termination of Railway No. 5, and thereupon Railway No. 5 shall for all purposes be deemed a part of the said new line.

Compensation for damage to land by entry, &c. for purposes of railways abandoned.

47. The abandonment by the Company, under the authority of this Act, of any railway or portion of railway or works shall not prejudice or affect the right of the owner or occupier of any land to receive compensation for any damage occasioned by the entry of the Company on such land for the purpose of surveying and taking levels, or probing or boring to ascertain the nature of the soil, or setting out of the line of railway, and shall not prejudice or affect the right of the owner or occupier of any land which may have been temporarily occupied by the Company to receive compensation for such temporary occupation, or for any loss, damage, or injury which may have been sustained by such owner or occupier by reason thereof, or of the exercise, as regards such land, of any of the powers contained in the Railways Clauses Consolidation (Scotland) Act, 1845, or in the Additional Powers Act, 1873, or in the Additional Powers Act, 1876.

8 & 9 Vict. c. 33.
36 & 37 Vict. c. clxxxi.
39 & 40 Vict. c. lxiv.

Compensation to be made in respect of portions of railways abandoned.

48. Where, before the passing of this Act, any contract may have been entered into or notice given by the Company for the purchasing of any land for the purposes of or in relation to any portion of the railways or works authorised to be abandoned by this Act, the Company shall be released from all liability to purchase or to complete the purchase of any such lands; but, notwithstanding, full compensation shall be made by the Company to the owners and occupiers of or other persons interested in such lands for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or notice, and the amount and application of the compensation shall

be determined in manner provided by the Lands Clauses Consolidation (Scotland) Act, 1845, as amended by any subsequent Act, for determining the amount and application of compensation paid for lands taken under the provisions thereof. A.D. 1878 — 8 & 9 Vict. c. 19.

49. The Company shall not, out of any money by this Act or any other Act relating to the Company authorised to be raised, pay interest or dividend to any shareholder on the amount of the calls made in respect of the shares held by him; but nothing in this Act 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. Interest not to be paid on calls paid up. 8 & 9 Vict. c. 17.

50. The Company shall not, out of any money by this Act authorised to be raised, pay or deposit any sum which, by any standing order of either House of Parliament 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 authorising the Company to construct any other railway or to execute any other work or undertaking. Deposits for future Bills not to be paid out of capital.

51. Nothing in this Act contained shall exempt the Company or the railways by this Act authorised to be made from the provisions of any general Act relating to railways, or 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 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 Act. Railways not exempt from provisions of present and future general Railway Acts.

52. All costs, charges, and expenses of and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Company. Expenses of Act.

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SCHEDULES to the preceding Act.

SCHEDULE (A.)

AGREEMENT between the Caledonian Railway Company (herein-after called the Caledonian Company) of the first part, and the North British Railway Company (herein-after called the North British Company) of the second part.

WHEREAS the said parties have respectively introduced into Parliament, in the present session, Bills by which each of them seeks to acquire for station purposes the same lands at Dundee; and it has been agreed between them that, so far as they are respectively concerned, the Caledonian Company shall have right to acquire the said lands, in the manner and subject to the provisions herein-after contained; and that, in lieu of the claims of the North British Company to the said lands under the Bill introduced by them as aforesaid, and under the agreements herein-after mentioned, the Caledonian Company shall convey to them for station purposes certain other lands near thereto now belonging to the Caledonian Company, and afford them the access and facilities herein-after mentioned: Now, therefore, these presents witness that it has been agreed between the said parties as follows; videlicet,

First.—The Caledonian Company adopt and shall fulfil and relieve the North British Company of all the obligations of the last-named company under an agreement dated the twenty-seventh day of March eighteen hundred and seventy-seven, entered into between John McFarlane, solicitor, Dundee, of the first part, and George Bradley Wieland, secretary and on behalf of the North British Company, of the second part, with respect to the acquisition by the North British Company of certain portions of the first-mentioned lands and other matters relative thereto, in the same manner as if the name of the Caledonian Company had been inserted in the said agreement instead of the name of the North British Company; and the Caledonian Company shall be entitled to all the rights of the North British Company under the said agreement. The Caledonian Company likewise adopt the agreement between David Martin's trustees and the North British Company for the purchase by the North British Company of that part of the said first-mentioned lands called Dalgleish's property, and shall be entitled to the rights and subject to the obligations of the North British Company under that agreement.

Second.—The Caledonian Company may at their own cost acquire, and, subject to the provision herein-after contained, retain for their own use, any lands which they may take or may be bound to take under the said agreement

between John McFarlane and George Bradley Wieland, and the said lands purchased by the North British Company from David Martin's trustees, and any other lands at Dundee which they may take under the powers of the Bill introduced by them as aforesaid within three years after the date hereof.

Third.—The Caledonian Company shall convey to the North British Company the land coloured yellow on the plan signed as relative hereto, extending to, but not exceeding, five and a half acres, in consideration of a price per acre calculated at the average rate per acre which the Caledonian Company shall pay for the whole of the lands which they shall acquire under Article Second hereof, including the cost of acquiring the same. As soon as the Caledonian Company shall have acquired not less than five and a half acres of such last-mentioned lands, which they shall be bound to do within two years after the date hereof, the North British Company shall pay to them on account of such price a rate per acre equal to the average rate per acre paid by the Caledonian Company for the lands then acquired by them, including as aforesaid, and on payment of that sum the said conveyance to the North British Company shall be delivered. On the expiration of three years after the date hereof the North British Company shall pay to the Caledonian Company any balance then appearing due of the said price calculated as aforesaid, or, as the case may be, the Caledonian Company shall repay to the North British Company any excess of the sum previously paid by them above the amount of the price calculated as aforesaid as then appearing. If any part of the lands acquired by the Caledonian Company as aforesaid shall be acquired in consideration of a feu duty instead of a gross sum, a corresponding proportion of the price payable by the North British Company as aforesaid shall, unless the parties otherwise agree, be converted into a feu duty at the rate of four and a half per cent. on such price.

Fourth.—The North British Company may, if they think fit, construct within ten years after the date hereof a viaduct on pillars over the railways and lands of the Caledonian Company, in the line shown on the said plan, between the points marked thereon B and C, as part of an access between the North British Company's lands on the south side of the Caledonian Company's railways and the Magdalene Yard Road. Such viaduct may be of any width between the parapets not exceeding twenty-five feet; and the dimensions and position of the pillars, and the clear height, spans, and mode of construction of the viaduct shall be determined by the engineers of the said Companies for the time being, or, if they differ, by an engineer to be agreed upon by them, or, failing such agreement, to be appointed by the Board of Trade: Provided always, that none of the spans need exceed thirty-five feet. The pillars of the said viaduct shall be placed on the lands of the Caledonian Company without charge for such lands. If required by the North British Company within three years after the date hereof, the Caledonian Company shall acquire the land necessary for enabling the North British Company to continue the said access, of the same width from the said point marked B to the point marked A on the said plan, and shall convey such land to the North British Company on payment of the same rate per acre as the North British Company are to pay for the other lands to be conveyed to them under Article Third hereof.

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Fifth.—The Caledonian Company shall convey to the North British Company without price the small strip of land coloured green on the said plan lying between the Caledonian Company's Dundee and Perth Railway and the North British Company's Tay Bridge Railway No. 2, to enable the North British Company to lay down an additional line of rails on the last-mentioned railway, provided that the northmost rail of the North British Company shall not be nearer than eight feet at any point to the southmost rail of the Caledonian Company.

Sixth.—The Caledonian Company shall, during the two years next following the date hereof, afford all reasonable facilities to the North British Company for enabling the last-named Company to fill up the land to be conveyed to them under the provisions of Article Third hereof.

Seventh.—The lands referred to in Articles Second and Third hereof, when acquired by the said Companies respectively as aforesaid, shall in all respects be deemed to be parts of the stations of such respective Companies to which they adjoin, and be subject to the reciprocal rights and obligations of the said Companies with respect to such stations.

Eighth.—This agreement is made subject to such alterations as Parliament may think fit to make therein, but, if the committee on the Bill by which it is proposed that this agreement shall be confirmed shall make any material alteration therein, it shall be competent for either party to withdraw from the same.

In witness whereof these presents printed (except this testing clause) on this and the two preceding pages are, along with the relative plan, executed in duplicate as follows; that is to say, they are subscribed by Hugh Brown and John Cowan, Esquires, two of the directors of the Caledonian Company, for and on behalf of that Company, at London, on the twenty-first day of March one thousand eight hundred and seventy-eight, before these witnesses, James Kerr, writer in Glasgow, solicitor to the Caledonian Company, and William More, his clerk; and they are subscribed by John Stirling, Esquire, of Kippendavie, and the Right Honourable William Patrick Adam, of Blair Adam, M.P., two of the directors of the North British Company, for and on behalf of that Company, at London, on the twenty-second day of the last-mentioned month and year, before these witnesses, Adam Johnstone, solicitor, and John Walker, general manager, both to the North British Company: Declaring that this testing clause from and after the words "In witness whereof" is written and inserted by George Jackson, writer in Glasgow.

JAMES KERR, Witness.	HUGH BROWN, Director.
WILLIAM MORE, Witness.	JOHN COWAN, Director.
AD. JOHNSTONE, Witness.	JOHN STIRLING.
J. WALKER, Witness.	W. P. ADAM, Director.

SCHEDULE (B.)

Lands, Buildings, and Manufactories whereof part may be taken under the powers of this Act without taking the whole.

For Railway No. 4.

No. on deposited Plans.	Parish.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
21	Blantyre -	Brickfield -	John Clark Forrest	Robert McAlpine	Robert McAlpine.
22	Blantyre -	Siding and ground.	John Clark Forrest Robert McAlpine.	Robert McAlpine	Robert McAlpine.
23	Blantyre -	Siding and ground.	John Clark Forrest	—	William Sommerville. Archibald Millar. Robert McAlpine.
24	Blantyre -	Woodyard, siding, and ground.	John Clark Forrest Archibald Millar.	—	Archibald Millar.
25	Blantyre -	Road, ground, and siding.	John Clark Forrest William Sommerville.	—	William Sommerville.

For Siding near Paisley.

7	MiddleChurch of Paisley.	Rough ground	Andrew Foulds, senior.	Foulds, Gilmour, and Company.	Foulds, Gilmour. and Company.
			Andrew Foulds, junior.	Andrew Foulds, senior.	Andrew Foulds. senior.
			William Foulds -	Andrew Foulds, junior.	Andrew Foulds, junior.
			James Gilmour.	William Foulds -	William Foulds.
				James Gilmour -	James Gilmour.

No. on deposited Plans.	Parish.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
For Diversion of Road at Stirling.					
4	Stirling -	Road - -	John Gillespie Aitken.	John Aitken -	John Aitken.
4/1	Stirling -	Yard and shed	John Gillespie Aitken. George Chalmers.	George Chalmers	George Chalmers.
4/2	Stirling -	Pasture land -	John Gillespie Aitken.	James Finlayson	James Finlayson.
33	Stirling -	Line of rails, slopes, and under bridge.	The Caledonian Railway Company. James McAlpine.	—	James McAlpine.
55	Stirling -	Clayhole -	The Magistrates and Town Council and First Minister of Stirling, Patrons, and William Christie, Master of Cowane's Hospital.	James McAlpine	James McAlpine.
1	St. Ninians	Pasture land -	John Gillespie Aitken.	James Finlayson	James Finlayson.
2	St. Ninians	Yard - -	John Gillespie Aitken.	George Chalmers	George Chalmers.
For Land at Dundyvan.					
2	Old Monkland.	Line of rails and ground.	Robert Brand -	—	Robert Brand. The Caledonian Railway Company.
For Land at Hamilton West Station.					
2	Hamilton -	Pasture land -	Alexander Stewart	Alexander Stewart and Company. Alexander Stewart.	Alexander Stewart and Company. Alexander Stewart.

SCHEDULE (C.)

List of Counties and Parishes in which Lands belonging to, but not yet applied to the purposes of, the Company are situated.

County.	Parish.
Cumberland	St. Mary Carlisle.
Do.	Stanwix.
Do.	Rockliffe.
Do.	Kirkandrews on Esk.
Dumfries	Gretna.
Do.	Kirkpatrick-Fleming.
Do.	Middlebie.
Do.	Hoddam.
Do.	Dryfesdale.
Do.	Applegarth.
Do.	Kirkpatrick-Juxta.
Do.	Moffat.
Do.	Dumfries and Saint Mary Dumfries.
Do.	Tinwald.
Do.	Lochmaben.
Lanark	Crawford.
Do.	Lamington.
Do.	Weston and Roberton.
Do.	Symington.
Do.	Covington and Thankerton.
Do.	Petinain.
Do.	Carstairs.
Do.	Lanark.
Do.	Carluke.
Do.	Cambusnethan.
Do.	Dalziel.
Do.	Cadder.
Do.	New Monkland.
Do.	Blantyre.
Do.	Bothwell.
Do.	Cambuslang.
Do.	Rutherglen.
Do.	Hamilton.
Do.	Shotts.
Do.	Old Monkland.
Do.	Govan.
Do.	Gorbals.
Do.	Calton.

A.D. 1878.

County.	Parish.
Lanark	Barony Parish of Glasgow.
Do.	Carnwath.
Do.	City Parish of Glasgow.
Renfrew	Govan.
Do.	High Church Parish of Paisley.
Do.	Middle Church Parish of Paisley.
Do.	Abbey Parish of Paisley.
Do.	Greenock, or East Parish of Greenock.
Do.	Greenock, or West Parish of Greenock.
Edinburgh	West Calder.
Do.	Kirknewton.
Do.	Colinton.
Do.	St. Cuthbert.
Do.	North Leith.
Peebles.	United Parishes of Broughton, Glenholm, and Kilbucho.
Do.	Peebles.
Dumbarton	Cumbernauld.
Stirling	Falkirk.
Do.	Denny.
Do.	Larbert.
Do.	St. Ninians
Do.	Stirling.
Do.	Logie.
Perth.	Dunblane.
Do.	Ardoch.
Do.	Auchterarder.
Do.	Forteviot.
Do.	Perth.
Do.	Kinnoul.
Do.	Errol.
Do.	Redgorton.
Do.	Coupar-Angus.
Do.	Meigle.
Do.	Bendochy.
Do.	Crieff.
Forfar	Liff and Benvie.
Do.	Dundee.
Do.	Mains and Strathmartine.
Do.	Tealing.
Do.	Carputh.
Do.	Newtyle.
Do.	Glamis.
Do.	Guthrie.

County.	Parish.
Forfar	Kirriemuir.
Do.	Montrose.
Do.	Kinnell.
Do.	Brechin.
Do.	Coupar-Angus.
Do.	Monifieth.
Do.	St. Vigeans.
Do.	Arbroath.
Do.	Kirkden.
Aberdeen	Old Machar.
Do.	St. Nicholas.
Kincardine	Nigg.
Do.	Fetteresso.

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