ANNO DUODECIMO & DECIMO TERTIO

VICTORIÆ REGINÆ.

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10 & 11 Vict. c. 90.

8 & 9 Vict. c. 162.

9 & 10 Vict. c. 379.

in the Tenth and Eleventh Years of the Reign of Her said Majesty, intituled "The *Glasgow, Barrhead, and Neilston Direct* Railway (Amendment and Deviation) Act, 1847:" And whereas an Act was passed in the Eighth and Ninth Years of the Reign of Her said Majesty, intituled "The *Caledonian* Railway Act, 1845," whereby a Company was incorporated under the Name of the *Caledonian* Railway Company; and another Act was passed in the Ninth and Tenth Years of the Reign of Her said Majesty, intituled the "*Caledonian, Polloc and Govan, and Clydesdale Junction* Railways Amalgamation Act, 1846," in virtue of which Act the *Polloc and Govan* Railway and *Clydesdale Junction* Railway are now vested in the *Caledonian* Railway Company: And whereas the *Glasgow, Barrhead, and Neilston Direct* Railway communicates with the *Caledonian* Railway, and might be worked with greater Advantage and Convenience to the Public than at present if the *Glasgow, Barrhead, and Neilston Direct* Railway, Branches and Works incorporated therewith, were leased to the *Caledonian* Railway Company; but that Object 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, That the *Caledonian* Railway Act, 1845, above recited, and the several Acts thereby incorporated therewith, shall, in so far as not varied or otherwise provided for in this Act, be incorporated with and form Part of this Act.

Provisions of recited Act 8 & 9 Vict. c. 192. applied to this Act.

Short Title.

II. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments and Proceedings, it shall be sufficient to use the Expression "The *Caledonian* Railway (*Glasgow, Barrhead, and Neilston Direct* Railway Lease,) Act, 1849."

Glasgow, Barrhead, and Neilston Direct Railway vested in Caledonian Railway Company;

III. And whereas an Agreement was entered into and executed upon the Ninth and Eleventh Days of *September* One thousand eight hundred and forty-six between the *Caledonian* Railway Company and the *Glasgow, Barrhead, and Neilston Direct* Railway Company, whereby the last-mentioned Company agreed to let in Lease, and the first-mentioned Company agreed to accept and take in Lease, the *Glasgow, Barrhead, and Neilston Direct* Railway, for the Term and in consideration of the Payment of the Rent or fixed Dividend therein mentioned: And whereas the *Glasgow, Barrhead, and Neilston Direct* Railway Company have, in fulfilment of their Part of the said Agreement, expended large Sums of Money in altering their Line so as to make the same communicate directly with the *Caledonian* Railway: And whereas the Parties to the said Agreement are respectively willing (subject to the Approval of Parliament, to be obtained in this present Session,) that the Amount of Rent or fixed Dividend to be paid by the said *Caledonian* Railway Company, and other the Conditions under which the said Railway shall be transferred to and vested in the said last-mentioned Company, shall be in accordance with the Provisions herein-after contained: Be it therefore enacted, That immediately after the passing of this Act, and the Execution of the Conveyance of the *Glasgow Southern Terminal* Railway in their Favour,

as herein-after provided, or as soon thereafter as conveniently can be, the *Glasgow, Barrhead, and Neilston Direct* Railway Company shall execute and deliver, under their Corporate Seal, in favour of the *Caledonian* Railway Company, a Deed of Lease in accordance with the Provisions of this Act, duly stamped, for the Term of Nine hundred and ninety-nine Years from and after the Twenty-seventh Day of *September* One thousand eight hundred and forty-nine, of all the Railways, Works, Lands, Tenements, and Hereditaments, and an absolute Assignment of all the Engines, Carriages, Waggons, Goods, Debts, Chattels, Monies, and other Property and Effects whatsoever, then belonging and owing to the *Glasgow, Barrhead, and Neilston Direct* Railway Company, or acquired or constructed by means of the Funds and for the Behoof of the said last-named Company, or of the *Glasgow Southern Terminal* Railway Company, together with the Revenue arising from the said Railways and other Property from and after the said Twenty-seventh Day of *September* One thousand eight hundred and forty-nine, in consideration of the Payment of the Rent or Dividends and of the other Conditions and Provisions hereinafter mentioned, and which Lease and Assignment the *Caledonian* Railway Company shall forthwith accept and take, and upon the Execution of the said Deeds of Lease and Assignment the said Railways, Works, Lands, Tenements, and Hereditaments, Engines, Carriages, Waggons, Goods, Debts, Chattels, Monies, and other Property and Effects whatsoever, and the Revenue arising therefrom from and after the said Twenty-seventh Day of *September* One thousand eight hundred and forty-nine, and, save as herein-after excepted, all the Rights, Privileges, Powers, and Authorities given to or vested in the *Glasgow, Barrhead, and Neilston Direct* Railway Company by or under the Powers of the said recited Acts or any of them, or any other Act or Acts, or any Deeds granted in pursuance of any such Acts, shall, subject to the existing Debts, Liabilities, Engagements, Contracts, Obligations, and Incumbrances affecting the same, and subject also to the Provisions of this Act and of such Lease, be transferred to and vested in the *Caledonian* Railway Company, and may be lawfully held, used, exercised, enforced, and enjoyed by and in the Name of the said last-mentioned Company, in the same Manner and to the same Extent as if the Undertakings authorized to be made and maintained by such Acts had been originally authorized to be made and maintained by the said Company, or as if their Name had been inserted in such Acts, or in the Deeds executed in pursuance thereof, as aforesaid, in lieu of the Name of the *Glasgow, Barrhead, and Neilston Direct* Railway Company.

but nothing in this Act shall disincorporate the Railway Company first above mentioned.

IV. Provided always, and be it enacted, That nothing in this Act contained shall be held to disincorporate the said *Glasgow, Barrhead, and Neilston Direct* Railway Company, or to alter the Constitution of the said Company, or to divest them of or repeal any of the Powers conferred on them by the Companies Clauses Consolidation (*Scotland*) Act, 1845, as incorporated with the said recited Acts, or any of them, relating to the said *Glasgow, Barrhead, and Neilston Direct* Railway, or any of the Provisions of the last-mentioned Acts, so far as such Powers and Provisions have reference solely to the Capital of the Company, or the Government and Constitution thereof.

V. Pro-

As to Completion of Line to Crofthead.

V. Provided always, and be it enacted, That the Powers vested in the *Glasgow, Barrhead, and Neilston Direct* Railway Company by the said recited Acts or any of them, in relation to the Completion of the said *Glasgow, Barrhead, and Neilston Direct* Railway from *Barrhead* to *Crofthead*, shall for that Purpose remain vested in and may be exercised by the said last-mentioned Company, and the said last-mentioned Company, if requested so to do by the said *Caledonian* Railway Company, at any Time within Six Months after the passing of this Act, shall and they are hereby required, at the Expense of the said *Caledonian* Railway Company, to the Extent herein-after mentioned, and upon their supplying from Time to Time the whole Funds necessary for the Purpose, to complete the said Railway between the aforesaid Places as a double Line of Railway, but in other respects as far as may be in accordance with the original Specifications thereof, and on such Completion to deliver the same in good working Condition to the said last-mentioned Company, whereupon the several Powers of the said *Glasgow, Barrhead, and Neilston Direct* Railway Company in relation to the said Portion of Railway shall cease, and shall be and become thenceforth transferred to and vested in the said *Caledonian* Railway Company, who shall hold the said Portion of Railway as Part of the Undertaking to be transferred to and vested in them by virtue of the said Lease, and as such subject to the several Provisions herein contained; and if any Difference shall arise between the said Two Companies as to the Manner in which the said Portion of Railway has been completed, or as to the State or Sufficiency thereof, or the Time within which the same should be completed, or otherwise in relation thereto, such Difference shall be referred to some independent Engineer, to be agreed on between the Parties, or, in default of such Agreement, to be nominated by the Commissioners of Railways, on the Application of either of the said Parties; and if through any Neglect or Default of the said *Glasgow, Barrhead, and Neilston Direct* Railway Company the said Portion of Railway shall not be completed as aforesaid within such Time as shall be fixed by such independent Engineer, the *Caledonian* Railway Company shall be entitled to retain out of the Dividends hereby secured to the Holders of Shares or Stock representing the original Capital of the *Glasgow, Barrhead, and Neilston Direct* Railway Company, until the said Portion of Railway shall be so completed, such Per-centage on the Amount advanced by the said *Caledonian* Railway Company towards the Completion of the said Portion of Railway as an Engineer to be appointed as aforesaid may determine: Provided always, that if for the Purpose of completing as aforesaid the said Portion of Railway the said *Caledonian* Railway Company shall be called on to pay and shall pay more than the Sum of Twenty thousand Pounds, the said *Caledonian* Railway Company shall be entitled to retain and deduct the Amount of such Excess of Expenditure out of and from the Dividends which they are by the Provisions of this Act required to pay to the Holders of Shares or Stock representing the original Capital of the *Glasgow, Barrhead, and Neilston Direct* Railway Company, until the whole of such Excess shall have been paid and reimbursed to them.

Dividend of Six per Cent. to be paid

VI. And whereas the original Capital Stock of the *Glasgow, Barrhead, and Neilston Direct* Railway Company authorized to be raised

raised under the Powers of the first herein-before recited Act amounts to the Sum of One hundred and fifty thousand Pounds, divided into Six thousand Shares of Twenty-five Pounds each: Be it enacted, That from and immediately after the passing of this Act, and Execution by the *Glasgow, Barrhead, and Neilston Direct* Railway Company, and Delivery to the *Caledonian* Railway Company of the Deeds herein-before mentioned, every Proprietor of One or more such Shares who shall have paid the full Sum of Twenty-five Pounds *per* Share on all such Shares held by him or her shall be entitled to and shall receive a Dividend out of the general Funds or Profits of the *Caledonian* Railway Company at the Rate of Six Pounds Sterling *per Centum per Annum.*

on Glasgow, Barrhead, and Neilston Direct Railway Shares.

VII. And whereas by the said secondly and fourthly recited Acts the said *Glasgow, Barrhead, and Neilston Direct* Railway Company were also empowered to raise a further Sum of Seventy-five thousand Pounds by the Creation of new Shares or Stock, in addition to the Capital which they were authorized to raise by the said first-recited Act; and by the said first, second, and fourth recited Acts, and the Companies Clauses Consolidation (*Scotland*) Act, 1845, incorporated therewith, the said *Glasgow, Barrhead, and Neilston Direct* Railway Company were authorized to borrow on the Credit of their Undertaking the Sum of Seventy-five thousand Pounds, or (if they should think fit) to raise such Sum by the Creation of new Shares or Stock, either in lieu of or to pay off any Sums which they might have borrowed under the Provisions of the said Acts: Be it therefore enacted, That the whole of the said Two last-mentioned Sums of Seventy-five thousand Pounds respectively, making in all the Sum of One hundred and fifty thousand Pounds, or so much thereof as shall not have been raised by the said Company by the Creation of new Shares or Stock at the Time of the passing of this Act, shall be so raised by the Creation of new Shares or Stock in conformity with the Powers to that Effect conferred on the said Company by the said recited Acts; and the several Holders of such new Shares or Stock shall be entitled to receive, and shall be paid by the said *Caledonian* Railway Company, in manner herein-after mentioned, out of the general Funds or Profits of the said last-mentioned Company, a fixed annual Dividend after the Rate of Five Pounds *per Centum per Annum* on the Sums which they may respectively pay or have paid in respect of such new Shares or Stock: Provided always, that the Monies to be raised by such new Shares or Stock, as well as all Monies which may be hereafter paid in respect of Calls due on the said original Capital Stock, or such Portion thereof as may be necessary for the Purpose, shall be applied in the Payment or Redemption of all Bonds and Mortgages secured on or affecting the said *Glasgow, Barrhead, and Neilston Direct* Railway, at the Time when the same shall become vested in the said *Caledonian* Railway Company, as and when the same shall fall due and become payable and redeemable, and in Payment of all the other Liabilities and Obligations affecting the said *Glasgow, Barrhead, and Neilston Direct* and *Glasgow Southern Terminal* Railways or Railway Companies at the Time when the said Railways shall become vested in the *Caledonian* Railway Company as aforesaid: Provided also, that the said *Caledonian* Railway Company shall pay the

Dividend of Five per Cent. on new Shares in Glasgow, Barrhead, and Neilston Direct Railway.

the Interest accruing due on all Mortgages secured on the Railways, Lands, Works, and Property to become vested in them by virtue of the Lease herein-before mentioned, until such Mortgages shall have been paid off by means of the Capital raised or to be raised as aforesaid, and until the said last-mentioned Company shall be called on to pay the Dividend by this Act secured or intended to be secured on the whole of the said Capital raised or to be raised by the Creation of the said new Shares; but if by reason of the Payment of Interest on any such Bonds or Mortgages, and of such Dividend, or any Portion thereof, the said *Caledonian* Railway Company shall in any One Year be called on to pay and shall pay a larger Sum than the Sum by this Act made payable by them in respect of the whole of such Dividend, it shall be lawful for the said *Caledonian* Railway Company to deduct the Excess so paid by them out of the next half-yearly Dividend payable to the Holders of Shares or Stock representing the original Capital of the said *Glasgow, Barrhead, and Neilston Direct* Railway Company, and so from Time to Time.

When and how Dividends to be payable.

VIII. And be it enacted, That the aforesaid Dividends after the Rate of Six Pounds *per Centum* and Five Pounds *per Centum per Annum* respectively shall be paid by the said *Caledonian* Railway Company half-yearly at the Terms of *Martinmas* and *Whitsunday* to the Treasurer of the said *Glasgow, Barrhead, and Neilston Direct* Railway Company, who shall distribute the same among the several Holders of Shares or Stock entitled thereto, subject to the Orders and Directions in that Behalf of the Directors for the Time being of the said *Glasgow, Barrhead, and Neilston Direct* Railway Company; and the said Dividends shall accrue due as from the Twenty-seventh Day of *September* One thousand eight hundred and forty-nine in respect of all Sums paid upon the said Shares or Stock prior to that Date, and in respect of all Sums which may be paid on such Shares or Stock subsequently to the Twenty-seventh Day of *September* One thousand eight hundred and forty-nine the said Dividends shall accrue due upon such Sums as from the Period or Periods of the Payment thereof respectively, and the Receipt of the Treasurer for the Time being of the said *Glasgow, Barrhead, and Neilston Direct* Railway Company for the Sums paid by the said *Caledonian* Railway Company in respect of all such Dividends, or of any Proportion of Profits which the Holders of Shares in the said *Glasgow, Barrhead, and Neilston Direct* Railway Company are or may be entitled to receive from the said *Caledonian* Railway Company, in manner herein-after mentioned, shall be a sufficient Discharge to the said last-mentioned Company for the Payment thereof, and they shall not be bound to see to the Application of the Sums so paid by them: Provided always, that the said *Glasgow, Barrhead, and Neilston Direct* Railway Company shall create the said new Shares, and shall call up the same, and enforce, if necessary, the Calls due thereon, as well as on the original Shares of the said Company, within such Period as in case of their not having previously created such Shares and made and enforced such Calls they shall be required so to do by the *Caledonian* Railway Company: Provided also, that the Guarantee of Dividends created by this Act shall not prejudice or affect any Guarantee of Dividends or Interest which may have been granted by the *Caledonian* Railway Company by

by or in pursuance of any Act of Parliament passed on or prior to the Date of this Act.

Original Shareholders to have Half Profits (if any) over and above Dividend.

IX. And be it enacted, That the said *Caledonian* Railway Company shall keep true and particular Accounts of all Sums of Money received by them on Revenue Account upon or in respect of the Railways, Lands, Works, and other Property which may become vested in them by virtue of the said Deeds herein-before mentioned, or which may arise from the Passage or Conveyance or Accommodation thereon or by means thereof of any Passengers, Animals, Goods, Wares, or Merchandize, and which Accounts shall be open at all reasonable Times to Inspection by any Two of the Directors of the said *Glasgow, Barrhead, and Neilston Direct* Railway Company, or of their Officers or Servants, who may from Time to Time be duly appointed by the said Directors for the Purpose of inspecting the same; and if in any One Year the net Profits arising from the Use or working of the said Railways, and the Works and Conveniences connected therewith, which shall become so vested as aforesaid in the said *Caledonian* Railway Company, shall be more than sufficient to pay a Dividend after the Rate of Six Pounds *per Centum per Annum* on the said original Capital of One hundred and fifty thousand Pounds, and a Dividend after the Rate of Five Pounds *per Centum per Annum* on the said Two Sums of Seventy-five thousand Pounds respectively, making together the Sum of One hundred and fifty thousand Pounds, then and in such Case, and so often as the same shall happen, the Holders of the Shares or Stock representing the said original Capital shall be entitled to receive rateably in proportion to the Amount of Shares or Stock held by them respectively One Half the Surplus of such net Profits, in addition to the said Dividend after the Rate of Six Pounds *per Centum per Annum*, and such Moiety of the said Surplus shall be paid by the said *Caledonian* Railway Company to the Treasurer of the said *Glasgow, Barrhead, and Neilston Direct* Railway Company, at the same Time as the other Dividends herein-before mentioned, and the said Treasurer shall distribute the same among the several Holders of Shares or Stock entitled thereto in the same Manner as the other Dividends herein-before mentioned; provided always, that in estimating the said Profits the working Expenses of the said Railways shall be calculated at Forty *per Centum per Annum* upon the Amount of the gross annual Receipts thereon; and if any Difference shall at any Time arise between the said Companies as to the Amount of such Profits, or as to the Proportion thereof receivable by the said *Glasgow, Barrhead, and Neilston Direct* Railway Company, under the Provisions herein-before contained, such Difference shall be referred to some independent Engineer, to be agreed on between the Two said Companies, or in default of such Agreement then to be nominated by the Commissioners of Railways, on the Application of either of them, and the Decision of such Engineer shall be final.

Restricting Rights of such Shareholders in Caledonian

X. And be it enacted, That none of the Proprietors of Shares in the *Glasgow, Barrhead, and Neilston Direct* Railway Company shall be entitled as such to participate in the Funds or Profits of the *Caledonian* Railway Company to any greater Extent than as limited by

Railway Company.

by this Act, nor shall the Possession of such Shares qualify them or any of them to be Directors of the *Caledonian* Railway Company, or to act or vote at any General Meetings thereof, or otherwise to interfere in the Affairs of the *Caledonian* Railway Company, save as by this Act expressly provided.

Shareholders in Glasgow, Barrhead, and Neilston Railway to have a Lien over that Railway for Dividends.

XI. And be it enacted, That the Holders of the aforesaid Shares in the *Glasgow, Barrhead, and Neilston Direct* Railway Company shall have a Lien over the *Glasgow, Barrhead, and Neilston Direct* Railway and the Branches thereof, and the *Glasgow Southern Terminal* Railway and Works connected therewith, respectively, hereby authorized to be transferred to the *Caledonian* Railway Company, and whole Revenues thereof, for Payment to them of the aforesaid Dividends on the said Shares, but such Lien shall be postponed to any Security or Mortgage already granted by the *Glasgow, Barrhead, and Neilston Direct* Railway, and shall not prejudice or affect the Rights of Parties holding such Securities or Mortgages.

Debts and Contracts, &c. to be good.

XII. And be it enacted, That, subject to the Provisions hereinafter contained, all Debts and Monies which immediately before the Execution and Delivery of the Deeds herein-before mentioned were due and owing by or recoverable from the said *Glasgow, Barrhead, and Neilston Direct* Railway Company, or for the Payment of which they were, or, but for the passing of this Act, would have been liable, shall (during the Continuance of the said Lease) be paid, with all Interest, if any, due or to accrue due thereon, by and be recoverable from the *Caledonian* Railway Company; and all Conveyances, Leases, Covenants, Contracts, Agreements, Mortgages, Bonds, and Securities made or entered into before the Execution and Delivery as aforesaid of the said Deeds, to, with, in favour of, or by or for the said *Glasgow, Barrhead, and Neilston Direct* Railway Company, or any Person on their Behalf, shall (during the Continuance of the said Lease) be and remain as good, valid, and effectual, in favour of, against, and with reference to the *Caledonian* Railway Company, and may be proceeded on and enforced by or against the said Company, in the same Manner, to all Intents and Purposes, as if the said Company had been a Party to and executed the same, or had been named or referred to therein, or as if the same had been granted or entered into for behoof of the said Company, instead of the said *Glasgow, Barrhead, and Neilston Direct* Railway Company.

Limiting Liability of Caledonian Railway Company.

XIII. Provided always, and be it enacted, That if the said *Glasgow, Barrhead, and Neilston Direct* Railway Company and the said *Glasgow Southern Terminal* Railway Company, or either of them, or the Directors of those Companies, or either of them, shall, at the Date of the Execution by the *Glasgow, Barrhead, and Neilston Direct* Railway Company, and Delivery to the *Caledonian* Railway Company of the foresaid Lease and Assignment, have incurred Liabilities affecting or in any way relating to the Railways, Works, Lands, or other Property comprehended in the foresaid Deeds, (whether such Liabilities shall have been then ascertained or not,) which, together with the Funds expended by them at that Date in relation thereto, shall amount to a greater Sum than Fifty thousand Pounds, over and above the

the Capital of Three hundred thousand Pounds on which the said *Caledonian* Railway Company are to pay Dividends as herein-before mentioned, and which Liabilities the said last-mentioned Company shall be called on and shall be liable to make good, it shall be lawful for them to pay the said Liabilities, as and when the same respectively fall due or become payable, out of the Dividends after the Rate of Six *per Centum per Annum* payable to the Holders of Shares or Stock representing the original Capital of the said *Glasgow, Barrhead, and Neilston Direct* Railway Company, and to withhold the Payment of such Dividends until the full Amount of such Liabilities, over and above such aggregate Sum of Three hundred and fifty thousand Pounds, shall have been paid off and discharged.

Certain Provisions in Glasgow, Barrhead, and Neilston Direct Railway Acts applied to Caledonian Railway Company.

XIV. And be it enacted, That, subject to the Provisions of this Act, all Works and Things which, under the Provisions of the said recited Acts or any of them relating to the said *Glasgow, Barrhead, and Neilston Direct* Railway Company, the said Company were bound, required, or made liable to make, construct, complete, or maintain, and all Repairs thereof respectively, and all Regulations and Restrictions which under the Provisions of the said recited Acts were imposed upon or required to be observed by the said Company, for the Safety, Protection, Accommodation, Convenience, Enjoyment, and Benefit of Persons and Corporations, Road Trustees, and others, whose Estates, Properties, or Interests were or might be affected by the making and maintaining of the said Railway, Branch Railways, and Works hereby transferred to the *Caledonian* Railway Company, and for the Protection of such Estates, Properties, and Interests, and for securing the Enjoyment of such Estates, Properties, and Interests as aforesaid, and all such Payments, annual and in gross, as under the Provisions of the said Acts or any of them were required to be made by the said *Glasgow, Barrhead, and Neilston Direct* Railway Company, or such or so many of the aforesaid Works, Things, Regulations, Restrictions, and Payments as the said Company would have been bound or liable to construct, complete, maintain, observe, or pay, in case this Act had not been passed, shall (during the Continuance of the said Lease), except so far as altered, varied, repealed, or otherwise provided for in this Act, be constructed, completed, maintained, observed, and paid by the *Caledonian* Railway Company, as fully to all Intents and Purposes as the same were by the said Acts relating to the said *Glasgow, Barrhead, and Neilston Direct* Railway or any of them required to be constructed, completed, maintained, observed, and paid by the said Company, and as if the several Provisions in the said Acts or any of them contained in reference thereto respectively had been specially repeated and re-enacted in and by this Act, and had been made applicable to the *Caledonian* Railway Company.

Modifying Provision relating to Certificate of Railway Commissioners.

XV. And whereas it is provided by the fourth herein-before recited Act that it should be lawful for the *Glasgow, Barrhead, and Neilston Direct* Railway Company, for the Purpose of the Purchase of the *Glasgow Southern Terminal* Railway, and for the Construction and Completion of the said last-mentioned Railway, from Time to Time to raise, in addition to the Sums which they were authorized to raise by the said first and second recited Acts, the Sum of Forty

thousand Pounds (being Part of the said additional Capital on which the said Dividend of Five *per Centum per Annum* is made payable as herein-before mentioned), by the Creation of new Shares or Stock, upon such Terms and in such Manner as might have been or might be agreed upon at any Extraordinary Meeting or Meetings of the said Company, and that the new Shares or Stock created by virtue of the said fourth herein-before recited Act should become Part of the general Capital of the said Company, and should be in lieu and place of the Sum of Forty thousand Pounds authorized to be raised by the Act relating to the said *Glasgow Southern Terminal* Railway, third herein-before recited: And whereas it is also provided by the said fourth herein-before recited Act that it should not be lawful for the *Glasgow Southern Terminal* Railway Company, by virtue of the Powers contained in the said Act, to sell, nor for the said *Glasgow, Barrhead, and Neilston Direct* Railway Company to purchase, the said *Glasgow Southern Terminal* Railway, unless it should have been proved to the Satisfaction of the Commissioners of Railways, and certified by them under their Seal, previously to the Completion of such Sale, that One Half of the whole Amount of the Capital, exclusive of Loans, by the Act or Acts relating to each of the said Companies authorized to be raised, had been actually paid and expended for the Purposes authorized by such Act or Acts respectively: And whereas the *Glasgow, Barrhead, and Neilston Direct* Railway Company have raised and expended more than One Half of the whole Amount of the Capital authorized to be raised by the Acts relating to their Railway first and second herein-before recited, and have also raised more than One Half of the said Sum of Forty thousand Pounds which they were authorized to raise in lieu of the Capital authorized to be raised by the *Glasgow Southern Terminal* Railway Company, and have expended the same in the Construction of the said *Glasgow Southern Terminal* Railway, and it is expedient that the said Provision should be modified as herein-after mentioned: Be it therefore enacted, That, notwithstanding anything in the said Act fourth herein-before recited contained, it shall be lawful for the *Glasgow Southern Terminal* Railway Company to sell, and for the *Glasgow, Barrhead, and Neilston Direct* Railway Company to purchase, the said *Glasgow Southern Terminal* Railway, without the *Glasgow Southern Terminal* Railway Company having proved to the Commissioners of Railways, and obtained a Certificate under their Seal previously to the Completion of such Sale, that One Half of the whole Amount of the Capital by the Act relating to the *Glasgow Southern Terminal* Railway authorized to be raised had been actually paid and expended for the Purposes authorized by such Act.

Glasgow Southern Terminal Railway to be vested in the Caledonian Railway Company.

XVI. And be it enacted, That the said *Glasgow Southern Terminal* Railway shall be conveyed to the said *Glasgow, Barrhead, and Neilston Direct* Railway Company immediately after the passing of this Act, or as soon thereafter as practicable, and when so conveyed the same shall be and be deemed to be Part of the Railways, Branches, Works, and Property to be vested in the *Caledonian* Railway Company by virtue of the Lease herein-before mentioned for the said Term of Nine hundred and ninety-nine Years, and as Part of the Consideration for the Payment by the said last-mentioned Company of the said Dividends

by this Act made payable to and amongst the Shareholders in the said *Glasgow, Barrhead, and Neilston Direct* Railway Company.

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

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

Railway Company to be subject to the Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., and 9 & 10 Vict. cc. 57. 105.

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

Railways, &c. not exempt from Provisions of future general Acts.

XIX. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the said Railways or the *Caledonian* Railway Company from the Provisions of any general Act relating to this and the said recited Acts, or 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 pass during the present or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this and the said recited Acts.

Expenses of Act.

XX. And be it enacted, That all the Costs, Charges, and Expenses incurred in applying for and obtaining this Act or incident thereto shall be paid and defrayed by the *Glasgow, Barrhead, and Neilston Direct* Railway Company out of the Money already raised and received, or out of the first Money to be raised or received by them, in preference to any other Payment whatsoever.

XXI. And

Public Act.

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

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