ANNO UNDECIMO & DUODECIMO

VICTORIÆ REGINÆ.

****

Cap. cxxi.

An Act to enable the *Caledonian* Railway Company to extend their Railway across the River *Clyde* at *Glasgow*, and to form a Station in that City.

[14th *August* 1848.]

WHEREAS an Act was passed in the Ninth Year of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act for making a Railway from* Carlisle *to* Edinburgh 8 & 9 Vict.
and Glasgow, *and the North of* Scotland, *to be called the* Caledonian c. 162.
Railway: And whereas another Act was passed in the Tenth Year of the Reign of Her said Majesty, intituled *An Act to enable the* Caledo- 9 & 10 Vict.
nian *Railway Company to form certain Branch and Terminal Railways* c. 314.
in the Vicinity of Glasgow: And whereas it would be attended with Advantage and Convenience to the Public and to the *Caledonian* Railway Company if the said Company were authorized to make and maintain an Extension of the Branch Railway authorized by the said last-recited Act which is to terminate at a Point on the South Side of the Street called *Clyde Terrace* in the Barony of *Gorbals*, from the said Point across the River *Clyde* to a Point near or adjoining to *Dunlop Street* and *Argyll Street* in the City of *Glasgow*, with a Station and other Works and Conveniences connected therewith; but the Purposes aforesaid cannot be effected without the Authority

of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said first-recited Act, and the several Acts thereby incorporated therewith, shall, so far as not inconsistent with or otherwise provided by this Act, be incorporated with and form Part of this Act.

Provisions of first-recited Act, &c. 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* Station) Act, 1848."

Power to raise Money by Creation of new Shares.

III. And whereas the estimated Expense of the Works hereby authorized is Two hundred and fifty thousand Pounds: Be it enacted, That it shall be lawful for the Company, at any Extraordinary Meeting or Meetings of the Company, from Time to Time to raise, in addition to the Sums which they are already authorized to raise or which they may be authorized to raise by any other Act to be passed in the present Session of Parliament, any further Sums of Money not exceeding in the whole the Sum of Two hundred and fifty thousand Pounds, by the Creation of new Shares or Stock bearing, if the Company shall think fit, a guaranteed Dividend of such Amount as the Company may appoint, not exceeding Six Pounds *per Centum per Annum*, which Sum shall be applicable only to the Objects and Purposes by this Act authorized, and shall be raised subject to the like Conditions and Restrictions as to the maximum Amount of each Call, and the Interval between the successive Calls, as are prescribed by the said first-recited Act in relation to the Capital thereby authorized to be raised; and the new Shares or Stock created by virtue of this Act shall become Part of the general Capital of the Company: Provided always, that any Guarantee of Dividend which may be granted in respect of such new Shares or Stock in pursuance hereof shall not prejudice or affect any Guarantee of Dividend or Interest which may have been granted by or in pursuance of any Act of Parliament passed prior to the Date of this Act.

Power to borrow on Mortgage.

IV. And be it enacted, That after the whole of the said Sum of Two hundred and fifty thousand Pounds shall have been subscribed, and One Half thereof shall have been paid up, it shall be lawful for the Company from Time to Time to borrow on Mortgage or Bond, and if paid up again to borrow, any Sum or Sums of Money, not exceeding in all Eighty-three thousand three hundred and thirty Pounds, in addition to the Amount which they are already authorized to borrow, or which they may be authorized to borrow by any other Act to be passed in the present Session of Parliament; provided always, that all and every Part of such Sum of Money so to be borrowed under the Powers of this Act shall be applicable only to the Objects and Purposes by this Act authorized.

Interest not to be paid on Calls paid up.

V. And be it enacted, That it shall not be lawful for the Company, out of any Money by this Act or any other Act relating to the

Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein-before contained shall be deemed to prevent the Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with the Provisions in the Companies Clauses Consolidation (*Scotland*) Act, 1845, in that Behalf contained.

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

VI. And be it enacted, That it shall not be lawful for the Company, out of any Money by this Act or any other Act relating to the Company authorized to be raised for the Purposes of such Act 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 Company to construct any other Railway or execute any other Work or Undertaking.

Line of Railway.

VII. And be it enacted, That the Line of Railway to be made and maintained under the Authority of this Act shall be an Extension of the Branch Railway authorized by the said second-recited Act, which is to terminate at a Point on the South Side of the Street called *Clyde Terrace* in the Barony of *Gorbals*, from the said Point across the River *Clyde* to a Point near or adjoining to *Dunlop Street* and *Argyll Street* in the City of *Glasgow*; and that it shall be lawful to the Company to make and maintain a Station, Depôts, Sheds, Warehouses, and other Works and Conveniences connected therewith.

Power to make new Works according to deposited Plan.

VIII. And whereas a Plan and Section of the foresaid Railway by this Act authorized to be made, showing the Line and Levels thereof and the Lands required therefor and for the said Station and Works connected therewith, and a Book of Reference containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and Occupiers of the Lands through or upon which the said Railway and the Station and other Conveniences in connexion therewith will pass or be situate, have been deposited in the Office at *Glasgow* of the Principal Sheriff Clerk of the County of *Lanark*: Be it enacted, That with the Powers and subject to the Provisions contained in the said first-recited Act and the Acts thereby incorporated therewith, it shall be lawful for the Company to make and maintain the said Railway, and such Station and other Conveniences as may be found expedient, in the Line and upon the Lands delineated on the said Plan and described in the said Book of Reference, and to enter upon, take, and use such of the said Lands as shall be necessary for the Purposes of this Act.

Viaduct across Clyde to be constructed to the Satisfac-

IX. Provided always, and be it enacted, That the Viaduct across the River *Clyde* and the Banks thereof hereby authorized shall be constructed with such Number of Arches, of such Span and Construction, and generally in such Manner and under such Directions, as

tion of the Admiralty.

as may be prescribed by the Lord High Admiral of the United Kingdom or the Commissioners for executing the Office of Lord High Admiral; and the Company shall be bound to submit the Plans of such Viaduct to the said Lord High Admiral or the said Commissioners, and to obtain their Approval of the same, before commencing the Construction of such Viaduct, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty.

Company to cause a Light to be hung out at Viaduct for safe Guidance of Vessels.

X. And be it enacted, That during the Construction of the said Viaduct and Works connected therewith the said Company shall cause to be hung out or exhibited every Night, from Sunset to Sunrise, a Light, to be kept burning by and at the Expense of the Company, for the Navigation and safe Guidance of Vessels; and for ever after the Completion of the said Viaduct the said Company shall cause to be hung out or exhibited upon or near to the Centre of the said Viaduct, every Night, from Sunset to Sunrise, a good and sufficient Light, to be kept burning by and at the Expense of the Company, for the Navigation and safe Guidance of Vessels; and which Light shall be from Time to Time altered by the said Company, in such Manner, and be of such Description, and be so used, as the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral shall, by Writing under the Hand of the Secretary of the Admiralty, approve of; and in case the said Company shall neglect to exhibit and keep either of such Lights burning as aforesaid, they shall forfeit and pay for every such Neglect the Sum of Ten Pounds.

If Admiralty think fit to order a Local Survey, Company to pay the Expense.

XI. And be it enacted, That if after Working Drawings of the said Viaduct and relative Works hereby authorized shall have been submitted to the Lord High Admiral of the United Kingdom, or to the Commissioners for executing the Office of Lord High Admiral, it shall be deemed expedient by him or them to order a local Survey and Examination of such Works, or of the intended Site thereof, the Company shall defray the Costs of such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the Company, and if not paid upon Demand may be recovered as a Debt due to the Crown, with the Costs of Suit, or may be recovered with Costs as a Penalty is or may be recoverable from the Company.

If Works affecting Tidal Waters are abandoned Admiralty may remove the same at the Expense of the Company.

XII. And be it enacted, That if any Viaduct or Work to be constructed by the Company in or across the River *Clyde*, or if any Portion of the Railway which affects any Tidal Water or navigable River, or Access thereto, shall be abandoned or suffered to fall into Disuse or Decay by the Company, it shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly with Costs of Suit.

XIII. And

Regulating Construction of Bridge over Great Clyde Street.

XIII. And be it enacted, That the Arches of any Bridge or Viaduct to be constructed across *Great Clyde Street*, under or in virtue of this Act, shall be so constructed as to leave a clear open Space of not less than Eighteen Feet in Height from the Level of the Street or Way to the Soffit of the Arches for the Passage of loaded Carts and Carriages under the same, and that without lowering the Surface of the Street or Way more than One Foot, and the Piers of such Bridge or Viaduct between the main Arch and the Footpath Arches shall be so constructed with Openings in the Stone Pillars as to give Light to the Footpaths.

Lands for extraordinary Purposes.

XIV. And be it enacted, That the Quantity of Land to be taken by the Company for extraordinary Purposes in connexion with the Railway hereby authorized to be made shall not exceed Ten Acres.

Period for compulsory Purchase of Lands.

XV. And be it enacted, That the Powers for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years after the passing of this Act.

Period for Completion of Railway limited.

XVI. And be it enacted, That the Railway by this Act authorized to be made shall be completed within Seven Years after the passing of this Act; and on the Expiration of the said Period the Powers by this Act granted to the Company for executing the said Railway shall cease to be exercised, except as to so much of the said Railway as shall then be completed.

Tolls.

XVII. And be it enacted, That it shall be lawful to the Company, subject to the Conditions, Limitations, and Provisions contained in the Act first before recited, and the Acts thereby incorporated therewith, to demand and recover, for the Use of the said Railway, Station, and other Conveniences hereby authorized to be made, the same Tolls, Rates, Duties, and Charges which are by the said first-recited Act authorized to be demanded and recovered for the Use of the Railway, Stations, and other Conveniences of a like Nature thereby authorized to be made.

Providing Compensation to the River Clyde Trustees.

XVIII. And be it enacted, That a Copy of the Plans of the Viaduct hereby authorized to be constructed across the River *Clyde* shall be transmitted by the Company to the Parliamentary Trustees on the River *Clyde* and Harbour of *Glasgow* at the same Time that the said Plans are submitted to the said Lord High Admiral or the said Commissioners; and that, in order to compensate the said Trustees for the Ground that will be occupied by the Piers and Abutments of the said Viaduct, and for the Damage that may be occasioned to the Basin or Water Space of the said River and Harbour, and to the Banks or Quays on the Sides thereof by the said Viaduct, and for all other Claims of whatever Kind, competent to the said Trustees in respect of the Construction or Maintenance of the Works hereby authorized, or of the Use thereof by any Companies or Parties, the Company shall pay to Her Majesty's Paymaster General for the Purposes herein-after mentioned, as follows; (that is to say,) the Sum of Eight thousand Pounds Sterling within One Year after the passing

of this Act, and an additional Sum of Seven thousand Pounds Sterling One Month before commencing the Execution of the said Viaduct: Provided always, that Five thousand Pounds, forming Part of the said additional Sum of Seven thousand Pounds, shall be payable only in the event of the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company availing themselves of the Privilege herein-after conferred on them of using the said Viaduct, and that the Sums hereby made payable to the said Paymaster General shall be expended by the said Trustees, under the Superintendence of the said Lord High Admiral or the said Commissioners, exclusively in deepening and improving the Portion of the said River and Harbour lying between *Glasgow Bridge* and *Stockwell Bridge*, and in constructing Quays on the Sides thereof, or in deepening and improving such other Parts of the said River and Harbour, and Works connected therewith, as may be directed by the said Lord High Admiral or the said Commissioners.

Providing for Compensation to the Glasgow Bridge Trusees.

XIX. And be it enacted, That in order to compensate the Parliamentary Trustees on the Bridges over the River *Clyde* at *Glasgow*, appointed by an Act passed in the Eighth and Ninth Years of the Reign of Her present Majesty, Cap. 133., and the Creditors on the said Bridges, for the Revenue that may be abstracted from the said Bridges by the Railway Bridge or Viaduct authorized by this Act to be constructed across the said River, the Company shall be bound to pay annually to the said Parliamentary Trustees a Pontage or Toll of One Farthing in respect of each Passenger, and the like Sum in respect of every Ton of Goods or other Commodities, that may be carried across the said River by or upon the said Railway Bridge or Viaduct, until the Produce of such Pontages or Tolls, together with the Pontages or Tolls leviable under the existing Acts relative to the said Bridges, and other Sums claimable or which may be received by the said Trustees, after Deduction of the necessary Expense of the Maintenance and Management of the said Bridges, shall have amounted to a Sum sufficient to enable the said Trustees to pay off the Debts contracted or authorized to be contracted by them, under the Powers and for the Purposes of the existing Acts relating to the said Bridges, whereupon the Pontages or Tolls hereby provided to be paid by the Company shall cease and determine; and the Company shall annually furnish to the said Trustees all such Accounts and Evidence as may be necessary to instruct the Amount of such Pontages or Tolls payable by the Company, and shall when required by the said Trustees give them Access for the like Purpose to the Books of the Company, so far as relating thereto.

Glasgow, Paisley, Kilmarnock, and Ayr Railway Company to have the Use of the Viaduct across the River Clyde, and Ap-

XX. And whereas it is expedient that the Viaduct across the River *Clyde* by this Act authorized should be made available for the Purpose of enabling the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company to obtain an Access across the said River to a Station on the North Side thereof, and it is expedient that Provision should be made for affording such last-mentioned Company a Right to use the said Viaduct, and also such Lines of Railway in connexion therewith between the Joint Line of Railway leading from *Glasgow*

to *Paisley* and the said Station on the North Side of *Great Clyde Street* of *Glasgow* as may from Time to Time be used by the *Caledonian* Railway Company for such Purpose: Be it therefore enacted, That the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company, and all Companies or Persons lawfully using or intending to use the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway, or any Railway worked in connexion therewith, or the said Joint Line of Railway between *Glasgow* and *Paisley*, and paying Dues in respect of such Use to the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company, shall have an equal Right with the *Caledonian* Railway Company to use, and may at all Times hereafter use, in like Manner and for similar Traffic as the *Caledonian* Railway Company, and with the same Facilities and Conveniences, and subject only to the same Restrictions, Rules, Regulations, and Orders, as may from Time to Time be enjoyed by or imposed upon the *Caledonian* Railway Company, or to which the said last-mentioned Company may from Time to Time be subject, all Lines of Railway lying between and connecting the said Joint Line near *Shiels Bridge* and the said Station on the North Side of *Great Clyde Street* in *Glasgow*, (including the said Viaduct across the River *Clyde*,) which may from Time to Time be used by the *Caledonian* Railway Company for Traffic between those Points; provided nevertheless, that if and so long as the *Caledonian* Railway Company shall use, or permit to be used, the said Viaduct for any Description of Traffic conveyed thereto, although they may not use the Lines of Communication herein-before specified, it shall be lawful to the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company to use the said Viaduct, and the Lines of Communication herein-before specified, for the same Description of Traffic: Provided always, that nothing herein contained shall entitle the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company, or any other Companies or Persons using or intending to use the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway, or any other Railway worked in connexion therewith, to use any Part of the said Lines of Railway between the said Joint Line and the said Station on the North Side of *Great Clyde Street*, except as a Line of Communication for the Conveyance of Traffic between the said Joint Line and the said Station. proaches thereto.

XXI. And be it enacted, That if under the Provisions herein-before contained, the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company shall have exercised their Right of carrying Goods or any other Traffic between the said Joint Line of Railway and the said Station on the North Side of *Great Clyde Street* of *Glasgow*, and shall, in consequence of the *Caledonian* Railway Company ceasing to carry such Description of Traffic, be thereby prevented from carrying the same Description of Traffic between the said Points, then the *Caledonian* Railway Company shall be bound to make Compensation to the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company for all Loss and Injury which they may sustain in consequence of being deprived of the Right of carrying such Description of Traffic between the Points above mentioned, including the Costs and Charges (if any) incurred by them in the Construction of a Station for such Traffic on the North Side of the said River, so far as such Station may have been depreciated by the Withdrawal of such Traffic therefrom, such Com- Compensation to Glasgow, Paisley, Kilmarnock, and Ayr Railway Company, if deprived of such Use.

Compensation in case of Dispute to be settled by Arbitration, in the Manner provided by the Companies Clauses Consolidation (*Scotland*) Act, 1845, with reference to the Settlement of Disputes by Arbitration.

Annual Consideration to be paid for such Use.

XXII. And be it enacted, That the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company shall, in consideration of the Right hereby conferred upon them to use the said Lines of Railway and Viaduct herein-before mentioned, pay to the *Caledonian* Railway Company an annual Sum, equal to Six Pounds *per Centum per Annum* upon One Third Part of the Costs and Expenses which shall have been incurred by the *Caledonian* Railway Company in the Construction or Acquisition of any One Line of Communication between the said Points which the said *Caledonian* Railway Company may select; provided that such annual Sum shall be payable half-yearly from and after the Date of the Opening of such Line of Communication, and shall (except in the event herein-after mentioned) in no Case exceed the Sum of Seven thousand Pounds, and such Costs and Expenses shall be settled and ascertained in manner herein-after mentioned.

Mode of ascertaining Costs of Viaduct and Approaches.

XXIII. And for the Purpose of ascertaining the Amount of the Costs and Expenses which shall have been incurred by the *Caledonian* Railway Company in the Construction or Acquisition of such Line of Communication between the said Joint Line and the Station on the North Side of *Great Clyde Street* aforesaid (including the said Viaduct), in respect of which the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company are to pay an annual Sum as aforesaid, be it enacted, That within Three Months after any such Line of Communication shall have been opened, the *Caledonian* Railway Company shall transmit to the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company an Account in Writing, showing the total Amount which shall have been expended by them, or which they may be liable to pay, in respect of the Construction or Acquisition of such Line of Communication; and such Account shall specify under separate and distinct Heads the Amount paid or owing for the Purchase of Lands, for Compensation for Severance or other Damage, and for the Construction of the Railway and relative Works, and such other Particulars as may be necessary for enabling the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company to ascertain the Accuracy of such Account; and if the said Two Companies shall agree as to the total Amount of the Costs and Expenses incurred by the *Caledonian* Railway Company in the Construction or Acquisition of such Line of Communication, then a Memorandum in Writing shall be drawn up, stating the total Amount of such Costs and Expenses, and shall be sealed with the Corporate Seals of the said Two Companies respectively, and such Memorandum shall be conclusive Evidence for and against the said Two Companies respectively, with reference to the total Amount of such Costs and Expenses; provided nevertheless, that if the said Two Companies shall not, within Six Months after the opening of the said Line of Communication, agree as to the total Amount of such Costs and Expenses, or as to any Item contained in the Account transmitted to the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company by the *Caledonian* Railway Company

Company as aforesaid, the Matter in dispute shall be settled by Arbitration, in the Manner provided by the Companies Clauses Consolidation (*Scotland*) Act, 1845, with respect to the Settlement of Disputes by Arbitration: Provided also, that in the event of the *Caledonian* Railway Company constructing or acquiring and opening any other Line of Communication between the said Points, the Provisions herein-before contained shall be applied for the Purpose of ascertaining and settling the Excess, if any, of the Costs and Expenses incurred by them in the Construction or Acquisition of such other Line of Communication, above the Cost of the Line of Communication previously opened; and such Access shall, from and after the opening of such other Line of Communication, be included in the Amount of Cost upon One Third Part of which the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company are to pay the foresaid Per-centage of Six Pounds *per Centum per Annum*, but subject always to the Restriction herein-before contained as to the total Amount of such annual Payment.

Additional annual Payment to be made if Passengers exceed a certain Number.

XXIV. And be it enacted, That if within any One Year a greater Number of Passengers than Six hundred thousand shall be conveyed along the said Line of Communication between the said Joint Line and the said Station on the North Side of *Great Clyde Street* aforesaid from or to any Part of the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway, or other Railways worked in connexion therewith, paying Dues in respect of the Use of such Railways to the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company, (including in such Six hundred thousand Passengers One Half of the Number of Passengers who shall have been conveyed by the *Glasgow, Paisley, Kilmarnock, and Ayr* and the *Glasgow, Paisley, and Greenock* or *Caledonian* Railway Companies, jointly, between *Glasgow* and *Paisley* and intermediate Places,) then the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company shall, in addition to the annual Sum herein-before made payable by them, pay to the *Caledonian* Railway Company a Sum equal to Two-pence Halfpenny *per* Passenger upon the total Number of Passengers beyond Six hundred thousand who shall have been so conveyed upon the said Line of Communication between the said Joint Line and the Station on the North Side of *Great Clyde Street* aforesaid; provided always, that the additional Sum so to be paid by the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company beyond the annual Per-centage on the Cost of the said Line of Railway payable by them as aforesaid shall in no Case exceed the Sum of Two thousand Pounds in any One Year.

Caledonian Railway Company may make Regulations as to Use of Viaduct and Railway.

XXV. And be it enacted, That it shall be lawful for the *Caledonian* Railway Company from Time to Time to make such Rules, Orders Bye Laws, and Regulations with respect to the Use by the said Companies respectively of the Lines of Railway lying between the Station on the North Side of *Great Clyde Street* and the said Joint Line of Railway between *Glasgow* and *Paisley* near *Shiels Bridge* aforesaid (including the said Viaduct) as they shall think fit, and shall, on making thereof, transmit a Copy of the same to the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company; and if such last-mentioned Company shall be dissatisfied with any such Rule, Order, Bye Law,

or Regulation, it shall be lawful for them (if the said Companies cannot agree about the same) to appeal against the same (after giving Three Days Notice to the *Caledonian* Railway Company) to the Decision of the Commissioners of Railways, and the said Commissioners shall thereupon determine the Matter in dispute between the Two Companies, and the Decision of the said Commissioners shall be binding and conclusive on both Parties: Provided always, that it shall be lawful for the said Commissioners, immediately on such Appeal being made to them as aforesaid, to suspend, if they shall so think fit, the Operation of such Rule, Order, Bye Law, or Regulation, or to substitute such other Rule, Order, Bye Law, or Regulation in lieu thereof, as the said Commissioners shall think proper to be acted upon until the final Determination of the said Commissioners upon such Appeal.

Company, if required, to convey Ground for separate Station to Glasgow, Paisley, Kilmarnock, and Ayr Railway Company.

XXVI. And whereas it may be found expedient that a separate Station for the Traffic of the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company should be formed on the North Side of *Great Clyde Street*, in connexion with the said Viaduct: Be it enacted, That it shall be lawful to the *Caledonian* Railway Company and they are hereby required, upon receiving from the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company a Requisition to purchase the whole or any Portion of the Lands which the *Caledonian* Railway Company are by this Act empowered to take, lying between *Argyll Street* and *Great Clyde Street*, to the East of a Line coincident with and in continuation of a Line drawn along the Centre of *Dunlop Street*, to acquire, under the Powers conferred by this Act, the Lands comprehended in such Requisition, and to convey the same, together with any Lands within the foresaid Limits already belonging to the *Caledonian* Railway Company, to the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company, who shall thereupon be bound to reimburse and relieve the *Caledonian* Railway Company of the Price which they may have paid for such Lands, and of any other Costs and Obligations which they may have incurred in relation thereto.

Act not to be operative as regards the Glasgow, &c. Railway Company unless with their Consent.

XXVII. Provided always, and be it enacted, That the Privileges and Obligations hereby conferred and imposed upon the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company shall not take effect unless the Directors of the said last-mentioned Company shall, within Six Weeks after the passing of this Act, give Intimation under their Common Seal to the *Caledonian* Railway Company that they intend to avail themselves of such Privileges.

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

XXVIII. 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*

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 Railway by this Act authorized or the Company from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railway and Company so far as the same shall be applicable thereto. 9 & 10 Vict. cc. 57. 105.

Railways not exempt from Provisions of general Acts.

XXIX. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railways by this or the said recited Acts authorized to be made from the Provisions of any general Act relating to this and the said recited Acts, or of any general Act relating to Railways, now in force or which may hereafter pass during the present or any future Session of Parliament, or from any future Revision 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.

XXX. And be it enacted, That all the Costs, Charges, and Expenses of obtaining and passing this Act, and of making the Survey, Plans, and Estimates, and all other Costs, Charges, and Expenses in any way incident thereto, shall be paid and defrayed by the Company, out of the Money already raised and received, or out of the first Money to be raised and received by them, in preference to any other Payment whatsoever.

Public Act.

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

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