CHAPTER cciii.

An Act to authorise the North British Railway Company to construct certain new Railways in the counties of Dumbarton Lanark and Stirling to widen their Arbroath and Montrose Railway and to execute other works to acquire additional lands to amalgamate the Blane Valley and the Strathendrick and Aberfoyle Railway Companies respectively with the Company to acquire the Port and Harbour of Alloa to purchase the Whiteinch Railway and adapt the same for passenger traffic to vary the powers of the Eyemouth Railway Company and for other purposes. A.D. 1891.

[5th August 1891.]

WHEREAS it is expedient that the North British Railway Company (in this Act called "the Company") should be empowered to construct the new railways widen the railway and execute the other works and exercise the other powers and acquire the additional lands in this Act respectively mentioned and described:

And whereas plans and sections showing the lines and levels of the railways and other works by this Act authorised and plans showing the lands required or which may be taken under the powers of this Act and also books of reference to those plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the said lands were duly deposited with the principal sheriff clerks for the several counties within which the said railways and other works will be made and the said lands are situate and those plans sections and books of reference are in this Act referred to as the deposited plans sections and books of reference:

And whereas it is expedient that further powers should be granted to the Company with respect to the sale lease or other disposal of

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lands acquired by them which are not or eventually may not be required for the purposes of their undertaking:

And whereas it is expedient that the Company should be empowered to raise additional capital for the purposes of the railways and other works by this Act authorised and also for the making and enlargement of stations sidings and other works and conveniences for the accommodation of the traffic on their railways and for the general purposes of their undertaking:

And whereas by the North British Railway Act 1890 the Company were empowered to subscribe the sum of two hundred thousand pounds towards the undertaking of the West Highland Railway Company but the said Act conferred no power on the Company to raise the money necessary for such subscription and it is expedient that such power should by this Act be conferred upon the Company:

And whereas the railway of the Whiteinch Railway Company Limited being a railway from a point on the Stobcross branch of the Company to a point on the north side of the Turnpike Road leading from Glasgow to Dumbarton at or near the boundary between the estates of Scotstoun and Whiteinch (in this Act called "the Whiteinch Railway") has been purchased by trustees in this Act called "the Whiteinch Trustees" on behalf of the Company and it is expedient that the purchase of such railway should be confirmed and that the Whiteinch Railway should become vested in the Company and maintained by them as part of their undertaking and that the Company should be empowered to adapt the said railway and use the same for the purposes of passenger traffic:

And whereas by the Blane Valley Railway Act 1861 the Blane Valley Railway Company (in this Act called "the Blane Valley Company") were incorporated and by the Blane Valley Railway (Extension) Act 1865 further powers were conferred upon the Blane Valley Company:

And whereas the authorised share capital of the Blane Valley Company is seventy-five thousand pounds whereof thirty-three thousand pounds is ordinary capital divided into three thousand three hundred shares of ten pounds each and forty-two thousand pounds is preference capital in four thousand two hundred shares of similar amount the whole of which shares are fully paid up and the said Company have borrowed and now owe on mortgage or bond the sum of twelve thousand five hundred and fifty pounds:

And whereas by the Strathendrick and Aberfoyle Railway Act 1880 the Strathendrick and Aberfoyle Railway Company (in this Act called "the Strathendrick Company") were incorporated:

And whereas the authorised capital of the Strathendrick Company is fifty thousand pounds in five thousand shares of ten pounds each the whole of which are fully paid up and the said Company have borrowed and now owe on mortgage or bond the sum of ten thousand one hundred and seventy-nine pounds one shilling and eightpence:

And whereas it is expedient that the Blane Valley Company and the Strathendrick Company should respectively be amalgamated with the Company upon the terms in this Act mentioned:

And whereas a deed of agreement has been entered into between the trustees of the port and harbour of Alloa herein-after called the Alloa Harbour Trustees and the Company for the purchase by the Company of the undertaking now vested in such trustees and it is expedient that such agreement should be carried into effect and that the port and harbour of Alloa should be transferred to and vested in the Company:

And whereas by the Eyemouth Railway Certificate 1884 the Eyemouth Railway Company (herein called "the Eyemouth Company") were incorporated and were authorised to make a railway from the railway of the Company in the parish of Ayton in the county of Berwick to Eyemouth:

And whereas by such certificate the Eyemouth Company were authorised to raise a capital of thirty thousand pounds in three thousand shares of ten pounds each and they were authorised to borrow the sum of ten thousand pounds:

And whereas the Eyemouth Company have raised by shares the sum of fifteen thousand pounds and have borrowed the sum of five thousand pounds:

And whereas the said railway is about to be opened for public traffic and when open will be worked in perpetuity by the Company:

And whereas a further expenditure is necessary upon the said railway for improved station and other accommodation and in order to provide the funds necessary for such purpose and to pay certain liabilities which the Eyemouth Company have incurred it is expedient that they should be authorised to attach a preferential dividend to six hundred unissued ordinary shares:

And whereas it is expedient that running powers and facilities should be granted to the Midland Railway Company by the Company over so much of the undertaking of the Company as lies between Carlisle and Perth and between Carlisle and Dundee respectively so far as the Company can confer such powers:

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And whereas it is expedient that the Company should be authorised to raise further capital for the purposes of this Act:

And whereas the objects aforesaid cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

Short title.

1. This Act may be cited for all purposes as the North British Railway (General Powers) Act 1891.

Incorporation of general Acts.

2. The Lands Clauses Acts the Railways Clauses Consolidation (Scotland) Act 1845 Part I (relating to construction of a railway) and Part V (relating to amalgamation) of the Railways Clauses Act 1863 and the provisions of the Companies Clauses Consolidation (Scotland) Act 1845 with respect to the several matters following (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 the non-payment 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 giving of notices and the provision to be made for affording access to the special Act and Parts I II and III of the Companies Clauses Act 1863 relating respectively to cancellation and surrender of shares to additional capital and to debenture stock are (except where expressly varied by or inconsistent with this Act) incorporated with and form part of this Act.

Interpretation.

3. In this Act—

The expression "the incorporated Acts" shall mean the Acts and parts of Acts incorporated with this Act:

The expression "the railways" shall mean the railways and widenings of railway by this Act authorised:

The several words and expressions to which meanings are assigned by the incorporated Acts shall have the same respective meanings:

In the incorporated Acts—

The expression "the special Act" shall mean this Act:

The expression "the Company" or "the promoters of the undertaking" shall mean the North British Railway Company:

unless in any of the cases aforesaid there is something in the subject or context repugnant to such construction.

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Power to make railways &c.

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 herein-after described with all proper stations sidings approaches works and conveniences connected 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 herein-before referred to and authorised by this Act are the following:—

A Railway (No. 4) 2 furlongs 4·30 chains or thereabouts in length commencing in the parish of Maryhill in the burgh of Maryhill and county of Lanark by a junction with the Company's Glasgow Dumbarton and Helensburgh Railway and terminating in the parish of New Kilpatrick in the county of Dumbarton at a point within the entrance court of Dawsholm Paper Works:

A Railway (No. 5) 2 furlongs 6·86 chains or thereabouts in length wholly situate in the parish of New Kilpatrick in the counties of Stirling and Dumbarton commencing in the parish of New Kilpatrick in the county of Stirling by a junction with the Company's Glasgow and Milngavie Junction Railway and terminating in the same parish and county at a point ten yards or thereabouts measured in a northerly direction from the centre of the east side of the bridge carrying the public road at Burnbrae Dye Works over the Burnbrae Burn:

A Railway (No. 6) 2 miles 7 furlongs 0·50 chains or thereabouts in length wholly situate in the parish of New Kilpatrick in the counties of Stirling and Dumbarton commencing in the parish of New Kilpatrick in the county of Stirling by a junction with the Company's Glasgow and Milngavie Junction Railway and terminating in the parish of New Kilpatrick in the county of Dumbarton at a point in the field marked No. 16 in the said parish and county on the $\frac{1}{2500}$ Ordnance plan one hundred and thirty yards or thereabouts measured in a south-easterly direction from the south-east corner of the Old Auldmurroch Toll House:

A widening of the Company's Arbroath and Montrose Railway situate wholly in the county of Forfar commencing in the parish of St. Vigeans by a junction with the said Arbroath and Montrose Railway at a point two hundred and seventy yards or thereabouts measured in a north-easterly direction from the junction of the said railway with the Dundee and Arbroath Joint Railway at St. Vigeans and terminating in the parish of

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Craig by a junction with the said Arbroath and Montrose Railway at or near to the south end of the bridge carrying the said railway over the public road leading from Ferryden to Forfar:

Provided that the Company shall not except by agreement enter upon take or use any lands not being public roads or highways or railways required for the purposes of Railways Nos. 4 and 5 and the provisions of the Lands Clauses Acts enabling persons under disability to sell and convey lands shall apply to any purchase and sale of lands for the purpose of the said railways or either of them.

Inclination of roads.

5. 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 therewith respectively (that is to say):—

Railway.	No. on deposited Plan.	Parish.	Description of Road.	Intended Inclination.
6	26	New Kilpatrick	Public road or street	1 in 25 westwards. Nearly level eastwards.
6	40	New Kilpatrick	Public	1 in 20.

Width of certain roads over railway.

6. The Company may make the roadway over the bridges by which the following roads will be carried over the railway of such width between the fences thereof as the Company think fit not being less than the respective widths herein-after mentioned in connexion therewith respectively (that is to say):—

Railway.	No. on deposited Plan.	Parish.	Description of Road.	Width of Roadway.
6	26	New Kilpatrick	Public road or street	35 feet.
6	40	New Kilpatrick	Public	20 feet.
Widening of Arbroath and Montrose Railway	51	St. Vigeans	Public	35 feet.
	75	St. Vigeans	Public	25 feet.
	68	Inverkeillor	Public	25 feet.
	80	Inverkeillor	Public	25 feet.
	31	Lunan	Public	25 feet.
	7	Craig	Public	20 feet.
	27	Craig	Public	25 feet.
	36	Craig	Public	25 feet.
	44	Craig	Public	25 feet.
	51	Craig	Public	25 feet.

Provided always that the Company shall continue the said road numbered 26 on the deposited plans in the parish of New Kilpatrick

from the west side of the bridge carrying the said road over the said Railway No. 6 at the said width of thirty-five feet to the point where such road joins the bridge over the Allander Water.

Height and span of bridges.

7. The Company may make the arches of the bridges for carrying the railway over the roads next herein-after mentioned of any height and span not less than the heights and spans herein-after mentioned in connexion therewith respectively (that is to say):—

Railway.	No. on deposited Plan.	Parish.	Description of Road.	Height.	Span.
Widening of Arbroath and Montrose Railway.	12	St. Vigeans	Public	13 feet	25 feet.
	20	St. Vigeans	Public	15 feet	25 feet.
	30	Inverkeillor	Public	15 feet	35 feet.
	16	Lunan	Public	15 feet	15 feet.
	22	Craig	Public	14 feet	15 feet.

Lands for extraordinary purposes.

8. The Company may take by agreement for the extraordinary purposes mentioned in the Railways Clauses Consolidation (Scotland) Act 1845 any quantity of land not exceeding five acres but nothing in this Act shall exempt the Company from any indictment action or other proceeding for nuisance in the event of any nuisance being caused by them upon any land taken under the powers of this section.

Period for completion of works.

9. If the new railways by this Act authorised to be made are not 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 railways or otherwise in relation thereto shall cease except as to so much thereof as is then completed.

Confirming agreement between Company and the Corporation of Edinburgh.

10. The agreement set forth in the Second Schedule to this Act is hereby confirmed and made binding on the Company and the Corporation of Edinburgh respectively.

For the protection of the Glasgow Corporation Water Commissioners.

11. Whereas in constructing the Railway No. 5 by this Act authorised the Company will require to pass over the four thirty-six-inch main pipes belonging to the Glasgow Corporation Water Works Commissioners leading from Mugdock Reservoir into the city at a point near the Burnbrae Dye Works and that at such a level as will prevent proper access being had to these main pipes Therefore for the protection of the commissioners the Company shall at their own cost be bound to erect and maintain a bridge over the said main pipes of a free height of at least eight feet above the present surface of the ground and of a span equal to the span of

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the Company's existing railway bridge over the said main pipes near the Allander Water all to the reasonable satisfaction of the engineer of the commissioners for the time being or in case of difference between him and the engineer of the Company for the time being to the reasonable satisfaction of an arbitrator to be appointed by the sheriff of the county of Lanark on the application of either the Company or the commissioners.

Works below high-water mark not to be commenced without consent of Board of Trade.

12. The Company shall not under the powers of this Act construct on the shore of the sea or of any creek bay arm of the sea or navigable river communicating therewith where and so far up the same as the tide flows and reflows any work without the previous consent of the Board of Trade to be signified in writing under the hand of one of the secretaries or assistant secretaries of the Board of Trade and then only according to such plan and under such restrictions and regulations as the Board of Trade may approve of such approval being signified as last aforesaid and where any such work may have been constructed the Company shall not at any time alter or extend the same without obtaining previously to making any such alteration or extension the like consents or approvals If any such work be commenced or completed contrary to the provisions of this Act the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the cost and charge of the Company and the amount of such costs and charges shall be a debt due from the Company to the Crown and shall be recoverable accordingly with costs.

Survey of works by Board of Trade.

13. If at any time the Board of Trade deems it expedient for the purposes of this Act to order a survey and examination of a work constructed by the Company on in over through or across tidal lands or tidal water or of the intended site of any such work the Company shall defray the expense of the survey and examination and the amount thereof shall be a debt due from the Company to the Crown and be recoverable accordingly with costs or the same may be recovered with costs as a penalty is recoverable from the Company.

Abatement of work abandoned or decayed.

14. If a work constructed by the Company under the powers of this Act on in over through or across tidal lands or a tidal water is abandoned or suffered to fall into decay the Board of Trade may abate and remove the work or any part of it and restore the site thereof to its former condition at the expense of the Company and the amount of such expense shall be a debt due from the Company to the Crown and be recoverable accordingly with costs or the same

may be recovered with costs as a penalty is recoverable from the Company.

For protection of the Estate of Dalmoak.

15. The lands in the parish of Cardross and county of Dumbarton purchased by trustees for the Company from Patrick Boyle Smollett Esquire of Bonhill extending to seven acres and twenty-five decimal parts of an acre or thereabouts shall unless otherwise agreed in writing between James Aiken of Dalmoak or the proprietor of Dalmoak for the time being and the Company be held and used exclusively by the Company for railway purposes including in such purposes works to be erected and used by the Company for making or repairing locomotives or other railway plant and houses to be erected and occupied by officials or servants of the Company Except the aforesaid seven acres and twenty-five decimal parts of an acre or thereabouts the Company shall not under this Act without the consent in writing of the said James Aiken or the proprietor of Dalmoak for the time being acquire the remaining portion of the lands in the parish of Cardross aforesaid numbered 1 2 3 and 4 on the deposited plans.

Penalty imposed unless the line is opened within the time limited.

16. If the Company fail within the period limited by this Act to complete the new railways which they are by this Act authorised to make the Company shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until the said railways are completed and opened for the public conveyance of passengers or until the sum received in respect of such penalty amounts to five per cent. on the estimated cost of the works and the said penalty may be applied for by any landowner or other person claiming to be compensated or interested in accordance with the provisions of the next following section of this Act and in the same manner as the penalty provided in section three 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 of the Queen's and Lord Treasurer's Remembrancer on behalf of the Court of Exchequer in Scotland in the bank 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 was prevented from completing or opening the railways 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 Provided also that no penalty

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shall accrue in respect of Railway No. 4 or Railway No. 5 if it shall appear by a certificate to be obtained from the Board of Trade that the Company was prevented by the want of compulsory powers from making such railways or either of them without incurring unreasonable delay inconvenience or expense.

Application of penalty.

17. Every sum of money so recovered by way of penalty as aforesaid shall be applicable and after due notice in the "Edinburgh Gazette" shall be applied towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the railways or of any portion thereof or who have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act and for which injury or loss no compensation or inadequate compensation has 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 is payable or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid has 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 if a receiver has been appointed or the Company is insolvent and has been ordered to be wound up or the railway or railways in respect of which the penalty has been incurred or any part thereof has been abandoned be paid to such receiver or to the liquidator or liquidators of the Company or be applied in the discretion of the court as part of the assets of the Company for the benefit of the creditors thereof and subject to such application shall be repaid to the Company.

Railways to form part of Company's undertaking.

18. Subject to the provisions of this Act the railways and works by this Act authorised to be made and maintained by the Company shall for the purposes of tolls and charges and in all other respects form part of the undertaking of the Company.

Period for compulsory purchase of lands.

19. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act.

As to land in the parish of Old Kilpatrick.

20. In using the lands Nos. 1 to 10 inclusive on the deposited plans in the parish of Old Kilpatrick for the purpose of constructing a station or sidings the Company shall construct such sidings or station so as not to prejudicially interfere with or prevent the construction of the Railway No. 1 authorised by the Lanarkshire

and Dumbartonshire Railway Act 1891 or cause unnecessary expense to such company Provided always that the said railway shall be constructed at or as near as may be to the southern limits of deviation on the deposited plans of the Lanarkshire and Dumbartonshire Railway Company as provided by the Lanarkshire and Dumbartonshire Railway Act 1891 Any difference between the companies arising under the provisions of this section shall be determined by an engineer to be appointed by the Board of Trade upon the application of either company whose decision shall be final and conclusive and the costs of such arbitration shall be paid as the arbitrator shall direct.

Restrictions on displacing persons of labouring class.

21.—(1) The Company shall not under the powers of this Act purchase or acquire in any district within the meaning of the Public Health (Scotland) Act 1867 ten or more houses which after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until the Company—

(A) Shall have obtained the approval of the Secretary for Scotland to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last or for such number of persons as the Secretary for Scotland shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case; and

(B) Shall have given security to the satisfaction of the Secretary for Scotland for the carrying out of the scheme.

(2) The approval of the Secretary for Scotland to any scheme under this section may be given either absolutely or conditionally and after the Secretary for Scotland has approved of any such scheme he may from time to time approve either absolutely or conditionally of any modification in the scheme.

(3) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced:

Provided that the Secretary for Scotland may dispense with the last-mentioned requirement subject to such conditions (if any) as he may see fit.

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(4) Any provisions of any scheme under this section or any conditions subject to which the Secretary for Scotland may have approved of any scheme or of any modifications of any scheme or subject to which he may have dispensed with the above-mentioned requirement shall be enforceable by an order of the Court of Session to be obtained by the Secretary for Scotland.

(5) If the Company acquire or appropriate any house or houses for the purposes of this Act in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Secretary for Scotland by action in the Court of Session and shall be carried to and form part of the Consolidated Fund of the United Kingdom:

Provided that the court may if it think fit reduce such penalty.

(6) For the purpose of carrying out any scheme under this section the Company may appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase such further lands as they may require and for the purpose of any such purchase section ninety of the Public Health (Scotland) Act 1867 shall be incorporated with this Act and shall apply to the purchase of lands by the Company for the purposes of any scheme under this section in the same manner in all respects as if the Company were a local authority within the meaning of that Act and the scheme were one of the purposes of that Act.

(7) The Company may on any lands belonging to them or purchased or acquired under this section or any Provisional Order issued in pursuance of this section erect such dwellings for persons of the labouring class as may be necessary for the purpose of any scheme under this section and may sell demise or let or otherwise dispose of such dwellings and any lands purchased or acquired as aforesaid and may apply for the purposes of this section to which capital is properly applicable or any of such purposes any moneys which they may be authorised to raise or apply for the general purposes of their undertaking:

Provided that all lands on which any buildings have been erected or provided by the Company in pursuance of any scheme under this section shall for a period of twenty-five years from the passing of this Act be appropriated for the purpose of such dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this enactment:

Provided also that the Secretary for Scotland may at any time dispense with all or any of the requirements of this subsection subject to such conditions (if any) as he may see fit.

(8) The Secretary for Scotland may direct any inquiries to be held which he may deem necessary in relation to any scheme under this section and for giving effect to any of the provisions of this section and he and any person appointed by him to hold inquiry shall have and may exercise for any purpose in connexion with any scheme under this section all or any of the powers vested in them respectively under the Public Health (Scotland) Act 1867 in the same manner in every respect as if the preparation and carrying into effect of such scheme were one of the general purposes of that Act.

(9) The Company shall pay to the Secretary for Scotland a sum to be fixed by him in respect of the preparation and issue of any Provisional Order in pursuance of this section and any expenses incurred by him in relation to any inquiries under this section including the expenses of any witnesses summoned by the person appointed to hold any such inquiry and a sum to be fixed by the Secretary for Scotland not exceeding three guineas a day for the services of the person so appointed.

(10) For the purpose of this section the expression "labouring class" includes mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them.

Power to take servitudes &c. by agreement.

22. Persons empowered by the Lands Clauses Acts to sell and convey lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Company any servitude right or privilege not being a servitude of water required for the purposes of this Act in over through 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 servitudes rights and privileges as aforesaid respectively.

Power to Company to acquire additional lands for

23. Subject to the provisions of this Act and in addition to the other lands which they are by this Act authorised to acquire the Company may from time to time enter upon take use and appropriate for the general purposes of their undertaking and works

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general purposes.

connected therewith and for providing increased accommodation all or any of the lands following delineated on the deposited plans and described in the deposited books of reference respectively relating thereto (that is to say):—

Certain lands in the parish of Aberdour in the county of Fife situate at or near the junction of the Company's connecting line from Cowdenbeath Junction to Kelty Junction with their Thornton branch at Cowdenbeath:

Certain lands in the parish of Beath in the county of Fife situate two thousand yards or thereabouts south-east of Kelty Junction on the north side of and adjoining the Company's connecting line of railway from Cowdenbeath Junction to Kelty Junction:

Certain lands in the parish of Cardross in the county of Dumbarton situate between and adjoining the Company's Caledonian and Dumbartonshire Junction Railway and the River Leven and north of and adjoining the Dumbarton Company's Steel Works:

Certain lands in the parish of Old Kilpatrick in the county of Dumbarton situate on both sides of and adjoining the Company's Caledonian and Dumbartonshire Junction Railway on the southern side of and adjoining the highway leading from Glasgow to Dumbarton:

Certain lands in the parishes of St. Cuthbert's and city parish of Edinburgh (St. Mary's) in the royal burgh and county of the city of Edinburgh situate on each side of and adjoining the Company's Edinburgh Leith and Granton branch railway between the Broughton Road and the Water of Leith:

Certain lands in the parish of Lasswade in the county of Edinburgh situate on each side of and adjoining the viaduct which carries the Company's Edinburgh Loanhead and Roslin Railway over the Bilston Burn near Loanhead.

Extending time for sale of superfluous lands.

24. The Company may notwitstanding anything to the contrary contained in the Lands Clauses Acts or in any Act relating to the Company with which those Acts or either of them are or is incorporated retain and hold any lands belonging to them in the parishes mentioned in the First Schedule to this Act which have not yet been applied or are not required for the purposes of the Company but are situate near or adjoining any railway or station of the Company or may in the opinion of the Company be required by them for the purposes of stations sidings or other conveniences for the period of five years from the passing of this Act but at any time during such period of five years the Company may and at the expiration of such period the Company shall sell and dispose of as

superfluous lands all such parts of those lands as shall not have then been applied to or are not then required for the purposes of their undertaking.

Undertakings of Blane Valley and Strathendrick Companies amalgamated with undertaking of Company.

25. As on and from the first day of August one thousand eight hundred and ninety-one (which day is herein-after referred to as "the date of amalgamation") the Blane Valley Company and the Strathendrick Company respectively are hereby dissolved except for the purpose of winding up their affairs and the undertakings of those companies are hereby respectively as from that date amalgamated with the undertaking of the Company:

The vesting of the undertakings of the Blane Valley Company and the Strathendrick Company shall respectively be evidenced by a copy of this Act duly stamped with an ad valorem stamp duty or by a duly stamped deed of conveyance which shall within three months from the first day of August one thousand eight hundred and ninety-one be produced to the Commissioners of Inland Revenue and in default of production the ad valorem stamp duty together with interest at the rate of five pounds per centum per annum from the date of vesting to the date of payment shall be recoverable from the Company with all costs of suit and all costs and charges attending the same.

Saving rights of Postmaster General under Telegraph Act 1878.

26. Nothing in this Act or in the Eyemouth Railway Certificate 1884 shall affect the rights of the Postmaster General under the Telegraph Act 1878 to place and maintain telegraphic lines in under upon along over or across the railways and works comprised in the respective undertakings of the Strathendrick Company and the Eyemouth Company and from time to time to alter such telegraphic lines and to enter upon the lands and works comprised in such undertakings respectively for the purposes in the Telegraph Act 1878 specified and the Postmaster General shall after the passing of this Act be at liberty to exercise all the rights aforesaid notwithstanding that the undertakings of the Strathendrick Company and the Eyemouth Company or either of them are or is owned or worked by the Company or amalgamated with the undertaking thereof.

Amalgamated companies to pay debts and liabilities on revenue account up to date of amalgamation.

27. The Blane Valley Company and the Strathendrick Company respectively shall up to the date of the amalgamation bear pay and satisfy all their engagements and liabilities fairly and properly chargeable against revenue.

As to mortgages and debts of the

28. On and after the date of amalgamation the mortgage debt debenture stock and other capital liabilities of the Blane Valley Company and the Strathendrick Company respectively shall become

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amalgamated companies.

part of the mortgage debt debenture stock and liabilities of the Company but subject and without prejudice to the right of the several holders of such mortgages or bonds or capital liabilities to priority of charge upon the particular undertaking upon which at the date of amalgamation they shall be severally a charge and to all the rights privileges and remedies belonging or incidental to such mortgages or bonds or liabilities and the powers of the Company for borrowing and re-borrowing on mortgage and as to the issue of debenture stock may from time to time be exercised so as to include the borrowing and re-borrowing as part of their general debenture debt of any moneys which the Blane Valley Company and the Strathendrick Company respectively were immediately before the date of amalgamation authorised to borrow and the Company may from time to time redeem the same or any part thereof by the creation and issue of debenture stock of the Company.

Holders of ordinary stock in amalgamated companies to receive par value in cash.

29. On and after the date of amalgamation the Company shall pay to each holder of ordinary stock in the capital of the Blane Valley Company and the Strathendrick Company respectively a sum of one hundred pounds in cash for every one hundred pounds nominal value of such stock held by him and so in proportion for any greater or less sum and the Company may apply to the purposes of such payments any moneys for the time being in their hands or which they have power to raise under this or any other Act and which may not be required for the purposes if any to which they are by such Act made applicable.

Blane Valley Four and a Half per Cent. Preference Stock to become North British Four and a Half per Cent. Preference Stock.

30. On and after the date of amalgamation the four pounds ten shillings per centum preference stock in the capital of the Blane Valley Company shall be converted into and shall become preference stock of the Company entitled to a dividend at the same rate and ranking according to the date of its creation.

Capital of Company to be increased to give effect to amalgamation.

31. On and after the date of amalgamation the capital of the Company shall by authority of this Act be increased by addition thereto in the manner and to the extent necessary to give effect to the provisions of this Act.

Certificates of preference stock of Blane Valley Company to be exchanged.

32. On and after the date of amalgamation every proprietor of preference stock in the Blane Valley Company shall upon the delivery of the certificates for the same to the Company be entitled to receive and shall receive in the stead thereof certificates of a like amount of four and a half per cent. preference stock of the Company and the certificates with respect to the Blane Valley Company's capital shall upon such exchange be cancelled.

Provisions as to lost certificates.

33. If the certificate for any stock in the Blane Valley Company or the Strathendrick Company be lost or destroyed then upon proof thereof and upon an indemnity being given against any claim in respect of such lost or destroyed certificate to the satisfaction of the directors of the Company they shall deliver to the person entitled to such certificate cash or a certificate for stock as the case may be to which he would be entitled under this Act as if such first-mentioned certificate had not been lost or destroyed.

Substituted stock to be held on same trusts as Blane Valley stock for which it is substituted.

34. All four and a half per cent. preference stock of the Company issued to holders of preference stock in the Blane Valley Company under the powers of this Act shall be held subject to the same trusts and obligations as those upon or to which the stock in the Blane Valley Company in respect of which such stock is substituted were immediately before the date of amalgamation held or subject and so as to give effect to and not revoke any deed or other instrument or any testamentary or other disposition of or affecting any such shares or stock in the Blane Valley Company's capital and every such deed or other instrument or testamentary disposition affecting such stock shall take effect with reference to the whole or a proportionate part as the case may be of the stock so substituted therefor.

As to revenue debts and liabilities of amalgamated companies.

35. As between the Company and the Blane Valley and the Strathendrick Companies those companies shall respectively discharge all their revenue debts and liabilities and out of the balance standing to the credit of their revenue account and they shall hand over to the Company the amount of any unclaimed dividends.

Vesting Whiteinch Railway in Company.

36. As and from the first day of August one thousand eight hundred and ninety-one the railway of the Whiteinch Railway Company Limited and all lands stations works and conveniences connected with such railway with the exception only of the tramway shall for all the estate and interest of the Whiteinch Trustees be transferred to and become vested in the Company and such railway shall thenceforth for the purposes of tolls rates and charges and for all other purposes whatsoever be maintained by the Company as part of their undertaking and the Company shall be bound to implement perform and fulfil the whole obligations burdens conditions and claims specified or referred to in the disposition in favour of the trustees dated the twenty-fifth day of January one thousand eight hundred and eighty-one and subsequent dates and recorded in the division of the general register of sasines applicable to the county of the barony and regality of Glasgow on the eighth day of February one thousand eight hundred and eighty-one and the

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Company may make such alterations on the said railway situated to the north of the highway from Glasgow to Dumbarton as may be necessary in order to adapt the same for the purposes of passenger traffic.

For protection of police commissioners of Partick.

37. For the protection of the commissioners of police of the burgh of Partick (herein-after called "the commissioners") the following provisions shall have effect viz.:—

(A) The Company shall be bound as and when the feuing of the lands abutting on the railway has so far advanced as to require through communication to allow the commissioners either themselves or in conjunction with any other local authority or person to build a bridge or bridges not exceeding two in number of a width of thirty feet between the parapets over the Whiteinch Railway according to plans to be reasonably approved of by the Company's engineer and at such points as may be arranged between them and the commissioners between the continuation of the road forming the northern boundary of Victoria Park and Crow Road for the accommodation of the public and the Company shall contribute one third of the cost of construction of such bridge or bridges and the approaches thereof;

(B) The Company shall be bound forthwith as regards Dumbarton Road and all roads and streets to the south thereof on which tramways are laid to put the tramway and the space between the rails and a distance of one foot six inches on each side thereof into a satisfactory state of repair and thereafter to maintain the same to the reasonable satisfaction of the commissioners;

(C) Without prejudice to any statutory rights and powers possessed by the commissioners the Company shall give all necessary access and facilities to the commissioners or others duly authorised by them for the repair or renewal of the existing sewers in South Street or in any other streets on which tramway lines are or may be laid and for the construction in the said streets of any new sewers or of any other necessary works in connexion with any department administered by the commissioners and the commissioners in the exercise of the powers of this section shall not be liable for any loss or damage which may be occasioned to the Company or the said tramways or for any stoppage of traffic thereon by the operations of the commissioners unless such damage or stoppage shall have been caused by the default or neglect of the commissioners;

(d) Any dispute or difference arising between the Company and the commissioners with regard to the carrying out the provisions of this section shall be referred to the sheriff of the county of Lanark whose decision shall be final and binding on all parties.

Company to construct bridge on lands of Scotstoun.

38. From and after the passing of this Act the Company shall be bound to form a bridge over the Whiteinch Railway of such dimensions between the parapets and with such approaches and otherwise as shall be required by James Gordon Oswald of Scotstoun or the proprietor of the said lands for the time being and at such point as he or they may fix The cost of the said bridge and the approaches thereto shall be borne by the Company and by the said James Gordon Oswald or his successors as follows (namely) The Company shall pay the cost of the same so far as applicable to a bridge of twenty feet between the parapets and the said James Gordon Oswald or his foresaids shall pay the balance of the cost of the same so far as the said bridge and approaches shall exceed twenty feet and the said bridge and the approaches thereto which shall not be of steeper inclinations than one in twenty-five shall be made with the usual proportion of footpath and otherwise in similar manner to the other roads for the use of feuars on the estate of Scotstoun.

Transfer to and vesting in Company port and harbour of Alloa.

39. From and after the passing of this Act the whole undertaking of the trustees of the port and harbour of Alloa (herein-after in this Act called "the trustees") comprehending the port and harbour of Alloa and wet dock there all as presently vested in the trustees and all the rights powers jurisdictions authorities and privileges of and exerciseable by the trustees under and in virtue of the Alloa Harbour Consolidation Act 1872 the Alloa Harbour Act 1878 and the Alloa Harbour Act 1889 (which Acts are herein-after called "the Alloa Harbour Acts") shall be and the same are hereby transferred to and vested in and may be held and exercised by the Company subject to the whole debts liabilities duties contracts obligations and engagements of the trustees but subject as regards their mortgage debt to the provisions herein-after contained and the Company shall at no time close the said harbour or dock but shall in all time coming keep the same open and fit for public traffic.

Consideration for such transfer.

40. As the consideration for such transference and vesting the Company shall subject as herein-after provided pay and discharge the whole mortgage debt of the trustees as at the passing of this Act and shall also pay and discharge all other debts and liabilities

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of the trustees and the whole duties contracts obligations and engagements of the trustees contained in or for which they have become or are in any way liable or responsible under the Alloa Harbour Acts or otherwise in relation to the port and harbour of Alloa as at the passing of this Act shall be undertaken by the Company and the trustees shall be and are hereby wholly freed and relieved of and from their said mortgage debt debts liabilities duties contracts obligations and engagements Provided that the Company shall only be liable to the holders of bonds granted by the trustees under the Alloa Harbour Consolidation Act 1872 after the passing of the Alloa Harbour Act 1878 and under the last-named Act to the extent of eighty per centum of the principal sums secured by such bonds which the Company shall pay on demand therefor by such holders.

Company to complete works authorised by Alloa Harbour Act 1889.

41. Within seven years from the passing of the Alloa Harbour Act 1889 the Company shall make the principal works described in section four of that Act and with the consent in writing of the Board of Trade shall execute the several works mentioned in section thirteen of the said Act and the said principal works shall thereafter be maintained and the works mentioned in the said section thirteen shall thereafter from time to time be executed by the Company.

Rates on vessels entering Light.

42. The Company shall not impose or levy on or from vessels entering the port or harbour of Alloa Light for the purpose of loading tonnage rates exceeding the lowest rates imposed and levied for the time being in similar circumstances at the ports of Methil Burntisland or Borrowstounness.

If representation made by Earl of Mar and Kellie or commissioners of police of Burgh of Alloa as to method of carrying on trade of Harbour Company to give effect to decision of sheriff.

43. In the event of any representation made to the Company by the Earl of Mar and Kellie or his successors in estate or the commissioners of police of the burgh of Alloa with reference to the method of carrying on the trade of the harbour of Alloa or upon any matter connected with the management of the harbour not being given effect to by the Company within one month from the date when any such representation has been so made the same shall be disposed of either by the sheriff of the county of Edinburgh or the sheriff of the county of Lanark as sole arbiter on the application of either the said earl or his successor for the time or the said commissioners of police and the decision of such sheriff shall be final and the Company shall give effect to such decision accordingly within a period to be prescribed by such sheriff in that behalf.

Power to apply funds to purposes

44. The Company may from time to time apply to the purposes of carrying into effect the transfer and vesting of the said port and

harbour and of discharging such of the liabilities of the Alloa Harbour Trustees as are under the provisions of this Act to be defrayed by the Company and of carrying out and completing the said works authorised by the Alloa Harbour Act 1889 being in all cases purposes to which capital is properly applicable any moneys for the time being in their hands or which they have power to raise under this or any other Act and which may not be required for the purposes (if any) to which they are by such Act made applicable.

of Alloa Harbour vesting.

45. The transfer to the Company of the said port and harbour shall be effected by a proper deed of conveyance in which the purchase or consideration money deducting therefrom all moneys due on bonds or mortgages affecting the same shall be fully and truly stated and set forth and such deed shall be duly stamped with the proper ad valorem stamp duty on such consideration.

Transfer to be by deed.

46. The Company shall within three months from the date of the transfer and vesting in them of the said port and harbour produce the said deed of conveyance duly stamped as aforesaid to the Commissioners of Inland Revenue and in default of such production the ad valorem stamp duty with interest thereon at the rate of five pounds per centum per annum from the date of such transfer and vesting to the day of payment shall be recoverable from the Company with full costs of suit and all costs and charges attending the same.

Production by purchaser of conveyance to Commissioners of Inland Revenue.

47. The Eyemouth Company may with the consent of three fourths of the shareholders of such company present in person or by proxy at a special general meeting duly convened for the purpose attached to six hundred unissued ordinary shares in their capital a preferential dividend not exceeding the rate of five pounds per centum per annum and the provisions contained in Part II of the Companies Clauses Act 1863 relating to "preference shares or stock" shall apply to the said shares as though they were "additional capital."

Eyemouth Company may attach preference to unissued shares.

48. The Company may raise and apply to the purposes of this Act to which capital is properly applicable any money which they are authorised to raise by any other Act and which may not be required for purposes to which by that Act it is authorised to be applied.

Power to apply existing authorised capital.

49. The Company may subject to the provisions of Part II of the Companies Clauses Act 1863 for the purpose of their subscription to the undertaking of the West Highland Railway Company raise by the creation and issue at their option of new ordinary

Power to Company to raise capital by shares or stock for subscription

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to West Highland Company.

shares or stock or new preference shares or stock or new preference shares or stock convertible into ordinary preference stock and ordinary stock or wholly or partially by one or more of those modes respectively any additional capital not exceeding two hundred thousand pounds.

Power for Company to raise capital by shares or stock.

50. The Company may subject to the provisions of Part II of the Companies Clauses Act 1863 for the purposes of this Act and for other purposes of their undertaking raise by the creation and issue at their option of new ordinary shares or stock or new preference shares or stock or new preference shares or stock convertible into ordinary preference stock and ordinary stock or wholly or partially by one or more of those modes respectively any additional capital not exceeding in the whole two hundred and fifty thousand pounds.

Shares of Company not to be issued until one fifth part thereof shall have been paid up.

51. The Company shall not issue any share of less nominal value than ten pounds nor shall any share or stock 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 or the whole of such stock shall have been paid in respect thereof.

Extending provisions of Act of 1888 to preference stock convertible into ordinary stock.

52. All preference shares or stock convertible into ordinary preference stock and ordinary stock created and issued under the provisions of this Act or any Act or Acts relating to the Company may by agreement with the holders thereof be converted on the same terms and subject to the like conditions as all preference shares or stock convertible into ordinary preference stock and ordinary stock authorised to be created and issued under the North British Railway Act 1888.

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

53. 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:

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

Dividends on new shares or stock.

54. Every person who becomes entitled to 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.

Restriction as to votes in respect of preferential shares or stock.

55. Except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of any new shares or stock to which a preferential dividend shall be assigned.

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

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

Calls.

57. Twenty per centum on the amount of any share shall be the greatest amount of any call which may be made thereon and there shall be an interval of not less than three months between any two successive calls and the Company shall not call up more than three fourths of a share in any year.

Power to borrow.

58. The Company may in respect of the additional capital of two hundred and fifty thousand pounds which they are by this Act authorised to raise from time to time borrow on mortgage of the undertaking any sum not exceeding in the whole eighty-three thousand pounds but no part thereof shall be borrowed until shares for so much of the said additional capital as is to be raised by means of shares are issued and accepted and one half of such capital 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 shares for the whole of such capital have been issued and accepted and that one half of such capital has been paid up and that not less than one fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof and until stock for one half of so much of the said additional capital as is to be raised by means of stock is fully paid up and the Company have proved to such sheriff as aforesaid before he so certifies that such shares or stock as the case may be were issued and accepted and to the extent aforesaid paid up bonâ fide and are held by the persons or corporations to whom the same were issued or their executors administrators successors or assigns and also

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so far as the said additional capital is raised by shares that such persons or corporations or their executors administrators successors or assigns 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.

Provisions of Act of 1890 as to appointment of a receiver or judicial factor repealed.

59. The provisions of the North British Railway Act 1890 authorising the appointment of a receiver or judicial factor for principal or interest moneys due upon any mortgages of the Company are hereby repealed but subject and without prejudice to any appointment of a receiver or judicial factor or proceedings taken under or by virtue of such provisions and in force or pending at the time of the passing of this Act.

For appointment of a receiver or judicial factor.

60. The mortgagees of the Company may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver or judicial factor In order to authorise the appointment of a receiver or judicial factor in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver or judicial factor is made shall not be less than ten thousand pounds in the whole.

Existing mortgages to have priority.

61. All mortgages 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 as regards the undertaking comprised in and assigned by such mortgages and subject to the provisions of the Acts under which such mortgages were respectively granted have priority over all mortgages to be 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.

Debenture stock.

62. And whereas the Company have not yet exercised their power of consolidating debenture stocks under the North British Railway Act 1890 as extended by this Act The Company may create and issue debenture stock subject to the provisions of Part III of the Companies Clauses Act 1863 and such debenture stock shall rank pari passu with any debenture stock which may be consolidated under the powers of the said Act of 1890 as extended by this Act.

Application of money raised under Act.

63. All moneys raised under this Act whether by shares or stock or debenture stock or by borrowing shall be applied only for the purposes of this Act or to purposes to which capital is properly applicable.

Extending time for consolidation of debenture stock.

64. Whereas it is expedient to extend the period fixed by the North British Railway Act 1890 for the consolidation of the different classes of debenture stock of the Company Be it therefore enacted that section thirty-two of the said Act the marginal note of which is "Providing for consolidation of debenture stocks" shall be read and have effect as if the words "one thousand eight hundred and ninety-two" had been inserted therein instead of the words "one thousand eight hundred and ninety."

Extending running powers &c. over widening of Arbroath and Montrose Railway.

65. All running powers facilities rights privileges and restrictions which extend and apply to the Company's Arbroath and Montrose Railway and stations thereon shall extend and apply to the widening of the said railway by this Act authorised and the stations thereon and shall remain and continue in full force in respect of the said railway as so widened and stations thereon.

Running powers and facilities to Midland Railway Company.

66. The running powers and facilities conferred upon the Midland Railway Company over certain portions of the Company's undertaking by section six of the Forth Bridge Railway Act 1878 are hereby extended to the whole of the Company's undertaking between the northern terminus of the Forth Bridge Railway and Dundee and between such terminus and Hilton Junction and the terms on which the said running powers and facilities shall be exercised shall be those on which the Midland Railway Company under their existing agreements and arrangements with the Company are entitled to exercise running powers and facilities over the other portions of the railway of the Company.

For the protection of the Caledonian Railway Company.

67. If the Caledonian Railway Company at any time make application to Parliament for powers for the improvement or extension of the Harbour Dock Pier or wharfage accommodation at or near South Alloa or execute or propose to execute any such works at or near that place the Company shall not oppose such application or the execution of such works and they shall not have or claim to exercise facilities or powers of any kind over or in respect of such extended or improved works.

Saving facilities as to East Coast traffic.

68. Whereas by the North British and Edinburgh and Glasgow Railway Companies Amalgamation Act 1865 the facilities powers privileges and provisions by that Act granted secured and provided as regards the traffic therein described as "East Coast traffic" excepting as therein mentioned are extended and applied to any railway in extension of or connected with the railways in that Act described as "the North British Lines" which shall belong or be leased to the North British Railway Company either solely or jointly with any other company in all respects as if such railway

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had been part of the North British Lines Be it enacted that the North-eastern Railway Company and the Great Northern Railway Company shall be entitled to exercise and enjoy over and with relation to the railways and widenings by this Act authorised the same facilities powers and privileges as are by the said Act provided in relation to East Coast traffic over and with relation to the North British Lines excepting always that the running powers by that Act conferred on the said companies shall not extend to the railways by this Act authorised.

Saving rights of the Crown in the foreshore.

69. Nothing contained in this Act shall authorise the Company to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any right in respect thereof belonging to the Queen's most Excellent Majesty in right of Her Crown and under the management of the Board of Trade without the previous consent in writing of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may give) neither shall anything in this Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exercisable by the Queen's Majesty Her heirs or successors.

Any land reclaimed by the works not to be taken without the consent of the Board of Trade.

70. If in the course or by means of the execution of any of the works by this Act authorised any part of the shores or bed of Dumbarton Harbour belonging to Her Majesty shall be inned gained or reclaimed from the water the said Company shall not have or exercise any right upon the same or in respect thereof and shall not enter upon take use or interfere with the land so inned gained or reclaimed for any purpose whatsoever without the consent in writing of the Board of Trade on behalf of Her Majesty but such inning gaining or reclamation shall enure absolutely for the benefit of the Queen's Majesty Her heirs and successors.

Interest not to be paid on calls paid up.

71. No interest or dividend shall be paid out of any share or loan capital which the Company are by this or any other Act authorised to raise 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.

Deposits for future Bills not to be paid out of capital.

72. 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.

Provision as to general Railway Acts

73. Nothing in this Act contained shall exempt the Company and 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 to be taken by the Company.

Costs of Act.

74. 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.

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The SCHEDULES referred to in the foregoing Act.

FIRST SCHEDULE.

LIST of PARISHES in which Lands belonging to but not yet applied to the purposes of the Company are situated.

County.	Parish.
Edinburgh - -	Borthwick Cramond Collinton Currie Cranston Crichton Kirkliston Kirknewton Midcalder Newbattle.
Haddington - -	Innerwick North Berwick Pencaitland Prestonpans Whitekirk.
Berwick - -	Buncle Mordington.
Peebles - -	Innerleithen Traquair.
Selkirk - -	Innerleithen Stow Yarrow.
Roxburgh - -	Crailing Eckford Galashiels Kelso Lilliesleaf Minto St. Boswells.
Northumberland -	Plashetts Thornyburn Tarsett Wellhaugh Wark.
Cumberland - -	Aitkton Beaumont Burgh-by-Sands Caldewgate Grinsdale Kingmoor Kirkandrews-upon-Eden.
Lanark - -	Bothwell Blantyre Carnwath Hamilton Shotts Maryhill Cadder.
Dumbarton - -	Dumbarton.
Stirling - -	Alva Balfron Slamannan Kilsyth Campsie New Kilpatrick Baldernock.
Linlithgow - -	Abercorn Carriden Livingstone South Queensferry.
Kinross - -	Portmoak.
Perth - -	Perth.
Forfar - -	Craig Dun Inverkeillor Lunan Maryton Montrose St. Vigeans.

SECOND SCHEDULE.

MINUTE of AGREEMENT between the NORTH BRITISH RAILWAY COMPANY (herein-after called "the Company") on the one part and the LORD PROVOST MAGISTRATES AND COUNCIL OF THE CITY OF EDINBURGH (herein-after called "the Corporation") on the other part.

WHEREAS the Company are promoting in the present session of Parliament a Bill under the short title of the North British Railway (General Powers) Act

1891 and by which the Company take power to acquire a part of the lands of Powderhall belonging to the Corporation for the purpose of providing a passenger station:

And whereas the Company intend to erect on the said lands a station for the accommodation of passengers and it has been agreed between the Company and the Corporation as follows:—

First.—The Corporation shall sell and the Company shall purchase at the price of two hundred and seventy-five pounds a part of the said lands extending to one quarter of an acre or as shown on a plan dated first August one thousand eight hundred and ninety prepared by the Company's engineer.

Second.—The Company shall in connexion with the erection of the said station widen Broughton Road where that road is carried over the line of the Company's Edinburgh Leith and Granton Branch Railway in manner following (that is to say) The station buildings shall be set on columns and the space between the buildings and the said road covered over so as to form a footpath between the road and the intended station as shown in blue on the said plan dated first August one thousand eight hundred and ninety prepared by the Company's engineer and signed as relative hereto.

Third.—The Company shall be bound to construct and complete the said station within three years after the date of the passing of the Act.

Fourth.—The Corporation may if they think fit at any time and from time to time but only with the previous consent of the Company so far as it applies to the lands of the Company plant the sloping banks abutting on the public park of Powderhall with trees and shrubs and maintain such shrubs and trees.

Fifth.—This agreement shall be subject to the approval of Parliament and be scheduled to and confirmed by the Act In witness whereof this agreement is signed on behalf of the Company by George Bradley Wieland secretary of the Company and on behalf of the Corporation by John Charles Dunlop one of the magistrates of Edinburgh both at Westminster the eighth day of June one thousand eight hundred and ninety-one before these witnesses Andrew Beveridge parliamentary agent Westminster and Thomas Balfour clerk to the Company.

AND. BEVERIDGE
Witness.

THO. BALFOUR
Witness.

G. B. WIELAND
Secy. N. B. Ry. Coy.

JOHN C. DUNLOP B.
For the Corporation.

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