



## CHAPTER clx.

An Act to confer further powers on the Caledonian Railway Company in relation to their Undertaking to confer running powers and facilities on the Caledonian Railway Company and the Glasgow and South Western Railway Company over certain Railways of those Companies respectively to extend the time for the sale of superfluous lands of the Cathcart District Railway Company to revive and extend the time for the purchase of lands for and for the completion of certain Railways and Works of the Caledonian Railway Company and the Railways and Works authorised by the Dumbarton and Balloch Joint Line &c. Act. 1892 and for other purposes. A.D. 1896.

[20th July 1896.]

**W**HEREAS it is expedient that the Caledonian Railway Company (in this Act called "the Company") should be authorised to make and maintain the railways in the counties of Lanark Ayr and Perth and to acquire and hold the lands in the counties of Stirling and Lanark herein-after described and that the Company should be empowered to stop up the level crossings over their Doune and Callander Branch Railway at Doune Station herein-after mentioned:

And whereas the railways in the counties of Lanark and Ayr or some of them by this Act authorised will communicate with the railways of the Glasgow and South Western Railway Company in the county of Ayr and by an agreement in reference to such railways made the nineteenth day of November one thousand eight hundred and ninety-five between the Company and the Glasgow and South Western Railway Company (a copy of which is set forth in the First Schedule to this Act) it was agreed between those companies that running powers and facilities should be conferred on the Company over such of the railways of the Glasgow and South Western Railway Company and on the Glasgow and South

A.D. 1896. — Western Railway Company over such of the railways of the Company in the counties of Lanark and Ayr by this Act authorised as are herein-after respectively specified and that the Glasgow and South Western Railway Company should be entitled to acquire the portion of the railway by this Act authorised between the authorised railway of the Glasgow and South Western Railway Company at Darvel and the boundary of the counties of Lanark and Ayr (being Railway No. 3 by this Act authorised) within the period and on the terms herein-after mentioned and certain other arrangements were made in reference to the said railways as in the said agreement contained and it is expedient that provisions should be made for giving effect to such agreement :

53 & 54 Vict. c. clxvi. And whereas by the Forfar and Brechin Railway Act 1890 (in this Act called "the Forfar Act of 1890") the Forfar and Brechin Railway was authorised and by the Caledonian Railway Act 1894 (in this Act called "the Act of 1894") that undertaking was transferred to and now belongs to the Company :

And whereas in the construction of the Forfar and Brechin Railway through the parishes of Fearn Careston and Brechin in the county of Forfar a portion of the Railway No. 1 authorised by the Forfar Act of 1890 has been deviated from the line authorised by that Act and it is expedient that such deviation should be sanctioned and that the Company should be authorised to abandon that portion of the said Railway No. 1 for which such deviation has been substituted and also to abandon Railway No. 3 authorised by the Forfar Act of 1890 which has become unnecessary in consequence of the Forfar and Brechin Railway being now part of the undertaking of the Company :

And whereas it is expedient to extend the time for the sale of the superfluous lands of the Cathcart District Railway Company :

55 & 56 Vict. c. clxx. And whereas it is expedient that the period limited by the Dumbarton and Balloch Joint Line &c. Act 1892 (in this Act called "the Balloch Act of 1892") for the compulsory purchase by the Company the North British Railway Company and the Lanarkshire and Dumbartonshire Railway Company of lands for the purposes of the railways and road authorised by that Act and the works connected therewith should be revived and extended and that the period limited by the same Act for the completion of the said railways and road should also be extended :

54 & 55 Vict. c. cxliii. And whereas it is expedient that the period limited by the Caledonian Railway (Additional Powers) Act 1891 (in this Act called "the Act of 1891") for the compulsory purchase of lands for the purposes of the railways authorised by that Act and therein called Railways Nos. 4 and 5 and the works connected with such

railways should be also revived and extended and that the period limited by the same Act for the completion of the said railways should be likewise extended : A.D: 1896.

And whereas it is expedient that the period limited for the completion of the dredging deepening and improvement of the navigation of the River Carron authorised by the Caledonian Railway (Grangemouth Harbour) Act 1876 (in this Act called "the Grangemouth Act of 1876") should also be extended : 39 & 40 Vict.  
c. xlviii.

And whereas under the powers of the Cathcart District Railway Act 1890 the Company subscribed to the undertaking of that company the sum of one hundred thousand pounds and under the powers of the Lanarkshire and Ayrshire Railway (Capital Powers) Act 1888 the Company took B Debenture Stock of that company to the nominal amount of one hundred thousand pounds and under the powers of the Lanarkshire and Ayrshire Railway Act 1892 they also took C Debenture Stock of that company to the nominal amount of fifty thousand pounds : 53 Vict.  
c. xix.  
51 & 52 Vict.  
c. xxix.  
55 & 56 Vict.  
c. lxxviii.

And whereas in accordance with the terms under which the Company subscribed the said moneys to the undertakings of the Cathcart District Railway Company and of the Lanarkshire and Ayrshire Railway Company respectively the said moneys have now been refunded to the Company and the sum of two hundred and fifty thousand pounds being the aggregate amount of the money so subscribed and refunded is now in the hands of the Company and it is expedient that provision should be made for the application thereof :

And whereas the Company have already expended and will require still to expend in the construction of their Glasgow Central Railway and on other works connected with their undertaking moneys in excess of the capital already authorised by Parliament and it is expedient that the Company should be authorised to raise or provide money to meet such expenditure :

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

And whereas it is expedient that the other powers and provisions in this Act contained should be conferred on or made in relation to the Company and their undertaking :

And whereas plans and sections showing the lines and levels of the railways authorised by this Act and the lands which may be taken for the purposes of this Act and books of reference 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 of the counties of Lanark Ayr Perth and

A.D., 1896. Stirling respectively and are herein-after respectively referred to as the deposited plans, sections and books of reference :

And whereas the purposes of this Act cannot be effected without the authority of Parliament :

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

Short title. **1.** This Act may be cited for all purposes as the Caledonian Railway Act 1896.

Incorporation of Acts. **2.** The Lands Clauses Acts the Railways Clauses Consolidation (Scotland) Act 1845 Part I. (relating to construction of a railway) and Part II. (relating to extension of time) of the Railways Clauses Act 1863 the provisions of the Companies Clauses Consolidation (Scotland) Act 1845 with respect to the following matters (that is to say) the distribution of the capital of the Company into shares the transfer or transmission of shares the payment of subscriptions and the means of enforcing the payment of calls the forfeiture of shares for 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 general meetings of the Company and the exercise of the right of voting by the shareholders the making of dividends and the giving of notices and Part I. (relating to cancellation and surrender of shares) Part II. (relating to additional capital) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 as amended by the Railway Companies (Scotland) Act 1867 are (except where and as expressly varied by this Act) incorporated with and form part of this Act and all the provisions of the Companies Clauses Consolidation (Scotland) Act 1845 so incorporated with this Act which relate to stock into which shares in the capital of the Company have been converted or consolidated shall apply to the stock which the Company are by this Act authorised to issue and to the holders thereof and the provisions of the Caledonian Railway (Conversion of Stock) Act 1890 shall apply to any ordinary stock created and issued under the authority of this Act.

Interpretation. **3.** In this Act unless there be something in the subject or context repugnant to such construction—

The several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings ;

The expression "the Company" means the Caledonian Railway Company; A.D. 1896.

The expression "the South Western Company" means the Glasgow and South Western Railway Company:

In the Acts wholly or partially incorporated with this Act—

The expressions "the company" and "the promoters of the undertaking" mean the Company;

The word "schoolmasters" means clerks of parish councils or persons acting as such clerks;

The expressions "the railway" "works" and "the undertaking" mean the railways by this Act authorised or any of them;

The expression "the special Act" means this Act.

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 junctions roads approaches and other works and conveniences in connexion therewith 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 (that is to say):—

Power to make railways and take lands for purposes thereof.

(1) A railway (herein-after called Railway No. 1) nine miles two furlongs and one hundred and ninety-three yards in length commencing by a junction with the Company's Stonehouse Branch Railway at the termination of that branch at Cotcastle and terminating on the boundary between the counties of Lanark and Ayr at a point about three hundred and thirty yards south-westwards from the south-west corner of the farmhouse of Lochgate:

(2) A railway (herein-after called Railway No. 2) one mile four furlongs and seventy-nine yards in length commencing by a junction with the Company's Strathaven Branch Railway at a point about one hundred and forty-five yards northwards from the centre of the level crossing of that branch at or near Whiteshawgate Farm and terminating by a junction with Railway No. 1 at a point about eighty-five yards westwards from the junction of Todhill Street and South Townend Street in the village of Strathaven:

(3) A railway (herein-after called Railway No. 3) four miles one furlong and eighty-eight yards in length commencing by a junction with Railway No. 1 at the point of termination of that railway herein-before described and terminating by a junction with the Darvel Branch Railway now in course of construction of the South Western Company at a point on that branch about five hundred and twenty yards westwards from

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the centre of the bridge carrying the road from Darvel to Strathaven over the Glen Water :

- (4) A railway (herein-after called Railway No. 4) three miles six furlongs and one hundred and forty-six yards in length commencing by a junction with the Company's Stonehouse Branch Railway at a point about four hundred and thirty yards north-eastwards from the termination thereof at Cotcastle and terminating by a junction with the Company's Blackwood Branch Railway at a point about five hundred and twenty yards northwards from the termination of that branch :
- (5) A railway (herein-after called Railway No. 5) two miles five furlongs and one hundred and sixty-five yards in length commencing by a junction with the Company's Blackwood Branch Railway at a point about four hundred and thirty-seven yards northwards from the termination of that branch and terminating in the village of Lesmahagow at a point about two hundred and fifty yards northwards from the north-east corner of the Jubilee Hall in that village :
- (6) A railway (herein-after called Railway No. 6) two miles two furlongs and seventy-seven yards in length commencing by a junction with Railway No. 5 at a point about six hundred and fifty yards northwards from the north-east corner of the Jubilee Hall in the village of Lesmahagow and terminating by a junction with the Company's Lesmahagow Branch Railway at a point about one hundred and forty yards measuring along that branch southwards from the centre of the bridge carrying the road from Glasgow to Carlisle over that branch :
- (7) A railway (herein-after called Railway No. 7) two miles three furlongs and seventy-six yards in length commencing by a junction with the Company's Lesmahagow Branch Railway at a point about ten yards eastwards from the centre of the bridge carrying the road from Hamilton to Lanark across that branch railway and terminating by a junction with the said branch railway at a point about fifty yards south-eastwards from the centre of the bridge carrying the said branch railway over the public road at Ayr Road Station :
- (8) A railway (herein-after called Railway No. 8) four miles one furlong and two chains in length commencing by a junction with the Company's Spireslack Branch Railway at a point about one hundred and seventy yards eastwards from the centre of the culvert carrying that branch over the Galawhistle Burn and terminating by a junction with the Company's Muirkirk Branch Railway at a point about six hundred yards measuring along that branch north-eastwards from the centre of the culvert carrying that branch over the Auldhouse Burn :

(9) A railway (herein-after called Railway No. 9) three furlongs and sixty-four yards in length being a widening of a portion of the Company's Doune and Callander Branch Railway commencing by a junction with that branch railway at a point about three hundred and sixty yards westwards from the north-west corner of the goods shed at Doune Station and terminating by a junction with the said branch railway at a point about four hundred and thirty yards eastwards from the said north-west corner of the said goods shed. A.D. 1896.

5. 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 and use for the purposes of their undertaking all or any of the lands following delineated on the deposited plans and described in the deposited books of reference relating thereto (that is to say):—

Power to Company to acquire certain lands at Grangemouth and Glasgow.

(A) Certain lands in the parish of Falkirk in the county of Stirling lying on either side of the Company's Grangemouth Branch Railway and extending from the Stirling and Linlithgow Road across the said branch railway towards Grangemouth Station for a distance of one thousand three hundred yards:

(B) Certain lands in the city parish of Glasgow in the city and royal burgh of Glasgow in the county of Lanark lying on the south side of the Monkland Canal about three hundred and fifty yards west from the point where the City of Glasgow Union Railway passes under the said canal.

6. And whereas certain portions of the lands referred to in the last preceding section have already been acquired by the Company Therefore the acquisition of such lands is hereby sanctioned and confirmed as if the same had been acquired under the provisions of this Act. Provided that 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 or permitted by them upon any land acquired or held under the powers of this or the immediately preceding section.

Confirming acquisition by Company of certain lands.

7. The Company may in connexion with the construction of Railway No. 9 stop up the portions lying between the boundaries of the property now belonging to the Company or to be acquired by them under the powers of this Act of the road which crosses the Doune and Callander Branch Railway of the Company on the level at a point about one hundred and ten yards westward from the north-west corner of the goods shed at Doune Station and of the footpath which also crosses the same branch railway on the level at a point about ninety yards eastward from the said north-west

Stopping up portions of road and footpath at Doune Station.

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corner of the same goods shed and thereupon all rights of way over and along the said portions of road and footpath shall be extinguished and the site and soil thereof shall when and so far as the same shall be bounded on both sides by property of the Company and subject to the provisions of the Railways Clauses Consolidation (Scotland) Act 1845 with respect to mines lying under or near the railway be vested in and belong to the Company as part of their undertaking.

Power to take servitudes &c. by agreement.

8. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant any servitude right or privilege (not being a servitude right or privilege of water in which other than parties to the agreement have an interest) required for the purposes of this Act in over or affecting any 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.

Powers of lateral and vertical deviation.

9. The Company may notwithstanding the provisions of the Railways Clauses Consolidation (Scotland) Act 1845 or any other Act deviate from the lines of the several railways authorised by this Act to be constructed by them respectively as delineated on the deposited plans to any extent within the limits of deviation shown on such plans and may deviate from the levels of any railways as shown on the deposited sections to an extent of five feet.

Height and span of bridge.

10. The Company may make the arch of the bridge for carrying the railway next herein-after mentioned over the road next herein-after mentioned of any height and span not less than the height and span herein-after mentioned in connexion therewith (that is to say) :—

No. on Deposited Plans.	Parish.	Description of Road.	Height.	Span.
150	Lesmahagow -	RAILWAY NO. 6. Public - -	Feet. 15	Feet. 20

Power to stop up portions of existing roads where roads altered.

11. Where any new portion of road authorised by the provisions of the Railways Clauses Consolidation (Scotland) Act 1845 as incorporated with this Act to be formed in lieu of existing roads altered or diverted under the powers of such Act is completed to the



satisfaction of the sheriff of the county in which the same is situate and opened to the public the Company may stop up and cause to be discontinued as a road the portion of existing road for which such new portion of road is substituted and all rights of way over the same shall cease and the site of any portion of road so stopped up when and so far as the same shall be bounded on both sides by property of the Company shall subject to the provisions of the Railways Clauses Consolidation (Scotland) Act 1845 with respect to mines lying under or near the railway belong to and be vested in the Company and any such new portion of road shall as respects management and maintenance and in all other respects be held as part of and be subject to the same provisions as the existing road for which the same is substituted. Provided that where any such new portion of road is formed through or along lands belonging wholly or partly to any person through or along whose lands the superseded portion of existing road for which such new portion of road is substituted passes the value of the site of so much of the said superseded portion of road as passes through or along the lands of such owner and is given up to him shall be taken into account in estimating the compensation payable to him for the land taken from him for such new portion of road.

12. And whereas in order to avoid in the execution and maintenance of the railways authorised by this Act injury to the houses and buildings within one hundred feet thereof it may be necessary to underpin or otherwise strengthen the same Therefore the Company at their own costs and charges may and if required by the owners and lessees of any such house or building shall subject as herein-after provided underpin or otherwise strengthen the same and the following provisions shall have effect (that is to say) :—

Power to underpin or otherwise strengthen houses.

(1) At least ten days' notice shall unless in case of emergency be given to the owners lessees and occupiers or by the owners and lessees of the house or building so intended or so required to be underpinned or otherwise strengthened :

(2) Each such notice if given by the Company shall be served in manner prescribed by section 18 of the Lands Clauses Consolidation (Scotland) Act 1845 and if given by the owners and lessees of the premises to be underpinned or strengthened shall be sent to the principal office of the Company :

(3) If any owner lessee or occupier of any such house or building or the Company shall within seven days after the giving of such notice give a counter notice in writing that he or they as the case may be dispute the necessity of such underpinning or strengthening the question of the necessity shall be referred to

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an engineer to be agreed upon or in case of difference to an engineer to be appointed at the instance of either party by the Board of Trade :

- (4) Such referee shall forthwith upon the application of either party proceed to inspect such house or building and determine the matter referred to him and in the event of his deciding that such underpinning or strengthening is necessary he may and if so required by such owner lessee or occupier he shall prescribe the mode in which the same shall be executed and the Company may and shall proceed forthwith so to underpin or strengthen the said house or building :
- (5) The cost of the reference shall be in the discretion of the referee :
- (6) The Company shall be liable to compensate the owners lessees and occupiers of every such house or building for any inconvenience loss or damage which may result to them by reason of the exercise of the powers granted by this enactment :
- (7) If in any case in which any house or building shall have been underpinned or strengthened on the requisition of the Company such underpinning or strengthening shall prove inadequate for the support or protection of the house or building against further injury arising from the execution or use of the works of the Company then and in every such case unless such underpinning or strengthening shall have been done in pursuance of and in the mode prescribed by the referee the Company shall make compensation to the owners lessees and occupiers of such house or building for such injury provided the claim for compensation in respect thereof be made within six months from the discovery thereof :
- (8) Nothing in this enactment contained nor any dealing with any property in pursuance of this enactment shall relieve the Company from liability to compensate under the Lands Clauses Consolidation (Scotland) Act 1845 or under any other Act :
- (9) Every case of compensation to be ascertained under this enactment shall be ascertained according to the provisions contained in the Lands Clauses Acts :
- (10) Nothing in this section shall repeal or affect the application of the ninetieth section of the Lands Clauses Consolidation (Scotland) Act 1845.

Owners may be required to sell parts only of certain properties.

**13.** And whereas in the construction of the railways hereby authorised or some of them or otherwise in exercise of the powers of this Act it may happen that portions only of the houses or other

buildings or manufactories shown on the deposited plans may be sufficient for the purposes of the same and that such portions may be severed from the remainder of the said properties without material detriment thereto. Therefore notwithstanding section 90 of the Lands Clauses Consolidation (Scotland) Act 1845 the owners of and other persons interested in any of the properties described in the Second Schedule to this Act and whereof parts only are required for the purposes of this Act may (if the same can in the opinion of the jury arbiters or other authority to whom the question of disputed compensation shall be submitted be severed from the remainder of the premises without material detriment thereto) be required to sell and convey to the Company the portion only of the premises so required without the Company being obliged or compellable to purchase the whole or any greater portion thereof the Company paying for the portion taken by them and making compensation for any damage sustained by the owners thereof and other parties interested therein by severance or otherwise. Provided that if in any case in the opinion of the jury arbiters or other authority as aforesaid any such portion cannot be severed from the remainder of such property without material detriment thereto the Company may at any time within one month after the date of the final decision of such jury arbiters or other authority withdraw their notice to treat for the portion required by them and thereupon they shall pay to the owners of and other parties interested in the property in respect of any portion of which they have given notice to treat all loss and damage sustained and all costs charges and expenses (as the same shall be taxed as between solicitor and client) reasonably incurred by them in consequence of such notice. Provided also that nothing in this section contained shall be held as determining whether the properties described in the said schedule are or are not subject to the provisions of section 90 of the Lands Clauses Consolidation (Scotland) Act 1845.

14.—(1) The Company shall not under the powers of this Act or under the powers of any former Act revived or extended by this Act purchase or acquire in any district within the meaning of the Public Health (Scotland) Act 1867 ten or more houses which on the fifteenth day of December next before the passing of this Act or of the respective former Acts by which such purchase or acquisition was originally authorised as the case may be were or have been since that day or shall hereafter be occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until—

Restrictions on displacing persons of labouring class.

(A) They shall have obtained the approval of the Secretary for Scotland to a scheme for providing new dwellings for such

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number of persons as were residing in such houses on the respective fifteenth day of December aforesaid 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 other circumstances of the case ; and

(B) They 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 modifications 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.

(4) Any provisions of any scheme under this section or any conditions subject to which the Secretary for Scotland may have approved of any such scheme or of any modifications of any such 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 90 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 they were a local authority within the meaning of that Act and the scheme were one of the purposes of that Act. A.D. 1896.

(7) The Company may on any lands belonging to them or purchased or acquired under this section or under 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 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 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 the period of twenty-five years from the date of the scheme be appropriated solely for the purpose of such dwellings and every conveyance demise or lease of such lands and buildings by the Company shall contain proper covenants to secure during such period of twenty-five years the exclusive use of the buildings on such lands for the purpose of such dwellings and 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 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.

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(10) For the purposes of this section the expression "labouring class" means and 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.

Lands for  
extra-  
ordinary  
purposes.

15. The quantity of land to be acquired by agreement by the Company for the extraordinary purposes mentioned in the Railways Clauses Consolidation (Scotland) Act 1845 in connexion with the railways authorised by this Act to be constructed by them shall not exceed twenty acres and such land shall be in addition to the lands which the Company are authorised by this Act to take compulsorily but nothing in that Act or in this Act shall exempt the Company from any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them upon any land so taken by them.

Period for  
compulsory  
purchase of  
lands.

16. 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.

Period for  
completion  
of works.

17. If the railways by this Act authorised 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 same or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

For protec-  
tion of water  
mains of  
Lanarkshire  
middle ward  
district  
committee.

18. If in carrying the railways and other works by this Act authorised over or under any of the aqueducts conduits or lines of pipe of the district committee of the middle ward of the county of Lanark (herein-after referred to as "the district committee") it shall be found necessary to alter the existing lines or levels of such aqueducts conduits or lines of pipe or any of them or otherwise interfere with the same such alteration shall be carried out so as not to injuriously affect or interrupt the supply of water conveyed by the same and the Company shall give at least fourteen days' previous notice to the clerk to the district committee before commencing any such works and the construction of the railways and works connected therewith in so far as involving any alteration of or works affecting any aqueduct conduit or line of pipe of the district committee shall be executed at the expense of the Company and at the sight and to the reasonable satisfaction of the principal engineer of the district committee and according to plans to be submitted to and approved by such engineer or in case of difference

to be approved by an engineer to be appointed as herein-after mentioned before any such works are commenced and if the district committee shall incur any expense for works necessary in reference to the crossing of such aqueducts conduits or lines of pipe or any other interference therewith or in reference to access thereto the same shall be repaid by the Company and the district committee shall have at all times the right of access to such aqueducts conduits or lines of pipe for the repair enlargement alteration and maintenance of the same and for laying additional pipes alongside of any existing aqueducts conduits or lines of pipe crossed by the railways when they shall see fit and the district committee as regards all such additional pipes shall be subject to the provisions of the section of the Lanarkshire (Middle Ward District) Water Act 1896 the marginal note of which is "For the protection of the Caledonian Railway Company" Provided that the district committee shall as far as possible avoid the causing of any interruption or obstruction to the traffic of the railways Provided also that in case any difference shall arise between the Company and the district committee or their engineer as to any plans or the mode of executing any works under this section such difference shall be referred to an engineer to be appointed on the application of either party by the Board of Trade whose decision shall be final.

19. For the protection of the county council of the county of Lanark and of the district committee of the middle ward district of that county (herein-after called "the district committee") the following provisions in relation to roads in the said middle ward district shall (unless otherwise agreed between the district committee and the Company) have effect notwithstanding anything shown on the deposited plans and sections to the contrary (that is to say):—

As to high-ways in the middle ward district of the county of Lanark.

(1) In constructing the following railways by this Act authorised the Company shall make the bridges for carrying such railways over the roads herein-after mentioned respectively of not less than the following dimensions (that is to say):—

Description of Road.	No. on deposited Plans.	Parish.	Height of Bridge.	Span of Bridge.
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RAILWAY No. 1.

East and West highway	12	Stonehouse	Feet. 16	Feet. 35
Sandford branch highway	16	Stonehouse	15	25
Peelhill Waterhead and Linbank highway	296	Avondale	15	25

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Description of Road.	No. on deposited Plans.	Parish.	Height of Bridge.	Span of Bridge.
RAILWAY NO. 4.				
Spittal highway	74	Stonehouse -	Feet. 16	Feet. 30
RAILWAY NO. 7.				
Burnhead Woodside and Netherburn highway	89	Dalserf -	16	25
East and West highway	103	Dalserf -	Same height and span as existing bridge carrying Company's Lesmahagow Branch Railway over this road.	

(2) In constructing the following railways by this Act authorised the Company shall make the bridges for carrying the roads herein-after mentioned over such railways respectively of the following clear widths between the parapets thereof and shall make the approaches to such bridges respectively of inclinations not less than those herein-after specified in relation thereto (that is to say) :—

Description of Road.	No. on deposited Plans.	Parish.	Clear Width between the Parapets.	Inclination of Approaches to Bridge where altered by Company.
RAILWAYS NO. 1 AND NO. 2.				
Strathaven and Lesmahagow highway (Todshill Street Strathaven)	123	Avondale	Same as present width of Todshill Street at points of crossing.	
RAILWAY NO. 1.				
Strathaven and Muirkirk highway	184	Avondale -	35 feet	1 in 30
Waterhead Peelhill and Linbank highway	272	Avondale -	25 feet	1 in 20
RAILWAY NO. 2.				
Strathaven and Glasford highway	100	Avondale -	30 feet	Levels of highway unaltered.



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Description of Road.	No. on deposited Plans.	Parish.	Clear Width between the Parapets.	Inclination of Approaches to Bridge where altered by Company.
RAILWAY NO. 4.				
East and West highway	48	Stonehouse	35 feet	
Udston highway -	51	Stonehouse	30 feet	
RAILWAY NO. 7.				
Merryton highway -	7	Hamilton -	25 feet	Levels of highway unaltered.
Hamilton Street Larkhall	16	Hamilton -	Same as present width of highway at point of crossing.	
Wellgate Street Larkhall	13	Dalserf -	Ditto	
Montgomery Street Larkhall	33	Dalserf -	Ditto	
Muir Street Larkhall	53	Dalserf -	Ditto	
High Millar Street Larkhall	74	Dalserf -	Ditto	

(3) The Company shall in constructing the bridge for carrying the said road numbered on the deposited plans 184 in the parish of Avondale over Railway No. 1 form the junction of the northern approach to such bridge with the existing road so as to flatten the junction as far as reasonably possible :

(4) The Company shall in constructing Railway No. 2 divert the Whiteshawgate Road numbered on the deposited plans 73 in the parish of Avondale in the manner shown on the deposited plans and shall make the arch of the bridge for carrying the railway over such diversion of a span of not less than twenty-five feet and of a height not less than fifteen feet and shall make the gradients of the diversion not steeper than 1 in 25 on the east side and 1 in 20 on the west side of the bridge and upon the completion of such diversion and bridge the present level crossing at Whiteshawgate shall be stopped up :

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(5) The Company shall not in constructing Railway No. 7 alter or in any way interfere with the Hamilton and Lanark highway numbered on the deposited plans 2 in the parish of Hamilton:

(6) If in the construction of any of the railways by this Act authorised the Company shall deviate the lines thereof so as to cross any portion of road under the jurisdiction of the said county council or district committee which is not shown on the deposited plans as to be crossed by such railway the Company shall make the same provisions in reference to any such crossing as is herein-before provided or as is shown on the deposited plans in reference to any crossing of the same road shown on the deposited plans :

(7) Except as otherwise provided by this Act all crossings or interference with any roads under the jurisdiction of the said county council or district committee and all works for the drainage of such roads shall be carried out in accordance with the provisions of the Railways Clauses Consolidation (Scotland) Act 1845 :

(8) All works of the Company so far as they interfere with roads under the jurisdiction of the said county council or district committee shall be executed to the reasonable satisfaction of the said county council or district committee and according to plans to be approved by their road surveyor or in case of difference between the Company and the said county council or district committee or their said surveyor as to any such plans or the mode of executing any works then to the satisfaction of and according to plans to be approved by an engineer to be agreed on or failing agreement to be appointed by the Board of Trade on the application of the Company or the said county council or district committee and the costs of such reference shall be borne and paid as the referee shall direct.

Confirming  
agreement  
with the  
Duke of  
Portland.

**20.** The agreement dated the thirteenth day of February one thousand eight hundred and ninety-six between his Grace the Duke of Portland and the Company as set forth in the Third Schedule to this Act is hereby confirmed and made binding upon the respective parties thereto as if the same had been enacted in this Act.

As to incli-  
nation of  
road at  
Doune  
Station.

**21.** The Company shall in constructing the bridge for carrying the road numbered on the deposited plans 8 in the parish of Kilmadock over Railway No. 9 make the gradient of the approach to such bridge on the south side thereof of such an inclination not less than one in sixteen as may be agreed between the Company

and the county council of the county of Perth and the district committee of the western district of that county. A.D. 1896.

**22.** Whereas the minerals in the mineral estates of Grasshill and Spireslack belonging or reputed to belong respectively to John George Alexander Baird and Sir Wyndham Charles James Carmichael Anstruther Bart. are at present leased to the Eglinton Iron Company and are worked by means of the existing pits or collieries known as Grasshill No. 1 Pit and Grasshill No. 2 Pit and are at present accommodated by a private branch railway passing through the estate of Lightshaw and others belonging or reputed to belong to the trustees acting under a trust disposition granted by the Right Honourable Lucy Elizabeth Douglas of Douglas Countess of Home dated tenth April one thousand eight hundred and sixty-nine And whereas the said Eglinton Iron Company pay to the said trustees a wayleave of one penny per ton on all minerals materials and others carried or conveyed to or from the said pits or collieries over the said private branch railway through the lands belonging or reputed to belong to the said trustees And whereas the mineral and other traffic to or from the said pits or collieries presently carried or conveyed over the said private branch railway or which may be carried or conveyed over any alteration extension or renewal thereof which may be made in the future to accommodate any new or additional pits or collieries on the said mineral estates of Grasshill and Spireslack may be either wholly or partially carried or conveyed over the said Railway No. 8 if and when constructed Therefore the Company shall pay to the said trustees and to their successors in the said lands of Lightshaw and others in addition to the value of the land taken by the Company from the said trustees one penny per ton on all mineral or other traffic passing over any portion of the said Railway No. 8 to or from the said existing or new or additional pits or collieries and the said payment of one penny per ton shall be made half yearly at the terms of Whitsunday and Martinmas in each year the half-yearly amount of such payment failing agreement being settled by arbitration.

For protection of the Earl of Home.

**23.** If within the period limited by this Act for the completion thereof any of the railways by this Act authorised shall not be completed 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 such railways with the exception of Railway No. 8 are completed and opened for the public conveyance of passengers and in the case of Railway No. 8 until that railway is completed and opened for public traffic or in the case of all the said railways until the sum received in respect of such penalty amounts to five per cent. on the estimated cost of any railway not so completed and the

Penalty imposed unless railways opened within the time limited.

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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 3 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 and to the credit specified in such warrant or order and shall not be paid thereout except as herein-after provided but no penalty shall accrue in respect of any time during which it shall appear by a certificate to be obtained from the Board of Trade that the Company were prevented from completing or opening such railway 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.

Application  
of penalties.

24. 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 may have been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the said railways respectively or any portion thereof or who may have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred by this Act and for which injury or loss no compensation or inadequate compensation shall have been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Court of Exchequer in Scotland may seem fit and if no such compensation shall be payable or if a portion of the sum or sums of money 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 judicial factor has been appointed or the Company are insolvent or the railway in respect of which the penalty has been incurred or any part thereof has been abandoned be paid or transferred to such judicial factor 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.

Tolls rates  
and charges.

25. For the purposes of maximum rates and charges for merchandise traffic including perishable merchandise by passenger train

and of all tolls and other rates and charges Railways Nos. 1 to 9 inclusive shall be part of the railways of the Company as if the same had been part of those railways respectively at the date of the passing of the Railway Rates and Charges No. 19 (Caledonian Railway &c.) Order Confirmation Act 1892. A.D. 1896.

**26.** The expression "Caledonian traffic" as herein-after used shall mean and be held to apply to traffic of every description passing or destined or directed to pass from to over or beyond the railways of the Company or any part thereof to from over or beyond the railways of the South Western Company between the junction of Railway No. 3 by this Act authorised with the authorised railway of the South Western Company at Darvel on the one hand and the towns and harbours of Ayr and Troon (including any harbour lines of the South Western Company at those harbours) and all intermediate places on the other hand by way of the route to be formed by the existing railways of the South Western Company and either of the alternative new lines specified in the agreement set forth in the First Schedule to this Act and until either of such alternative new lines is made and opened for public traffic but not subsequently by way of the existing lines viâ Kilmarnock and St. Marnocks. Defining  
"Caledonian  
traffic."

**27.** The expression "South Western traffic" as herein-after used shall mean and be held to apply to traffic of every description passing or destined or directed to pass from to over or beyond the railways of the South Western Company or any part thereof viâ Darvel to from over or beyond the Railways Nos. 1 3 4 5 and 6 by this Act authorised or any of them and all intermediate places on such last-mentioned railways or any of them. Defining  
"South  
Western  
traffic."

**28.** The South Western Company shall give to the Company in respect to Caledonian traffic and the Company shall give to the South Western Company in respect to South Western traffic all such facilities as are usual or useful for the convenient working or development of railway traffic including among other things through booking through tickets and invoices and so far as may reasonably be required through carriages and waggons and conveniently timed and arranged trains whether ordinary or special as the case may require for the reception forwarding transmission conveyance and delivery of such traffic and shall accommodate manage and forward such traffic and give such facilities as effectually regularly and expeditiously as if it were their own proper traffic respectively or traffic which they respectively were desirous of cultivating to the utmost and shall not give any preference priority or advantage over it to any other traffic subject only to the payment to them Through  
booking in  
favour of  
Company  
and South  
Western  
Company.

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Traffic to be forwarded as consigned.

**29.** The Company and the South Western Company shall respectively forward all Caledonian traffic or South Western traffic as the case may be tendered by the one Company to the other over such portions of their respective lines as may from time to time be directed by the Company tendering the traffic and all such traffic specially consigned by the public as to be conveyed by the route of the Company or of the South Western Company as the case may be shall be sent by such route.

Companies may employ their own clerks to book passengers.

**30.** The Company shall as respects the passenger traffic comprehended in Caledonian traffic and the South Western Company shall as respects the passenger traffic comprehended in South Western traffic be respectively entitled to and may at their own cost employ their own clerks for booking such traffic at any passenger station or stations on the aforesaid portions of each others' lines respectively specified in the sections of this Act the marginal notes of which are "Defining 'Caledonian traffic'" and "Defining 'South Western traffic'" respectively and the Company owning any such portion of line shall provide the necessary accommodation for such clerks at such station or stations Provided that such clerks shall be subject to the regulations of the owning Company from time to time in force at such station or stations and the payment for the accommodation so provided shall be determined by agreement or in case of difference by arbitration in manner herein-after mentioned.

Companies may employ their own agents for goods traffic.

**31.** The Company shall in respect of goods animal and mineral traffic comprehended in Caledonian traffic and the South Western Company shall in respect of goods animal and mineral traffic comprehended in South Western traffic be at liberty at their own cost to employ at any goods or mineral station or stations on the aforesaid portions of each others' lines such clerks or agents as they may think proper for the purpose of invoicing collecting delivering and carting such traffic and for such purpose may enter and use any such station or stations subject nevertheless to the regulations of the owning Company from time to time in force thereat and the Company owning any such portion of line shall provide the necessary accommodation for such clerks or agents and the payment for the accommodation so provided shall be determined in a similar manner to that provided in the last preceding section Provided that the Company and the South Western Company as the case may be shall for any cartage which they may perform where the rate charged for such traffic includes cartage allow to each other as the

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case may be an amount per ton equal to the average actual cost per ton of cartage performed by the owning Company or their agent at such station or stations.

Companies' notices to be exhibited at stations.

**32.** Each of the said companies shall at all stations on the afore-said portions of their respective lines specified in the above-mentioned sections of this Act where required by the other Company and in case of difference as shall be decided by arbitration exhibit and keep properly exhibited all necessary and usual notice boards timetables placards and station advertisements respecting traffic of such other company and shall respect and recognise the same as effectually in all respects as if the same were their own and as they shall from time to time do as regards similar matters and things used at their said stations with reference to their own traffic.

Fixing through rates and fares.

**33.** The through rates and fares at which Caledonian traffic and South Western traffic shall be conveyed by the Company and the South Western Company respectively over their respective portions of railway shall be fixed by agreement between the Company and the South Western Company or failing agreement by arbitration as herein-after mentioned and the receipts arising from such traffic shall after deduction of Government duty and the usual terminals payable in respect of such traffic according to the regulations of the Railway Clearing House in force for the time being and such terminals upon coal and lime and other articles not regulated by the clearing house regulations as may be agreed upon or in case of difference fixed by arbitration as herein-after provided (which shall belong and be paid to the companies respectively entitled thereto) and any portion of the through rate or fare which may be due to other railway companies concurring in such through rates or fares be divided between the Company and the South Western Company on an equal mileage rate according to the actual distance travelled over their respective railways Provided that at the expiration of five years from the opening of Railways No. 1 and No. 3 by this Act authorised and at the expiration of every subsequent period of five years the said through rates and fares shall be subject to revision by the said companies and in the event of any difference arising between the said companies on any such revision as to the necessity for or the extent or nature of any alteration proposed by either company on such rates and fares such difference shall be determined on the application of either company by arbitration as herein-after provided.

**34.** It shall not be necessary for or incumbent on either the Company or the South Western Company to grant any of the facilities or advantages herein-before provided in respect of any

Facilities not to be given for traffic sent

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by a circuitous route.

Running powers for Company.

**35.** The Company may for the purpose of carrying Caledonian traffic run over and use with their engines trucks and carriages of every description and officers and servants the railways of the South Western Company or any portion thereof between the junction of Railway No. 3 by this Act authorised with the authorised railway of the South Western Company at Darvel on the one hand and the towns and harbours of Ayr and Troon (including any harbour lines of the South Western Company at those harbours) and all intermediate places on the other hand by way of the route to be formed by the existing railways of the South Western Company and either of the alternative new lines specified in the agreement set forth in the First Schedule to this Act and until either of such alternative new lines is made and opened for public traffic but not subsequently by way of the existing lines viâ Kilmarnock and St. Marnocks and the Company shall be entitled to the conveniences and privileges and be subject to the regulations and obligations herein-after contained in reference to such running powers.

Running powers for South Western Company over certain railways.

**36.** The South Western Company may for the purpose of conveying South Western traffic run over and use with their engines trucks and carriages of every description and officers and servants Railways Nos. 1 3 4 5 and 6 by this Act authorised or any part thereof and so much of the Company's Stonehouse Branch Railway as lies between the junctions with that branch of Railway No. 1 and of Railway No. 4 and so much of the Company's Blackwood Branch Railway as lies between the junctions with that branch of Railway No. 4 and of Railway No. 5 and the South Western Company shall be entitled to the conveniences and privileges and be subject to the regulations and obligations herein-after contained in reference to such running powers.

Terms and conditions of running powers.

**37.** The terms and conditions of and the conveniences and privileges regulations and obligations in reference to the exercise of the running powers herein-before conferred on the Company and on the South Western Company respectively shall be as follows:—

- (1) The through rates and fares at which traffic shall be conveyed by the Company and the South Western Company respectively for the whole distance for which it shall be conveyed upon their own railways respectively and upon the railways over which they respectively have the running powers.



shall be fixed by agreement between the Company and the South Western Company or failing agreement by arbitration as herein-after mentioned From the said through rates or fares shall be deducted in the first place the Government duty in respect of passengers and the usual terminals payable in respect of such traffic according to the regulations of the Railway Clearing House in force for the time being and such terminals upon coal and lime and other articles not regulated by the Clearing House as may be agreed upon or in case of difference fixed by arbitration (which shall belong and be paid to the companies respectively entitled thereto) and in the second place twenty-five per centum of the amount remaining after deducting the said duty and terminals as aforesaid which per-centage shall be retained by the running company on account of their working expenses in relation to such traffic and the residue shall be apportioned between the Company and the South Western Company on an equal mileage rate according to the said regulations for the total distance for which such traffic shall be conveyed upon the railways of the Company and the railways of the South Western Company respectively Provided that at the expiration of five years from the opening of Railways No. 1 and No. 3 by this Act authorised and at the expiration of every subsequent period of five years the said rates and fares shall be subject to revision by the said companies and in the event of any difference arising between the said companies on any such revision as to the necessity for or the extent or nature of any alteration proposed by either Company on such rates and fares such difference shall be determined on the application of either Company by arbitration as herein-after provided :

- (2) The use of the engine sheds signals coking places water watering places water engines and other works and conveniences provided by the said Companies respectively in connexion with their respective lines so run over and used to the extent and at charges to be from time to time fixed by agreement or arbitration :
- (3) The joint or separate use of the offices warehouses stations sidings and other accommodation at the several stations wharves stopping loading and unloading places sidings and junctions of the portions of railways over which the running powers may be exercised to the extent and of the nature to be fixed by agreement or by arbitration and the payment for the same to be the terminals as respects goods animals and mineral traffic and as respects passenger traffic to be such special payment if any

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as may be determined by agreement or by arbitration and if at the request of either Company the arbitrator shall order any enlargement or alteration of any of the said stations or places such enlargement or alteration shall be made by the Company owning the railway on which such station or place is situate and the payment therefor if any shall be settled by agreement or by arbitration :

(4) The right of appointing at the stations on the aforesaid railways over which the running powers may be exercised such porters clerks agents and other servants and officers for the reception handling booking invoicing forwarding and managing the traffic of the running Company as may be thought proper the Company so appointing receiving for the expense of such services such sum as may be from time to time fixed by agreement or arbitration and as respects cartage an amount per ton equal to the average actual cost per ton of cartage performed by the Company or the South Western Company as the case may be or their agents at such station or stations :

(5) The hours of arrival and departure of the trains run in pursuance of the said powers shall in case of difference between the said companies be fixed by arbitration :

(6) If either of the said Companies shall complain of any infringement of the enactments in this section contained or if any difference shall arise between the said Companies as to the proper construction of any of the said enactments or as to anything which ought or ought not to be done thereunder or in any way in consequence thereof every such complaint or difference shall be settled by arbitration as herein-after provided :

(7) The exercise of the running powers shall be subject to the byelaws and regulations for the time in force on the railway run over.

Arbitration  
in connexion  
with running  
powers and  
facilities.

**38.** Any matter or question relating to or connected with the running powers and facilities herein-before granted and secured to the Company and the South Western Company respectively which is directed by this Act to be settled by arbitration shall be settled by arbitration in the manner provided by the Railway Companies Arbitration Act 1859 as if the Companies differing had referred the same to arbitration in accordance with that Act.

Company  
to forward  
certain traffic  
viâ Darvel  
Junction.

**39.** The Company shall forward by way of the railways of the South Western Company viâ Darvel a fair proportion of any unconsigned traffic which may arise in the district through which the Railways Nos. 1 3 4 5 and 6 by this Act authorised will pass

and be destined for the ports of Ayr and Troon so far as such traffic may be under the control of the Company. A.D. 1896.

**40.** If the South Western Company shall at any time within five years from the completion and opening for goods and mineral traffic of Railway No. 3 by this Act authorised apply to Parliament for an Act to authorise and require the transfer to them by the Company of such railway on payment to the Company of the costs mentioned in the said agreement set forth in the First Schedule to this Act the Company shall not oppose such application except for the purpose of securing proper provisions for carrying into effect such transfer in accordance with this section. Provided that provision shall be made in such Act for extending to the railway so to be transferred to the South Western Company the several running powers and facilities by this Act conferred on and secured to the Company over the railways of the South Western Company between Darvel and the towns and harbours of Ayr and Troon as aforesaid.

Right for South Western Company to obtain power to acquire Railway No. 3.

**41.** The running powers and facilities by the Caledonian Railway (Muirkirk Branch) Act 1865 conferred on the South Western Company in respect of South Western traffic as therein defined shall extend and apply to Railway No. 8 by this Act authorised and the expression "South Western traffic" as defined by that Act shall include traffic of every description arising on the said Railway No. 8 and passing or destined or directed to pass to the railways of the South Western Company via Muirkirk.

Running powers and facilities for South Western Company over Railway No. 8.

**42.** The running powers and facilities conferred on the North Eastern Railway Company and the Great Northern Railway Company under the Caledonian and Scottish Central Railways Amalgamation Act 1865 shall extend and apply to Railway No. 9.

Extending running powers of North Eastern and Great Northern Companies.

**43.** The running powers and facilities conferred on the North British Railway Company under the Caledonian and Scottish Central Railways Amalgamation Act 1865 shall extend and apply to Railway No. 9.

Extending running powers of North British Company.

**44.** The Company shall abandon the construction of the railway in the parish of Forfar in the county of Forfar authorised by the Forfar Act of 1890 and therein called Railway No. 3 and so much of the railway in the parishes of Fearn Careston and Brechin in that county authorised by the same Act and therein called Railway No. 1 as lies between the points of commencement and termination of the deviation of that railway herein-after sanctioned together with the subsidiary works connected with such railway and portion of railway and section 53 of the Act of 1894 so far as relating to the railway and portion of railway so to be abandoned is hereby repealed.

Company to abandon portions of Forfar and Brechin Railway.

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

**45.** The abandonment by the Company under the authority of this Act of the said railway and portion of railway shall not prejudice or affect the right of the owner or occupier of any land to receive compensation for any damage occasioned by entry on such land for the purpose of surveying and taking levels or probing or boring to ascertain the nature of the soil or setting out of the line of railway and shall not prejudice or affect the right of the owner or occupier of any land which has been temporarily occupied under the powers of the Forfar Act of 1890 to receive compensation for such temporary occupation or for any loss damage or injury which has been sustained by such owner or occupier by reason thereof or of the exercise as regards such land of any of the powers contained in the Railways Clauses Consolidation (Scotland) Act 1845 or the said Act of 1890.

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

**46.** Where before the passing of this Act any contract has been entered into or notice given for the purchasing of any land for the purposes of or in relation to the said railway or portion of railway authorised to be abandoned by this Act the Company shall be released from all liability to purchase or to complete the purchase of any such land but notwithstanding full compensation shall be made by the Company to the owners and occupiers of or other persons interested in such land for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or notice and the amount and application of the compensation shall be determined in manner provided by the Lands Clauses Acts for determining the amount and application of compensation paid for lands taken under the provisions thereof.

Sanctioning deviation of Forfar and Brechin Railway.

**47.** The deviation already constructed in the parishes of Fearn Careston and Brechin in the county of Forfar of the railway authorised by the Forfar Act of 1890 and therein called Railway No. 1 commencing at a point about seven miles five furlongs and terminating at a point about nine miles five furlongs from the commencement of the said railway as marked on the plans of that railway deposited in reference to the Forfar Act of 1890 and all works and conveniences connected therewith are hereby legalised and sanctioned and may be maintained by the Company as and shall for all purposes be held to be part of their Forfar and Brechin Railway and the Company shall in respect thereof and of the traffic thereon be entitled to all the powers including the power of levying tolls rates and charges which the Company have and enjoy in respect of the other portions of the said Forfar and Brechin Railway.

Extending running powers of North

**48.** Section 50 of the Act of 1894 shall extend and apply to the deviation of the Forfar and Brechin Railway sanctioned by this Act

as if such deviation had formed part of the Forfar undertaking transferred to and vested in the Company by the Act of 1894.

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British Com-  
pany.

49. The Cathcart District Railway Company may notwithstanding anything in the several Acts relating to the said Company and their undertaking or in the Acts incorporated therewith retain and hold for a period of ten years from the passing of this Act any lands acquired by them in the parishes enumerated in the Fourth Schedule to this Act and which have not yet been applied to the purposes of the said Company or sold or disposed of by them and the said Acts shall be amended and read accordingly.

Extension  
of time for  
sale of Cath-  
cart District  
Railway  
Company's  
superfluous  
lands.

50. The powers for the compulsory purchase and taking of lands granted by the Balloch Act of 1892 in respect of the construction of the railways and road authorised by that Act and the subsidiary works connected therewith are hereby revived and extended and may be exercised at any time within but shall cease after the expiration of three years after the passing of this Act. Provided that the lands forming part of the estate of Dalmoak numbered on the plans deposited in reference to the Balloch Act of 1892 4 5 and 6 in the parish of Cardross shall not be acquired or taken temporarily or permanently for the purpose of the railway authorised by that Act and therein called Railway No. 3 without the consent in writing of James Aiken of Dalmoak or the proprietor of Dalmoak for the time being.

Reviving  
powers and  
extending  
period for  
purchase of  
lands for  
Dumbarton  
and Balloch  
Joint Line  
&c.

51. The powers for the compulsory purchase and taking of lands granted by the Act of 1891 in respect of the construction of the railways authorised by that Act and therein called Railways Nos. 4 and 5 and the subsidiary works connected therewith are hereby revived and extended and may be exercised by the Company at any time within but shall cease after the expiration of two years after the passing of this Act.

Reviving  
powers and  
extending  
period for  
purchase of  
lands for  
railways  
authorised  
by Act of  
1891.

52. The periods limited for the completion and opening of the railways and for the completion of the road and of the dredging deepening and improvement of the navigation of the River Carron hereunder respectively mentioned are hereby respectively extended as follows (that is to say) :—

Extending  
periods for  
completion  
of certain  
railways and  
works.

(A) The period limited by the Balloch Act of 1892 for the completion and opening of the railway authorised by that Act and therein called Railway No. 1 for the public conveyance of passengers and of the railways authorised by such Act and therein called Railways No. 2 and No. 3 for public traffic and the period limited by the same Act for the completion of the road authorised by that Act are hereby respectively extended for three years from the expiration of the said periods that is

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until the twenty-seventh day of June one thousand nine hundred :

(B) The period limited by the Act of 1891 for the completion and opening for public traffic of the railways authorised by that Act and therein called Railways No. 4 and No. 5 is hereby extended for three years from the expiration of such period that is until the fifth day of August one thousand eight hundred and ninety-nine :

(C) The period limited by the Act of 1891 for the completion of the dredging deepening and improvement of the navigation of the River Carron authorised by the Grangemouth Act of 1876 is hereby extended for five years from the expiration of the said period that is until the twenty-seventh day of June one thousand nine hundred and one :

And the powers granted by those Acts for making the said respective railways road and work and the subsidiary works connected therewith may be exercised at any time previously to the said respective dates above mentioned. And those sections of the Acts herein-before mentioned which relate to the periods for the completion of the said several railways and road and the completion of the dredging deepening and improvement of the navigation of the River Carron and to the penalties exigible in the event of failure to complete and open any of the said railways for the public conveyance of passengers or for public traffic as the case may be shall be read and construed as if the respective periods for such completion and opening referred to in those sections did not expire until the expiration of the extended periods hereby limited in respect of the said railways road and work respectively.

Application of moneys repaid by the Cathcart District Railway Company and the Lanarkshire and Ayrshire Railway Company and other funds.

**53.** The Company may apply towards any of the purposes authorised by this Act to which capital is properly applicable or towards meeting expenditure incurred on works in excess of the capital already authorised by Parliament or for any other purpose to which the Company may by any Act passed in this or any other session of Parliament be authorised to apply capital or for any one or more of such purposes the said sum of two hundred and fifty thousand pounds refunded to them by the Cathcart District Railway Company and the Lanarkshire and Ayrshire Railway Company and now in their hands as herein-before recited and may also apply towards any of the purposes authorised by this Act as aforesaid any other capital or funds belonging to or authorised to be raised by them which may not be required for the purposes for which the same were authorised to be raised or directed to be applied.

Power for Company to raise additional capital.

**54.** The Company may for any of the purposes of this Act and towards meeting expenditure incurred on works in excess of the

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capital already authorised by Parliament and for other purposes of their undertaking from time to time subject to the provisions of Part II. of the Companies Clauses Act 1863 as amended by the Railway Companies (Scotland) Act 1867 raise any additional capital not exceeding in nominal amount one million two hundred and thirty-seven thousand five hundred pounds by the issue at their option of new ordinary shares or stock or new preference shares or stock or wholly or partially by any one or more of those modes respectively but the Company shall not issue any share of less nominal value than ten pounds nor shall any share vest in the person or corporation accepting the same unless and until a sum not being less than one-fifth of the amount of such share shall have been paid in respect thereof Provided that if in any year ending on the thirty-first day of January there are not profits available for the payment of the full amount of preferential dividend or interest for that year on any such new preference shares or stock no part of the deficiency shall be made good out of the profits of any subsequent year or out of any other funds of the Company.

**55.** 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.

Except as otherwise provided new shares or stock to be subject to the same incidents as other shares or stock :

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

And to form part of capital of Company.

**57.** 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.

Dividends on new shares or stock.

**58.** Each holder of new shares or stock in the capital by this Act authorised to be raised shall be entitled to the same number of votes in respect thereof which the possession of an equal nominal amount of the existing capital stock of the Company would have conferred upon him Provided that 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.

Votes in respect of new shares or stock.

**59.** Subject to the provisions of any Act already passed by which the Company are authorised to raise capital by new shares or stock

New shares or stock raised under

A.D. 1896.  
 this Act and  
 any other  
 Act of past  
 or present  
 sessions may  
 be of same  
 class.

and to the provisions of this Act and of any other Act passed in the present session of Parliament whether before or after the passing of this Act by which the Company may be authorised to raise capital by new shares or stock the Company may if they think fit raise by the creation and issue of new shares or stock of one and the same class all or any part of the aggregate capital which they are by such other Acts and this Act respectively authorised to raise by the creation and issue of new shares or stock.

Power for  
 Company to  
 borrow.

**60.** The Company may in respect of the additional capital of one million two hundred and thirty-seven thousand five hundred pounds which they are herein-before authorised to raise from time to time borrow on mortgage of their undertaking any sums not exceeding in the whole four hundred and twelve thousand five hundred pounds in manner following (that is to say) They may borrow a sum of eighty-two thousand five hundred pounds in respect of each entire sum of two hundred and forty-seven thousand five hundred pounds of the said additional capital but no part of any such sum shall be borrowed until shares or stock or shares and stock for the whole of the portion of the said additional capital in respect of which the borrowing powers are to be exercised are issued and accepted and one half of such portion of 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 or stock or shares and stock for the whole of such portion of capital have been issued and accepted and that one half of such portion of capital has been paid up and that not less than one-fifth part of the amount of each separate share and the whole amount of the stock in the said portion of capital has been paid on account thereof before or at the time of the issue or acceptance thereof and that such shares or stock or shares and stock as the case may be were issued and accepted and such one half of the said portion of capital was paid up bonâ fide and that such shares or stock or shares and stock as the case may be are held by the persons to whom the same were issued or their executors administrators successors or assignees and also in so far as the said portion of additional capital is raised by shares that such persons or their executors administrators successors or assignees are legally liable for the same and upon production to such sheriff of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence thereof.

Arrears may  
 be enforced  
 by the

**61.** The mortgagees of the Company under this or any previous Act may enforce payment of arrears of interest or principal or.



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

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—  
appointment  
of a judicial  
factor.

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

Power to  
create debenture  
stock.

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

Existing  
mortgages  
to have  
priority.

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

Application  
of moneys.

**65.** 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.

Interest not  
to be paid on  
calls paid up.

**66.** Nothing in this Act shall be deemed either to impose upon the Postmaster General the obligation of transmitting under the provisions of the Telegraph Act 1868 or any agreement between the Postmaster General and the Company made in pursuance thereof any larger number of telegraphic messages of the Company free of charge than he would have been bound to transmit had this Act not become law or to authorise the Postmaster General by himself or his agents to place and maintain without the consent of the Company telegraphic lines in under upon along over or across the

For protec-  
tion of the  
Postmaster  
General.

A.D. 1896. — railways and works by this Act authorised to any greater extent than the Postmaster General is at present entitled to place and maintain such telegraphic lines in virtue of the said Act or any such agreement or the provisions of the Telegraph Act 1878.

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

**67.** 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.

**68.** Nothing in this Act contained shall exempt any Company named in this Act or the railways of any such Company 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 authorised rates for small parcels.

Costs of Act.

**69.** 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.

SCHEDULES.

A.D. 1896.

The FIRST SCHEDULE referred to in the foregoing Act.

AGREEMENT dated the 19th day of November 1895 between THE CALEDONIAN RAILWAY COMPANY of the first part and THE GLASGOW AND SOUTH WESTERN RAILWAY COMPANY of the second part.

It is agreed as follows (viz.) :—

1. The Caledonian Railway Company shall apply to Parliament for power to form a railway or railways commencing by a junction with the Caledonian Company's line at Cotcastle and terminating by a junction with the Glasgow and South Western Company's authorised line at Darvel. If the Caledonian Company find that it is desirable that such railway should be continued towards Lesmahagow and Coalburn they shall apply to Parliament for power to continue it.

2. The Glasgow and South Western Company shall be entitled to acquire from the Caledonian Company the portion of said line between Darvel and the boundary line of Lanarkshire and Ayrshire at its cost to the Caledonian Company including interest at four per cent. from the date of disbursement. This power to be exercised within five years from the date of completion and opening of the line for goods and mineral traffic.

3. The Glasgow and South Western Company may in their option apply to Parliament at any time within five years from the completion and opening for goods and mineral traffic of the new line from Cotcastle to Darvel for power to make a line commencing by a junction with the Glasgow and South Western Railway at a point near Hurlford and terminating by a double or fork junction with the Glasgow and South Western Railway at a point between Monkton and Troon or alternatively and in their option a line commencing by a junction with the Glasgow and South Western Railway at a point near Hurlford and terminating by a junction with the Glasgow and South Western Company's line at a point near Gatehead.

4. The Caledonian Company shall obtain statutory running powers and facilities between the termination of the intended line at Darvel on the one hand and the towns and harbours of Ayr and Troon and intermediate places on the other hand over the railways of the Glasgow and South Western Company including either of the alternative lines specified in the preceding article which the Glasgow and South Western Company may make and until such alternative line is made the running powers and facilities may be exercised by the Caledonian Company over the Glasgow and South Western Company's existing lines via Kilmarnock and St. Marnocks. As soon as either of the alternative lines is made and opened for traffic the running powers and facilities

A.D. 1896. — in favour of the Caledonian Company viâ Kilmarnock shall cease. In the event of the Glasgow and South Western Company exercising their power to purchase the line between Darvel and the boundary line of Lanarkshire and Ayrshire the said running powers and facilities in favour of the Caledonian Company shall extend to that section.

5. The Glasgow and South Western Company shall obtain statutory running powers and facilities over the new line or lines to be applied for by the Caledonian Company as specified in Article 1 between the commencement and termination thereof and intermediate places including in such new lines all extensions of the said intended line from Darvel to Cotcastle which the Caledonian Company may make beyond Cotcastle towards Lesmahagow and Coalburn as mentioned in Article 1.

6. The through rates and fares at which the traffic of each company is to be conveyed in virtue of the running powers and facilities herein provided for shall be fixed by agreement between the companies and failing agreement by arbitration and such through rates and fares after the usual deductions including a deduction of twenty-five per cent. for working expenses to be subject to equal mileage division and all such rates and fares shall be subject to revision every five years.

7. The Caledonian Company shall apply to Parliament for power to make a junction line between their Spireslack Branch and their Muirkirk line near Muirkirk and the running powers and facilities conferred on the Glasgow and South Western Company by the Caledonian Railway (Muirkirk Branch) Act 1865 shall apply to the junction line and for this purpose South Western traffic referred to in said Act shall include traffic arising on such junction line which the Glasgow and South Western Company may desire to uplift for routes viâ their Muirkirk lines.

8. The Caledonian Company shall forward viâ Darvel a fair share of the traffic arising in the districts of the new line or lines to be applied for by them in so far as controlled by them destined for or seeking the ports of Ayr and Troon.

9. Application to be made to Parliament by the Caledonian Company to carry out the above arrangements in the ensuing and if necessary the next following session. Both Companies shall exercise their best endeavours to secure the passing of the Bill.

10. Clauses containing all necessary provisions for giving effect to this agreement and all clauses proper and usual in such cases shall be inserted in the Bill and such clauses in the event of difference shall be adjusted by Charles Alfred Cripps Q.C. M.P.

In witness whereof these presents consisting of this and the four preceding pages are executed in duplicate as follows that is to say They are sealed with the common or corporate seal of the said Caledonian Railway Company and subscribed by Joseph Cheney Bolton and James Clark Buntin two of the directors of the said Caledonian Railway Company and they are sealed with the common or corporate seal of the said Glasgow and South Western Railway Company and subscribed by Sir Renny

Watson and David Guthrie two of the directors of the said Glasgow and South Western Railway Company all at Glasgow on the nineteenth day of November one thousand eight hundred and ninety-five before these witnesses David Murray LL.D. writer Glasgow and Henry Bremner Neave writer Glasgow. A.D. 1896.



J. C. BOLTON Dr.  
J. C. BUNTEN Dr.



RENNY WATSON Director.  
DAVID GUTHRIE Director.

DAVID MURRAY Witness.  
H. B. NEAVE Witness.

The **SECOND SCHEDULE** referred to in the foregoing Act.

HOUSES BUILDINGS or MANUFACTORIES parts only of which may be taken.

Parish.	Nos. on deposited Plans.
Lesmahagow - - -	107 108 139 141 142 143 144 145 146 147 148 149 151 152 154.
Dalserf - - -	27.

The **THIRD SCHEDULE** referred to in the foregoing Act.

AGREEMENT dated the 13th day of February 1896 between His Grace the DUKE OF PORTLAND herein-after called the first party on the one part and the CALEDONIAN RAILWAY COMPANY herein-after called the Company on the other part.

WHEREAS the Company are promoting in the present session of Parliament a Bill for power to make certain railways therein called Railways Nos. 1 2 3 4 5 and 6 in the counties of Lanark and Ayr :

A.D. 1896.

And whereas another Bill under the short title of the Avondale and Douglas Railway Bill was also promoted by the first party and others in the present session of Parliament for power to make certain railways in the said counties of Lanark and Ayr competitive with the railways promoted by the Company

And whereas the parties hereto having entered into negotiations and the terms of these presents having been adjusted the first party withdrew from the promotion of the Avondale and Douglas Railway Bill and the said Bill was thereafter withdrawn:

And whereas on the treaty between the parties with respect to the first party's withdrawal from the promotion of the said Bill it was arranged as underwritten therefore the parties have agreed and do hereby agree and bind and oblige themselves as follows (viz.) :—

1. The Company undertake to obtain Parliamentary powers for and forthwith to construct the railway from Darvel to Cotcastle and extensions to Lesmahagow and Coalburn that is Railways Nos. 1 to 6 both inclusive as shown on the Caledonian Company's plan.

2. The Company agree that the rates for the conveyance of mineral or other traffic between the Hamilton Douglas and Lesmahagow coalfields on the one hand and Troon Harbour on the other hand passing over any portion of the railways specified in the first article hereof and the railway from Hurlford to Gatehead when constructed by the Glasgow and South Western Railway Company shall be charged on or according to the same tables or scales of rates as the rates charged from time to time by the Company for similar traffic for similar distances between the Hamilton Douglas and Lesmahagow coalfields on the one hand and Ardrossan Harbour or any other harbour in Ayrshire on the other hand The provisions in this article contained shall not derogate from but shall be in supplement to the rights powers privileges or remedies of the first party as the owner of Troon Harbour or in any other respect under the Railway and Canal Traffic Act 1854 and the Railway and Canal Traffic Acts 1873 to 1888 all which rights powers privileges and remedies are hereby reserved.

3. The Company undertake to send to Troon Harbour a fair share of all mineral or other traffic under their own control The Company shall give all reasonable facilities to import traffic coming to Troon Harbour.

4. If any question shall arise as to the implement of this agreement or the rights of parties under the same the same shall be disposed of by an arbitrator to be appointed by the Board of Trade on the application of either party to this agreement.

5. This agreement shall be scheduled to the Bill promoted by the Company and shall be subject to such alterations as Parliament may think fit to make therein.

In witness whereof these presents written on this and the preceding page of stamped paper, by Andrew Christie clerk to the said Caledonian Railway Company in their solicitor's office in Glasgow are executed by the parties hereto as follows viz. They are subscribed by his Grace the Duke of Portland at London before these witnesses Edward Horsman Bailey solicitor and Harry Horsman Coles clerk both of No. 5 Berners Street London and they are sealed with the common seal of the Company and subscribed by Walter James Houldsworth and the most Honourable the Marquis of

Breadalbane two of the directors and by John Blackburn secretary for and on behalf of said Company at Westminster before these witnesses Henry Bremner Neave solicitor of said Company and William More clerk to the said Company in their solicitor's office in Glasgow Declaring that this testing clause from and after the words "In witness whereof" is written by David Lindsay Forgan also clerk to the said Company in their solicitor's office in Glasgow.

A.D. 1896.

E. HORSMAN BAILEY Witness. PORTLAND.  
HARRY HORSMAN COLES Witness.

H. B. NEAVE Witness. WALTER J. HOULDSWORTH Dr.  
W. MORE Witness. BREADALBANE Dr.  
J. BLACKBURN Secy.



The **FOURTH SCHEDULE** referred to in the foregoing Act.

PARISHES IN WHICH LANDS OF THE CATHCART DISTRICT RAILWAY COMPANY ARE SITUATE.

County.	Parish.
Lanark - - -	Govan.
Renfrew - - -	Govan.
Renfrew - - -	Cathcart.
Renfrew - - -	Eastwood.

Printed by EYRE and SPOTTISWOODE,  
FOR

T. DIGBY FIGOTT, Esq., C.B., the Queen's Printer of Acts of Parliament.

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