



ANNO SEPTIMO & OCTAVO

GEORGII IV. REGIS.

Cap. lxxxviii.

An Act for altering and amending the *Garnkirk and Glasgow Railway Act.* [14th June 1827.]

WHEREAS an Act was passed in the Seventh Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for making a Railway from the Monkland and Kirkintilloch Railway, by Garnkirk, to Glasgow,* whereby certain Persons were incorporated by the Name and Style of "*The Garnkirk and Glasgow Railway Company,*" and were authorized to make and maintain the said Railway and necessary Works described in the said Act: And whereas it has been ascertained that a more advantageous Line for the Public, and for effecting the Purposes of the said Act, would be obtained by leaving the said *Monkland and Kirkintilloch* Railway at or near *Gartsberrie* Bridge or *Cargill* Colliery, and making certain other Alterations and Improvements on the Line formerly intended to be made; but the same cannot be executed without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to the said Company, and they are hereby authorized and empowered, to make and execute the said Railway according to the said improved Line, *videlicet,* from the *Monkland and Kirkintilloch* Railway, at or near *Gartsberrie* Bridge or *Cargill* Colliery, by or through or near to *Gartcloss, Gartcosh, Garn-*

7 G. 4. c. 103.

Improved Line may be made.

[Local.] 25 A kirk,

Powers of former Act to remain in force and be applied to this Act.

kirk, Robroyston, Milton, Broomfield, Germiston, Rosebank, and Pinkston, and the Lands of Charles Tennant and Company, and Miss Edgar, to or near to the North End of the Bridge across the Cut of Junction between the Forth and Clyde Canal and Monkland Canal on the Road from Glasgow Field to Keppoch, and to or near to the North Side of the said Cut of Junction through the Lands of Miss Edgar and the Representatives of the late Thomas Stewart Esquire, with the necessary Depôts, and to enter into and upon the Lands or Grounds of or belonging to any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate whatsoever, and to survey and take Levels of the same or any Part thereof, and to set out, ascertain, and appropriate such Parts thereof as they shall think necessary and proper for making the said Railway, and all the necessary Basins, Depôts, Engines, Wharfs, Roads of Communication, Works, Matters, and Conveniences thereof or thereto; and the said Company shall and may have, and enjoy and exercise, and be subject to all and sundry the Powers and Authorities, Privileges, Directions, Restrictions, Provisions, Rates, Duties, Clauses, Matters, and Things, and Advantages of and contained in the said Act, for the Purposes of this Act; and the said Act and this Act shall be construed and taken together as One Act, in the same Way in all respects as if all the Provisions, Clauses Declarations, Articles, Enactments, Rates, Privileges, Powers, and Authorities whatsoever of the said Act were herein repeated and re-enacted, excepting always in so far as the same are hereby altered, varied, or repealed.

Protecting the Rights of the Forth and Clyde Canal Company.

II. Provided always, and be it enacted, That nothing contained in this Act, or in the said former Act passed in the Seventh Year of the Reign of His present Majesty, for making the said *Garnkirk and Glasgow* Railway, shall infringe or interfere with the Powers and Privileges granted to the Company of Proprietors of the *Forth and Clyde* Canal Navigation by the several Acts of Parliament passed for making and establishing the said Navigation, and particularly shall not infringe or interfere with the Powers granted to them of deepening, widening, and enlarging the said Canal and Cut of Junction; and that nothing contained in this Act, or in the said former Act passed in the Seventh Year of the Reign of His present Majesty, for making the said *Garnkirk and Glasgow* Railway, shall be held to authorize or empower the said *Garnkirk and Glasgow* Railway Company to carry the said Railway across or over the said *Forth and Clyde* Canal or Cut of Junction, or to prevent the said Company of Proprietors of the *Forth and Clyde* Navigation from deepening, widening, and enlarging the said *Forth and Clyde* Canal and the said Cut of Junction; or to prevent the said Company of Proprietors of the *Forth and Clyde* Navigation from making a new Wharf or new Wharfs on the Sides of the same, and taking and appropriating Ground for these Purposes; or from altering or removing both or either of the present Stone Bridges over the said Cut of Junction, and placing a Drawbridge or Drawbridges of such Construction as they shall think fit in the Place of both or either of the said Stone Bridges.

Ledges not to project above Road.

III. Provided always, and be it enacted, That where the said Railway shall cross or pass along any Turnpike Road or public Path or Highway, the Ledge or Flanch of such Railway shall be constructed so as not to project above the Surface of the Turnpike Road, nor shall any Ledge
or

or Flanch be more than Three Quarters of an Inch below the Level of such Turnpike Road.

IV. Provided also, and be it further enacted, That the Ascent to every Bridge to be made over the said Railway for the Purpose of any public or private Road shall not be more than One Foot in Thirteen Feet; and that the Fence on each Side of such Bridge shall not be less than Four Feet above the Surface of the Bridge.

Ascent of
Bridges.

V. And whereas a Map or Plan, Section, and Book of Reference, of such intended improved Line, have been deposited in the Office of the Clerk of the Peace for the said County of *Lanark*: Be it enacted, That the said Plan, Section, and Book of Reference shall remain in the Custody of the Clerk of the Peace for the said County, to the end that all Persons may have Liberty at all reasonable Times to resort to and examine, or make Extracts from or Copies of the same, as Occasion shall require, paying to the said Clerk of the Peace the Sum of One Shilling for every such Inspection, and for Copies or Extracts from the said Book of Reference at the Rate of Sixpence for every One hundred Words; and the said Company, in making the said intended Railway, shall not deviate more than One hundred Yards from the Line delineated on the said Map or Plan: Provided always, that nothing herein or in the said recited Act contained shall authorize or empower the said Company to take, use, injure, or damage, for the foresaid Purposes, any House or other Building which was erected at or before the passing of this Act, or any Land or Ground which was then set apart and used as and for a Garden, Orchard, Yard, Policy, Paddock, planted Walk, or Avenue to a Mansion House, without the Consent in Writing of the Owners and Occupiers thereof and Persons interested therein respectively, other than and except those specified in the Schedule hereunto annexed.

Plan, &c.
to remain
with Clerk
of Peace.

Company
not to de-
viate more
than 100
Yards from
Line.

Houses and
Gardens not
to be in-
jured.

VI. Provided always, and be it further enacted, That the said Company of Proprietors may make the said Railway, Wharfs, Depôts, and other Works into, through, or across or over the Lands or Grounds of any Person or Persons who is or are or may be the Owner or Owners of Land over which the same is set out and described in the said Map or Plan as aforesaid, although the Name or Names of such Person or Persons may happen to be omitted in the said Book of Reference, in case it shall appear to any Two or more of any of the Justices of the Peace for the said County of *Lanark*, and be certified in Writing under their Hands, that such Error or Omission proceeded from Mistake.

Misnomers
not to pre-
vent Execu-
tion of Act.

VII. And whereas the probable Expense of making the said Railway will, according to an Estimate made thereof, amount to the Sum of Thirty-seven thousand eight hundred and forty-seven Pounds Seventeen Shillings and Four-pence; and the whole of such Sum has been subscribed for defraying such Expenses, under a Contract binding the Subscribers, their Heirs, Executors, and Administrators, for Payment of the several Sums of Money so subscribed by them respectively; Be it enacted, That the said Company may proceed to put the Powers of this Act forthwith into execution.

Money
subscribed.

VIII. And be it further enacted, That it shall be lawful for the said Company of Proprietors to raise and contribute among themselves, in such Proportions

Additional
Stock may
be raised.

Proportions as they shall think proper, over and above the Sum of Twenty-eight thousand four hundred and ninety-seven Pounds Seventeen Shillings and Four-pence authorized to be raised by the said recited Act, a further Stock or competent Sum of Money for making and completing the said Railway and Extension, Basin, Wharfs, Depôts, Engines, Roads of Communication, Works or Conveniences belonging or requisite thereto, according to the said improved Plan, not exceeding in the whole the further Sum of Nine thousand three hundred and fifty Pounds, in Shares of Fifty Pounds each, and in like Manner also, if the said Company shall see fit, to make, and shall hereafter make and execute a double Railway, or lay a second Line of Rails along the first Line, then and in that Event the said Company are and shall be authorized to raise and contribute a further Sum of Eleven thousand Pounds Sterling for that Purpose, to be also divided into Shares of Fifty Pounds Sterling each; and which additional Sum or Sums, according as the same shall be raised and paid up, shall along with the said Capital Sum authorized to be levied by the said recited Act be and be deemed to be the Capital Stock of the said Company of Proprietors, whereon the Dividends and the Calls and Charges shall be payable, and to which all the Provisions regarding the Capital Stock authorized to be raised by the said Act shall be applicable and apply.

Qualifications of Member of Committee.

IX. And be it further enacted, That the Possession of Five Shares of the Stock of said Company shall qualify the Holder thereof to be One of the Committee of Management of the said Company.

Repeal of former Act as to old Line.

X. And be it enacted, That from and after the passing of this Act the Powers granted by the foresaid Act for making and executing the Line of the said Railway through the Lands of *Bedlay, Holmes, Muirhead, Partassels, Cochneuch, and Hoggan-field*, and the other Parts of the Lands of *Garnkirk, Milton, Broomfield, Germiston, Rosebank, and Pinkston*, and of the Lands of *Petershill*, and of Messieurs *Dow and Gillies*, respectively delineated on the Plan referred to in the foresaid recited Act, shall be and the same are hereby repealed.

Period within which Railway to be completed.

Proviso.

XI. And whereas by the foresaid recited Act it is enacted, that the same shall be void and null if the said Railway shall not have been completed within the Space of Five Years from the passing thereof, save only as to so much of the said Railway as shall have been completed within the said Space of Five Years: Be it enacted, That the said Space of Five Years shall be computed from the passing of this Act: Provided always, that such Restriction shall not extend to the Power of the said Company to form the double Railway, or lay a second Line of Rails, and raise the foresaid additional Stock for that Purpose, in case the first or single Line of Railway shall have been completed within the Period limited, and in case there shall not be any additional Ground required to be taken by the said Company in virtue of this Act.

Subscriptions to be paid up.

XII. And be it further enacted, That all and every Person or Persons who have or hath already subscribed or who shall hereafter subscribe any Money for and towards the making and maintaining the said Railway and other Works hereby authorized to be made shall and they are hereby required to pay up the Sum or Sums by him, her, or them respectively

respectively subscribed or to be subscribed, or such Part or Parts thereof as shall from Time to Time be called for by the Committee of the said Company, by virtue of the Powers and pursuant to the Directions of the said recited Act and this Act, at such Time and Times and Place and Places as shall be appointed for that Purpose; and in case any Person or Persons shall neglect or refuse to pay the Sum or Sums so to be called for from him, her, or them, at the Time or Times, Places or Places, and in the Manner to be appointed for that Purpose, it shall be lawful for the said Company to sue for and recover the same in any Court of Law or Equity.

XIII. And be it further enacted, That the Costs and Charges of obtaining and passing this Act, and of making the Surveys and Plans and Estimates and all other Costs, Charges, and Expenses relating to or concerning the same, or anyways incident thereto, shall be borne, paid, and defrayed by the said Company of Proprietors out of the Money received or to be received or raised by virtue of the said recited Act and this present Act, or either of them. Expense of this Act.

XIV. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded. Public Act.

SCHEDULE referred to in this Act.

OWNERS.	DESCRIPTION OF PROPERTY.
J. H. Colt, Esq. - - -	Plantation.
Ditto - - -	Ditto.
C. A. King, Esq. - - -	Plantations.
Heirs of James Hill, Esq. - - -	Plantation and Pasture.
Ditto - - -	Pastures.
Dr. James Jeffray - - -	Plantation.
Ditto - - -	Pasture.
Mark Sprott, Esq. - - -	Plantation and Pasture.
Ditto - - -	Ditto.
Ditto - - -	Ditto.
Ditto - - -	Pasture.
Dr. James Jeffray - - -	House and Yard.
Ditto - - -	Plantation.
Mark Sprott, Esq. - - -	Ditto.
Ditto - - -	House and Yard.
Ditto - - -	Plantation.
Mrs. Rae Crawford - - -	Ditto.
Ditto - - -	Ditto.
Ditto - - -	Ditto.
Miss Hamilton - - -	Ditto.
Ditto - - -	Private Road.
Captain Lockhart - - -	Pasture.
Ditto - - -	Ditto.
Heirs of Robert Hill, Esq. - - -	Ditto.
Ditto - - -	Ditto.
Ditto - - -	Plantation.
Ditto - - -	Garden.
Ditto - - -	Pasture.
Dr. Pinkston - - -	Ditto.
Miss Edgar - - -	Garden.
Ditto - - -	House and Garden.
Ditto - - -	Garden.
Heirs of Thomas Stewart, Esq. - - -	Plantation.
Ditto - - -	Pasture.

LONDON :

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1850.