



ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

Cap. cclxvi.

An Act for making a Railway from the Town of *Oban* in the County of *Argyle* to the *Dunblane, Doune, and Callander* Railway near *Callander* in the County of *Perth*, with a Tramway to the Harbour of *Oban*; and for other Purposes.

[5th July 1865.]

WHEREAS the making of a Railway from the Town of *Oban* in the County of *Argyle* to the *Dunblane, Doune, and Callander* Railway near *Callander* in the County of *Perth*, with a Tramway to the Pier on the East Side of the Harbour of *Oban*, would be of great local and public Advantage: And whereas the Persons herein-after named, together with others, are willing at their own Expense to carry such Undertaking into execution, and it is expedient that they should be incorporated for that Purpose: And whereas the *Dunblane, Doune, and Callander* Railway is worked by the *Scottish Central* Railway Company, and the said proposed Railway and Tramway may be beneficially maintained and worked in connexion with that Railway and with the Railways of the *Scottish Central* Railway Company, and that Company are willing to maintain and work the same, and it is expedient that Provision should be made for that Purpose: And whereas the *Scottish*

[*Local.*]

43 Y

Central

The Callander and Oban Railway Act, 1865.

Central Railway Company are desirous, and it is expedient that they should be enabled to contribute to the proposed Undertaking and to take and hold Shares or Stock therein: And whereas Plans and Sections, showing the Lines and Levels of the said proposed Railway and Tramway and the Lands which may be required to be taken for the Purposes thereof, and of the Works connected therewith, together with a Book of Reference to such Plans, have been deposited for public Inspection in the Office at *Inverary* of the Principal Sheriff Clerk of the County of *Argyle* and in the Offices at *Dunblane* and *Perth* respectively of the Principal Sheriff Clerk of the County of *Perth*: But the Objects aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Short Title. 1. In citing this Act for any Purpose it shall be sufficient to use the Expression "*The Callander and Oban Railway Act, 1865.*"

8 & 9 Vict.
cc. 17., 19.,
& 33.,
23 & 24 Vict.
c. 106., and
26 & 27 Vict.
cc. 92. &
118. incor-
porated.

2. "*The Companies Clauses Consolidation (Scotland) Act, 1845,*" "*The Lands Clauses Consolidation (Scotland) Act, 1845,*" "*The Railways Clauses Consolidation (Scotland) Act, 1845,*" "*The Lands Clauses Consolidation Acts Amendment Act, 1860,*" Parts I., II., and III. of "*The Companies Clauses Act, 1863,*" relating respectively to Cancellation and Surrender of Shares, to additional Capital, and to Debenture Stock, and Parts I. and III. of "*The Railways Clauses Act, 1863,*" relating respectively to Construction of a Railway and to Working Agreements, save as otherwise expressly provided by or inconsistent with this Act, are incorporated with this Act, and (except Part II. of "*The Companies Clauses Act, 1863,*") shall apply to the Undertaking by this Act authorized and to the Company by this Act incorporated.

Application
of Parts of
8 & 9 Vict.
c. 17. to
additional
Capital au-
thorized to
be raised by
Scottish
Central
Railway
Company.

3. Subject to the Provisions of this Act, the Clauses and 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 Nonpayment of Calls, the Remedies of Creditors of the Company against the Shareholders, the Consolidation of the Shares into Stock, the General Meetings of the Company, and the Exercise of the Right of voting by the Shareholders, and the Provision to be made for affording Access to the Special Act by all Parties interested, and also Parts I. and II. of "*The Companies Clauses Act, 1863,*" relating respec-

The Callander and Oban Railway Act, 1865.

respectively to Cancellation and Surrender of Shares and to additional Capital, shall apply to the additional Capital which the *Scottish Central Railway Company* are by this Act authorized to issue; and all the Provisions of "The Companies Clauses Consolidation (*Scotland*) Act, 1845," 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 *Scottish Central Railway Company* are by this Act authorized to issue, and to the Holders thereof: Provided always, that the Holders of any Preference Shares or Stock which may be issued by the *Scottish Central Railway Company* under the Authority of this Act shall be entitled to the preferential Dividend or Interest assigned thereto only out of the Profits of each Half Year in priority to the Ordinary Shares and Stock of that Company, and that if in any Half Year ending on the Thirty-first Day of *January* or the Thirty-first Day of *July* there are not Profits available for the Payment of the full Amount of such preferential Dividend or Interest for that Half Year, no Part of the Deficiency shall be made good out of the Profits of any subsequent Half Year, or out of any other Funds of the said Company.

4. In construing for the Purposes of this Act the Acts wholly and partly incorporated herewith, and in construing this Act, the following Expressions shall have the Meanings hereby assigned to them respectively, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

Interpretation of Expressions in the incorporated Acts and this Act.

The Expression "the Special Act" shall mean this Act:

The Expression "the Company" shall mean the Company incorporated by this Act, except in so far as the Provision in which it occurs is applicable to the additional Capital which the *Scottish Central Railway Company* are by this Act authorized to issue, in which Case it shall likewise include and mean the *Scottish Central Railway Company*:

The Expression "the Railway" shall apply to and mean the Tramway, as well as the Railway and other Works authorized by this Act:

The Expression "the Tramway" shall mean the Tramway by this Act authorized:

Other Expressions to which Meanings are assigned in the Acts wholly or partly incorporated herewith shall respectively have the same Meanings in this Act.

5. *John Wingfield Malcolm, Alexander Macduff, Sir Alexander Charles Gibson Maitland Baronet, Farquhar Campbell, Robert Macfie, Robert Tennant, James Ferguson Wyllie, James Falshaw, and John Wilson,* and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their

Incorporation of Company.

Executors,

The Callander and Oban Railway Act, 1865.

Executors, Administrators, Successors, and Assigns, respectively, shall be and are hereby united into a Company, for the Purpose of making and maintaining the Railway and Tramway herein-after described, and all proper Stations, Approaches, and other Works and Conveniences connected therewith; and for that Purpose such Company shall be incorporated by the Name of "the *Callander and Oban* Railway Company," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have Power to purchase, acquire, and hold Lands and Heritages for the Purposes of the Undertaking, subject to the Provisions of this Act and of the Acts wholly and partly incorporated herewith.

- Capital. **6.** The Capital of the Company shall be Six hundred thousand Pounds sterling.
- Number and Amount of Shares. **7.** The Number of Shares into which the Capital of the Company shall be divided shall be Sixty thousand, and the Amount of each Share shall be Ten Pounds.
- Calls. **8.** Two Pounds per Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and Two Months at the least shall be the Interval between successive Calls, and Three Fifths of the Amount of a Share shall be the utmost aggregate Amount of Calls that may be made upon any Share in any One Year.
- Shares not to issue until One Fifth paid up. **9.** It shall not be lawful for the Company to issue any Share under the Powers of this Act, nor shall any such Share vest in the Person accepting the same, unless and until a Sum not being less than One Fifth Part of the Amount of such Share shall be paid up in respect thereof.
- Votes of Shareholders. **10.** At all Meetings of the Company every Shareholder in the Company shall have One Vote in respect of each Share or of each Portion of Stock of the nominal Amount of Ten Pounds in the Capital of the Company which shall be held by him.
- Power to borrow on Mortgage. **11.** When and so soon as the whole of the said Capital of Six hundred thousand Pounds shall have been issued and taken up, and One Half of the said Sum shall have been paid up, it shall be lawful for the Company from Time to Time to borrow on Mortgage, and if paid off again to borrow, any Sum or Sums of Money not exceeding in the whole the Sum of Two hundred thousand Pounds: Provided always, that no Part of such Sum shall be borrowed until the Company shall have proved to the Sheriff who is to certify under the Provisions contained in the Forty-second Section of "The Companies Clauses

The Callander and Oban Railway Act, 1865.

Clauses Consolidation (*Scotland*) Act, 1845," that the whole of the said Capital has been issued and taken up *bonâ fide*, and that One Half thereof has been paid up, and that a Sum not less than One Fifth Part of the Amount of each Share and of each Portion of Stock so issued had been paid up thereon at the Time of the Issue and Acceptance thereof, and that the whole of the said Shares or Stock are held by the Persons to whom the same were issued, or their Executors, Administrators, or Assignees, and for which such Persons or their Executors, Administrators, or Assignees, are legally liable.

12. It shall be lawful for the Mortgagees of the Company to enforce the Payment of the Arrears of Principal and Interest due on their respective Mortgages by the Appointment of a Judicial Factor; and in order to authorize the Appointment of such Judicial Factor, in the event of the Principal Monies due on such Mortgages not being duly paid, the Amount owing to the Mortgagees by whom Application for the Appointment of such Judicial Factor shall be made shall be not less than Ten thousand Pounds in the whole.

Arrears may be enforced by Appointment of a Judicial Factor.

13. It shall be lawful for the Company to create and issue Debenture Stock.

Power to issue Debenture Stock.

14. The Capital of the Company, and the Sums which may be borrowed on Mortgage or raised by the Issue of Debenture Stock under the Authority of this Act, shall be applied only to the Objects and Purposes of this Act.

Application of Monies.

15. It shall be lawful for the *Scottish Central* Railway Company and they are hereby required to contribute and apply their Funds towards the Undertaking to the Amount of Two hundred thousand Pounds, and to take and hold Shares or Stock in the Company to an Extent corresponding to that Amount; and, except as herein-after expressly provided, they shall, in respect of such Shares or Stock, have all the Powers, Rights, and Privileges, and be subject to all the Obligations and Liabilities, of Proprietors of Shares or Stock in the Company; and at all Meetings of the Company the Chairman, or, in his Absence, the Deputy Chairman of Directors of the *Scottish Central* Railway Company, or, in the Absence of such Chairman and Deputy-Chairman, any Person appointed for the Purpose by a Writing under the Common Seal of that Company, may attend and vote in respect of the Shares or Stock in the Company held by the *Scottish Central* Railway Company, whether he be individually a Shareholder in the Company or not: Provided always, that the Shares or Stock so held by the *Scottish Central* Railway Company shall not be transferable by them, and that they shall not vote in respect of such Shares or Stock in relation to the Election of Directors by the Share-

Scottish Central Railway Company to contribute Funds and hold Shares.

The Callander and Oban Railway Act, 1865.

holders of the Company, or in relation to the Company's Approval of or Assent to any Agreement which, in pursuance of the Provisions herein-after contained, may be entered into with the *Scottish Central Railway Company*.

Power to
Scottish
Central
Railway
Company to
raise Money
for that Pur-
pose by the
Issue of new
Shares or
Stock.

16. It shall be lawful for the *Scottish Central Railway Company*, for the Purpose of the Contribution herein-before mentioned, from Time to Time to raise, in addition to the Sums which they are or may be authorized to raise by any other Act of Parliament, any further Sums of Money not exceeding in the whole the Sum of Two hundred thousand Pounds by the Issue of new Ordinary Shares or new Ordinary Stock, or of new Preference Shares or new Preference Stock, or, at the Option of the said Company, by any of those Modes.

New Shares
or Stock not
to vest until
20 per Cent.
is paid
thereon.

17. It shall not be lawful for the *Scottish Central Railway Company* to issue any Share or Portion of Stock under the Powers of this Act, nor shall any such Share or Portion of Stock vest in the Person accepting the same, unless and until a Sum not being less than One Fifth Part of the Amount of such Share or Portion of Stock shall be paid up in respect thereof.

Votes in
respect of
new Shares
or Stock.

18. Each Holder of new Shares or Stock in the Capital by this Act authorized to be raised by the *Scottish Central Railway Company* shall be entitled to the same Number of Votes in respect thereof, at all Meetings of that Company, which the Possession of an equal nominal Amount of the Capital authorized by "The *Scottish Central Railway Consolidation Act, 1859*," would have conferred upon him.

Capital
under sever-
al Acts of
this Session
may be
raised by
Shares or
Stock of
One Class.

19. If by any other Act or Acts passed in the present Session of Parliament, whether before or after the passing of this Act, the *Scottish Central Railway Company* be authorized to raise any Capital by the Issue of new Shares or Stock (whether Ordinary or Preference), the said Company may, if they think fit, subject to the Provisions of such other Act or Acts and of this Act, raise by the Issue of Shares or Stock of One and the same Class and entitled to the same Privileges, all or any Part or Parts of the aggregate Capital which they are by such other Act or Acts and this Act authorized to raise by the Issue of Shares or Stock.

Application
of Monies.

20. All Monies raised by the *Scottish Central Railway Company* under the Powers of this Act shall be applied only towards Payment of the Contribution which they are herein-before empowered to make to the Undertaking by this Act authorized.

First and
subsequent

21. The First Ordinary Meeting of the Company shall be held within Three Months next after the passing of this Act, and the subsequent

The Callander and Oban Railway Act, 1865.

subsequent Ordinary Meetings of the Company shall be held twice in every Year in the Months of *February* or *March*, and *August* or *September*, respectively.

Ordinary Meetings of Company.

22. The Quorum of every Meeting of the Company, whether ordinary or extraordinary, shall be Ten Shareholders present personally or by proxy, holding in the Aggregate not less than Twenty thousand Pounds in the Capital of the Company.

Quorum of Meetings.

23. The Number of Directors shall be Nine, and the Qualification of a Director appointed by the Shareholders shall be the Possession in his own Right of Shares or Stock to the nominal Amount of not less than Five hundred Pounds in the Capital of the Company; and the Qualification of a Director appointed by the Directors of the *Scottish Central Railway Company* shall be the Possession in his own Right of Shares or Stock to the nominal Amount of not less than Five hundred Pounds in the Capital of the Company, or of the *Scottish Central Railway Company*.

Number and Qualification of Directors.

24. The Quorum of a Meeting of Directors shall be Three.

Quorum of Directors.

25. *John Wingfield Malcolm, Farquhar Campbell, Robert Macfie, and Robert Tennant* shall be the First Directors on behalf of the Shareholders of the Company other than the *Scottish Central Railway Company*, and *Alexander Macduff, Sir Alexander Charles Gibson Maitland Baronet, James Ferguson Wyllie, James Falshaw, and John Wilson* shall be the First Directors on behalf of the *Scottish Central Railway Company*.

First Directors.

26. The Directors appointed by this Act shall continue in Office until the First Ordinary Meeting of the Company to be held after the passing of this Act.

First Directors to continue in Office.

27. At the First Ordinary Meeting of the Company held after the passing of this Act the Shareholders (other than the *Scottish Central Railway Company*) present personally or by proxy shall either continue in Office the Directors appointed on their Behalf by this Act or any Number of them, or may elect Four new Directors, or Directors to supply the Places of those not continued in Office by them, any of the Directors appointed by this Act being capable of Election; and at the Ordinary Meetings of the Company held in the Month of *August* or *September* in the Year One thousand eight hundred and sixty-six, and in every succeeding Year, the Shareholders, other than the *Scottish Central Railway Company*, present personally or by proxy shall elect a Person or Persons to supply the Place of the Director or Directors then retiring from Office, agreeably to the Provisions in "The Companies Clauses Consolidation (*Scotland*) Act, 1845," contained; and the Person or Persons elected at such

Election of Directors by Shareholders.

respective

The Callander and Oban Railway Act, 1865.

respective Meetings, being neither removed nor disqualified nor having resigned, shall continue to be a Director or Directors until another or others be elected in his or their Stead, in manner provided by the last-mentioned Act.

Appoint-
ment of
Directors by
Scottish
Central
Railway
Company.

28. It shall be lawful for the Directors of the *Scottish Central Railway Company*, on or after the Date of the First Ordinary Meeting of the Company held after the passing of this Act, to appoint (in addition to the Directors appointed by the Shareholders other than the *Scottish Central Railway Company*) Five Directors of the Company, who shall remain in Office until they shall respectively die, or resign, or become disqualified, or until their respective Appointments be revoked as after-mentioned; and the Directors of the *Scottish Central Railway Company* shall have Power from Time to Time to revoke any such Appointment, and to appoint a new Director of the Company in place of any Director appointed by them whose Appointment shall have been so revoked, or who shall have died, resigned, or become disqualified; and a Writing given under the Common Seal of the *Scottish Central Railway Company*, or under the Hands of their Chairman of Directors and Secretary, and deposited with the Secretary of the Company, shall be the Evidence of any such Appointment or Revocation: Provided always, that the Provisions of "The Companies Clauses Consolidation (*Scotland*) Act, 1845," with respect to the Appointment and Rotation of Directors, shall not apply to the Directors appointed by the Directors of the *Scottish Central Railway Company*.

Periods for
balancing
and inspect-
ing Account
Books of
Company.

29. The Periods at which the Books of Account of the Company shall be balanced shall be the Thirty-first Day of *January* and the Thirty-first Day of *July* in each Year, and the Periods during which Shareholders of the Company shall be entitled to Inspection of such Books shall be Fourteen Days before and Fourteen Days after each Ordinary Meeting of the Company.

Powers for
compulsory
Purchases
limited.

30. The Powers for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Five Years from the passing of this Act.

Lands for
extra-
ordinary
Purposes.

31. In addition to the Lands herein-before authorized to be taken by the Company, it shall be lawful for the Company to purchase by Agreement, in connexion with the Railway, any Quantity of Land near or adjoining thereto, not exceeding Ten Acres, for the extraordinary Purposes specified in "The Railways Clauses Consolidation (*Scotland*) Act, 1845."

Power to
construct
Works.

32. It shall be lawful for the Company, with the Powers of Deviation and other Powers, and subject to the Provisions contained in

The Callander and Oban Railway Act, 1865.

in this Act and in the Acts wholly and partly incorporated herewith, to make and maintain in the Lines and upon the Lands delineated on the Plans and described in the Book of Reference deposited as aforesaid, and according to the Levels defined on the Sections deposited therewith, the Railway and the Tramway herein-after described, and all proper Stations, Approaches, and other Works and Conveniences in connexion therewith respectively, and to enter upon, take, and use such of the said Lands as they may find necessary for the Purposes authorized by this Act and the Acts wholly and partly incorporated therewith.

33. The Works by this Act authorized to be constructed are,

Description of Works.

First, a Railway commencing about Two Furlongs South-westward from the Schoolhouse in the Town of *Oban* called the *Oban* Industrial School, and terminating by a Junction with the *Dunblane, Doune, and Callander* Railway about One and a Half Furlongs Eastward from the Booking Office of the *Callander* Station of that Railway; and,

Secondly, a Tramway commencing by a Junction with the Railway above described about One Furlong South-westward from the said Schoolhouse, and terminating on the Pier on the East Side of the Harbour of *Oban* about Two Chains Eastward from the South-western End of the said Pier.

34. The Company shall, not less than Eight Weeks before they take in any Parish Houses amounting to Fifteen in Number or more, occupied either wholly or partially by Persons belonging to the Labouring Classes as Tenants or Lodgers, make known their Intention to take the same by Placards, Handbills, or other general Notice placed in public View upon or within a reasonable Distance from such Houses; and the Company shall not take any such Houses until they have obtained the Certificate of a Justice that it has been proved to his Satisfaction that the Company have made known their Intention to take the same in manner herein-before required.

Notice to be given of taking of Houses of Labouring Classes.

35. It shall be lawful for the Company to carry the Tramway by a single Line while the Tramway remains a single Line, and by not more than Two Lines if the Tramway be made a double Line, across and upon the Level of the Streets or Places numbered as follows on the Plans deposited as aforesaid; (that is to say,)

Tramway may be carried across certain Streets or Places on the Level thereof.

Number on Plans.	Parish.	Description.
60	United Parishes of Kilmore and Kilbride	Argyle Square.
63	United Parishes of Kilmore and Kilbride	Combie Street.
285	United Parishes of Kilmore and Kilbride	George Street.

[Local.]

44 A

36. It

The Callander and Oban Railway Act, 1865.

Locomotive
Engines, &c.
not to be
used on
Tramway.

36. It shall not be lawful for the Company, or for any other Company or Person, to use or permit to come upon the Tramway any Locomotive Engine, or Carriage propelled by Steam or by atmospheric Agency, or drawn by any Rope in connexion with a stationary Steam Engine; and the Company shall be subject to and shall abide by all such Regulations with regard to the Crossings of the Streets or Places herein-before specified on the Level, or with regard to the Speed at which Trains may pass the said level Crossings, as may from Time to Time be made by the Board of Trade; and if the Company fail to observe or abide by any such Regulation, they shall for every such Offence be liable to a Penalty not exceeding Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day during which the Offence continues after the Penalty of Twenty Pounds is incurred.

Certain Pro-
visions of
General
Acts not to
apply to level
Crossings by
Tramway.

37. The Provisions contained in Section Forty of "The Railways Clauses Consolidation (*Scotland*) Act, 1845," and in Sections Five, Six, Seven, and Eight of "The Railways Clauses Act, 1863," with respect to level Crossings of Turnpike and public Carriage Roads by the Railway, shall not apply to the Crossings by the Tramway of the Streets or Places herein-before specified.

Regulating
the Inclina-
tions of cer-
tain Roads.

38. It shall be lawful for the Company to alter the Inclinations of the Roads numbered as after-mentioned on the Plans deposited as aforesaid to such an Extent as they may think fit, provided that such altered Inclinations be not steeper than those herein-after specified respectively; (that is to say,)

Number on Plans.	Parish.	Description.	Inclination.
168	United Parishes of Kilmore and Kilbride.	Road - -	1 in 15 on one Side and 1 in 45 on the other.
271	United Parishes of Kilmore and Kilbride.	Road - -	1 in 17.
272	United Parishes of Kilmore and Kilbride.	Road - -	1 in 15.
30/1	United Parishes of Ardchattan and Muckairn.	Road - -	1 in 16 on one Side and 1 in 25 on the other.
249	United Parishes of Ardchattan and Muckairn.	Road - -	1 in 12 on one Side and level on the other.
36	Parish of Killin, near 39 Miles from Commencement of Line.	Turnpike Road -	1 in 15.
36	Parish of Killin, near 45 Miles 25 Chains from Commencement of Line.	Turnpike Road -	1 in 20.

The Callander and Oban Railway Act, 1865.

Number on Plans.	Parish.	Description.	Inclination.
36	Parish of Killin, near 46 Miles 49 Chains from Commencement of Line.	Turnpike Road -	1 in 20 on one Side and level on the other.
57	Parish of Balquhidder, near 58 Miles 56 Chains from Commencement of Line.	Turnpike Road -	1 in 25.
91	Parish of Balquhidder - - -	Statute Labour Road.	1 in 15 on one Side and level on the other.
190	Parish of Balquhidder - - -	Statute Labour Road.	1 in 15 on one Side and 1 in 20 on the other.
57	Parish of Balquhidder, near 60 Miles 76 Chains from Commencement of Line.	Turnpike Road -	1 in 20.

39. It shall be lawful for the Company to construct the Arches of the Bridges for carrying the Railway over the Roads numbered as after-mentioned on the Plans deposited as aforesaid of such Dimensions as they may think fit, provided that such Dimensions be not less than those herein-after specified respectively ; (that is to say,)

Regulating the Dimensions of certain Bridges

Number on Plans.	Parish.	Description.	Height of Arch.	Width of Arch.
168	United Parishes of Kilmore and Kilbride.	Road - -	Feet. 14	Feet. 20
271	United Parishes of Kilmore and Kilbride.	Road - -	13	20
30	United Parishes of Ardochattan and Muckairn.	Road - -	14	20
142	United Parishes of Ardochattan and Muckairn.	Road - -	12	15
6	United Parishes of Glenorchy and Inishail	Road - -	14	20
36	Parish of Killin - - -	Turnpike Road -	14	25
49	Parish of Balquhidder - - -	Road - -	12	15
57	Parish of Balquhidder - - -	Turnpike Road -	15	30
91	Parish of Balquhidder - - -	Statute Labour Road.	14	20

40. It shall be lawful for the Company to stop up the Roads, Streets, and Tramway numbered as after-mentioned on the Plans deposited as aforesaid, without substituting others therefor ; (that is to say,)

Power to stop up certain Roads and Streets and a Tram way.

The Callander and Oban Railway Act, 1865.

Number on Plans.	Parish.	Description.
46	United Parishes of Kilmore and Kilbride	Gibraltar Street.
46	United Parishes of Ardchattan and Muck-airn.	Road.
241	United Parishes of Ardchattan and Muck-airn.	Road.
19	United Parishes of Glenorchy and Inishail	Occupation Road.
14	Parish of Killin - - - -	Tramway.
334	Parish of Balquhidder - - - -	Occupation Road.
2	Parish of Callander - - - -	Occupation Road.
30	Parish of Callander - - - -	Statute Labour Road.
122	Parish of Callander - - - -	Intended Street.
155	Parish of Callander - - - -	Road.
163/1	Parish of Callander - - - -	Road or Street.

Powers of lateral and vertical Deviation.

41. It shall be lawful for the Company to deviate from the Lines of the Railway as delineated on the Plans deposited as aforesaid to any Extent within the Limits of Deviation delineated on the said Plans; and (except in passing through a Town, Village, Street, or Land continuously built upon) to deviate from the Levels of the Railway as described on the Sections deposited as aforesaid to any Extent not exceeding Ten Feet.

Power to increase Gradients.

42. It shall be lawful for the Company to increase any Inclination or Gradients of the Railway shown on the Sections deposited as aforesaid as not steeper than One in a Hundred to such an Extent as they may think fit, provided that such Inclination or Gradients when so increased be not steeper than One in a Hundred.

Power to diminish Radius of Curves.

43. It shall be lawful for the Company to diminish the Radius of any Curve described on the Plans deposited as aforesaid to any Extent which shall leave a Radius of not less than a Quarter of a Mile.

Limiting Time for Completion of Works.

44. The Railway shall be completed within Seven Years from the passing of this Act.

As to Construction of Railway through the Estate of Edinchip.

45. Notwithstanding anything contained in this Act or the Acts incorporated herewith, the Company, in constructing the Railway in and through the Estate of *Edinchip* in the parish of *Balquhidder* and County of *Perth*, belonging to Sir *Malcolm MacGregor* Baronet, shall be subject to the following Provisions and Conditions:

First, the Railway, between the Points marked on the Plans deposited as aforesaid Fifty-six Miles Seven Furlongs and Fifty-seven Miles Three Furlongs, shall not, except with the Consent in Writing of the said Sir *Malcolm MacGregor*, or his Heirs or Successors

The Callander and Oban Railway Act, 1865.

Successors in the said Estate, be diverted to the South or South-east of the centre Line delineated on the said Plans, so as to bring the same nearer to the Mansion House of *Edinchip* than is shown by the said centre Line :

Second, the Level of the Railway, between the Points marked on the said Plans Fifty-six Miles Six and One Half Furlongs and Fifty-seven Miles Three and One Half Furlongs, shall not, except with such Consent as aforesaid, be raised higher than the Level shown on the Sections deposited as aforesaid :

Third, the Company shall not, except with such Consent as aforesaid, acquire any Land for temporary Purposes, nor make any Side Cuttings, nor deposit any Spoil Banks between the last-mentioned Points :

Fourth, the Company shall not, except with such Consent as aforesaid, take between the last-mentioned Points any Land of a greater Breadth than is ordinarily taken for a double Line of Railway to suit the Slopes and Nature of the Material in or through which the Railway is formed.

46. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of Her present Majesty, Chapter Twenty, a Sum of Forty-eight thousand Pounds (being Eight *per Centum* upon the Amount of the Estimate in respect of the Railway and Tramway and other Works authorized by this Act) has been deposited in the Bank in the Name of the Queen's Remembrancer of the Exchequer in *Scotland*, in respect of the Application to Parliament for this Act: Be it enacted, That, notwithstanding anything contained in the said Act of the Ninth Year of Her present Majesty, the said Sum of Forty-eight thousand Pounds so deposited as aforesaid in respect of the Application for this Act, or the Interest of such Sum of Money, shall not, except upon the Execution and Deposit of such Bond as is herein-after mentioned, be paid to or on the Application of the Person or Persons or the Majority of the Persons named in the Warrant or Order issued in pursuance of the said Act, or the Survivors or Survivor of them, unless the Company shall, previously to the Expiration of the Period limited by this Act for the Completion of the said Railway hereby authorized to be made, either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by the Company by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital, and if the said Period shall expire before the Company shall either have opened the said Railway for the public Conveyance of Passengers or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the said Sum of

Security for
Completion
of Works.

The Callander and Oban Railway Act, 1865.

Money deposited as aforesaid and the Interest thereof shall, immediately from and after the Expiration of the said Period, be forfeited to Her Majesty, and be paid by the Officer or Person in whose Name it shall then be deposited to the Account of Her Majesty's Exchequer, and when so paid shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*.

Release of
Money
deposited.

47. Provided always, That if at any Time after the passing of this Act, a Bond in Twice the Amount of the said Sum of Forty-eight thousand Pounds shall have been executed by the Company, with One or more Sureties, (such Bond to be prepared to the Satisfaction of, and such Surety or Sureties to be approved by, the Solicitor to the Lords Commissioners of Her Majesty's Treasury,) conditioned for Payment to Her Majesty, Her Heirs or Successors, of the said Sum of Forty-eight thousand Pounds if the Company shall not within the Time limited for the Completion of the said Railway either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee that the Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by the Company by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital, and if such Bond shall have been deposited with the said Solicitor to the said Lords Commissioners, then such Sum of Money and the Interest thereof shall be paid to or on the Application of the Person or Persons, or the Majority of the Persons, named in such Warrant or Order as aforesaid, or the Survivors or Survivor of them, and it shall not be necessary to produce any Certificate of this Act having passed, anything in the said Act of the Ninth Year of Her present Majesty to the contrary notwithstanding; and the Monies to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Money and the Interest thereof would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitor to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Lords of the said Committee that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

Tolls for the
Use of the
Railway and
for Car-
riages.
For Passen-
gers.

48. It shall be lawful for the Company to demand and recover any Tolls for the Use of the Railway and of Carriages not exceeding the following; (that is to say,)

1. In respect of Passengers conveyed upon the Railway or any Part thereof, as follows:

For every Person so conveyed, *per* Mile Twopence; and if conveyed in or upon any Carriage belonging to or provided by the Company, an additional Sum *per* Mile of Twopence.

2. In

The Callander and Oban Railway Act, 1865.

2. In respect of Horses, Cattle, and other Animals conveyed upon the Railway or any Part thereof, as follows:

For Horses, Cattle, and other Animals.

For every Horse, Mule, Ass, or other Beast of Draught or Burden, and for every Ox, Cow, Bull, or Neat Cattle so conveyed, *per* Mile Twopence; and if conveyed in or upon any Carriage belonging to or provided by the Company, an additional Sum *per* Mile of Threepence:

For every Calf, Pig, Sheep, Lamb, or other small Animal so conveyed, *per* Mile One Penny; and if conveyed in or upon any Carriage belonging to or provided by the Company, an additional Sum *per* Mile of One Penny Halfpenny.

3. In respect of Goods and all other Articles (except small Parcels and single Articles of great Weight as herein-after defined) conveyed upon the Railway or any Part thereof, as follows:

For Goods and other Articles.

For all Dung, Compost, Manure, Lime, Limestone, and undressed Materials for the Repair of public Roads or Highways, *per* Ton *per* Mile Twopence; and if conveyed in or upon Carriages belonging to or provided by the Company, an additional Sum *per* Ton *per* Mile of One Penny:

For all Coal, Coke, Culm, Charcoal, Cinders, Stones for building, pitching, and paving, Bricks, Tiles, Slates, Clay, Sand, Ironstone, Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandise, *per* Ton *per* Mile Twopence Halfpenny; and if conveyed in or upon Carriages belonging to or provided by the Company, an additional Sum *per* Ton *per* Mile of One Penny:

For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per* Ton *per* Mile Threepence; and if conveyed in or upon Carriages belonging to or provided by the Company, an additional Sum *per* Ton *per* Mile of One Penny Halfpenny:

For all Cotton and other Wools, Drugs, Fish, manufactured Goods, and all other Wares, Merchandise, Articles, Matters, and Things (except small Parcels and single Articles of great Weight as herein-after defined), *per* Ton *per* Mile Fourpence; and if conveyed in or upon Carriages belonging to or provided by the Company, an additional Sum *per* Ton *per* Mile of Twopence:

And for every Carriage, of whatever Description, not being a Carriage adapted and used for travelling on a Railway and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per* Mile Sixpence; and a Sum of One Penny Halfpenny *per* Mile for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh.

The Callander and Oban Railway Act, 1865.

Tolls for
propelling
Power.

49. It shall be lawful for the Company to demand and recover, for the use of Engines for drawing or propelling Carriages on the Railway, any Tolls not exceeding One Penny *per* Mile for each Passenger or Animal, or for each Ton of Goods or other Articles, in addition to the several other Tolls by this Act authorized to be taken.

Maximum
Rates of
Charge for
Passengers.

50. The maximum Rates of Charge to be made by the Company for the Conveyance of Passengers on the Railway, including the Tolls for the Use of the Railway, and of Carriages, and for locomotive Power, and every other Expense incidental to such Conveyance, shall not exceed the following; (that is to say,)

For every Passenger conveyed in a First-class Carriage, Three-pence *per* Mile:

For every Passenger conveyed in a Second-class Carriage, Two-pence *per* Mile:

For every Passenger conveyed in a Third-class Carriage, One Penny Halfpenny *per* Mile.

Restrictions
as to Charges
not to apply
to Special
Trains.

51. The Restrictions herein-before contained with respect to the Charges for Passengers shall not apply to any Special Train which may be required to be run upon the Railway, but only to the Ordinary and Express Trains from Time to Time appointed by the Company for the Conveyance of Passengers upon the Railway.

Passengers
Luggage.

52. Every Passenger travelling on the Railway may take with him his ordinary Luggage, not exceeding One hundred and twenty Pounds in Weight if a First-class Passenger, One hundred Pounds in Weight if a Second-class Passenger, and Sixty Pounds in Weight if a Third-class Passenger, without any Charge being made for the Carriage thereof.

Maximum
Rates of
Charge for
Animals and
for Goods
and other
Articles.

53. And whereas the Character of the Country traversed by the Railway is such as to render the working of the Traffic more than usually expensive, it shall be lawful for the Company to demand and recover the maximum Rates of Charge herein-after mentioned for the Conveyance on the Railway of Animals and of Goods and other Articles (except small Parcels and single Articles of great Weight as herein-after defined), including the Tolls for the Use of the Railway and of Carriages, and for locomotive Power, and every other Expense incidental to such Conveyance, except a reasonable Sum for loading, covering, and unloading of Goods at any Terminal Station of such Goods, and for Delivery and Collection, and any other Services incidental to the Business or Duty of a Carrier, where such Services or any of them are or is performed by the Company; (that is to say,) any Rates not exceeding the following, *videlicet*:

For every Horse, Mule, Ass, or other Beast of Draught or Burden, *per* Mile Fourpence:

For

The Callander and Oban Railway Act, 1865.

For every Ox, Cow, Bull, or Neat Cattle, *per* Mile Twopence :
 For every Calf, Pig, Sheep, Lamb, or other small Animal, *per*
 Mile Three Farthings :
 For Dung and the other Articles herein-before classed therewith,
per Ton *per* Mile Twopence :
 For Coal and the other Articles herein-before classed therewith, *per*
 Ton *per* Mile Twopence Halfpenny :
 For Sugar and the other Articles herein-before classed therewith,
per Ton *per* Mile Threepence :
 For Cotton and the other Articles herein-before classed therewith,
per Ton *per* Mile Fourpence :
 And for every Carriage, of whatever Description, not being a
 Carriage adapted and used for travelling on a Railway, and not
 weighing more than One Ton, carried or conveyed on a Truck
 or Platform, *per* Mile Sixpence, and One Penny Halfpenny for
 every additional Quarter of a Ton which such Carriage may
 weigh.

54. The following Provisions and Regulations shall be applicable to the fixing of the several Tolls and maximum Charges hereinbefore specified; (that is to say,) Regulations
as to Tolls
and Charges.

For Passengers, Animals, and Goods and other Articles conveyed on the Railway for a less Distance than Six Miles, the Company may demand and recover Tolls and Charges as for Six entire Miles :

For a Fraction of a Mile beyond Six Miles or beyond any greater Number of Miles, the Company may demand and recover Tolls and Charges in respect of Passengers as for an entire Mile, and in respect of Animals, and Goods, and other Articles, according to the Number of Quarters of a Mile contained in such Fraction, and if there be a Fraction of a Quarter of a Mile such Fraction shall be deemed a Quarter of a Mile :

For a Fraction of a Ton the Company may demand and recover Tolls and Charges according to the Number of Quarters of a Ton in such Fraction; and if there be a Fraction of a Quarter of a Ton such Fraction shall be deemed a Quarter of a Ton :

With respect to all Articles, except Stone and Timber, the Weight shall be determined according to the usual Avoirdupois Weight; and with respect to Stone and Timber the Weight may, in the Option of the Company, be determined either by the usual Avoirdupois Weight, or in the following Manner, that is to say, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Teak, Beech, or Ash, and Fifty Cubic Feet of any other Timber, may be deemed One Ton Weight, and so in proportion for any smaller Quantity.

The Callander and Oban Railway Act, 1865.

Maximum Rates for small Parcels and single Articles of great Weight.

55. With respect to small Parcels (that is to say, Packages not exceeding Five hundred Pounds Weight each,) and single Articles of great Weight (that is to say, Articles the Weight of which including the Carriage shall exceed Four Tons,) conveyed on the Railway or any Part thereof, the Company may demand and recover any Rates of Charge not exceeding the following; (that is to say,)

For any Parcel not exceeding Seven Pounds in Weight, Ninepence:

For any Parcel exceeding Seven Pounds but not exceeding Fourteen Pounds in Weight, One Shilling:

For any Parcel exceeding Fourteen Pounds but not exceeding Twenty-eight Pounds in Weight, One Shilling and Sixpence:

For any Parcel exceeding Twenty-eight Pounds but not exceeding Fifty-six Pounds in Weight, Two Shillings and Sixpence:

And for any Parcel exceeding Fifty-six Pounds in Weight, the Company may demand any Sum which they may think fit:

Provided always, that Articles sent in large aggregate Quantities, although made up in separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages:

For any One Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which including the Carriage shall exceed Four Tons but shall not exceed Eight Tons, such Sum as the Company may think fit, not exceeding One Shilling *per Ton per Mile*, and if such Weight shall exceed Eight Tons, such Sum as the Company may think fit.

Defining Terminal Station.

56. No Station is to be considered a Terminal Station in regard to any Goods conveyed on the Railway which have not been received thereat direct from the Consignor of such Traffic, or are not directed to be delivered thereat to the Consignee.

Company may take increased Charges by Agreement.

57. Nothing in this Act contained shall prevent the Company from taking any increased Charge, over and above the Charges herein-before limited, for the Conveyance of Animals or of Goods or Articles of any Description, by Agreement with the Owners or Persons in charge thereof, either in respect of the Conveyance of such Animals, or Goods, or Articles (other than small Parcels) by Passenger or Express Trains, or by reason of any other special Service performed by the Company in relation thereto.

Company not bound to carry Manure, &c.

58. Nothing in this Act contained shall render it compulsory on the Company to carry on the Railway any Night Soil, Dung, Manure, Compost, or other offensive Matter.

59. While

The Callander and Oban Railway Act, 1865.

59. While and so long as the Railway shall be worked by the *Scottish Central Railway Company* under the Powers contained in this Act, the Tolls and Charges in respect of all Traffic conveyed partly on the Railway and partly on the *Scottish Central Railway* for a less Distance than Six Miles, may be computed and taken as for Six Miles, and for each Mile or Fraction of a Mile beyond Six Miles as for One Mile in the Case of Passengers, and for each Fraction of a Mile beyond Six Miles as for the Number of Quarters of a Mile in that Fraction (a Fraction of a Quarter of a Mile being for this Purpose deemed a Quarter of a Mile) in the Case of Animals and Goods, and no other Short-distance Charge shall be made by the *Scottish Central Railway Company* or by the Company in respect of Traffic so conveyed.

While Rail-
way worked
by *Scottish
Central
Railway
Company*,
One Short-
distance
Charge only
to be made
for Traffic
conveyed
partly there-
on and partly
on *Scottish
Central
Railway*.

60. Whereas an Agreement bearing Date the Seventeenth, Nineteenth, and Twenty-second Days of *December* One thousand eight hundred and sixty-four, of which a Copy is contained in the Schedule to this Act, has been entered into between the *Scottish Central Railway Company* and the Acting Committee of Management of the Promoters of the Undertaking, in relation to the Sum to be contributed by that Company to the Undertaking, the Management and Maintenance of the Railway, the working of the Traffic thereon, the fixing, Collection, and Apportionment between the Company and the *Scottish Central Railway Company* of Tolls, Rates, and Charges, and other Matters in connexion therewith, and it is expedient that the said Agreement should be sanctioned: Therefore, subject to the Provisions of this Act, the said Agreement shall be and the same is hereby sanctioned and confirmed, and it shall be lawful for the Company and the *Scottish Central Railway Company* respectively, and they are hereby required, to implement and fulfil all the Provisions and Stipulations in the said Agreement contained; and the *Scottish Central Railway Company* may, subject to the Terms and Conditions of the said Agreement, exercise all the Powers of demanding and recovering Tolls, Rates, and Charges for the Use of the Railway and the Conveyance of Traffic thereon which are by this Act conferred on the Company.

Confirming
Agreement
with the
*Scottish
Central
Railway
Company*.

61. It shall be lawful for the Company and the *Scottish Central Railway Company* from Time to Time to agree among themselves with respect to all or any of the following Purposes; namely,

- The Maintenance and working by the *Scottish Central Railway Company* of the Railway or any Part thereof:
- The Use by the said Companies of the Railways belonging to them respectively, or of any Part thereof:
- The fixing, collecting, and Apportionment of the Tolls, Rates, and Charges levied upon or derived from the said Railways.

Power to
enter into
Working
Agreements.

62. Nothing

The Callander and Oban Railway Act, 1865.

Saving
Rights of
the Crown.

62. Nothing contained in this Act or in any of the Acts herein referred to shall authorize the Company to take, use, or in any Manner interfere with any Land, Soil, Tenements, or Hereditaments, or any Rights of whatsoever Nature, belonging to or enjoyed or exerciseable by the Queen's most Excellent Majesty in right of Her Crown, without the previous Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues or One of them, on behalf of Her Majesty, first had and obtained for that Purpose (which Consent such Commissioners are hereby respectively authorized to give); and nothing in the said Act or Acts contained shall divest, take away, prejudice, diminish, or alter any Estate, Right, Privilege, Power, or Authority now or from Time to Time vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors.

Interest or
Dividend not
to be paid on
Calls paid
up.

63. It shall not be lawful for the Company or for the *Scottish Central Railway Company*, out of any Money by this Act or any other Act relating to such Company authorized to be raised by Calls in respect of Shares or by the Exercise of any Power of borrowing, to pay to any Shareholder Interest or Dividend on the Amount of the Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that such Company may pay to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with the Provisions in that Behalf of "The Companies Clauses Consolidation (*Scotland*) Act, 1845."

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

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

Railway not
exempt from
Provisions of
present and
future General
Acts.

65. Nothing herein contained shall be deemed or construed to exempt the Railway by this Act authorized to be made from the Provisions of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during this or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges, and of the Rates for small Parcels authorized by this Act.

66. All

The Callander and Oban Railway Act, 1865.

66. All the Costs, Charges, and Expenses of applying for and obtaining this Act, and in any way preparatory or incidental thereto, shall be paid by the Company. ^{Expenses of Act.}

The Callander and Oban Railway Act, 1865.

The SCHEDULE referred to in the foregoing Act.

THIS AGREEMENT, entered into and executed by and between John Wingfield Malcolm younger, of Poltalloch, Alexander Macduff of Bonhard, Sir Alexander Charles Gibson Maitland of Clifton Hall, Baronet, Farquhar Campbell of Aros, Robert Macfie of Airds, Robert Tennant of Ballachulish, James Ferguson Wyllie, Bolfracks, James Falshaw, Civil Engineer, Edinburgh, and John Wilson of Hillpark, Bannockburn, for themselves and as the Committee of Management of and as duly authorized and acting on behalf of the other Promoters of the proposed Railway from Callander to Oban, with Tramway to Oban Pier, the major Number of them being a Quorum, of the First Part, and the Scottish Central Railway Company, incorporated by the Scottish Central Railway Consolidation Act, 1859, of the Second Part, witnesseth, That whereas the First Parties and the Scottish Central Railway Company propose to apply to Parliament in the ensuing Session for an Act to authorize the making and maintaining the following Railway and Tramway, and all proper Works and Conveniences connected therewith; videlicet, first, a Railway commencing at or near a Point about Two Furlongs South-westward from the Schoolhouse in the Town of Oban called the Oban Industrial School, and terminating by a Junction with the Dunblane, Doune, and Callander Railway at or near a Point about One and a Half Furlongs Eastwards from the Booking Office attached to the Callander Station of the said Dunblane, Doune, and Callander Railway; and, secondly, a Tramway commencing by a Junction with the proposed Railway above described at or near a Point about One Furlong South-westwards from the said Schoolhouse, and terminating on the Pier on the East Side of the Harbour of the said Town of Oban at or near a Point about Two Chains Eastward from the South-western End of the said Pier, all situated in the Counties of Argyle and Perth, which Railway, Tramway, and Works shall be called by the Name of "The Callander and Oban Railway," or by such other Name as the Promoters may hereafter choose and determine, and for incorporating a Company to be called "the Callander and Oban Railway Company," or such other Name as the Promoters may hereafter choose and determine to be called, for making the said Railway, Tramway, and Works and Conveniences connected therewith: And whereas the said Scottish Central Railway Company have agreed to subscribe to the said Undertaking and to work and maintain the said Railway, Tramway, and Works, and Conveniences connected therewith, and levy the Dues and conduct the Traffic thereon, all upon the Terms and Conditions herein-after specified: And whereas the said First Parties have full Powers from the Subscribers to the said proposed Company to enter into and complete Agreements for the Purposes aforesaid: And whereas the Parties hereto, with reference to the Act of Parliament to be applied for as aforesaid and in anticipation of its being obtained and of its containing Powers enabling the Scottish

Central

The Callander and Oban Railway Act, 1865.

Central Railway Company to enter into this Agreement so far as such Powers are requisite, have covenanted and agreed in manner following; therefore the said Parties do hereby covenant and agree to and with each other, and bind and oblige themselves in manner herein-after written, viz.:

First. The said Scottish Central Railway Company agree to subscribe Two hundred thousand Pounds to the said Undertaking, and to pay up Twenty per Cent. thereon. The Subscribers to this Agreement, other than the said Alexander Macduff, Sir Alexander Charles Gibson Maitland, John Wilson, James Ferguson Wyllie, and James Falshaw, agree to subscribe or to procure Subscriptions from the Proprietors on the Line, and the Public generally, exclusive of Contractors, to the said Undertaking, to the Extent of One hundred thousand Pounds, and to pay up Twenty per Cent. thereon.

Second. The Number of Directors of the said proposed Company shall be Nine; and the Scottish Central Railway Company shall be entitled to nominate Five of the said Directors; the remaining Directors being nominated by the Shareholders other than the said Scottish Central Railway Company.

Third. The Tolls, Rates, and Charges, and Short-distance Clause to be inserted in the said proposed Act of Parliament shall, subject to such Modification as Parliament may impose, be the same as the Tolls, Rates, and Charges and Short-distance Clause specified and contained in the Scottish Central Railway Consolidation Act, 1859, except as to Wood, as to which the Company shall have the Option of charging by Weight or by Measurement, and as to small Parcels and Terminals; or if any Modification of the said Tolls, Rates, and Charges, and Short-distance Clause shall be made and inserted in the said proposed Act, the same shall only be done with the express Advice and Consent of the said Scottish Central Railway Company.

Fourth. The said Callander and Oban Railway shall be made, constructed, and completed in a good, substantial, sufficient, and workmanlike Manner, and without the Adoption of Timber Bridges or Culverts, and the same shall be laid with Rails Twenty-four Feet long, and of a Weight of Seventy-five Pounds to the lineal Yard, Fish-jointed, and with Sleepers placed at an average Distance not greater than Three Feet from each other; and there shall be provided all such Stations, Station Masters Houses, Platelayers and Gatekeepers Cottages, Goods Sheds, Engine Sheds, Water Tanks supplied with Water, with the necessary Works and Arrangements for affording a permanent Supply thereof, Sidings, Offsets, Loading Banks, Turning Tables, Cranes at Stations, Weighing Machines, Stationary Signals, Wires and Telegraphic Apparatus, and all other Furnishings and Conveniences of the Nature of Fixtures, required for economically working and carrying on the Traffic of the said Railway and Tramway to the Satisfaction of the Engineer of the Scottish Central Railway Company for the Time being, or, in case of any Difference of Opinion between him and the Engineer of the Callander and Oban Railway Company respecting the same, to the Satisfaction of a competent neutral Engineer to be named by the Board of Trade on the Application of either Party; and the Contractor for the Execution of the said Works shall be taken bound to maintain the said Railway, Tramway, and whole relative Works during the Period of One Year from the opening of the same for public Traffic, at the Sight and to the Satisfaction of the Engineer for the Time being of the Scottish Central Railway Company.

Fifth.

The Callander and Oban Railway Act, 1865.

Fifth. In the event of any Additions or Extensions to Stations, Sidings, Offsets, and other Conveniences of the said Railway and Tramway, after the opening of the Lines, in consequence of increased Traffic or otherwise, being found to be necessary or expedient for the proper working of the said Traffic, such Additions and Extensions shall be provided by and at the Expense of the Callander and Oban Railway Company, or, if they decline to do so, the same shall be provided by the Scottish Central Railway Company, and they shall be allowed Five per Cent. on the Cost thereof, in addition to the One Half of the gross Receipts after mentioned.

Sixth. When and so soon as the said Callander and Oban Railway, Tramway, and Works connected therewith, or a continuous Portion thereof, not less than Twenty Miles in Length, connected directly with the Dunblane, Doune, and Callander Railway and Works connected therewith, shall have been completed as aforesaid, approved of by the Government Inspector, and opened to the Public for Traffic, the Scottish Central Railway Company shall take possession of the said Railway and Tramway, or such Portion thereof and Works connected therewith, and shall work the same, in Perpetuity, and shall provide the necessary Rolling Stock and Plant of every Kind, and all Servants for the Purpose of effectually working the Traffic coming to or upon the same, and the said Scottish Central Railway Company shall also, after the Expiry of One Year from the opening of the same, maintain the said Railway, Tramway, and Works, and shall defray the whole Expense of the said Working, and also of the Maintenance from and after the Expiry of the Contractor's Obligation; and in the event of a Portion only of the said Railway being so taken possession of, then when and as often as another continuous Portion or other continuous Portions connecting with the Portions already taken possession of shall have been completed as aforesaid the said Scottish Central Railway Company shall take possession of such Portion or Portions, and work and maintain the same in the Manner and on the Terms aforesaid.

Seventh. The said Scottish Central Railway Company shall have the Power of selecting, appointing, and dismissing all Agents, including Carting Agents, Officers, Bookkeepers, Booking and other Clerks, Servants, Porters, and others employed at Stations on the said Railway and Tramway, or required for keeping in the Offices of the said Scottish Central Railway Company and elsewhere the Accounts connected with the Traffic conveyed by them, or employed in superintending and directing or actually engaged in conducting such Traffic and in maintaining the said Railway, Tramway, and Works; and the said Parties shall be paid by the Scottish Central Railway Company, and shall be exclusively under their Control; and the said Callander and Oban Railway Company shall pay, out of the Moiety of the gross Receipts falling to them as after mentioned, all public and Parish Burdens, including Poor Rates, County Rates, Prison Assessment, and Taxes generally that may be chargeable upon the said Railway, Tramway, and Works, and also the Government Duty on Passengers, and all Payments, if any, to be made for Land to be held by the said Callander and Oban Railway Company, in Feu or Lease, and all annual or other Allowances to Tenants, together with the Interest on all Money borrowed, either on Mortgage, Bond, or Debenture Stock, or by Way of Advance from Bankers or others, and all Sums payable as Compensation for Accidents, and all legal and other Expenses connected therewith; but the said Callander and Oban Railway Company shall have the Appointment and Control of and shall pay the Secretary, Treasurer, and any other Officers and
 Servants

The Callander and Oban Railway Act, 1865.

Servants required by them in the Management of the Capital, Finance, and Directorial Departments of their Undertaking.

Eighth. In consideration of the foregoing Obligation on the Scottish Central Railway Company to pay the whole Cost of maintaining the said Railway and Tramway, excepting for the First Year as aforesaid, and of providing and maintaining the said Stock and Plant, and of working the Traffic upon the said Line, the said Scottish Central Railway Company shall be entitled from Time to Time to receive and retain for their own Use Fifty Pounds out of every One hundred Pounds of the Balance of the gross Amount of Money earned, realized, and levied on the said Railway and Tramway, after deducting from said gross Receipts the Cartages of any Goods carried on the Railway, and the Remainder of the said gross Receipts, less the Government Duty on Passengers (if accounted for to Government through the Scottish Central Railway Company), shall be paid over by the said Scottish Central Railway Company to the Callander and Oban Railway Company: Provided always, that the said gross Receipts of which the said Scottish Central Railway Company shall be entitled to retain One Half shall not include any Rebates on Traffic received from other Railway Companies, but the whole Amount of such Rebates shall belong to the said Callander and Oban Railway Company.

Ninth. The Scottish Central Railway Company shall collect and receive all Revenues due and payable for and in respect of the Traffic and the working of the said Railway and Tramway, and shall, within Six Weeks after the Expiry of each Half Year, make up a detailed Statement of the gross Earnings during the preceding Half Year, and the Share thereof due and payable to the Callander and Oban Railway Company shall thereupon be paid over to the Directors for the Time being of the said Callander and Oban Railway Company, or to their Treasurer or Secretary, or such Banker or other Person as that Company shall direct and appoint.

Tenth. The Traffic on the said Railway and Tramway, including the arranging the Time, Number, and Nature of the Trains, and the fixing of the Tolls, Duties, Rates, and Charges to be levied or taken in respect of the said Traffic, shall be managed and fixed by the Scottish Central Railway Company, and the Sums received for the said Traffic, where the same shall pass over the whole or any Part of the proposed Railway and Tramway and any Part of any Line belonging to or leased by the Scottish Central Railway Company, shall (after deducting Terminals) belong to and be apportioned between the Scottish Central Railway Company and the Callander and Oban Railway Company in proportion to the actual Mileage Distance which such Traffic shall have passed over the said respective Railways. The Mileage Share of Receipts so apportioned to the Callander and Oban Railway Company, and the Terminals on the Callander and Oban Railway shall be credited to the Callander and Oban Railway Company, and form Part of the gross Receipts to be divided in manner aforesaid; and the Terminals, if any, on any Line belonging to or leased by the Scottish Central Railway Company shall belong to the Scottish Central Railway Company.

Eleventh. The said Scottish Central Railway Company shall cause to be kept regular Books of Accounts of all Receipts, Payments of Money, and other Transactions on account of or in relation to the Traffic of the said Callander and Oban Railway, and shall permit the Secretary of the said Callander and Oban Railway Company for the Time being, or any other Party duly authorized by the Directors of the said Company, to have free

The Callander and Oban Railway Act, 1865.

Access to and to inspect such Books of Accounts and all other Documents relating to the Traffic of the said Railway and Tramway at all reasonable Times.

Twelfth. The Act to be applied for as aforesaid shall contain all such Clauses and Provisions as are necessary or expedient, or (in case of Difference) as John Horatio Lloyd, Barrister-at-Law, London, whom failing, John Bullar, Barrister-at-Law, there, may advise to be necessary or expedient for giving full legal Effect to the several Provisions and Articles herein written.

Thirteenth. All Differences which may arise between the Parties hereto respecting the Meaning or Effect of this Agreement, or the Mode of carrying the same into operation, shall, so far as occurring previously to the passing of the said Act, be determined by the said John Horatio Lloyd, whom failing, the said John Bullar, and thereafter any such Differences shall from Time to Time, so often as they arise, be referred to Arbitration in Terms of the Railway Companies Arbitration Act, 1859, and the Provisions with respect to the Settlement of Disputes by Arbitration in such Act shall be held as incorporated with this Agreement, and be operative in the same Manner as if they were verbatim inserted herein.

Lastly. The Parties hereto consent to the Registration hereof in the Books of Council and Session or others competent for Preservation, and that all Execution needful may pass hereupon in Form as Effects, and thereto constitute their Procurators, &c.

In witness whereof, these Presents, written upon this and the Five preceding Pages of stamped Paper by James Milne Bell, Clerk to Mitchell, Allardice, and Mitchell, Writers in Glasgow, are sealed with the Corporate Seal of the Scottish Central Railway Company, and subscribed (under the Declaration that the Word "Central" is interlined between the Third and Fourth Lines from the Top of Page Fourth hereof, and that the Word "occurring," occurring upon the Fifth Line from the Top of this Page, is partly written upon Erasure, both by the said James Milne Bell before Subscription) as follows:—These Presents are sealed with the Corporate Seal of the said Company and subscribed by the said Robert Macfie at Glasgow upon the Seventeenth Day of December Eighteen hundred and sixty-four Years, before these Witnesses, Angus Gregorson, Writer, Oban, and the said James Milne Bell; and these Presents are subscribed by the said John Wingfield Malcolm also at Glasgow upon the said Seventeenth Day of December and Year last mentioned, before these Witnesses, Alexander Oswald Mitchell, Writer, Glasgow, and the said James Milne Bell; by the said Alexander Macduff, Sir Alexander Charles Gibson Maitland, Baronet, and James Falshaw, all at Edinburgh, upon the said Seventeenth Day of December and Year last mentioned, before these Witnesses, John Anthony Macrae, Writer to the Signet, and Colin George Macrae, his Son; and by the said Robert Tennant at Scarcroft Lodge, near Leeds, upon the Nineteenth Day of December and Year last mentioned, before these Witnesses, Henry Van Straubenzee, Lieutenant-Colonel, residing at Spennithorne Hall, Bedale, Yorkshire, and Alexander Hathorn, Land Agent, Scarcroft, near Leeds, and by the said Farquhar Campbell at Westminster upon the Twenty-second Day of December and Year last mentioned, before these Witnesses, Robert Bethune, Major on the Retired List of Her Majesty's Army, and Alexander Grahame, Parliamentary Agent, Westminster, and by the said James Ferguson Wyllie and John Wilson, and by John Arthur Jamieson, Secretary of the said Scottish Central Railway Company, all at Perth, upon the

The Callander and Oban Railway Act, 1865.

the Ninth Day of January Eighteen hundred and sixty-five Years, before these Witnesses, George Drummond Swanston, Clerk, and James McLauchlan, Accountant, both to the said Scottish Central Railway Company.

Seal of the
Scottish Central
Railway
Company.

(Signed) A. O. MITCHELL, Witness.	(Signed) JOHN WINGFIELD MALCOLM.
(") J. MILNE BELL, Witness.	(") ROBERT MACFIE.
(") ANGUS GREGORSON, Witness.	(") JAMES FALSHAW.
(") J. MILNE BELL, Witness.	(") ALEXR. MACDUFF.
(") JOHN A. MACRAE, Witness.	(") A. C. G. MAITLAND.
(") COLIN G. MACRAE, Witness.	(") ROBERT TENNANT.
(") H. VAN STRAUBENZEE, Witness.	(") F. CAMPBELL.
(") ALEX. HATHORN, Witness.	(") J. F. WYLLIE.
(") R. BETHUNE, Witness.	(") JOHN WILSON.
(") ALEX. GRAHAME, Witness.	(") JOHN A. JAMIESON, Secy. of
(") GEO. D. SWANSTON, Witness.	the Scottish Central Ry.
(") JAS. McLAUCHLAN, Witness.	Coy.

LONDON:

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DEPARTMENT OF CHEMISTRY

REPORT ON THE PROGRESS OF RESEARCH DURING THE YEAR 1954

Project	Principal Investigator	Progress
1. Synthesis of new polymers	J. H. Duerksen	Completed synthesis of polyacetylene derivatives.
2. Study of polymerization mechanisms	J. H. Duerksen	Investigation of the mechanism of free-radical polymerization.
3. Properties of high polymers	J. H. Duerksen	Measurement of the glass transition temperature of various polymers.
4. Synthesis of new dyes	J. H. Duerksen	Synthesis of a new class of azo dyes.
5. Study of the properties of dyes	J. H. Duerksen	Investigation of the photophysical properties of various dyes.
6. Synthesis of new pigments	J. H. Duerksen	Synthesis of a new class of pigments.
7. Study of the properties of pigments	J. H. Duerksen	Investigation of the stability of various pigments.
8. Synthesis of new plastics	J. H. Duerksen	Synthesis of a new class of plastics.
9. Study of the properties of plastics	J. H. Duerksen	Investigation of the mechanical properties of various plastics.

Summary of the work done during the year 1954.