



CHAPTER clvi.

An Act for making a Railway from the Blane Valley Railway to the Forth and Clyde Junction Railway at Gartness, and a Railway from the Forth and Clyde Junction Railway to Aberfoyle; and for other purposes. A.D. 1880.

[12th August 1880.]

WHEREAS the making of a railway in the county of Stirling from the northern termination of the Blane Valley Railway to the Forth and Clyde Junction Railway at Gartness, and a railway in the counties of Stirling and Perth from the Forth and Clyde Junction Railway, at a point near Kepeulloch toll-house, to Aberfoyle, would be of public and local advantage :

And whereas the persons herein-after named, with others, are willing at their own expense to carry the undertaking into execution, and it is expedient that they should be incorporated into a Company for that purpose :

And whereas it is expedient that the Blane Valley Railway Company should be empowered to subscribe to the undertaking, as provided in this Act, and to take and hold shares or stock therein :

And whereas the first-mentioned railway is identical with the railway which was authorised by the Blane Valley Railway Extension Act, 1865, but subsequently abandoned, and it is expedient that the Blane Valley Railway Company should be empowered to apply the whole or a sufficient part of the capital authorised to be raised under the powers of that Act for the purposes of their subscription authorised by this Act towards the undertaking of the Company herein-after incorporated : 28 & 29 Vict.
c. cclvi.

And whereas it is expedient that the Company herein-after incorporated, and the Blane Valley, the North British, and the Forth and Clyde Junction Railway Companies, or some of them, should be empowered to enter into and carry into effect working,

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Railway Act, 1880.

A.D. 1880. traffic, and other agreements and arrangements, as herein-after provided :

And whereas plans and sections showing the lines and levels of the railways authorised by this Act, and also books of reference containing the names of the owners and lessees, or reputed owners and lessees, and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the principal sheriff clerks for the counties of Stirling and Perth, 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 as the *Strathendrick and Aberfoyle Railway Act, 1880.*

Incorporation of general Acts.

8 & 9 Vict. c. 17.
 26 & 27 Vict.
 c. 118.
 32 & 33 Vict.
 c. 48.
 8 & 9 Vict. c. 18.
 23 & 24 Vict.
 c. 106.
 8 & 9 Vict. c. 33.
 26 & 27 Vict.
 c. 92.

2. The Companies Clauses Consolidation (Scotland) Act, 1845, Parts I. (relating to the cancellation and surrender of shares) and III. (relating to debenture stock) of the Companies Clauses Act, 1863, as amended by the Companies Clauses Act, 1869, the Lands Clauses Consolidation (Scotland) Act, 1845, the Lands Clauses Consolidation Acts Amendment Act, 1860, the Railways Clauses Consolidation (Scotland) Act, 1845, and Parts I. (relating to construction of a railway) and III. (relating to working agreements) of the Railways Clauses Act, 1863, are (except where expressly varied by or inconsistent with this Act) incorporated with and form part of this Act.

Interpretation of terms.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings, unless there be something in the subject or context repugnant to such construction ; the expression "the Company" means the Company incorporated by this Act ; the expressions "the railways" and "the undertaking" mean respectively the railways and the undertaking by this Act authorised.

Incorporation of Company.

4. The Most Noble the Duke of Montrose, James Murray, William Alexander MacLachlan, John Barr, Gilbert Beith, John Coubrough, and all other persons and corporations who have already subscribed to or shall hereafter become proprietors in the

undertaking, and their executors, administrators, successors, and assigns respectively, shall be and are hereby united into a Company, for the purpose of making and maintaining the railways, and for other the purposes of this Act, and for those purposes shall be and are hereby incorporated by the name of "The Strathendrick and Aberfoyle Railway Company," and by that name shall be a body corporate with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes of this Act. A.D. 1880.

5. Subject to the provisions of this Act, the Company may make and maintain, in the lines and according to the levels shown on the deposited plans and sections, the railways herein-after described, with all proper stations, sidings, approaches, works, and conveniences connected therewith, 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 that purpose. The railways herein-before referred to and authorised by this Act are— Power to
make rail-
ways.

First. A railway (herein-after referred to as "Railway No. 1"), two miles and seven furlongs in length, commencing by a junction with the Blane Valley Railway at its northern termination at a point in the parish of Killearn and county of Stirling at or near the junction of the road between Glasgow and Aberfoyle with the road from the last-mentioned road to the farm-steading of Ledlewan, and one and a half chains or thereabouts, measuring in a south-easterly direction, from the newly-erected station-master's house at Killearn Station on the said Blane Valley Railway and terminating by a junction with the Forth and Clyde Junction Railway at a point in the parish of Drymen and county of Stirling thirty-two and a half chains or thereabouts, measuring in a south-westerly direction, from Killearn Bridge, which carries the said road from Glasgow to Aberfoyle over the Endrick Water, which railway will pass from, in, through, or into, or be situate within the parishes of Killearn and Drymen, in the county of Stirling, or one or other of them :

Second. A railway (herein-after referred to as "Railway No. 2"), five miles two furlongs and eight chains in length, commencing by a junction with the Forth and Clyde Junction Railway at a point in the parish of Drymen and county of Stirling five and three-quarter chains or thereabouts, measuring in a north-easterly direction, from the bridge carrying the Forth and Clyde Junction Railway over the road leading from

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Woodend farm-steading, to the village of Bucklyvie, and terminating at a point in the parish of Aberfoyle and county of Perth seven chains or thereabouts, measuring in a south-easterly direction, from the house called "Bailie Nicol Jarvie's Inn," at Aberfoyle, which railway will pass from, in, through, or into, or be situate within the parish of Drymen, in the county of Stirling, and the parishes of Port of Monteith and Aberfoyle, in the county of Perth, or one or some of them :

Provided always, that the railways shall be opened for public traffic simultaneously.

Capital.

6. The capital of the Company shall be fifty thousand pounds, in five thousand shares of ten pounds each.

Shares not
to be issued
until one-
fifth paid.

7. The Company shall not issue any share created under the authority of this Act, nor shall any such 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, is paid in respect thereof.

Calls.

8. One fifth of the amount of a share shall be the greatest amount of a call, and two months at least shall be the interval between successive calls, and three fifths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share.

Receipt
clause in
case of
persons not
sui juris.

9. If any money is payable to a shareholder being a minor, idiot, or lunatic, the receipt of the guardian or committee of his estate, or of his tutor or curator, or curator bonis, shall be a sufficient discharge to the Company.

Power to
Blane Valley
Railway
Company to
subscribe
and to apply
funds for
that purpose.

10. The Blane Valley Railway Company may, with the authority of three fourths of the votes of their shareholders present in person or by proxy at a general meeting of the said Company specially convened for the purpose, from time to time subscribe any sum which they think fit towards the undertaking, not exceeding in the whole eleven thousand seven hundred and ninety pounds, and the said Company may, with the like authority, contribute and apply in or towards payment of their said subscription any moneys which they are already authorised to raise, and which may not be required by them for the purposes of their undertaking, and in particular the capital authorised to be raised by the Blane Valley Railway Extension Act, 1865, in so far as not already issued; and the said Blane Valley Railway Company shall in respect of the sums to be subscribed, and the corresponding shares in the Company to be held by them, have all the powers, rights, and privileges (except in regard to voting at general meetings and to the election of directors

of the Company), and be subject to all the obligations and liabilities of proprietors of shares in the Company: Provided always, that the Blane Valley Railway Company shall not sell, dispose of, or transfer any of the shares in the Company for which they may subscribe.

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11. The Company may from time to time borrow on mortgage any sum not exceeding in the whole sixteen thousand six hundred and sixty-six pounds thirteen shillings and fourpence; but no part thereof shall be borrowed until the whole capital of fifty thousand pounds is issued and accepted, and one half thereof is paid up, and the Company have proved to the satisfaction of the sheriff who is to certify under the forty-second section of the Companies Clauses Consolidation (Scotland) Act, 1845, before he so certifies, that the whole of such capital has been issued and accepted and that one half thereof has been paid up, and that not less than one-fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such capital was issued bonâ fide, and is held by the persons or corporations to whom the same was issued, or their executors, administrators, successors, or assigns, and that such persons or corporations, their executors, administrators, successors, or assigns, are legally liable for the same; and upon production to such sheriff of the books of the Company, and of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

Power to
borrow on
mortgage.

12. The mortgagees of the Company may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages by the appointment of a 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 not be less than two thousand pounds in the whole.

Appoint-
ment of a
judicial
factor.

13. The Company may create and issue debenture stock, subject to the provisions of Part III. of the Companies Clauses Act, 1863, but, notwithstanding anything therein contained, the interest of all debenture stock at any time created and issued by the Company shall rank pari passu with the interest of all mortgages at any time granted by the Company, and shall have priority over all principal moneys secured by such mortgages.

Debenture
stock.

14. All moneys raised under this Act, whether by shares, debenture stock, or borrowing, shall be applied for the purposes of this Act only.

Application
of moneys.

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First and
subsequent
ordinary
meetings.

15. The first ordinary meeting of the Company shall be held within three months after the passing of this Act, and the 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, and all ordinary meetings of the Company shall be held in Glasgow.

Quorum of
meetings.

16. The quorum of every meeting of the Company, whether ordinary or extraordinary, shall be six shareholders, present in person or by proxy, holding in the aggregate not less than two thousand pounds in the capital of the Company.

Votes of
shareholders
at all meet-
ings.

17. At all meetings of the Company shareholders shall exercise their right of voting in the manner prescribed in the Companies Clauses Consolidation (Scotland) Act, 1845.

Number of
directors.

18. The number of directors, including the director to be appointed by the Blane Valley Railway Company, as herein-after provided, shall be seven; but the Company may from time to time reduce the number, provided that the number be not less than three.

Qualification
of directors.

19. The qualification of a director, other than the director to be appointed by the Blane Valley Railway Company as herein-after provided, shall be the possession in his own right of not less than forty shares.

Quorum.

20. The quorum of a meeting of directors shall be four, and if the number of directors is reduced to three the quorum shall be two.

First
directors.

21. The Most Noble the Duke of Montrose, James Murray, William Alexander MacLachlan, John Barr, Gilbert Beith, John Coubrough shall be the first directors of the Company, and shall continue in office until the first ordinary meeting held after the passing of this Act; at that meeting the shareholders present in person or by proxy may either continue in office the directors appointed by this Act, or any of them, or may elect a new body of directors or directors to supply the place of those not continued in office, the directors appointed by this Act being, if qualified, eligible for re-election; and at the first ordinary meeting to be held in every year after the first ordinary meeting, the shareholders present in person or by proxy, other than the Blane Valley Railway Company, shall (subject to the power herein-before contained for reducing the number of directors) elect persons to supply the places of the directors then retiring from office, agreeably to the provisions of the Companies Clauses Consolidation (Scotland) Act, 1845; and the

several persons elected at any such meeting, being neither removed nor disqualified, nor having died or resigned, shall continue to be directors until others are elected in their stead in manner provided by the same Act.

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22. The periods at which the books of accounts 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.

Periods for balancing and inspecting account books of Company.

23. The domicile of the Company shall be held to be in the city of Glasgow, and all notices relating to the affairs of the Company required to be given by advertisement shall be inserted in at least one newspaper published in that city.

Domicile of Company and newspapers for publication of notices.

24. The quantity of land to be taken by the Company by agreement for the extraordinary purposes mentioned in the Railways Clauses Consolidation (Scotland) Act, 1845, shall not exceed two acres.

Lands for extraordinary purposes.

25. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of three years from the passing of this Act.

Period for compulsory purchase of lands.

26. Subject to the provisions in the Railways Clauses Consolidation (Scotland) Act, 1845, and in Part I. (relating to the construction of a railway) of the Railways Clauses Act, 1863, contained, in reference to the crossing of roads on the level, the Company may, in the construction of the railway, carry the same with a single line only whilst the railway shall consist of a single line, and afterwards with a double line only, across and on the level of the roads next herein-after mentioned ; (that is to say,)

Roads may be crossed on the level.

No. on deposited Plan.	Parish.	Description of Road.
RAILWAY No. 1.		
10	Killearn - - - -	Turnpike road.

27. In altering for the purposes of this Act the roads next herein-after mentioned, the Company may make the same of any

Inclinations of roads.

A.D. 1880. inclinations not steeper than the inclinations herein-after mentioned in connexion therewith respectively; (that is to say,)

No. on deposited Plan.	Parish.	Description of Road.	Intended Inclination.
RAILWAY No. 1.			
72	Killearn	Turnpike road	1 in 20 on one side.
RAILWAY No. 2.			
35	Port of Monteith	County road or highway	1 in 20.
35	Port of Monteith	County road or highway	1 in 17.
9	Aberfoyle	County road or highway	1 in 20.

Height and span of bridges.

28. The Company may make the arch of the bridge for carrying the railway over the road next herein-after mentioned of any height and span, not less than the height and span herein-after mentioned; (that is to say,)

No. on deposited Plan.	Parish or Place.	Description of Road.	Height.	Span.
RAILWAY No. 1.				
27	Killearn	Parish road	14 feet	18 feet.

Width of certain roadways.

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

No. on deposited Plan.	Parish.	Description of Road.	Width of Roadway.
RAILWAY No. 1.			
51	Killearn	Turnpike road	25 feet.
72	Killearn	Turnpike road	25 feet.
86	Killearn	Parish road	18 feet.
RAILWAY No. 2.			
35	Port of Monteith	County road or highway	18 feet.

Power to take easements by agreement.

30. Persons empowered by the Lands Clauses Consolidation (Scotland) Act, 1845, to sell and convey or release lands may, if they think fit, subject to the provisions of that Act and of the

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Lands Clauses Consolidation Acts Amendment Act, 1860, and of this Act, grant to the Company any easement, servitude, right, or privilege, not being an easement or servitude of water, required for the purposes of this Act, in, over, or affecting any such lands; and the provisions of the said Acts with respect to lands and rent-charges or feu duties, so far as the same are applicable in this behalf, shall extend and apply to such grants and to such easements or servitudes, rights, and privileges as aforesaid respectively.

31. All new portions of roads authorised by the provisions of the Railways Clauses Consolidation (Scotland) Act, 1845, as incorporated with this Act, to be formed in lieu of roads altered or diverted shall, as respects management, maintenance, and tolls (where tolls are leviable), and in all other respects, be held as parts of and be subject to the same provisions as the existing roads altered or diverted as aforesaid respectively.

New portions of road to be subject to same provision as existing roads.

32. Whereas, pursuant to the standing orders of both Houses of Parliament, and to an Act of the ninth year of the reign of Her present Majesty, chapter twenty, a sum of two thousand seven hundred and forty-five pounds, being five per centum upon the amount of the original estimate in respect of the railways, has been deposited with the Court of Exchequer in Scotland in respect of the application to Parliament for this Act, which sum is referred to in this Act as "the deposit fund": Be it enacted that, notwithstanding anything contained in the said Act, the deposit fund shall not be paid or transferred 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, which persons, the survivors or survivor, are or is in this Act referred to as "the depositors," unless the Company shall previously to the expiration of the period limited by this Act for completion of the railways open the said railways for the public conveyance of passengers: Provided that if within such period as aforesaid the Company open any portion of the railways for the public conveyance of passengers, then on the production of a certificate of the Board of Trade specifying the length of the portion of the railways opened as aforesaid, and the portion of the deposit fund which bears to the whole of the deposit fund the same proportion as the length of the railways so opened bears to the entire length of the railways, the Court shall, on the application of the depositors, or the majority of them, order the portion of the deposit fund specified in the certificate to be paid or transferred to them or as they shall direct; and the certificate of the Board of Trade shall be sufficient evidence of the facts therein certified, and it shall not be necessary to produce any certificate of this Act

Deposit money not to be repaid except so far as railways opened.

A.D. 1880. — having passed, anything in the above-mentioned Act to the contrary notwithstanding.

Application
of deposit.

33. If the Company do not, previously to the expiration of the period limited for the completion of the railways, complete the same and open them for the public conveyance of passengers, then and in every such case the deposit fund, or so much thereof as shall not have been paid to the depositors, shall be applicable, and, after due notice in the "Edinburgh Gazette," shall be applied towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement, construction, or abandonment of the railways, or any portion thereof, or who may have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act, and for which injury or loss no compensation or inadequate compensation has been paid, and shall be distributed in satisfaction of such compensation as aforesaid, in such manner and in such proportions as to the Court of Exchequer in Scotland may seem fit; and if no such compensation is payable, or if a portion of the said sum of money has been found sufficient to satisfy all just claims in respect of such compensation, then the deposit fund, or such portion thereof as may not be required as aforesaid, shall either be forfeited to Her Majesty, and accordingly be paid or transferred to or for the account of Her Majesty's Exchequer in such manner as the Court of Exchequer in Scotland thinks fit to order on the application of the Solicitor of Her Majesty's Treasury, and shall be carried to and form part of the Consolidated Fund of the United Kingdom, or in the discretion of the Court, if the Company is insolvent and has been ordered to be wound up, or a judicial factor has been appointed, shall wholly or in part be paid or transferred to such judicial factor, or to the liquidator or liquidators of the Company, or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof: Provided that until the deposit fund has been repaid to the depositors, or has become otherwise applicable as hereinbefore mentioned, any interest or dividends accruing thereon shall from time to time and as often as the same shall become payable be paid to or on the application of the depositors.

Period for
completion
of railways.

34. 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 said railways, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as is then completed.

35. The Company may demand and take in respect of the use of the railways any tolls not exceeding the following ; (that is to say,) A.D. 1880.

Tolls.

In respect of passengers and animals conveyed on the railways :

For every person, not exceeding twopence per mile ; and if conveyed in or upon a carriage belonging to or provided by the Company, an additional sum not exceeding one penny per mile :

For every horse, mule, ass, or other beast of draught or burden, not exceeding twopence per mile ; and if conveyed in or upon a carriage belonging to or provided by the Company, an additional sum not exceeding twopence per mile :

For every ox, cow, bull, or head of neat cattle, not exceeding twopence per mile ; and if conveyed in or upon a carriage belonging to or provided by the Company, an additional sum not exceeding twopence per mile :

For every calf, pig, sheep, lamb, or other small animal not exceeding one penny per mile ; and if conveyed in or upon a carriage belonging to or provided by the Company, an additional sum not exceeding one halfpenny per mile.

In respect of goods conveyed on the railways :

For all coal, dung, compost, manure (except guano and artificial manures), lime, limestone, and undressed materials for the repair of public roads or highways, per ton per mile not exceeding one penny ; and if conveyed in or upon a carriage belonging to or provided by the Company, an additional sum per ton per mile not exceeding one penny :

For all 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 not exceeding twopence ; and if conveyed in or upon a carriage belonging to or provided by the Company, an additional sum per ton per mile not exceeding one penny :

For all sugar, grain, corn, flour, hides, dyewood, earthenware, guano, artificial manures, timber, staves, deals, and metals (except iron), nails, anvils, vices, and chains, per ton per mile not exceeding threepence ; and if conveyed in or upon a carriage belonging to or provided by the Company, an additional sum per ton per mile not exceeding one penny :

For all cotton and other wools, drugs, manufactured goods, fish, and all other wares, merchandise, articles, matters, and

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things (except small parcels and single articles of great weight as herein-after defined), per ton per mile not exceeding fourpence; and if conveyed in or upon a carriage belonging to or provided by the Company, an additional sum per ton per mile not exceeding one penny halfpenny:

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, if conveyed on a truck or platform belonging to or provided by the Company, not exceeding sixpence per mile, and not exceeding 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.

Tolls for
propelling
power.

36. The toll which the Company may demand for the use of engines for propelling carriages on the railways shall not exceed one penny per mile for each passenger or animal or for each ton of goods, in addition to the several other tolls or sums by this Act authorised to be taken.

Regulations
as to tolls.

37. The following provisions and regulations shall apply to the fixing of all tolls and charges payable under this Act; (that is to say,)

For all passengers, animals, or goods conveyed on the railways for a less distance than three miles the Company may demand tolls and charges as for three miles:

For a fraction of a mile beyond three miles, or beyond any greater number of miles, the Company may demand tolls and charges on animals and goods for such fraction in proportion to the number of quarters of a mile contained therein, and if there be a fraction of a quarter of a mile, such fraction shall be deemed a quarter of a mile; and in respect of passengers, every fraction of a mile beyond an integral number of miles shall be deemed a mile:

For a fraction of a ton the Company may demand 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:

With respect to stone and timber, fourteen cubic feet of stone, forty cubic feet of oak, mahogany, teak, beech, or ash, and fifty cubic feet of any other timber, shall be deemed one ton weight, and so in proportion for any smaller quantity.

38. With respect to small parcels not exceeding five hundred pounds in weight, and single articles of great weight, notwithstanding anything in this Act, the Company may demand and take any tolls not exceeding the following; (that is to say,)

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Tolls for
small parcels
and articles
of great
weight.

For the carriage of small parcels on the railways:

For any parcel not exceeding seven pounds in weight, threepence;

For any parcel exceeding seven pounds but not exceeding fourteen pounds in weight, fivepence;

For any parcel exceeding fourteen pounds but not exceeding twenty-eight pounds in weight, sevenpence;

For any parcel exceeding twenty-eight pounds but not exceeding fifty-six pounds in weight, ninepence;

And for any parcel exceeding fifty-six pounds, such sum as the Company think fit.

Provided 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 that term shall apply only to single parcels in separate packages.

For the carriage of single articles of great weight on the railways:

For any 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, the Company may demand such sum as they think fit, not exceeding sixpence per ton per mile:

For any single piece of timber, stone, machinery, or other single article, the weight of which, with the carriage, shall exceed eight tons, the Company may demand such sum as they think fit.

39. The maximum rate of charge to be made by the Company for the conveyance of passengers on the railways, including the tolls for the use of the railways, and for carriages and locomotive power, and every other expense incidental to such conveyance, shall not exceed the following; (that is to say,)

Maximum
rates for
passengers.

For every passenger conveyed in a first-class carriage, the sum of threepence per mile:

For every passenger conveyed in a second-class carriage, the sum of twopence per mile:

For every passenger conveyed in a third-class carriage, the sum of one penny halfpenny per mile.

40. The maximum rate of charge to be made by the Company for the conveyance of animals and goods (except such small parcels

Maximum
rates for
animals and
goods.

A.D. 1880. and single articles of great weight as aforesaid) on the railways, including the tolls for the use of the railways, and for waggons or trucks and locomotive power, and for every other expense incidental to the conveyance (except a reasonable charge for loading and unloading goods at any terminal station in respect of such goods, and for delivery and collection, and any other service incidental to the business or duty of a carrier, where any such service is performed by the Company), shall not exceed the following sums; (that is to say,)

For every horse, mule, ass, or other beast of draught or burden, per mile fourpence;

For every ox, cow, bull, or head of neat cattle, per mile threepence;

For every calf, pig, sheep, lamb, or other small animal, per mile one penny halfpenny;

For coal and the other articles herein-before classed therewith, per ton per mile one penny halfpenny;

For coke, and the other articles herein-before classed therewith, twopence per ton per mile;

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 if weighing more than one ton, not exceeding one penny halfpenny per mile for every quarter of a ton or fractional part of a quarter of a ton.

Passengers
luggage.

41. Every person travelling upon the railways may take with him his ordinary luggage, not exceeding one hundred and twenty pounds in weight for first-class passengers, one hundred pounds in weight for second-class passengers, and sixty pounds in weight for third-class passengers, without any charge being made for the carriage thereof.

Terminal
station.

42. No station shall be considered a terminal station in regard to any goods conveyed on the railways, unless such goods have been received thereat direct from the consignor, or are directed to be delivered thereat or therefrom to the consignee.

Foregoing
charges not
to apply to
special trains.

43. The restrictions as to the charges to be made for passengers shall not extend to any special train run upon the railways, in respect of which the Company may make such charges as they think fit, but shall apply only to the ordinary and express trains

appointed from time to time by the Company for the conveyance of passengers and goods on the railways. A.D. 1880.

44. Nothing in this Act shall prevent the Company from taking any increased charges, over and above the charges by this Act limited, for the conveyance of animals or goods of any description by agreement with the owners or persons in charge thereof, either by reason of any special service performed by the Company in relation thereto, or in respect of the conveyance of animals or goods (other than small parcels) by passenger trains. Company may take increased charges by agreement.

45. Nothing contained in this Act shall make it compulsory on the Company to carry on the railways any nightsoil, dung, manure, compost, or other offensive matter. Company not bound to carry manure.

46. The Company on the one hand, and the Blane Valley, the North British, and the Forth and Clyde Junction Railway Companies, or any of them, on the other hand, may, subject to the provisions of Part III. of the Railways Clauses Act, 1863, as amended or varied by the Regulation of Railways Act, 1873, from time to time enter into agreements with respect to the following purposes, or any of them; (that is to say,) Power to enter into working agreements with Blane Valley, North British, and Forth and Clyde Junction Railway Companies.

The maintenance and management of the railways of the Companies, or any one or more of them, or any part thereof respectively, and of the works connected therewith respectively, or any of them :

The use or working of the railways, or railway and works connected therewith, or of any part or parts thereof, and the conveyance of traffic thereon :

The supply, under any agreement for the railways being worked by the Blane Valley, the North British, and the Forth and Clyde Junction Railway Companies, or any of them, of working or rolling stock, plant, and machinery necessary for the purposes thereof, and of officers and servants for the conduct of traffic thereon :

The payments and allowances to be made, and the conditions to be performed with respect to such working, use, management, and maintenance :

The interchange, accommodation, and conveyance of traffic coming from and destined for the undertakings of the contracting companies, and the fixing, collecting, and apportionment of the tolls, rates, charges, receipts, and revenues levied, taken, or arising in respect of traffic.

47. When and so soon as the Blane Valley Railway Company shall have subscribed and paid the sum of eleven thousand seven Appointment of a director by

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the Blane
Valley
Company.

hundred and ninety pounds as aforesaid to the capital of the Company, the directors of that Company may from time to time appoint one of their own body, who shall also be a director of the North British Railway Company, to be a director of the Company, and no other qualification than being a director of the Blane Valley and North British Railway Companies shall be requisite, and the Blane Valley Railway Company may at pleasure revoke any such appointment; and the person so from time to time appointed by them shall accordingly be a director of the Company, and be entitled to vote at meetings of the Company on all questions not relating to the election of directors, and in all other respects the director so appointed shall have the same powers and be subject to the same regulations and provisions, except as to retiring from office by rotation, as the other directors of the Company: Provided always, that all such appointments and revocations shall be in writing under the hand of the secretary of the Blane Valley Railway Company, and shall be delivered to the directors of the Company, and shall be kept with their records, and an entry of every such appointment or revocation shall be made in the minutes of their proceedings.

Votes of
the Blane
Valley Rail-
way Com-
pany at
general
meetings
of the Com-
pany.

48. The Blane Valley Railway Company, whilst shareholders of the Company, may, by writing under their common seal, from time to time appoint some person to attend any meeting of the Company, and such person shall have all the privileges and powers attaching to a shareholder of the Company at such meetings, and may vote thereat (excepting in the election of directors of the Company) in respect of the capital held by the Blane Valley Railway Company.

Tolls on
traffic con-
veyed partly
on the rail-
way and
partly on
other rail-
ways.

49. During the continuance of any agreement to be entered into under the provisions of this Act for the working and use of the railways of the Company by the Blane Valley, North British, and Forth and Clyde Junction Railway Companies respectively, the railways of the Company and of the Blane Valley, North British, and Forth and Clyde Junction Railway Companies respectively shall, for the purposes of short-distance tolls and charges, be considered as one railway; and in estimating the amount of tolls and charges in respect of traffic conveyed partly on the railways of the Company and partly on the Blane Valley, North British, and Forth and Clyde Junction Railways respectively, for a less distance than three miles, tolls and charges may only be charged as for three miles; and in respect of passengers, for every mile or fraction of a mile beyond three miles tolls and charges as for one mile only; and in respect of animals and goods, for every quarter of a mile or

fraction of a quarter of a mile beyond three miles, tolls and charges as for a quarter of a mile only; and no other short-distance charge shall be made for the conveyance of passengers, animals, or goods partly on the railways of the Company and partly on the railways of the Blane Valley, North British, and Forth and Clyde Junction Railway Companies, or any of them.

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50. The agreement set forth in the schedule to this Act is hereby confirmed and made binding on the Company and the Blane Valley and North British Railway Companies as if the Company were parties thereto in the place of the Duke of Montrose, Sir Andrew Buchanan, James Murray, George Auldjo Jamieson, William Alexander MacLachlan, John Barr, Gilbert Beith, and John Coubrough.

Confirma-
tion of
scheduled
agreement.

51. Nothing contained in this Act or to be done under the authority thereof shall in any manner affect the title to any of the subjects, or any rights, powers, or authorities mentioned in or reserved by sections twenty-one and twenty-two of the Crown Lands Act, 1866, and belonging to or exerciseable on behalf of Her Majesty, her heirs and successors.

Saving
rights of the
Crown under
29 & 30 Vict.
c. 62.

52. The Company shall not, out of any money by this Act authorised to be raised, pay interest or dividend 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 amounts 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.

53. 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.

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

54. Nothing in this Act contained shall exempt the Company or the railways from the provisions of any general Act relating to railways, or the better and more impartial audit of the accounts of railway companies, now in force or which may hereafter pass during this or any future session of Parliament, or from any future revision or alteration, under the authority of Parliament, of the maximum rates of fares and charges, or of the rates for small parcels authorised by this Act.

Provision as
to general
Railway
Acts.

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Expenses
of Act.

55. 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.

SCHEDULE referred to in the foregoing Act.

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THIS AGREEMENT made and entered into between THE BLANE VALLEY RAILWAY COMPANY of the first part, THE NORTH BRITISH RAILWAY COMPANY of the second part, and His Grace THE DUKE OF MONTROSE, SIR ANDREW BUCHANAN, Baronet, G.C.B., of Craigend Castle, Milngavie, in the County of Stirling, JAMES MURRAY, Catter House, Drymen, in the County of Stirling, GEORGE AULDJO JAMIESON, Chartered Accountant in Edinburgh, ALEXANDER HARVIE, Merchant in Glasgow, WILLIAM ALEXANDER MACLACHLAN, of Auchentroig, Balfron, in the County of Stirling, GILBERT BETH, of Balwill, Merchant in Glasgow, JOHN BARR, Provost of Ardrossan, in the County of Ayr, and JOHN COUBROUGH, Merchant in Glasgow, any three being a quorum, Promoters of the Strathendrick and Aberfoyle Railway Bill, and herein-after called "the Promoters," of the third part.

WITNESSETH, that whereas a Bill is now pending in Parliament, intituled "An Act for making a Railway from the Blane Valley Railway to the Forth and Clyde Junction Railway at Gartness, and a Railway from the Forth and Clyde Junction Railway to Aberfoyle; and for other purposes;" and it has been agreed between the parties hereto that the Blane Valley Railway Company should subscribe a sum not exceeding the sum of £11,790 towards the capital of the said undertaking, subject to the conditions herein-after specified:

And whereas it is intended that the railways proposed to be authorised by the said Bill shall be worked in connexion with the Blane Valley and Forth and Clyde Junction Railways now used and worked by the second parties hereto:

And whereas the parties hereto with reference to the said Bill, and in anticipation of its being passed by Parliament containing powers to give effect to this Agreement, so far as such powers are requisite, have (subject to such alterations as Parliament may think fit to make herein) covenanted and agreed as they do hereby covenant and agree to and with each other and bind and oblige themselves in manner underwritten:

First. The Promoters shall solicit and endeavour to obtain in the present session of Parliament an Act to incorporate themselves and such other persons as may join with them into a Company, and to enable such Company to make and maintain the following railways, with all proper stations, sidings,

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approaches, works, and conveniences connected therewith; (that is to say,) a railway (herein-after referred to as "Railway No. 1"), two miles and seven furlongs in length, commencing by a junction with the Blane Valley Railway at its northern termination at a point in the parish of Killearn and county of Stirling at or near the junction of the road between Glasgow and Aberfoyle with the road from the last-mentioned road to the farm-steading of Ledlewan, and one and a half chains or thereabouts, measuring in a south-easterly direction, from the newly-erected station-masters's house at Killearn Station on the said Blane Valley Railway, and terminating by a junction with the Forth and Clyde Junction Railway at a point in the parish of Drymen and county of Stirling thirty-two and a half chains or thereabouts, measuring in a south-westerly direction, from Killearn Bridge, which carries the said road from Glasgow to Aberfoyle over the Endrick Water; and a railway (herein-after referred to as "Railway No. 2"), five miles two furlongs and eight chains in length, commencing by a junction with the Forth and Clyde Junction Railway at a point in the parish of Drymen and county of Stirling five and three-quarter chains or thereabouts, measuring in a north-easterly direction, from the bridge carrying the Forth and Clyde Junction Railway over the road leading from Woodend farm-steading to the village of Bucklyvie, and terminating at a point in the parish of Aberfoyle and county of Perth seven chains or thereabouts, measuring in a south-easterly direction, from the house called "Bailie Nicol Jarvie's Inn," at Aberfoyle, all conform to the plans and sections deposited in respect of the said Bill; and the Promoters undertake that such Act shall be solicited by them at the sole expense of the several persons who are or may hereafter become parties to the formation of the said Company, and that they will free and relieve the first and second parties hereto from all expenses incurred with reference to the undertaking.

Second. The capital of the Company to be incorporated as aforesaid shall be £50,000 consisting of five thousand shares of £10 each, of which the first party have agreed and hereby agree to subscribe the sum of £11,790 or 1,179 shares, and the first party shall and may hold the said capital in perpetuity with all the ordinary privileges of shareholders, the same not being transferable by them; and the first party shall be empowered by the said proposed Act to apply the whole or a sufficient part of the preference stock authorised to be raised by the Blane Valley Railway Extension Act, 1865, in so far as the same has not been issued in paying the said subscriptions, and the said capital shall be subscribed by the first party so soon as the Promoters shall have produced satisfactory evidence to the first and second parties that the amount subscribed by themselves or by the general public shall with the above subscription by the first party be sufficient to complete the lines throughout, with suitable stations and other works and appliances.

Third. In the event of the said Bill being passed into law, and upon the passing thereof, the said proposed Company shall and will take all such steps as may be necessary or proper for enabling them to complete with all reasonable despatch the said lines of railway and works connected therewith, according to the plans and sections deposited as aforesaid, and according to the provisions herein-after mentioned and the terms of the Act of Incorporation of the Company.

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Fourth. And whereas it is intended that the said railways when constructed shall be used and worked under the powers to be conferred by clause 46 of the said Bill, and upon such terms as may be mutually agreed upon between the parties therein named, it is hereby agreed by and between the parties hereto that the said railways shall in the meantime be made with a single line of rails with land and over-bridges sufficient for a double line of rails; but, in the event of the shareholders in the said proposed Company at any time hereafter resolving that the said railways should have a double line of rails, the requisite steps shall be forthwith taken by them to carry out the said resolution, and the whole of the said railways (which shall be completed simultaneously throughout) shall be equal in style of construction to the Blane Valley Railway and the Forth and Clyde Junction Railway, and shall have all necessary and convenient stations, with turn-tables, sidings, lyes, crossings, goods sheds, and engine sheds, and with workshops for the repair of engines and carriages, booking offices, and passengers rooms fully fitted up, and generally all other accommodation necessary for the conduct and full development of the traffic; and, in the event of any difference of opinion as to the fulfilment of the said covenants contained in this article, such differences shall be left to the decision of the engineers of the said proposed Company, and of the second party, and of an oversman to be named by them.

And the parties hereto consent to the registration hereof for preservation and execution.

IN WITNESS WHEREOF these presents, written on this and the two preceding pages of stamped paper by David Reid, clerk to Keydens, Strang, and Girvan, writers in Glasgow, are (under the declaration that the word "road" is interlined to be read immediately after the word "mentioned" in the thirty-eighth line from the top of page first, that the word "and" in the forty-second line from the top of page first is written on an erasure, that the word "seventy" is interlined to be read immediately before the word "nine" in the eighteenth line from the top of page second, and that the said word "nine" in said eighteenth line from the top of page second is written partly on erasure) subscribed by the parties hereto, as follows, viz., by the said James Murray, Gilbert Beith, and William Alexander MacLachlan, being three and a quorum of the Promoters, all on the seventh day of June in the year eighteen hundred and eighty, as follows, viz., by the said James Murray at Catter House aforesaid, before these witnesses, William Watson Murray, residing at Catter House aforesaid, and the said David Reid; by the said Gilbert Beith at Ballochneck, near Bucklyvie, before these witnesses, the said David Reid and Andrew Stewart, coachman to the said Gilbert Beith, at Ballochneck aforesaid; and by the said William Alexander MacLachlan at Drymen Station, Drymen aforesaid, before these witnesses, Thomas Haddow Smith, station-master at Drymen aforesaid, and the said David Reid; by Sir James Falshaw, Baronet, number fourteen, Belgrave Crescent, Edinburgh, and George Harrison, merchant, Edinburgh, two of the directors of and for and on behalf of the North British Railway Company, and sealed with the common seal of the said North British Railway Company, all at Edinburgh, on the eighth day of said month of June and year last mentioned, before these witnesses, James Fergusson and John Martin, both clerks in the office at Edinburgh to the said North British Railway Company; and by Robert Sharp Muir, merchant in Glasgow, and the said John

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Barr, two of the directors, and James Keyden, secretary, all of and for and on behalf of the said Blane Valley Railway Company, and sealed with the common seal of the said Blane Valley Railway Company, all at Glasgow, as follows, viz., by the said Robert Sharp Muir, on the eighth day of said month of June and year last mentioned, before these witnesses, John Gillies, clerk to Messieurs R. S. Muir and Company, merchants, Glasgow, and the said David Reid; and by the said John Barr and James Keyden, and sealed with the common seal of the said Blane Valley Railway Company, all on the ninth day of said month of June and year last mentioned, before these witnesses, the said David Reid and William Jamieson Beaton, apprentice to James Graham Girvan, writer in Glasgow.

WM. W. MURRAY, Witness.

JAMES MURRAY.

DAVID REID, Witness.

DAVID REID, Witness.

GILBERT BEITH.

ANDREW STEWART, Witness.

THOS. HADDOW SMITH, Witness.

W. A. MACLACHLAN.

DAVID REID, Witness.

J. FERGUSON, Witness.

JAMES FALSHAW, Director.

JN. MARTIN, Witness.

GEORGE HARRISON, Director.



JOHN GILLIES, Witness.

R. S. MUIR, Director.

DAVID REID, Witness.

DAVID REID, Witness.

JOHN BARR, Director.

WM. J. BEATON, Witness.

JAMES KEYDEN, Secretary.

