



ANNO TERTIO & QUARTO

GULIELMI IV. REGIS.

Cap. cxiv.

An Act for making Two Branch Railways from the *Monkland* and *Kirkintilloch* Railway; and for altering, amending, and enlarging the Powers of an Act of the Fifth Year of His late Majesty, for making the said Railway. [24th July 1833.]

WHEREAS by an Act passed in the Fifth Year of the 5 G. 4. c. 49.
 Reign of His late Majesty King *George* the Fourth,
 intituled *An Act for making a Railway from Palace Craig*
in the Parish of Old Monkland in the County of Lanark, to the Forth
and Clyde Canal near Kirkintilloch in the County of Dumbarton, the
 Persons thereby united into a Company, and made One Body Cor-
 porate by the Name and Style of “*The Monkland and Kirkintilloch*
Railway Company,” were authorized to make, complete, and main-
 tain the said Railway, with inclined Planes, Wharfs, and Depôts,
 and to form, make, and maintain a Basin and Wharfs, with other
 necessary Works, in manner therein mentioned: And whereas the
 said Railway has been made and executed at an Expence consider-
 ably exceeding the Amount originally estimated for completing the
 same: And whereas it would increase the public and local Utility
 of the said Railway to make Two Branch Railways communicating
 therewith in the Situations and in manner herein-after mentioned:
 And whereas it is expedient that the said Company should be
 empowered to raise a further Sum of Money for discharging and
 defraying the Debts and other Costs and Expences incurred by them
 in making and maintaining the said Railway and other Works, and
 [Local.] 29 C also

Powers of former Act extended to this Act.

also for making the said Branch Railways, and that the Powers and Provisions of the said recited Act should be in other respects altered, amended, and enlarged: But the aforesaid Objects cannot be accomplished without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act of the Fifth Year of the Reign of His said late Majesty King *George* the Fourth, and all the Powers, Authorities, Provisions, Regulations, Directions, Privileges, Restrictions, Forfeitures, Penalties, Matters, and Things whatsoever therein contained, except in so far as the same are hereby altered, varied, enlarged, or repealed, shall extend and be construed to extend to and operate and be in force for the Purposes of this Act, as fully and effectually, to all Intents and Purposes, as if the same and every Part thereof were repeated and re-enacted in this Act, and were made Part thereof.

Company empowered to make Two Branch Railways.

II. And be it further enacted, That it shall and may be lawful to and for the said *Monkland* and *Kirkintilloch* Railway Company, and they are hereby empowered, to make Two Branch Railways, as hereinafter mentioned, for the Passage of Waggon, Carts, and other Carriages; that is to say, a Branch Railway commencing at and communicating with the said *Monkland* and *Kirkintilloch* Railway at a Point or Place on the Lands of *Coats* situate on the Road leading to *Hamilton* from the *Airdrie* Road, and passing from thence on the Eastern Side of the said Road leading to *Hamilton*, through the said Lands of *Coats* and the Lands of *Whiffat*, into and through the Lands and Estate of *Rosehall*; and another Branch Railway commencing at and communicating with the said *Monkland* and *Kirkintilloch* Railway at a Point or Place near *Hollandhurst*, and passing from thence through Part of the Lands and Estate of *Gartsherrie* and others into and through the Lands of *Gunnie*, *Blacklands*, and others; which Lands, through or into which the said Branches are intended to be carried, are situate in the Parishes of *Old Monkland* and *New Monkland* respectively, in the County of *Lanark*; and also to make, construct, and maintain such inclined Planes, Bridges, Wharfs, Landing Places, and other Works and Conveniences attached to or connected with the said Branch Railways, as shall be deemed by the said Company necessary and convenient for making, using, and maintaining the said Branch Railways, and the said *Monkland* and *Kirkintilloch* Railway; and such Branch Railways and other Works shall, for all the Purposes of this Act and of the said recited Act, be and be considered Part and Parcel of the said *Monkland* and *Kirkintilloch* Railway.

Breadth of Ground to be taken.

III. And be it further enacted, That the Lands and Grounds to be taken or used for the said Branch Railways shall not exceed Fifteen Yards in Breadth, except in Places where it shall be judged necessary for Waggon or other Carriages to turn, lie, or pass each other, or where any Warehouses, Cranes, or Weighbeams may be erected, or where any Places may be set out or appropriated for the Reception

Reception or Delivery of Minerals, Goods, and Commodities which shall be conveyed on the said Branch Railways, and not above Fifty Yards in Breadth in any Place, without the Consent in Writing of the Owners and Occupiers of the Lands or Heritages that may be required to be taken for such additional Width.

IV. Provided always, and be it enacted, That no Part of the Lands or Grounds required for the Branch Railways hereby authorized to be made shall be taken or occupied by the said Company without the Consent in Writing of the Person or Persons, or Body or Bodies Corporate, to whom such Lands or Grounds respectively belong, save and except the Lands, Grounds, and Premises of the Owners and Occupiers specified in the Schedule hereunto annexed.

No Lands to be taken without Consent, except those specified in Schedule.

V. Provided also, and be it enacted, That the aforesaid Branch Railway from a Point or Place near *Hollandhirst*, and passing through Part of the Lands and Estate of *Gartsherrie* and others into and through the Lands of *Gunnie*, *Blacklands*, and others, as delineated by a Red Line on the Map or Plan thereof herein-after referred to, shall not be made into or through the Lands of *Gartsherrie* or any Part thereof, the Property of *John Hamilton Colt* Esquire, nor shall any Lands or Grounds be taken on the Estate of the said *John Hamilton Colt* for any Purpose whatever connected with the said Branch Railway, without the Consent in Writing of the said *John Hamilton Colt*, or his Successors in the said Estate, first had and obtained for that Purpose.

Hollandhirst Branch not to be made without the Consent of John Hamilton Colt Esquire.

VI. And whereas a Map or Plan showing the said first-mentioned Branch Railway (being the Line marked thereon No. 1.), and a Map or Plan showing the said last-mentioned Branch Railway (being the Branch marked thereon No. 1.), with Books of Reference thereto, containing Lists of the Names of the Owners or reputed Owners and Occupiers of the Lands through which the same are respectively to be carried, have been deposited at the Offices of the Clerks of the Peace for the County of *Lanark* at *Glasgow* and *Hamilton*, and at the Office of the Clerk of the Peace for the County of *Dumbarton* at *Dumbarton*; be it further enacted, That the said Maps or Plans and Books of Reference shall remain in the Custody of the said Clerks of the Peace for the said Counties respectively, to the end that all Persons shall have Liberty at all seasonable Times to resort to and examine and make Extracts from or Copies of the same as Occasion shall require, paying to the said Clerks of the Peace the Sum of Two Shillings and Sixpence for every Inspection, and for Copies or Extracts from the said Books of Reference at the Rate of Sixpence for every Seventy-two Words; and the said Company, in making the said intended Branch Railways, shall not deviate more than One hundred Yards from the Courses or Directions delineated in the said Maps or Plans, and set forth in the said Books of Reference respectively, without the Consent in Writing of the Owners and Occupiers of the Lands, beyond the said Distance of One hundred Yards, through or into which such Deviation may be made.

Maps or Plans and Books of Reference to be kept by the Clerks of the Peace for Inspection.

Limiting Deviations from Plan.

VII. Pro-

Said Branch
Railways
may be
made not-
withstanding
Errors in
Books of
Reference.

VII. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Company, and they are hereby empowered, to make the said Branch Railways and other Works into, through, across, or over the Lands or Grounds which are set out and described in the said Maps or Plans as aforesaid respectively, although the Name or Names of the Owner or Owners, or Occupier or Occupiers, may happen to be erroneously set forth, mis-stated, or omitted in the said Books of Reference or in the Schedule to this Act annexed, in case it shall appear to any One or more of the Justice or Justices of the Peace for the said County of *Lanark*, and be certified by Writing under his or their Hand or Hands, that such Error or Omission proceeded from Mistake.

Bridges.

VIII. Provided also, and be it further enacted, That in all Places where it shall be necessary to erect or build any Bridge or Bridges over or under the said Railway and Branches for the Purpose of any public or private Road, the Ascent to every such Bridge shall not be more than One Foot in Thirteen Feet, and that the Fence on each Side of such Bridge shall not be less than Four Feet above the Surface of the Bridge.

Time limited
for complet-
ing the
Branch
Railways.

IX. And whereas the said Branch Railways and other Works hereby authorized may be completed, if not prevented by inevitable Accident, within the Space of Five Years from the passing of this Act, according to an Estimate of the probable Time within which the same may be completed; be it therefore enacted, That if the said Branch Railways and Works shall not have been completed so as to answer the Objects of this Act, within the Space of Five Years from and after the passing of this Act all the Powers given by this Act for making the said Branch Railways and other Works shall from thenceforth cease and become void, excepting only as to so much of the said Branch Railways and Works as shall have been completed within the said Space of Five Years.

Company
may widen
and improve
the Railway;

X. And be it further enacted, That it shall and may be lawful to and for the said Company, and they are hereby empowered, to widen and improve the said Railway, and to make and maintain a double Line of Tramroads or Railway from *Coatbridge* aforesaid, through the Lands of *Laighcoats*, *Whitflat*, and *Dundyvan*, to the Junction of the said Railway with the *Wishaw* and *Coltness* Railway; and also to widen and improve the said Railway at its Junction with the *Glasgow* and *Garnkirk* Railway on the Lands of *Gartsherrie*, and to make it suitable and convenient for Waggons to turn, lie, or pass each other thereat; and also to widen and improve the said Railway, and to make and form a double Line of Tramroad or Railway throughout its whole Course, so far as not already done; and also to enlarge and improve the Wharfs and Loading Places formed by the said Company on each Side of the *Monkland* Canal and its Branches at or near *Coatbridge* on the Lands of *High Coats* on the North Side, and at or near the Lands of *Dundyvan* on the South Side; and also to enlarge and improve the Wharfs and Loading Places formed by the said Company on the *Forth* and *Clyde* Canal on the East Side of the

and improve
Wharfs;

Canal Feeder; and to make Places for Waggon to turn, lie, or pass each other at all or any of the aforesaid Wharfs or Loading Places: Provided always, that no Lands or Grounds of or belonging to the Company of Proprietors of the *Monkland* Navigation, the *Bathgate* Road Trustees, or any other Person or Persons, shall be taken or used for the said Purposes, unless with the Consent in Writing of the said Company of Proprietors of the *Monkland* Navigation, the said *Bathgate* Road Trustees, and the Owners and Occupiers of such Lands and Grounds respectively, first had and obtained for that Purpose; and that it shall not be lawful to or in the Power of the said Railway Company to increase the present Width of the Bridge called *Coat Bridge* without such Consent of the said *Monkland* Navigation Company and *Bathgate* Road Trustees, or to enter upon or take Possession of any Part of the Lands of *Dundyvan*, the Property of *Robert Carrick Buchanan* Esquire, of *Drumpellier*, without the Consent in Writing of the said *Robert Carrick Buchanan*, or his Heirs and Successors, except the Ground already in the Occupation of the said Railway Company under the said recited Act, or to enter upon and assume any Grounds at *Gartsherrie* which are now vested in the *Glasgow* and *Garnkirk* Railway Company, and occupied by their Railway, or by the Works thereto appertaining, without the Consent in Writing of the said *Glasgow* and *Garnkirk* Railway Company being previously had and obtained.

but not to take Land without Consent.

XI. And be it further enacted, That all Persons whomsoever shall have free Liberty to pass upon and use the said Railway and Branches with Waggon or other Carriages properly constructed, and to use the Wharfs and Depôts of the said Company, upon Payment only of such Rates as are authorized to be taken by the said recited Act.

Railways to be free on Payment of Rates.

XII. And be it further enacted, That it shall and may be lawful to and for the said Company, and they are hereby empowered, to treat and agree with Proprietors of Stone Quarries for the leasing or purchasing thereof, for furnishing Stones for making the said Branch Railways and Works hereby authorized, and for repairing the same and the said *Monkland* and *Kirkintilloch* Railway; and also to make and maintain Communication Roads or Railways with the Stone Quarries which shall be so leased or purchased, for the Carriage and Conveyance of Stones for the Purposes aforesaid: Provided always, that no such Communication Road or Railway shall be made without the Consent in Writing of the Owners and Occupiers of the Lands through which the same shall be proposed to pass.

Company may lease or purchase Stone Quarries.

XIII. And be it further enacted, That the Provisions contained in the said recited Act concerning the Payment of Monies into the Bank of *Scotland* or Royal Bank of *Scotland*, or the *British Linen Company*, shall be and are hereby extended to the Commercial Bank of *Scotland* and the National Bank of *Scotland*.

Payment of Monies into Banks.

XIV. Provided always, and be it enacted, That in case any locomotive or other Engine to be worked by the Power of Steam, or any other Power than that of Horses or other Cattle, shall be used on the Railways or Tramroads by this Act authorized to be made, then and

In case Steam Engines be used, the Railways to

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in

be carried
over or
under Roads
by Bridges
or Tunnels.

in such Case the said Railways or Tramroads shall be carried over every Turnpike Road which the same may cross by means of a Bridge, or under every such Turnpike Road by means of a Tunnel, at the Expence of the said Company.

Power to
use Lo-
comotive
Engines ;

XV. And be it further enacted, That it shall and may be lawful to and for the said Company, and they are hereby empowered, to build, form, maintain, and keep in repair such Number of Locomotive Engines fit for the Haulage and such Number of Waggon and Carriages fit for the carrying of Coals and other Commodities, and the Conveyance of Passengers, upon the said Railway and Branch Railways, as they shall find to be necessary, such Engines, Waggon, and Carriages being properly constructed for travelling on the said Railway and Branches, and to use the said Engines for the Haulage of Waggon and Carriages for the Conveyance of Coals and other Commodities, and for the Conveyance of Passengers, and to demand and receive such Hire and Return for the Use of the said Engines, Waggon, and Carriages as they shall think proper, or as may be agreed upon from Time to Time between the said Company and the Person or Persons hiring or using the said Engines, Waggon, and Carriages.

and to take
Hire for the
same.

Power to
raise a
further Sum
of Money.

XVI. And be it further enacted, That for discharging and defraying the Debts, Costs, and Expences incurred in making and maintaining the said Railway and other Works, and for making and constructing the said Branch Railways, and the said Works and Conveniences attached to or connected therewith, or for any or either of such Purposes, and also for defraying the Costs, Charges, and Expences of and incident to the obtaining and passing of this Act, it shall and may be lawful to and for the said Company, and they are hereby authorized and empowered, to increase the Capital Stock of the said Company, and to raise and contribute among themselves such Increase of Capital Stock, in such Shares and Proportions as to them shall seem meet, or to admit new Subscribers for such Increase of Capital Stock, or to borrow and take up at Interest on the Credit of the said Undertaking, by Assignment or Assignments in the Form and Manner prescribed by the said recited Act, and with, under, and subject to the Powers, Provisions, and Directions therein contained concerning the borrowing of Money, the securing and recovering the Payment thereof, with the Interest for the same, and the transferring and registering of Assignments and Transfers thereof, or to raise and procure partly by all or any of these Means any further Sum or Sums of Money not exceeding the Sum of Twenty thousand Pounds.

New Shares
to be held
in like Man-
ner as ori-
ginal Stock.

XVII. And be it further enacted, That every Subscriber towards raising such further Sum or Sums of Money by the Addition or Creation of new Shares shall be a Proprietor in the said Undertaking, and shall have a Vote, by himself or herself, or his or her Proxy, in respect of every Four Shares of Twenty-five Pounds each in the additional Sum so to be raised by an Addition to the Capital of the said Undertaking, and shall also be liable to such Forfeitures, and be entitled to enjoy and exercise such Rights, Powers, and Privileges,

and stand interested in all the Profits and Advantages of the said Undertaking, in proportion to the Sum which he or she shall or may subscribe thereunto, as generally and extensively, to all Intents and Purposes, as if such further Sum or Sums of Money hereby allowed to be so subscribed for and raised had originally been Part of the Stock of the said Company; any thing herein contained to the contrary thereof in anywise notwithstanding.

XVIII. And be it further enacted, That all and every Persons and Person who have or hath already subscribed or who shall hereafter subscribe any Money for and towards all, any, or either of the Purposes aforesaid, shall, and they, him, or her are and is hereby required to pay the Sums or Sum of Money by them, him, or her respectively subscribed or to be subscribed, or such Part or Parts thereof as shall from Time to Time be called for by the Committee of the said Company, by virtue of the Powers and pursuant to the Directions of this and the before-recited Act, at such Time and Times, and Place and Places, as shall be appointed for that Purpose by the said Committee; and in case any Person or Persons shall neglect or refuse to pay the Sum or Sums so to be called for from him, her, or them, at the Time or Times, Place or Places, and in the Manner to be appointed for that Purpose, it shall be lawful for the said Company to sue for and recover the same in any Court of Law or Equity.

New Subscribers to pay Calls made by the Committee.

XIX. Provided always, and be it further enacted, That on the Repayment of the Sum or Sums of Money hereby authorized to be borrowed, or any Part or Parts thereof, it shall and may be lawful to and for the said Company again to borrow and take up at Interest, from Time to Time, the Sum or Sums so repaid, or such Part thereof as to them shall seem meet and convenient, but so that the total Sum borrowed and due and owing by them under the said recited Act and this Act shall not at any Time exceed the Sum of Twenty thousand Pounds.

On the Repayment of borrowed Money, the same may be again borrowed.

XX. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

Public Act.

The SCHEDULE referred to in the foregoing Act.

No. on Plan.	Owners.	Occupiers.	Description of Property.
<i>For Branch Railway from the Monkland and Kirkintilloch Railway, at a Point on the Lands of Coats, to the Lands and Estate of Rosehall.</i>			
1. 1. 1. 1.	The Monkland and Kirkintilloch Railway Company.	The Monkland and Kirkintilloch Railway Company.	Railway and Banks.
2.	Ditto - -	James Todd - -	House and Garden.
3. 3. 3.	William Hozier Esquire	William Dixon Esquire	Arable Field.
4. 4. 4.	Ditto - -	Ditto - -	Ponds of Water and Small Water Run.
5. 5. 5. 5.	Ditto - -	Ditto - -	Ground occupied by Mr. Dixon's Railway, and Nos. 2. and 3. Coal Pits, Pond of Water.
6. 6.	Ditto - -	Ditto - -	Arable Field.
7. 7.	Trustees of Parish Roads	The Public - -	Parish Road.
8. 8.	General Pye Douglas -	General Pye Douglas -	Arable Field.
		Alexander Christie is Sub-tenant of all the Arable Fields of which William Dixon Esquire is above stated to be the Occupier.	
<i>For Branch Railway from the Monkland and Kirkintilloch Railway, at Holland-hirst, to the Lands of Gunnie, Blacklands, and others.</i>			
1. 1.	The Monkland and Kirkintilloch Railway Company.	The Monkland and Kirkintilloch Railway Company.	Railway and Banks.
3. 3.	Trustees of Parish Roads	The Public - -	Parish Road.
8. 8.	Major Maxwell - -	George Shaw - -	Arable Field.
9.	Ludovic Baillie Esquire	Ludovic Baillie Esquire	Ditto.
10. 10.	Trustees of Parish Roads	The Public - -	Former Parish Road.
11. 11. 11.	Major Maxwell - -	George Shaw - -	Arable Field.