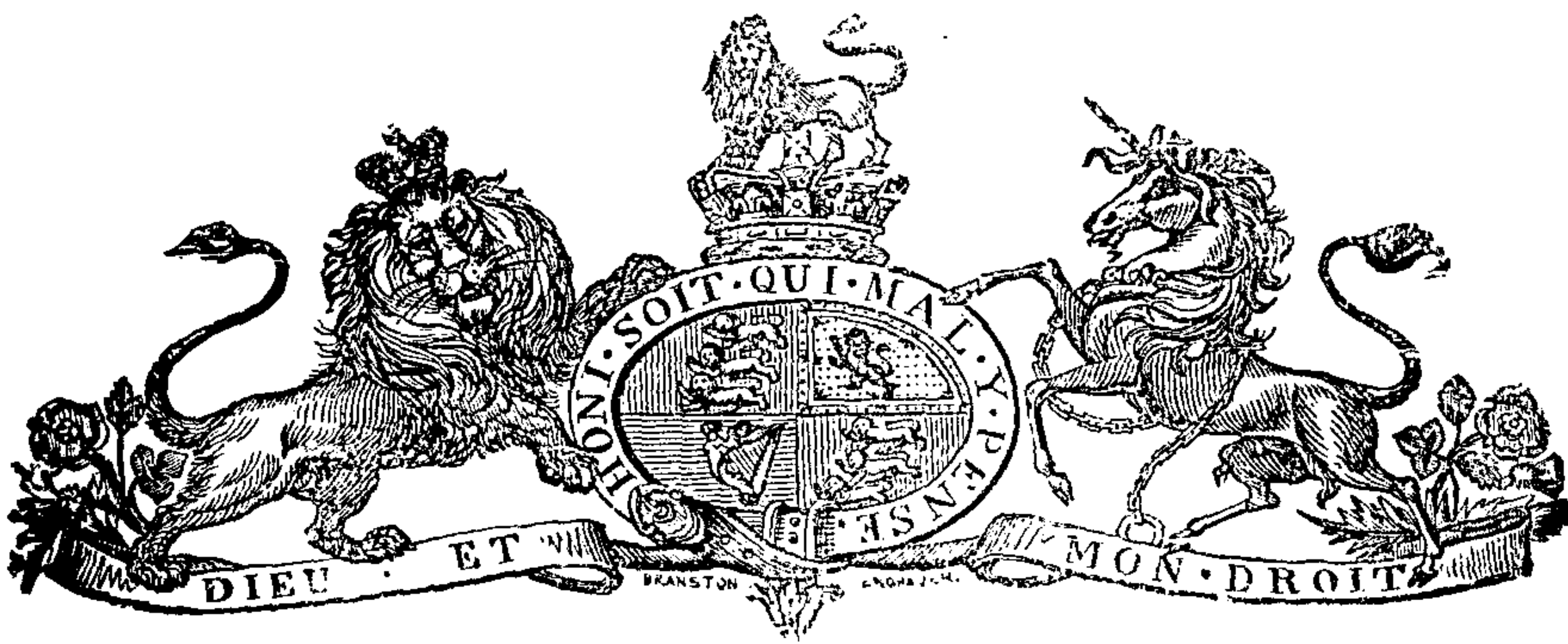




ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

Cap. ccxcvii.

An Act to authorize the Amalgamation of the *Dumfries, Lochmaben, and Lockerby Junction* Railway Company with the *Caledonian* Railway Company; and for other Purposes. [5th July 1865.]

WHEREAS by "The *Caledonian* Railway Act, 1845," the *Caledonian* Railway Company (herein-after called "the Company") were incorporated, and further Powers have been conferred on that Company by various subsequent Acts: And whereas by "The *Dumfries, Lochmaben, and Lockerby Junction* Railway Act, 1860," the *Dumfries, Lochmaben, and Lockerby Junction* Railway Company (herein-after called "the *Lockerby* Company") were incorporated, and authorized to make a Railway from the *Glasgow and South-western* Railway at *Dumfries* to the *Caledonian* Railway at *Lockerby*, and for that Purpose to raise Share Capital to the Extent of Eighty-five thousand Pounds, and to borrow on Mortgage the Sum of Twenty-eight thousand three hundred Pounds: And whereas by "The *Dumfries, Lochmaben, and Lockerby Junction* Railway Deviation Act, 1861," the *Lockerby* Company were empowered to make a Deviation of their authorized Line, and were authorized to raise additional Share Capital not exceeding Five thousand Pounds: And whereas, in pursuance of the above-recited Powers, the *Lockerby*

[*Local.*] 50 G Company

8 & 9 Vict. c. clxii.
23 & 24 Vict. c. lxxxiii.
24 & 25 Vict. c. clxiii.

*The Caledonian and Dumfries, Lochmaben, and Lockerby Junction
Railways Amalgamation Act, 1865.*

Company have issued ordinary Share Capital (herein-after called "*Lockerby Stock*") to the Extent of Ninety thousand Pounds, of which the Sum of One thousand one hundred and forty-three Pounds remains unpaid: And whereas the *Lockerby* Company have exercised the Power conferred upon them by the secondly-recited Act of borrowing Money on Mortgage to the Extent of Twenty-eight thousand three hundred Pounds: And whereas the *Lockerby* Company have expended upon their Undertaking, in addition to the Monies raised and borrowed by them as aforesaid, a Sum of about Thirty-four thousand Pounds, and in order to provide therefor the Board of Trade have granted in the Manner authorized by the Railway Companies Powers Act, 1864, a Certificate to authorize the said Company to raise an additional Sum of Thirty-four thousand Pounds: And whereas the *Lockerby* Company have completed their Railway, and the Traffic thereon is now being worked by the Company in virtue of Powers in the secondly and thirdly recited Acts contained; and it would be attended with Advantage and Convenience to the Public and to the said Companies if the Undertaking of the *Lockerby* Company were amalgamated with the Undertaking of the Company, and the said Companies are willing and desirous that such Amalgamation should be carried into effect: And whereas it has been arranged between the Company and the *Lockerby* Company, subject to the Approbation of Parliament, that from and after the Thirty-first Day of *July* One thousand eight hundred and sixty-five the *Lockerby* Stock of Ninety thousand Pounds shall be extinguished, and that the Holders of that Stock shall exchange the Amount thereof held by them respectively for an equal nominal Amount of Stock of the Company bearing the Guaranteed Dividend herein-after provided, and that any additional Monies which the *Lockerby* Company are, under the Certificate granted as aforesaid, authorized to raise, shall be raised by Shares bearing a fixed preferential Dividend not exceeding Four and a Half *per Centum per Annum*, which Shares shall be redeemed by the Company by the Issue of Shares or Stock in their Undertaking bearing a fixed preferential Dividend at the said Rate of Four and a Half *per Centum per Annum*: And whereas it is expedient that for the Purpose of carrying out the said Arrangement the Company should be authorized to issue additional Stock and Shares in their own Undertaking, and to borrow on Mortgage a Sum in lieu of the Sum borrowed as aforesaid by the *Lockerby* Company; but these Objects 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 of the Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

*The Caledonian and Dumfries, Lochmaben, and Lockerby Junction
Railways Amalgamation Act, 1865.*

1. In citing this Act for any Purpose it shall be sufficient to use the Expression “*The Caledonian and Dumfries, Lochmaben, and Lockerby Junction Railways Amalgamation Act, 1865.*” Short Title
of Act.

2. Subject to the Provisions of this Act, Part V. of “*The Railways
Clauses Act, 1863,*” relating to Amalgamation, and also the Clauses
and Provisions of “*The Companies Clauses Consolidation (Scotland)
Act, 1845,*” with respect to the Distribution of the Capital of the
Company into Shares, and with respect to the Transfer or Trans-
mission of Shares, and with respect to the Payment of Subscriptions
and the Means of enforcing the Payment of Calls, and with respect
to the Forfeiture of Shares for Nonpayment of Calls, and with respect
to the Remedies of Creditors of the Company against the Share-
holders, and with respect to the borrowing of Money by the Company
on Mortgage or Bond, and with respect to the Conversion of the
borrowed Money into Capital, and with respect to the Consolidation
of the Shares into Stock, and with respect to the General Meetings
of the Company and the Exercise of the Right of voting by the
Shareholders, and with respect to the Provision to be made for
affording Access to the Special Act by all Parties interested, and also
Part I. of “*The Companies Clauses Act, 1863,*” relating to Cancellation
and Surrender of Shares, and Part II. of that Act relating to addi-
tional Capital, are incorporated with this Act; and all the Provisions
of “*The Companies Clauses Consolidation (Scotland) Act, 1845,*” so
incorporated with this Act, which relate to Stock into which Shares in
the Capital of the Company have been converted or consolidated, shall
apply to the Stock which the Company are by this Act authorized
to issue, and to the Holders thereof. 8 & 9 Vict.
c.17. and
26 & 27 Vict.
cc. 92. & 118.
incorpo-
rated.

3. In construing for the Purposes of this Act the Acts partly
incorporated herewith, and in construing this Act, the following Ex-
pressions shall have the Meanings hereby assigned to them respec-
tively, unless there be something in the Subject or Context repugnant
to such Construction; (that is to say,) the Expression “*the Special
Act*” shall mean this Act, the Expression “*the Company*” shall mean
the *Caledonian* Railway Company, the Expression “*the Lockerby
Company*” shall mean the *Dumfries, Lochmaben, and Lockerby
Junction* Railway Company, the Expression “*Lockerby Stock*” shall
mean the Shares or Stock issued by the *Lockerby* Company under
the Powers of “*The Dumfries, Lochmaben, and Lockerby Junction
Railway Act, 1860,*” and “*The Dumfries, Lochmaben, and Lockerby
Junction Railway Deviation Act, 1861,*” and other Expressions to
which Meanings are assigned in the Acts partly incorporated herewith
shall respectively have the same Meanings in this Act. Interpreta-
tion of
Terms.

4. Subject

The Caledonian and Dumfries, Lochmaben, and Lockerby Junction Railways Amalgamation Act, 1865.

Lockerby Company dissolved and amalgamated with the Company.

4. Subject to the Provisions herein-after enacted, the *Lockerby Company* is on the Commencement of this Act hereby dissolved and amalgamated with the Company, and for the Purposes of Part V. of "The Railways Clauses Act, 1863," the said Companies shall be deemed amalgamated by a Special Act.

Certain Provisions of 23 & 24 Vict. c. lxxxiii. repealed.

5. The following Provisions of the recited Acts relating to the *Lockerby Company* are hereby repealed; (that is to say,) the Fourth and following Sections of "The *Dumfries, Lochmaben, and Lockerby Junction Railway Act, 1860*," to the Tenth Section thereof inclusive, relating to the Incorporation of the *Lockerby Company*, and the Share and Loan Capital of that Company; the Twelfth and following Sections of the same Act to the Twenty-first Section thereof inclusive relating to the Meetings and Directors of that Company, and the Domicile thereof, and the Newspaper in which Advertisements relating to their Affairs are to be published; the Forty-third and following Sections of the same Act to the Fiftieth Section thereof inclusive relating to Tolls; the Fifty-second and following Sections of the same Act to the Fifty-seventh Section thereof inclusive, and the Fifty-ninth Section thereof, relating to Working and Traffic Agreements, and to the Tolls to be taken during the Continuance of such Agreements; also the Twelfth and Thirteenth Sections of "The *Dumfries, Lochmaben, and Lockerby Junction Railway Deviation Act, 1861*," relating to the Shares thereby authorized to be issued, the Fourteenth and Fifteenth Sections of the same Act relating to Tolls, the Sixteenth Section of the same Act relating to Working Agreements, and the Twenty-second and Twenty-fifth Sections of the same Act relating to Shares to be issued by the *Lockerby Company*.

Lockerby Company to subsist for Payment of Dividends accrued before Commencement of Act.

6. The *Lockerby Company* shall, notwithstanding the Provisions of this Act, continue to subsist for the Purpose only of enabling the Directors thereof to declare and to pay to the Holders of Shares or Stock of that Company any Dividend which may have accrued in respect thereof at the Commencement of this Act, and the said Company and the Directors thereof shall for that Purpose have and may exercise all requisite Powers and Authorities and do all necessary and proper Acts as if this Act had not been passed.

Lockerby Company's Share Capital extinguished.

7. On the Commencement of this Act all the Shares and Stock of the *Lockerby Company* which shall have been issued under the Authority of the secondly and thirdly recited Acts, or otherwise as herein-after mentioned, and (except as herein-before provided) all Right, Title, and Interest attaching thereto and belonging to the Holders thereof, are hereby extinguished.

8. For

*The Caledonian and Dumfries, Lochmaben, and Lockerby Junction
Railways Amalgamation Act, 1865.*

8. For the Purpose of providing Stock to be issued to the Holders of the *Lockerby* Stock it shall be lawful for the Company and they are hereby required to issue, in addition to the Shares and Stock which they are or may be authorized to issue by any other Act of Parliament, a separate Stock in the Capital of the Company to an Amount equal to the said Sum of Ninety thousand Pounds, to be denominated "*Caledonian Railway (Lockerby) Guaranteed Stock*," which shall be entered in a separate Register of Shareholders, and separate Certificates shall be issued for the same, all in the Manner prescribed by "*The Companies Clauses Consolidation (Scotland) Act, 1845*," which Guaranteed Stock shall be held to be fully paid up, and shall be deemed Part of the general Capital of the Company; and each Holder of any Portion of the *Lockerby* Stock shall be entitled, on paying up to the Company all Arrears of Calls (if any) due thereon, to an Amount of the said *Caledonian Railway (Lockerby) Guaranteed Stock* equal to the Amount of the *Lockerby* Stock held by him immediately previous to the Commencement of this Act; and the Company shall and they are hereby required to issue, free of Expense, to each such Holder who shall apply for the same, Certificates of the *Caledonian Railway (Lockerby) Guaranteed Stock* to which he is entitled as aforesaid in exchange for the Certificates of the *Lockerby* Stock held by him: Provided always, that the Holders of the said *Caledonian Railway (Lockerby) Guaranteed Stock* shall not be entitled to vote at any Meeting of the Company in respect of such Stock.

Power to
Company
to create
Guaranteed
Stock in
lieu of
Lockerby
Stock.

9. The Holders of the said *Caledonian Railway (Lockerby) Guaranteed Stock* herein-before authorized to be issued shall not be entitled to any Dividend on such Stock for the Period preceding the Commencement of this Act, but they shall from and after that Date be entitled to a Guaranteed Dividend of Six Pounds *per Centum per Annum* on the Amount of such Stock held by them, and they shall not be entitled to any further Dividends out of the Profits of the Company.

Dividend on
Guaranteed
Stock.

10. It shall be lawful for the Company, in addition to the Shares and Stock which they are or may be authorized to issue by this or any other Act of Parliament, to raise by the Issue of new Preference Shares or new Preference Stock, bearing a fixed preferential Dividend of Four and a Half *per Centum per Annum*, a Sum of Thirty-four thousand Pounds, being the Amount and in lieu of the additional Sum of Money authorized to be raised by the *Lockerby* Company under the Certificate granted to them by the Board of Trade as herein-before mentioned; and the Company are hereby required, in the event of the *Lockerby* Company having issued any such new Shares or Stock,

Company to
redeem new
Shares or
Stock of the
Lockerby
Company,
and to issue
new Pre-
ference
Shares or
Stock for
that Pur-
pose.

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to

*The Caledonian and Dumfries, Lochmaben, and Lockerby Junction
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to redeem the same within Six Months after the Commencement of this Act by issuing to the Holders thereof a nominal Amount of the new Preference Shares or new Preference Stock of the Company herein-before authorized to be issued equal to the nominal Amount of the said new Shares or Stock of the *Lockerby* Company held by them immediately previous to the Commencement of this Act; and the Holders of and Persons entitled as aforesaid to the said new Preference Shares or new Preference Stock of the Company shall, from and after the Commencement of this Act, be entitled to the fixed preferential Dividend at the aforesaid Rate of Four and a Half *per Centum per Annum* on the Amount from Time to Time paid up by them respectively in respect thereof; and all Payments of Calls made to the *Lockerby* Company or to the Company by the Holders of the new Shares or Stock so redeemed shall be held to have been made to the Company in respect of the new Preference Shares or new Preference Stock to be issued as aforesaid to such Holders; and the Company shall have and may exercise all the Powers contained in "The Companies Clauses Consolidation (*Scotland*) Act, 1845," with respect to the Payment of Subscriptions and the Means of enforcing the Payment of Calls, as respects any Portion of the Amount of the new Shares or Stock so redeemed which shall not previously to the Commencement of this Act have been paid by the Holders thereof to the *Lockerby* Company, in the same Manner and to the same Extent as the *Lockerby* Company might have exercised the said Powers if this Act had not been passed.

Company to
furnish Cer-
tificates of
new Shares
or Stock
free of Ex-
pense.

11. The Company shall furnish, free of Expense, to each Holder of new Shares or Stock of the *Lockerby* Company redeemed as aforesaid who shall apply for the same, Certificates of the new Preference Shares or Stock of the Company to which he is entitled, in exchange for the Certificates of the new Shares or Stock so redeemed held by him.

Shares not
to issue
until One
Fifth paid
up.

12. It shall not be lawful for the Company, except for the Purpose of redeeming new Shares or Stock issued by the *Lockerby* Company, to issue any new Preference Shares or new Preference Stock under the Powers of this Act, nor shall any such new Preference Share or Portion of new Preference Stock, unless issued for the Purpose aforesaid, 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.

13. Each Holder of the new Preference Shares or Stock by this Act authorized to be issued by the Company shall be entitled to the same

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same Number of Votes in respect thereof which the Possession of an equal nominal Amount in Money of the Capital authorized by the first-recited Act would have conferred upon him.

14. If by any other Act or Acts passed in the present Session of Parliament, whether before or after the passing of this Act, the Company be authorized to raise any Capital by the Issue of new Preference Shares or Stock, the 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 Preference 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 Preference Shares or Stock.

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

15. If in any Year ending on the Thirty-first Day of *January* there shall not be Profits available for the Payment of the full Amount of the preferential Dividend for that Year on the said new Preference Shares or Stock, the Deficiency or any Part thereof shall not be made good out of the Profits of any subsequent Year, or out of any other Funds of the Company.

Dividend on new Shares or Stock payable only out of Profits of the current Year.

16. No Guarantee or Preference by this Act granted shall prejudice or affect any Preference or Priority in the Payment of Interest or Dividend on any other Shares or Stock which may have been granted by the Company in pursuance of, or which may have been confirmed by, any of the Acts relating to the Company, or which may otherwise be lawfully subsisting.

Saving Rights of existing Preference Shareholders.

17. The several Portions of the said new Guaranteed and Preference Shares or Stocks issued as aforesaid shall be and are hereby declared to be respectively subject to the same Trusts, Powers, Provisoes, Agreements, Declarations, Liens, Charges, and Incumbrances as the corresponding Portions of the *Lockerby* Stock or of the new Shares or Stock issued by the *Lockerby* Company as aforesaid in lieu of which the same are issued, and no Will or Testamentary Disposition of or affecting any Portion of such *Lockerby* Stock or such last-mentioned new Shares or Stock shall be revoked or affected by reason of such Substitution.

New Shares and Stock to be subject to same Trusts, &c. as Share Capital for which it is exchanged.

18. When and so often as any Part of the Sum of Twenty-eight thousand three hundred Pounds borrowed as aforesaid by the *Lockerby* Company shall be paid off it shall be lawful for the Company to re-borrow, and if paid off again to borrow, upon Mortgage on the Security of their Undertaking, any Sum or Sums of Money not exceeding the Amount

Power to borrow Money in lieu of Money borrowed by *Lockerby* Company.

The Caledonian and Dumfries, Lochmaben, and Lockerby Junction Railways Amalgamation Act, 1865.

Amount so paid off: Provided always, that all Mortgages, Bonds, and Debenture Stock for which or for the Interest whereof the Company are lawfully liable, and which shall be in force at the Time of the passing of this Act, shall during their Subsistence have Priority over any Mortgage to be granted by the Company under the Powers of this Act.

Tolls to be taken for the Use of the Lockerby Railway.

19. It shall be lawful for the Company to demand and recover for the Use of the Railway by the secondly and thirdly recited Acts authorized, and the Conveyance of Traffic thereon, the same Tolls, Rates, and Charges which they are authorized by "The *Caledonian Railway Act, 1845*," to demand and recover for the Use of the several Railways and Works authorized by that Act, and the Conveyance of Traffic thereon, excepting always the Tolls and Charges for small Parcels and single Articles of great Weight, which shall be levied and recovered according to the Rates provided by Section Fifty-one of "The *Dumfries, Lochmaben, and Lockerby Junction Railway Act, 1860*."

Running Powers and Facilities to London and North-western Railway Company between Carlisle, Lockerby, and Dumfries.

20. It shall be lawful for the *London and North-western Railway Company* to run over and use with their Engines, Trucks, and Carriages of every Description the Line of the Company lying between the Citadel Station at *Carlisle* on the one hand and the Station of the *Glasgow and South-western Railway Company* at *Dumfries* on the other hand, and the Stations, Watering Places, Works, and Conveniences upon and connected with the said Line, for the Purpose only of conveying between *Carlisle* on the one hand and *Dumfries* or any Place beyond *Dumfries* or intermediate between *Carlisle* and *Dumfries* on the other hand any Passenger or other Traffic of any Description which shall have passed or shall be about to pass over any Portion of the *Lancaster and Carlisle Railway* of which the *London and North-western Railway Company* are Lessees: Provided always, that in exercising the Powers herein-before granted the *London and North-western Railway Company* shall be subject to the Terms and Conditions and to Payment of the Rates herein-after provided in respect to the running over and use with their Engines, Trucks, and Carriages of such Portion of the Undertaking of the Company.

Terms of such User.

21. The Terms and Conditions for such Running Powers and User as are herein-before referred to are the following; (that is to say,)

1. The *London and North-western Railway Company* shall in all Cases (subject to the Provisions of the Acts applicable thereto) fix the Through Rate at which such Traffic shall be conveyed by them for the whole Distance for which it shall be

*The Caledonian and Dumfries, Lochmaben, and Lockerby Junction
Railways Amalgamation Act, 1865.*

be so conveyed upon their own Railway and the Railway of the Company and any other Railway ; from the said Through Rate shall be deducted in the first place the Government Duties in respect of Passengers, and the usual Terminals payable in respect of such Traffic according to the Regulations of the Railway Clearing House in force for the Time being, which shall belong and be paid to the Companies respectively entitled thereto, and any Portion of the Through Rate which may be due to other Railway Companies ; and in the second place Twenty-five *per Centum* of the Amount remaining after deducting the said Duties and Terminals as aforesaid, which Per-centage shall be retained by the *London and North-western* Railway Company on account of their working Expenses in relation to such Traffic, and the Residue shall be apportioned into an equal Mileage Rate according to the said Regulations for the total Distance for which such Traffic shall be conveyed by the *London and North-western* Railway Company upon their own Railway and any other Railway and the Railway of the Company ; and the *London and North-western* Railway Company shall pay to the Company a Proportion of the said Mileage Rate corresponding to the Distance for which such Traffic shall be conveyed over the Railway of the Company as compared with such total Distance as aforesaid : Provided always, that after Deduction of the said Duties and Terminals as aforesaid the Company shall in no Case receive a less Sum *per* Mile of the Distance for which such Traffic shall be conveyed over their Railway than the following ; namely,

	Pence.	Decimal Parts of a Penny.
Passengers by Ordinary or Express Trains, First-class, each <i>per</i> Mile -	1	·25
Passengers by Ordinary or Express Trains, Second-class, each <i>per</i> Mile -	0	·91
Passengers by Ordinary or Express Trains, Third-class and Parliamentary, each <i>per</i> Mile -	0	·60
Passengers by Excursion Trains, First- class, for single Journey, each <i>per</i> Mile -	0	·54
Passengers by Excursion Trains in covered Carriages, single Journey, each <i>per</i> Mile -	0	·27
Passengers with Tourists Tickets, First- class, single Journey, each <i>per</i> Mile -	1	·02
[<i>Local.</i>] 50 <i>l</i>		

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	Pence.	Decimal Parts of a Penny.
Passengers with Tourists Tickets, Second-class, single Journey, each <i>per</i> Mile - - - - -	0	·73
Passengers with Tourists Tickets, Third-class, single Journey, each <i>per</i> Mile - - - - -	0	·37
Parcels, each <i>per</i> Mile - - - - -	0	·05
Fish, <i>per</i> Ton <i>per</i> Mile - - - - -	1	·60
Horses, if only One, <i>per</i> Mile - - - - -	1	·93
Ditto, if Two, <i>per</i> Mile - - - - -	2	·89
Ditto, if Three, <i>per</i> Mile - - - - -	3	·85
Carriages, each <i>per</i> Mile - - - - -	2	·03
Dogs, each <i>per</i> Mile - - - - -	0	·19
Goods and Minerals, average Rate <i>per</i> Ton <i>per</i> Mile - - - - -	0	·80
Live Stock, <i>per</i> Truck <i>per</i> Mile - - - - -	3	·00

And for any Distance not exceeding Twenty Miles at the Rate of Twenty-five *per Centum* in addition to the above :

2. Subject as aforesaid to Deduction of Passenger Duty and Twenty-five *per Centum* for working Expenses: Provided also, that at the Expiration of Five Years from the Commencement of this Act, and at the Expiration of every subsequent Period of Five Years, it shall be lawful for either Party to refer to Arbitration in manner herein-after provided whether any such Alteration has taken place in the Cost of working or in the Charges made to the Public at the Time as would justify any Alteration in the minimum Amount *per* Mile to be paid to the Company; and if the Arbitrator, Arbitrators, or Umpire, as the Case may be, so think fit, it shall be lawful for him or them to make such Alteration therein as he or they shall think proper :
3. The Times and Rates of Speed at which the *London and North-western* Railway Company may run Trains over the Portion aforesaid of the Railway of the Company shall from Time to Time, in case of Difference between the said Companies, be determined by Arbitration :
4. The Company shall afford all reasonable Facilities for the uninterrupted Passage of such Trains of the *London and North-western* Railway Company at the Times and Rates of Speed agreed upon or determined as aforesaid along the Railway of the Company, and shall not, by the Adjustment of the Times of Arrival or Departure of their own Trains or otherwise, cause any Impediment or Delay to such Trains :
5. The Company shall afford to the *London and North-western* Railway Company all reasonable Facilities and Services at their

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their Stations on the Portion aforesaid of their Railway for receiving, accommodating, loading, unloading, and delivering the Traffic herein-before specified :

6. The *London and North-western* Railway Company shall be at liberty at their own Cost to employ their own Booking and Invoicing Clerks and Carting Agents at any or all of the Stations of the Company on the Portion aforesaid of their Railway, and for the Services so performed the Company shall allow out of the Terminals or Fares to the *London and North-western* Railway Company so employing such Clerks or Agents the actual Cost to the Company for similar Services at that Place, not exceeding as respects Cartage the Amount for the Time being allowed under the Railway Clearing House Regulations for Cartage; the *London and North-western* Railway Company shall annually pay to the Company, in consideration of any Accommodation afforded to them which is not covered by the usual Terminal and Mileage Allowances as aforesaid at the said Stations during the preceding Year, such a Sum as shall from Time to Time, in case of Difference between the Companies, be determined by Arbitration :
7. If the Company or the *London and North-western* Railway Company shall complain of any Infringement of the Enactments in this Section contained, or if any Difference shall arise between the said Companies as to the proper Construction of any of the said Enactments, or as to anything which ought or ought not to be done thereunder, or in any way in consequence thereof, every such Complaint or Difference shall be settled by Arbitration as herein-after provided.

22. Every Arbitration as to any Difference, Question, Matter, or Thing relating to the Running Powers and Facilities by this Act granted and provided shall be determined and conducted in the Manner and subject to the Provisions of the "Railway Companies Arbitration Act, 1859," as if the same had been referred in manner in that Act required by the Companies between whom such Difference shall arise. Mode of Arbitration.

23. It shall not be lawful for the Company, out of any Money by this Act or any other Act relating to the 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 the Company may pay to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made Interest not to be paid on Calls paid up.

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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
Company's
Capital.

24. It shall not be lawful for the Company, out of any Money by this Act or any other Act relating to the 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 the Company to construct any other Railway, or execute any other Work or Undertaking.

Railways
not exempt
from Provi-
sions of
present and
future
General
Acts.

25. Nothing herein contained shall be deemed or construed to exempt the Railways by any of the Acts relating to the Company 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 such Acts respectively.

Commence-
ment of Act.

26. This Act shall commence and take effect on and after the Thirty-first Day of *July* One thousand eight hundred and sixty-five.

Expenses of
Act.

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

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1865.