

**CHAPTER cxlix.**

An Act for conferring further powers on the Glasgow and South-Western Railway Company for the Construction of Works the Acquisition of Lands and the raising of Money for authorising the Discontinuance of the Paisley Canal and for other purposes. A.D. 1881.

[18th July 1881.]

WHEREAS it is expedient that the Glasgow and South-Western Railway Company (herein-after called "the Company") should be empowered to construct the new railways and the streets roads and other works and acquire the additional lands herein-after respectively described or referred to :

And whereas the railway by this Act authorised and herein-after described as the Paisley Canal Line is intended to be constructed in great part along and upon the site of the Company's canal between Glasgow Paisley and Johnstone and it is expedient that the Company should be empowered to close the said canal and should be relieved from all obligation or liability to maintain and keep open the navigation thereof :

And whereas it is expedient that the period limited by the Glasgow and South-Western Railway Act 1876 for the construction and completion of the railway and pier at Fairlie by that Act authorised should be extended : 39 & 40 Vict.
c. liii.

And whereas it is expedient that the Company should be authorised to close the register of their funded debt or debenture stock for a limited period previously to the half-yearly payments of interest thereon :

And whereas it is expedient that the Company should be empowered to raise a further sum of money for the purposes of this Act and for the general purposes of their undertaking :

And whereas plans and sections showing the lines and levels of the said railways roads streets and works and plans showing the lands required or which may be taken for the purposes or under

A.D. 1881. the powers of 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 said lands have been deposited with the principal sheriff clerks for the several counties within which those works will be constructed or lands are situate which plans sections and books of reference are herein-after respectively referred to as the deposited plans sections and books of reference :

And whereas since the said plans and sections were deposited it has been found that an alteration of the line of a portion of the said Paisley Canal Line would be equally advantageous to the public and would be less objectionable to the owners and occupiers of certain of the lands through which the said railway is intended to pass and an amended plan and section of such altered line with a book of reference to such plan have been deposited with the principal sheriff clerk in the county of Renfrew and the same are herein-after referred to as the amended plan section and book 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 for all purposes as the Glasgow and South-Western Railway Act 1881.

Incorporation of general Acts.
 8 & 9 Vict. c. 19.
 23 & 24 Vict. c. 106.
 8 & 9 Vict. c. 33.
 26 & 27 Vict. c. 92.
 8 & 9 Vict. c. 17.

2. The Lands Clauses Consolidation (Scotland) Act 1845 the Lands Clauses Consolidation Acts Amendment Act 1860 the Railways Clauses Consolidation (Scotland) Act 1845 and Part I. (relating to the construction of a railway) and Part II. (relating to extension of time) of the Railways Clauses Act 1863 the clauses and provisions of the Companies Clauses Consolidation (Scotland) Act 1845 with respect to the following matters (that is to say) :—

The distribution of the capital of the Company into shares ;

The transfer or transmission of shares ;

The payment of subscriptions and the means of enforcing the payment of calls ;

The forfeiture of shares for nonpayment of calls ;

The remedies of creditors of the Company against the shareholders ;

The borrowing of money by the Company on mortgage or bond ;

The conversion of the borrowed money into capital ;

The consolidation of the shares into stock ;

The general meetings of the Company and the exercise of the right of voting by the shareholders; A.D. 1881.

The making of dividends; and

The giving of notices;

Part I. (relating to cancellation and surrender of shares) Part II. (relating to additional capital) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 are except where expressly varied by this Act incorporated with and form part of this Act. 26 & 27 Vict.
c. 118.

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 railways" shall mean the railways by this Act authorised or any part thereof and the expression "the Paisley Canal" means the canal which extends between Glasgow Paisley and Johnstone and the wharfs quays towing paths lands warehouses buildings works and conveniences connected therewith. Interpreta-
tion of terms.

4. 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 roads streets and other works herein-after described with all proper stations sidings approaches works and conveniences connected with such railways and may exercise the other powers herein-after mentioned and may subject to the provisions of this Act enter upon take and use such of the lands delineated on the said plans and described in the deposited books of reference relating thereto as may be required for that purpose the railways roads streets and other works herein-before referred to and authorised by this Act are:— Power to
make rail-
ways &c.

(1.) A railway (to be called the Largs Line) two miles two furlongs eight chains and nine yards in length commencing at Fairlie by a junction with the railway authorised by the Glasgow and South-Western Railway Act 1876 and now in course of construction and terminating at the southern side of Main Street Largs which railway and the works connected therewith will be situate in the parish of Largs in the county of Ayr and the foreshore in or ex adverso of the said parish and county:

(2.) A railway (to be called the Garvel Dock Line No. 1) one mile four furlongs six chains and twelve yards in length commencing at Greenock by a junction with the Company's Greenock branch and terminating at the western side of Inch Green Street Greenock which railway will be situate

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in the parish of Greenock or East Parish of Greenock in the county of Renfrew and the foreshore of the Firth or River of Clyde in or ex adverso of the said parish and county.

- (3.) A railway (to be called the Garvel Dock Line No. 2) two furlongs six chains and seventeen yards in length commencing by a junction with the intended Garvel Dock Line No. 1 and terminating in the lands belonging to the Greenock Harbour Trustees near the Clyde Pottery Works which railway will be situate in the said parish of Greenock or East Parish of Greenock and county of Renfrew and the foreshore of the Firth or River of Clyde in or ex adverso of the said parish and county :
- (4.) A railway (to be called the Paisley Canal Line) nine miles six chains and three yards in length commencing in the Abbey Parish of Paisley in the county of Renfrew by a junction with the Company's railway near Elderslie station and terminating in the parish of Govan in the county of Lanark by a junction with the City of Glasgow Union Railway at the west end of the bridge which carries that railway over Salkeld Street Glasgow Provided always that notwithstanding anything in this Act the Paisley Canal Line shall between the points marked respectively "commencement of deviation" and "termination of deviation" on the amended plan and section be made and maintained not in the line and according to the levels shown upon the deposited plan and section but in the line and according to the levels shown upon the said amended plan and section :
- (5.) A new road No. 1 in the parish of Newton-upon-Ayr in the county of Ayr commencing by a junction with the public road on the east of and adjoining the Company's railway from Falkland junction to their goods station at Ayr (hereinafter called the Ayr goods line) at a point thereon twenty-five yards or thereabouts north of the northern gate at the level crossing of the said road by the Company's railway from Falkland junction to their passenger station at Ayr and terminating by a junction with the turnpike road from Prestwick to Ayr at a point thereon twenty-five yards or thereabouts south of the entrance gate from the said turnpike road to Falkland House.
- (6.) A new road No. 2 in the parish of Newton-upon-Ayr in the county of Ayr commencing by a junction with the public road leading to the sea from the public road on the west

side of and adjoining the Ayr goods line at or near the level crossing of the Ayr goods line by the railway No. 3 authorised by the Glasgow and South-Western Railway (Ayrshire Lines) Act 1865 at a point on the first-mentioned public road fifty yards or thereabouts north-west of the said railway level crossing and passing thence over the said railway No. 3 and the said Ayr goods line and terminating by a junction with the public road leading from the before-mentioned public road on the east side of the Ayr goods line to the said turnpike road from Prestwich to Ayr near Twinningham Place at a point thereon one hundred and twenty-five yards or thereabouts south-east of the said railway level crossing.

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—
28 & 29 Vict.
c. ccxvi.

(7.) A new road No. 3 in the parish of Newton-upon-Ayr in the county of Ayr commencing by a junction with the said new road No. 2 at a point thereon eighty yards or thereabouts south-west of the said railway level crossing and terminating by a junction with the said public road on the west side of the Ayr goods line at a point thereon one hundred and forty-five yards or thereabouts south of the same level crossing :

(8.) A new road No. 4 in the parish of Newton-upon-Ayr in the county of Ayr commencing by a junction with the said new road No. 2 at a point thereon fifty yards or thereabouts south of the said railway level crossing and terminating by a junction with the said public road on the east side of the Ayr goods line at a point thereon one hundred and sixty-five yards or thereabouts south of the same level crossing When the Company have made the said new roads they may stop up and discontinue as public thoroughfares and subject to the provisions of this Act appropriate to the purposes of their undertaking so much of the several public roads herein-before referred to as lies between the commencement of the said new road No. 1 and the terminations of the said new roads No. 2 and No. 4 on the east side of the Ayr goods line and between the commencement of the said new road No. 2 and the termination of the said new road No. 3 on the west side of the Ayr goods line and thereupon all rights of way over the portions of road so stopped up shall be and the same are hereby extinguished :

(9.) A new street No. 1 at Saltcoats in the parishes of Stevenston and Ardrossan in the county of Ayr commencing at Raise Street at a point thereon twenty-six yards or thereabouts north of the centre line of the Company's railway where it crosses

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that street on the level and terminating at or near the north end of the bridge which carries Nine Yards Street or Kyles Hill Street over the same railway and another new street No. 2 at Saltcoats in the same parishes and county commencing at Raise Street aforesaid at a point thereon thirty yards or thereabouts south of the centre line of the Company's railway where it crosses that street on the level and terminating at Nine Yards Street or Kyles Hill Street aforesaid at a point thereon thirty yards or thereabouts south of the centre of the before-mentioned bridge and the Company may widen the said bridge on the west side thereof between the respective terminations of the said new streets. When the Company have made the said new streets they may stop up and discontinue as public thoroughfares and appropriate to the purposes of their undertaking so much of Raise Street aforesaid as is situate between points thereon respectively eleven yards or thereabouts to the north and twenty-five yards or thereabouts to the south of the centre line of the Company's railway at the said level crossing and also the foot passage situated on the north of and parallel to the Company's railway and extending from Raise Street to Goat Lane and the foot passage leading from near the north end of the before-mentioned bridge to Goat Lane and so much of Goat Lane as is situate between the said new street No. 1 where it crosses the same and Raise Street and thereupon all rights of way over the portions of street and lane and the foot passages so stopped up shall be and the same are hereby extinguished :

- (10.) An additional arch or opening in the parish of Greenock or East Parish of Greenock in the county of Renfrew under Drumfochar Road and another additional arch or opening in the same parish and county under the aqueduct which crosses over the Greenock branch of the Company's railway forty-five yards or thereabouts south of the said road such additional arches or openings being respectively on the southern side of and adjoining the existing arches or openings by which the said road and aqueduct are respectively carried over the said branch.

Tolls.

5. The railways by this Act authorised shall for the purpose of tolls rates and charges and for all other purposes whatsoever form part of the undertaking of the Company.

Inclination
of a certain
road.

6. In altering for the purposes of the Garvel Dock Line No. 1 the road numbered on the deposited plans 46 in the parish of Greenock or East Parish of Greenock the Company may make the

same of any inclination not steeper than 1 in 16 on one side and 1 in 14 on the other. A.D. 1881.

7. The Company may make the arches of the bridges for carrying the under-mentioned railway over the roads next herein-after mentioned of any heights and spans not less than the heights and spans herein-after mentioned in connexion with those roads respectively (that is to say):—

Heights and spans of certain bridges.

No. on deposited Plan.	Parish.	Description of Road.	Height.	Span.
THE PAISLEY CANAL LINE.				
57	Govan	Public street	13 feet 6 inches	One arch 21 ft. span one arch 26 ft. 6 in. span and one arch 17 ft. span.

8. The Company shall not make the roadway of the bridges by which the following roads will be carried over the Paisley Canal Line of less width between the fences thereof than the respective widths herein-after specified (that is to say):

Widths of certain roadways over Paisley Canal Line.

No. on Plan.	Parish.	Description of Roadway.	Width of Roadway.
26	High Church Parish of Paisley.	Public street	40 feet.
45	High Church Parish of Paisley.	Public street	30 feet.
The road called Meikleriggs Road.	Abbey Parish of Paisley	Public road	35 feet.
17	Low Church Parish of Paisley.	Public street	The present width of the street from building line to building line at the point of crossing.
85	Abbey Parish of Paisley	Turnpike road	40 feet.

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 Widths of
 certain road-
 ways.

9. The Company may make the roadway over the bridges by which the following roads will be carried over the under-mentioned railways of such width between the fences thereof as the Company think fit not being less than the respective widths herein-after specified (that is to say) :—

No. on deposited Plan.	Parish.	Description of Roadway.	Width of Roadway.
THE LARGS LINE.			
72	Largs - - -	Public road -	20 feet.
THE GARVEL DOCK LINE NO. 1.			
46	Greenock or East Parish of Greenock.	Public road -	20 feet.
THE PAISLEY CANAL LINE.			
98	Abbey Parish of Paisley	Turnpike road -	30 feet.
118	Do. - - -	Do. -	30 „

Protection of
 Clyde Light-
 house Trus-
 tees.

10. In the construction of the Garvel Dock Lines No. 1 and No. 2 and the works connected therewith the following provisions for the protection of the trustees of the Clyde Lighthouses (herein-after called “the Lighthouses Trustees”) shall be observed and have effect :—

- (1.) The Company shall not without the consent of the Lighthouses Trustees given in writing under their common seal construct the Garvel Dock Lines No. 1 or No. 2 or any works connected therewith to the northward of the dotted red line laid down upon the plan signed in duplicate by Joseph Alfred Hardcastle Esquire the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred :
- (2.) In executing the Garvel Dock lines No. 1 and No. 2 and relative works the construction of the stonework facing the river and the embanking of the enclosed land shall be carried out in such a manner and according to such a plan as shall in the opinion of the engineers for the time being of the Lighthouses Trustees prevent stuff from being carried into the river to the injury of the navigation and in the event of the engineers of the Company and of the Lighthouses Trustees not

agreeing as to the best means to secure that end the question shall be referred to the decision of a neutral engineer to be mutually named by the parties or in case of their not agreeing to be named by the Sheriff Depute of Renfrew and Bute upon the application of either party and such neutral engineer is hereby empowered to hear parties and to settle the dispute summarily before the works are commenced.

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11. The Company shall cause the remains of any person interred in that portion of the burial ground attached to the Canal Street United Presbyterian Church Paisley which it may be necessary to remove in constructing the Paisley Canal Line to be removed under the superintendence of the Medical Officer of Health of the burgh of Paisley and interred in the Paisley cemetery or other public cemetery or burial ground in or near Paisley wherein burials may lawfully take place and shall cause any monuments tablets and tombstones in the said portion of the said burial ground to be removed to and fixed or re-erected in the said Paisley cemetery or other public cemetery or burial ground as aforesaid provided that the legal representatives or failing such legal representatives the relations or friends of any person whose remains shall be interred in the said portion of the said burial ground may if they so prefer (at the cost of the Company such cost not to exceed ten pounds in each case) and under such superintendence as aforesaid remove the remains of such person to any burial ground wherein burials may lawfully take place and remove the monument tablet or tombstone erected to the memory of such person to any place they may think fit.

Removal of
remains in
burial ground
at Paisley.

12. The following provisions for the protection of the Caledonian Railway Company shall have effect and be binding on the Company :—

Protection of
Caledonian
Company.

(1.) The centre line of the Garvel Dock Line No. 1 shall not be deviated to the north-westward of the centre line thereof as delineated on the deposited plans where passing through the lands numbered on the said plans 49 in the parish of Greenock or East Parish of Greenock and the Company shall not without the previous consent of the Caledonian Railway Company under their common seal enter upon take or use any greater portion of the lands numbered respectively on the said plans 47 48 49 and 61 in the said parish than may be necessary for forming (1) a double line of railway of which the centre line shall not be to the north-westward of the centre line shown on the said plans and (2) a new road fifty feet in width from the bridge carrying the road numbered on the said plans 46 in the said parish over the Caledonian

A.D. 1881. Railway to the lands numbered on the said plans 44 in the said parish and (3) a diversion of the said road numbered 46 southward from the said new road Provided always that the Company shall not for such purposes take more of the said lands than is situate to the southward and south-eastward of two lines drawn respectively parallel to and thirty feet northward from the southern fence of the said lands numbered 47 and parallel to and seventy feet north-westward from the centre line of the said railway as shown on the said plans :

(2.) Unless with the previous consent of the Caledonian Railway Company under their common seal the Garvel Dock Line No. 1 shall be carried over the Caledonian Railway and over a portion of the adjacent lands numbered respectively on the deposited plans 62 and 63 in the parish of Greenock or East Parish of Greenock by a bridge to be constructed as herein-after prescribed and not otherwise that is to say :—

(a.) The Company shall not enter upon take or use any greater portion of the said lands than is necessary for the construction of a double line of railway in manner herein-after mentioned :

(b.) The centre line of railway where passing through the said lands shall not be deviated south-eastward more than thirty feet from the centre line thereof as shown on the deposited plans :

(c.) The bridge shall be a girder bridge with three spans of the respective clear widths on the square herein-after specified videlicet the southmost and central spans fifty feet each and the northmost span thirty-nine feet The southmost span shall have a clear height of not less than fourteen feet above the level of the existing northmost rail of the Caledonian Railway under the same and the underside of the girders of the said bridge shall be constructed throughout with a uniform inclination not steeper at any point than 1 in 55 :

(d.) The said bridge shall be constructed at the sight and to the reasonable satisfaction of the engineer of the Caledonian Railway Company and according to working plans and specifications to be submitted to him before the commencement of the works :

(e.) The said bridge shall be maintained by the Company in all time coming and all operations connected with the construction and maintenance thereof shall be carried on so as not to obstruct or in any manner interfere with the traffic on the Caledonian Railway :

(3.) Except as herein-after provided with reference to the bridge at Shields Road no part of the works of the Paisley Canal Line between the point marked on the deposited plans seven miles six furlongs and the termination of the said line shall so far as affecting any lands or property belonging to the Caledonian Railway Company or to that Company and the Company jointly be made beyond the limits of deviation shown upon the deposited plans without the previous consent of the Caledonian Railway Company under their common seal and the Company shall not without such consent enter upon take or use any part of the lands numbered respectively on the said plans 55 56 60 and 63 in the parish of Govan and county of Lanark and 32 and 34 in the parish of Govan and county of Renfrew so far as lying beyond the said limits of deviation In the event of the Company interfering with the present accesses from the road called Shields Road numbered on the deposited plans 33 in the parish of Govan and county of Renfrew and the street called West Street numbered on those plans 57 in the parish of Govan and county of Lanark respectively to the Caledonian Railway Company's mineral depôt or either of those accesses the Company shall make another access or other accesses to the said depôt equally substantial and convenient with the access or accesses so interfered with :

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(4.) The Company before opening the Paisley Canal Line for traffic shall erect a substantial close fence or screen not less than six feet in height above the level of the rails of that line along the whole boundary between the said line and the lands and depôt of the Caledonian Railway Company from the said road called Shields Road to the said street called West Street and shall maintain the said screen in good condition and repair in all time coming :

(5.) The Company shall in all time coming maintain the bridge by which Shields Road is now carried over the Paisley Canal and by which the said road is to be carried over the Paisley Canal Line and the bridge beneath the last-mentioned bridge by which the Paisley Canal is now carried over the lines of railway of the Caledonian Railway Company and by which the Paisley Canal Line will be carried over those lines of railway whether the said bridges or either of them be strengthened altered or reconstructed for the purposes of this Act or not :

(6.) In the event of any difference between the engineer of the Caledonian Railway Company and the engineer of the Company with reference to any of the matters in this section herein-before provided for such difference shall be determined by an engineer to be agreed upon by the said engineers or failing such agreement

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(7.) All the operations connected with the construction and maintenance of the several works herein-before referred to shall be carried on so as not to obstruct or in any manner interfere with the traffic of the Caledonian Railway Company.

Protection of
Lord Blantyre.

13. Notwithstanding anything contained in this Act the Company shall not construct the Paisley Canal Line in so far as the same passes through or opposite to the estate of Cardonald belonging or reputed to belong to the Right Honourable Charles Lord Blantyre nor enter upon take or use any part of the said estate otherwise than in accordance with the following provisions unless with the previous consent in writing of the said Charles Lord Blantyre or of his successors in the said estate and the Company shall unless otherwise agreed execute the accommodation works herein-after specified in connexion therewith that is to say :

- (1.) The centre line of the Paisley Canal Line between the point marked on the deposited plans four miles and seven furlongs and the point marked thereon five miles and four furlongs shall not be deviated to the southward of the centre line thereof as delineated on those plans to any extent nor to the northward of the said centre line to a greater extent than fifty feet and the Company shall not take between the said points a greater quantity of land than is necessary for the formation of a double line of railway together with the requisite slopes embankments and fences thereof :
- (2.) The Company shall not enter upon take or use any part belonging to the said Charles Lord Blantyre of the bank lying between the Paisley Canal and the stream called the White Cart Water which bank is numbered on the deposited plans 127 and 128 in the Abbey Parish of Paisley :
- (3.) The Company shall make and for two years thereafter maintain for the accommodation of Cardonald mill and farm a new road not less than fifteen feet in width from the road numbered on the deposited plans 118 in the Abbey Parish of Paisley along the south side of the Paisley Canal Line to the front of the said mill and so as to give access to the station to be formed by the Company to the west of the said road numbered 118 :

- (4.) When in the opinion of an engineer to be agreed upon between the Company and the said Charles Lord Blantyre or his successors in the estate of Cardonald or if they do not agree to be appointed as herein-after provided the traffic to and from the said estate shall have developed sufficiently to justify the requiring of a siding for the accommodation thereof the Company shall if required so to do by the said Charles Lord Blantyre or his successors aforesaid construct at their own expense a siding to the satisfaction of such engineer from the Paisley Canal Line for the said traffic and the terms of maintenance and user of the said siding shall in case of difference be settled from time to time by an engineer to be agreed upon or appointed as aforesaid : A.D. 1881.
- (5.) The Company shall carry the road leading to Cardonald mill and numbered on the deposited plans 121 in the Abbey Parish of Paisley over the Paisley Canal Line by a bridge and shall divert the said road from a point near the southern end of the said bridge so that it shall pass round the back of the cottages at the said mill to the front door of the mill The said bridge shall be not less than fifteen feet in width between the parapets and the said road so far as altered on the northern side of the bridge shall be not less than twenty feet in width and not steeper than one in twenty and the diversion thereof on the southern side of the bridge shall be not less than twenty feet in width and shall have an uniform gradient from the bridge to the front of the said mill :
- (6.) The Company shall carry the road leading to Cardonald Place which is situate on the western side of the lands numbered on the deposited plans 130 in the Abbey Parish of Paisley and passes through the lands numbered on those plans 126 in that parish over the Paisley Canal Line by a bridge not less than fifteen feet in width between the parapets with approaches thereto not less than fifteen feet in width and if practicable not steeper than the present road :
- (7.) The Company shall construct over the Paisley Canal Line in lieu of the present bridge over the canal an occupation bridge not less than fifteen feet in width between the parapets with proper and convenient approaches thereto on the eastern side of the lands numbered on the deposited plans 135 in the Abbey Parish of Paisley and as near as reasonably practicable to the fence between those lands and the lands numbered on the said plans 136 in the same parish :

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(8.) The said bridges and new road and all alterations and diversions of roads and other works and operations hereinbefore provided for shall be constructed and completed without undue delay after the commencement thereof respectively at the sight and to the reasonable satisfaction in all respects of an engineer to be appointed by the said Charles Lord Blantyre or his successors aforesaid and according to working plans sections and specifications thereof to be submitted to such engineer previously to the commencement of such works and operations respectively. Provided always that if any difference shall at any time arise between the Company or their engineer and the said Charles Lord Blantyre or his successors aforesaid or their engineer with respect to any of the matters aforesaid such difference shall be determined by an engineer to be appointed by the Sheriff of Renfrew and Bute or his substitute at Paisley on the application of any of the said parties and the decision of such engineer shall be final and conclusive and the costs of the reference shall be in the discretion of the arbiter :

(9.) Nothing in this section contained shall take away or diminish any rights or remedies competent to the said Charles Lord Blantyre or his successors aforesaid under any of the provisions of the Lands Clauses Consolidation (Scotland) Act 1845 or the Railways Clauses Consolidation (Scotland) Act 1845 except as respects the accommodation bridges across the Paisley Canal Line.

Protection of
the Misses
Steven.

14. Notwithstanding anything contained in this Act the Company shall not construct the Paisley Canal Line in so far as the same passes through the estate of Bellahouston belonging to Misses Elizabeth Steven and Grace Steven nor enter upon take or use any part of the said estate otherwise than in accordance with the following provisions unless with the previous consent in writing of the said Elizabeth Steven and Grace Steven or of their successors in the said estate (herein-after called "the Ballahouston Proprietors") and the Company shall unless otherwise agreed between the Company and the Ballahouston Proprietors execute the accommodation works herein-after specified in connexion therewith (that is to say) :

(1.) The Company shall not enter upon take or use any part of the field or enclosure numbered on the deposited plans 47 in the parish of Govan lying to the west of the eastern side of the proposed road or street called "road leading to Paisley

and Glasgow Road" on the plan signed in duplicate by the Right Honourable Viscount Sidmouth Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred and in the event of the Company taking any part of the said field or enclosure abutting upon the said proposed road or street then if and as soon as either the Company or the Bellahouston Proprietors desire that the said proposed road or street shall be formed between the bridge carrying the road numbered on the deposited plans 46 in the parish of Govan over the Glasgow and Paisley joint line of railway and the bridge carrying the said road over the Paisley Canal Line the Bellahouston Proprietors shall form the same sixty feet in width with proper footpaths kerbstones water channels and sewer on and under the same and the Company shall pay to the Bellahouston Proprietors one half of the expense of forming the same as aforesaid and of the value of the land occupied thereby and the said road or street shall thereafter be maintained at the joint and equal expense of the Bellahouston Proprietors and of the Company :

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- (2.) The Company shall carry the said road numbered on the deposited plans 46 in the parish of Govan over the Paisley Canal Line by a bridge formed in the line of the said proposed road or street. The said bridge shall be twenty-five feet in width between the parapets with approaches thereto not less than forty feet in width and not steeper than one in thirty on the north side and one in fifty on the south side: Provided always that upon the completion of the said bridge and approaches the Bellahouston Proprietors shall pay to the Company a sum equal to the cost of widening the existing bridge over the Paisley Canal to twenty-five feet and the approaches thereto to forty feet :
- (3.) The Company shall for the protection of the amenity of the road inclose the lands which they may take from the Bellahouston Proprietors so far as fronting the said proposed road or street by a neat enclosure wall or fence six feet high and they shall form and maintain so far as through lands belonging to or to be taken by them and in a line to be reasonably approved of by the Bellahouston Proprietors or their engineer a substantial culvert from the said joint line southward to the south side of the Paisley Canal Line in continuation of and of equal size with the culvert which now carries the overflow of the canal under the said joint line and also

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an eighteen-inch fire-clay pipe from the last-mentioned culvert at a point to be fixed by the Bellahouston Proprietors or their engineer to the said proposed road or street :

(4.) The said bridge culvert pipe and all other works and operations herein-before provided to be executed by the Company shall be constructed and completed at the sight and to the reasonable satisfaction in all respects of an engineer to be appointed by the Bellahouston Proprietors and according to working plans sections and specifications thereof to be submitted to such engineer previously to the commencement of such works and operations respectively Provided always that if any difference shall at any time arise between the Company or their engineer and the Bellahouston Proprietors or their engineer with respect to any of the matters referred to in this sub-section such difference shall be determined by an engineer to be appointed by the Sheriff of Lanarkshire or any of his substitutes at Glasgow on the application of either of the said parties and the decision of such engineer shall be final and conclusive :

(5.) Subject to the provisions of this section nothing therein contained shall take away or diminish any rights or remedies competent to the Bellahouston Proprietors under any of the provisions of the Lands Clauses Consolidation (Scotland) Act 1845 or the Railways Clauses Consolidation (Scotland) Act 1845.

Line and levels of certain roads not to be altered &c.

15. The Company shall not in the construction of the Paisley Canal Line alter the line or levels of the streets numbered on the deposited plans 26 and 45 in the High Church Parish of Paisley and 17 in the Low Church Parish of Paisley or of the road called the Meikleriggs Road without the previous consent in writing of the Paisley Burgh Road Trustees and the bridges for carrying the said streets and road over the Paisley Canal Line shall be constructed to the reasonable satisfaction of the master of works for the time being of the burgh of Paisley and before commencing the construction of any of the said bridges the Company shall forward plans and sections thereof to the said master of works and the said bridges shall be completed within nine months after the commencement thereof respectively.

Power to deviate in construction of new roads and streets.

16. Subject to the provisions of this Act the Company may in constructing the new roads and streets by this Act authorised deviate laterally to any extent not exceeding the limits of deviation marked on the deposited plans and vertically to any extent not

exceeding five feet but not so as to increase the inclinations of the said roads and streets as shown upon the deposited sections. A.D. 1881.

17. The new roads No. 2 No. 3 and No. 4 by this Act authorised and the bridge by which the said road No. 2 is to be carried over the railway No. 3 authorised by the Glasgow and South-Western Railway (Ayrshire Lines) Act 1865 and the Ayr goods line shall be in lieu of and are hereby substituted for the bridge and the approaches thereto required by section 9 of the Glasgow and South-Western Railway Act 1878 to be constructed for the purpose of carrying the road numbered on the deposited plans referred to in the last-mentioned Act 2 in the parish of Newton-upon-Ayr over the said railway No. 3 and for the foot-bridge required by the same section to be erected and maintained over the Ayr goods line and the said section is hereby repealed.

New roads and bridge at Ayr to be in lieu of certain works required by section 9 of 41 & 42 Vict. c. cciv.

18. The new roads and streets by this Act authorised (except the stone iron or other structure including parapets carrying road No. 2 over the railways of the Company which structure shall be repaired and maintained in all time by and at the expense of the Company) shall when made and completed be upheld and maintained for one year thereafter by the Company and shall afterwards from time to time respectively be repaired and maintained by and at the expense of the same parties in the same manner and to the same extent as other roads and streets within the parish within which such new roads and streets are respectively situate are from time to time liable to be repaired or maintained :

Repair of new roads and streets.

If any question shall arise between the Company and such parties as to the due completion of any new road or street such question shall from time to time be determined by the sheriff of the county of Ayr on the application of either of the parties in difference and after not less than seven days notice to both parties of the sitting of such sheriff for the purpose and the certificate of such sheriff of the due completion of such new road or street shall be conclusive evidence of the fact so certified.

19. Notwithstanding anything contained in this Act the Company shall construct the Garvel Dock Line No. 1 and the Paisley Canal Line in so far as the same interfere with or affect any of the roads now under the management of the trustees of the turnpike road between Greenock and Renfrew acting in execution of the Act 3 and 4 William IV. (Local) cap. 116 and the Acts recited therein and continued thereby (herein-after called "the Greenock Road

Protection of Greenock and Renfrewshire Road Trustees.

A.D. 1881.
19 & 20 Vict.
c. lxxxv.

Trustees") and of the trustees acting in execution of the Renfrewshire Turnpike Roads Act 1856 and the Acts recited therein and continued thereby (herein-after called "the Renfrewshire Road Trustees") respectively in accordance with the following provisions and not otherwise unless with the previous consent in writing of the trustees of such respective roads or of their successors in the management thereof respectively and the Company shall not without such consent enter upon or interfere with any of the said roads otherwise than in accordance with those provisions (that is to say):—

- (1.) The Garvel Dock Line No. 1 shall be carried over the turnpike road from Greenock to Renfrew numbered on the deposited plans 69 in the parish of Greenock by a bridge having a clear span of not less than 60 feet measured on the square and a clear height of not less than 17 feet throughout measured from the centre line of the carriage-way and the line and levels of the said road shall not be altered:
- (2.) The line of the diversion of the turnpike road from Paisley to Elderslie numbered on the deposited plans 17 in the Abbey Parish of Paisley shall not be made less convenient than as shown on the deposited plans and the width of the said diversion shall not be less at any point than thirty-seven feet six inches and the inclinations thereof shall not be steeper at any point than one in thirty-three and the Paisley Canal Line shall be carried over the same by a bridge having a clear span of not less than thirty-seven feet six inches measured on the square and a clear height of not less than sixteen feet throughout measured from the centre line of the carriage-way:
- (3.) The diversion of the turnpike road from Maxwellton to Ayrshire numbered on the deposited plans 59 in the Abbey Parish of Paisley which is shown on the deposited plans shall not be executed but the Paisley Canal Line shall be carried under the said road without altering the line of that road and the width of the road where altered in level for the purpose of being carried over the Paisley Canal Line including the roadway of the bridge shall not be less at any point than 35 feet and the inclinations of the road where altered in level shall not be steeper at any point than 1 in 25:
- (4.) The line of the diversion of the turnpike road at and near Blackhall toll bar numbered on the deposited plans 85 in the Abbey Parish of Paisley shall not be made less convenient than as shown on the deposited plans nor shall its inclinations be steeper at any point than 1 in 30 and the width of the

said diversion including the roadway of the bridge shall not be less at any point than 40 feet : A.D. 1881.

- (5.) The Paisley Canal Line shall be carried under the turnpike road from Hawkhead Mill to Arkleston numbered on the deposited plans 98 in the Abbey Parish of Paisley without altering the line of the said road and the width of the said road where altered in level including the roadway of the bridge by which the said road is carried over the Paisley Canal Line shall not be less at any point than 30 feet :
- (6.) The Paisley Canal Line shall be carried under the turnpike road from Househill to Hillington numbered on the deposited plans 118 in the Abbey Parish of Paisley without altering the line of the said road and the width of the said road where altered in level including the roadway of the bridge shall not be less at any point than 30 feet and its inclinations shall not be steeper at any point than 1 in 30 :
- (7.) The Paisley Canal Line shall be carried under the Hagg's turnpike road numbered on the deposited plans 9 in the parish of Govan without altering the line of the said road and the width of the said road where altered in level including the roadway of the bridge shall not be less at any point than 35 feet and the inclinations thereof shall not be steeper at any point than 1 in 40 :
- (8.) The diversions of the said turnpike road from Paisley to Elderslie and of the said turnpike road at and near Blackhall toll bar shall in all time coming as respects management and tolls be held as parts of and be subject to the same provisions as the existing roads for parts of which the same are respectively substituted :
- (9.) The bridges for carrying the said lines over and under the said roads and diversions thereof and all alterations and diversions of the said roads shall be constructed to the reasonable satisfaction of the surveyor for the time being of the said roads respectively or of their successors in the management of the said respective roads.

20. Nothing contained in this Act shall authorise the Company to enter upon take or use the road metal magazine numbered on the deposited plans 32 in the Abbey Parish of Paisley without the previous consent in writing of the Renfrewshire Road Trustees. Company not to take road metal magazine of Renfrewshire Road Trustees.

21. Nothing contained in this Act shall authorise the Company to enter upon take use divert or in any manner interfere with the Company not to interfere with

A.D. 1881.

Bridge Lane
or Water
Lane.

Provisions
with refer-
ence to
arches under
Drumfochar
Road and
the Shaw's
Water
Aqueduct.

streets or lanes called respectively Bridge Lane and Water Lane and numbered respectively on the deposited plans 41 and 54 in the Abbey Parish of Paisley without the previous consent in writing of the Paisley Burgh Road Trustees.

22. The following provisions shall apply to the two additional arches or openings in the parish of Greenock or East Parish of Greenock in the county of Renfrew under Drumfochar Road and under the aqueduct of the Water Trust of Greenock at the south-west side of Messieurs Patten and Company's refinery:—

The Company shall not construct or commence the construction of the said arches or openings until they have given to the engineer of the Water Trust of Greenock for the time being one week's notice of their intention so to do and shall at the same time furnish him with a copy of the drawings for the same and if in constructing the said additional arches or openings or in using the said railway under the said arches or openings after the same have been constructed the Company cause any damage to or injuriously affect the aqueduct or any of the works of the Water Trust of Greenock or the supply of water which the said Water Trust by means of the said aqueduct and main pipes could give or the supply of water now afforded by the said aqueduct or pipes to any one or more of the owners or occupiers of mills manufactories or other premises situated on or near the said aqueduct and who are now supplied or may hereafter be supplied with water by or use the water passing along the same for driving power or for the purposes of the manufactures carried on in the said mills manufactories or other premises or otherwise the Company shall forthwith repair and make good any damage or injury caused to the said aqueduct or pipes or to any of the other works or property of the Water Trust of Greenock and shall in addition and notwithstanding the giving of such notice and delivery of such plans as herein-before provided make full compensation to the said Water Trust of Greenock and to the owners and occupiers of the said mills manufactories or other premises for any loss or damage of any description whatever which they or any one or more of them may sustain from the works and operations of the Company either during the construction of the said arches or openings or after the construction thereof in working or using the same for the purposes of the Company and the amount of such compensation shall unless otherwise agreed upon be ascertained in the manner provided by the Lands

Clauses Consolidation (Scotland) Act 1845 with respect to A.D. 1881.
questions of disputed compensations.

23. The following provisions for the protection of the board of police of Greenock shall have effect and be binding on the Company:—

Protection of
board of
police of
Greenock.

(1.) The Company shall not appropriate use or interfere with the surface or roadway of Drumfochar Road aforesaid so as to render the same dangerous unsuitable or inconvenient for passengers or carriages or to the persons entitled to the user thereof until they shall to the reasonable satisfaction of the master of works of the town of Greenock have made all such temporary roads works and conveniences as shall be necessary for the safe and commodious passage both of passengers and carriages along the said road and the Company shall at their own expense be bound to maintain such temporary roads works and conveniences and also within a reasonable time after the said additional arches or openings have been constructed to restore the surface or roadway of Drumfochar Road to the condition it was in before their operations began and if after application made to them for that purpose they refuse or delay to do so the board of police of Greenock shall be entitled to execute such works themselves, and the cost thereof shall be a debt due to the said board by the Company and recoverable as such from the Company :

(2.) The Company shall at their own expense construct and thereafter maintain through their existing works and through the works authorised by this Act a continuation of the existing sewer belonging to the said board of police and which now terminates by a junction with a private sewer laid along the said road and shall also construct a continuation through the said works of the existing sewer in Pottery Street such continuation to be made in such direction of such dimensions and in such manner as may be agreed upon between the engineer of the Company and the master of works of the town of Greenock :

(3.) With reference to the diversion for the purposes of the Garvel Dock Line No. 1 of the road No. 46 in the parish of Greenock or East Parish of Greenock called or known as Gibbshill Road the following provisions shall have effect and be binding on the Company :—

(a.) The said road when diverted shall be of an uniform width of not less than twenty feet :

A.D. 1881.

- (b.) The gradient of the said road when diverted shall not be in any part steeper than 1 in 14 :
- (c.) The roadway of the bridge carrying the said road over the railway shall be not less than twenty feet in width between the parapets :
- (4.) The Company shall not without the consent in writing of the said board of police first had and obtained enter upon take use or otherwise interfere with any of the lands numbered on the deposited plans 106 107 and 108 in the parish of Greenock or East Parish of Greenock so far as those lands belong to the said board of police :
- (5.) The Company shall not enter upon take use or interfere with any part of the street called Inchgreen Street without the like consent of the said board of police first had and obtained :
- (6.) If any difference shall arise between the engineer of the Company and the master of works of the town of Greenock with respect to any of the matters mentioned in this section the same shall on the application of either party be determined by the sheriff or sheriff substitute of the county of Renfrew.

Protection of
trustees of
James Allan.

24. For the protection of the trustees of the late James Allan their successors and assigns (in this section called James Allan's trustees) the following provisions shall have effect :

- (1.) In case the Company shall at any time construct a siding or sidings from their main line of railway into the proposed goods station at Salkeld Street between the Paisley Canal Line and the property of James Allan's trustees then the Company shall subject as herein-after provided permit the said trustees to effect a junction between any rails to be laid down by the said trustees on their property and such siding or the nearest of such sidings and the Company shall so construct any such siding as to admit of such rails being laid down on the level of the said property Provided always that such junction shall not be made if in the opinion of an engineer to be appointed by the Board of Trade upon the application of the Company the same cannot be made with safety to the public or without serious injury or detriment to the convenient working of the railway :
- (2.) Nothing in this Act contained shall prejudice or affect the claims if any of James Allan's trustees to compensation for being deprived of any rights to compel the construction of two

swivel bridges over the Paisley Canal and right of access thereto and user thereof. A.D. 1881.

25. If the Company fail within the period limited by this Act to complete the Largs Line or the Garvel Dock Lines No. 1 and No. 2 or the Paisley Canal Line the Company shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until the railways or railway in respect of which the penalty has been incurred are or is completed and opened for public traffic or until the sum received in respect of such penalty shall amount to five per centum on the estimated cost of the railways or railway in respect of which the penalty has been incurred and the said penalty may be applied for by any landowner or other person claiming to be compensated in respect of the railways or railway in respect of which the penalty has been incurred in accordance with the provisions of the next following section of this Act or by the solicitor of Her Majesty's Treasury and in the same manner as the penalty provided in section 3 of the Railway and Canal Traffic Act 1854 and every sum of money recovered by way of such penalty as aforesaid shall be paid under the warrant or order of such court or judge as is specified in that section to an account opened or to be opened in the name and with the privity of the Queen's Remembrancer of the Court of Exchequer in Scotland in the bank named in such order and shall not be paid thereout except as herein-after provided But no penalty shall accrue in respect of any time during which it shall appear by a certificate to be obtained from the Board of Trade that the Company was prevented from completing or opening the railway by unforeseen accident or circumstances beyond their control Provided that want of sufficient funds shall not be held to be a circumstance beyond their control.

Penalty imposed unless railways are opened within the time limited.

17 & 18 Vict. c. 31.

26. Every sum of money so recovered by way of penalty as aforesaid shall be applicable and after due notice in the Edinburgh Gazette shall be applied towards compensating any landowners or other persons whose property may have been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the railways or railway in respect of which the penalty has been incurred or any portion thereof or who may have been subjected to injury or loss in consequence of the compulsory powers conferred upon the Company by this Act of taking property for the purposes of such railways or railway and for which injury or loss no compensation or inadequate compensation shall have been paid and shall be distributed in satisfaction of such compensation as

Application of penalty.

A.D. 1881. — aforesaid in such manner and in such proportions as to the Court of Exchequer in Scotland may seem fit and if no such compensation shall be payable or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid shall have been found sufficient to satisfy all just claims in respect of such compensation then the said sum or sums of money recovered by way of penalty or such portion thereof as may not be required as aforesaid shall either be forfeited to Her Majesty and accordingly be paid 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 receiver has been appointed shall wholly or in part be paid or transferred to such receiver 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.

Period for
completion
of railways.

27. If the railways by this Act authorised respectively are not completed within the period of 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 same or otherwise in relation thereto shall cease to be exercised except as to so much thereof respectively as is then completed.

Power to
acquire
additional
lands.

28. Subject to the provisions of this Act and in addition to the other lands which they are by this Act authorised to acquire the Company may from time to time enter upon take use and appropriate to purposes connected with their undertaking all or any of the lands houses and buildings following delineated on the deposited plans and described in the deposited books of reference relating thereto respectively (that is to say) :

Certain lands houses and buildings in the parish of Greenock or East Parish of Greenock in the county of Renfrew lying between and adjoining the Company's Greenock branch and the Drumfochar Road near Lynedoch station :

Certain lands houses and buildings at Saltcoats in the parishes of Stevenston and Ardrossan in the county of Ayr lying on both sides of and adjoining the Company's railway and situate between Nine Yards Street or Kyles Hill Street on the east and the Company's Saltcoats station on the west :

Certain lands at Newton-upon-Ayr in the parish of Newton-upon-Ayr in the county of Ayr lying between and adjoining the

Company's railways leading from Falkland Junction to their goods station and passenger station at Ayr respectively. A.D. 1881.

29. 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.

30. The quantity of land to be taken by the Company under this Act for the extraordinary purposes mentioned in the Railways Clauses Consolidation (Scotland) Act 1845 shall not exceed five acres. Lands for extraordinary purposes.

31. 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 Lands Clauses Consolidation Acts Amendment Act 1860 and of this Act grant to the Company any easement right or privilege (not being an easement of water) required for the purposes of this Act in over or affecting lands and the provisions of the said Acts with respect to lands and feu duties or ground annuals as far as the same are applicable in this behalf shall extend and apply to such grants easements rights and privileges as aforesaid respectively. Power to take easements, &c. by agreement.

32. And whereas it may happen that portions only of the lands buildings and manufactories shown on the deposited plans as subject to be taken for certain of the purposes of this Act will be sufficient for those purposes and that such portions may be severed from the remainder of such properties without material detriment thereto Therefore notwithstanding section 90 of the Lands Clauses Consolidation (Scotland) Act 1845 the owners of and persons interested in the properties described in the schedule to this Act and whereof portions only are required for the purposes of this Act may if such portions can in the judgment of the sheriff or the jury or the arbiters as the case may be assessing or determining the compensation under that Act be severed from the remainder of the said properties without material detriment thereto be required to sell and convey to the Company the portions only of the same required as aforesaid without the Company being obliged or compellable to purchase the whole or any greater portion of the said properties the Company paying for the portions required by them and making compensation for any damage sustained by the owners thereof and other persons interested therein by the taking of such portions Provided that as regards such of the properties mentioned in the said schedule as are herein-after referred to the provisions of this section shall not apply in the event of the Company requiring Owners may be required to sell parts only of certain lands, &c.

A.D. 1881. to take more of those properties than is herein-after mentioned
(that is to say) :

- (1.) More of the properties numbered 7 8 9 10 and 11 in the parish of Paisley or High Church Parish of Paisley than is situate within twenty feet southward from the centre line of the Paisley Canal Line as delineated on the deposited plans :
- (2.) More of the properties numbered 12 13 15 16 17 18 and 19 in the same parish than is situate twenty feet northward from the northern limit of deviation of the said line as shown on the said plans :
- (3.) More of the properties numbered 51 52 53 and 54 in the parish of Govan in the county of Lanark and 19 20 21 22 23 24 25 26 27 28 29 30 and 31 in the parish of Govan in the county of Renfrew than is situate within the southern limit of deviation of the said line as shown on the said plans.

Notice to be given of taking houses of labouring classes.

33. The Company shall not less than eight weeks before they take in any parish fifteen houses or more occupied either wholly or partially by persons belonging to the labouring classes as tenants or lodgers make known their intention to take the same by placards handbills or other general notice placed in public view upon or within a reasonable distance from such houses and the Company shall not take any such houses until they have obtained the certificate of the sheriff that it has been proved to his satisfaction that the Company have made known their intention to take the same in manner herein-before required.

Company to procure accommodation for persons of labouring classes to be displaced.

34. Before displacing any person belonging to the labouring classes who may for the time being be the occupier of any house or part of any house which the Company are by this Act authorised to acquire the Company shall (unless the Company and such person otherwise agree) procure sufficient accommodation elsewhere for such person. Provided always that if any question shall arise as to the sufficiency of such accommodation the same shall be determined by the sheriff. The Company may for the purpose of providing such accommodation appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase lands by agreement and may on any such lands erect labouring class dwellings and may let or otherwise dispose of such lands and buildings.

Power to abandon Paisley Canal.

35. When any portion of the site of the Paisley Canal shall have been taken used or appropriated for the purposes of the

Paisley Canal Line authorised by this Act it shall be lawful for the Company to abandon and relinquish the whole of the Paisley Canal and to use the site thereof or of any part thereof for the purposes of the Paisley Canal Line and of the works connected therewith and thereupon section 5 of the Glasgow and South-Western Railway (Paisley Canal &c.) Act 1869 shall be and is hereby repealed and all obligation or liability by that or by any other Act imposed upon the Company to maintain and keep open the said canal for public traffic shall absolutely cease and determine Provided always that the Company shall complete the Paisley Canal Line and open the same for traffic within five years after the passing of this Act and the repeal of the said section 5 and the exemption of the Company from liability to maintain and keep open the said canal for traffic shall only take effect in the event of the Paisley Canal Line being completed and opened for traffic within the period aforesaid.

A.D. 1881.

32 & 33 Vict.
c. xlvi.

36. Subject to the provisions of this Act the Company may sell and dispose of together or in lots in such manner and at such time or times and upon such terms and conditions as the Company may deem expedient any part of the Paisley Canal not required for the purpose of the Paisley Canal Line or for any other purpose of the Company and the purchase moneys arising from any such sale shall be assets of the Company and shall be applied to purposes to which capital is properly applicable Provided always that as regards any part of the said canal which shall be situated between or bounded on both sides by lands belonging to the same owner the Company shall not sell such part without first offering the same to the said owner in the manner provided by the Lands Clauses Consolidation (Scotland) Act 1845 with respect to the sale of superfluous lands.

Power to
sell parts
of Paisley
canal not
required.

37. The time limited by the Glasgow and South-Western Railway Act 1876 for the construction and completion of the railway and pier at Fairlie by that Act authorised is hereby extended for the period of one year from the twenty-seventh day of June one thousand eight hundred and eighty-one and section 27 of the said Act shall be read and construed as if the period by this Act limited for the completion of the said railway had been the period by that Act limited If the said railway and pier are not completed within the extended period by this Act limited for the completion thereof then on the expiration of that period the powers for making and completing the said railway and pier or otherwise in relation thereto shall cease to be exercised except as to so much thereof as shall then be completed.

Extension of
time for com-
pletion of
railway and
pier at
Fairlie.

A.D. 1881.

Power to
close funded
debt or de-
benture stock
registers.

38. The directors of the Company may close the register of the Company's funded debt or debenture stock for a period not exceeding fourteen days previously to each second day of February and second day of August or other days in each year upon which the half-yearly interest on such stock may at the time be payable and may fix the days for closing the said register of which seven days notice shall be given by advertisement in some newspaper published in Glasgow and any transfer of any part of such stock delivered to the Company for registration during the period when such register is so closed shall as between the Company and the party claiming under the same but not otherwise be considered as made subsequently to such half-yearly days.

Power to
raise addi-
tional capital.

39. The Company from time to time may raise for the purposes of this Act and for the general purposes of their undertaking by the creation and issue of new shares or stock such additional capital as they think fit not exceeding in the whole the sum of four hundred and fifty thousand pounds and they may create and issue such new shares or stock either wholly or partially as ordinary or wholly or partially as preferential shares or stock as they may think fit.

Shares not
to be issued
until one
fifth paid.

40. The Company shall not issue any share under the authority of this Act nor shall any share vest in the person accepting the same unless and until a sum not being less than one fifth part of the amount of such share shall have been paid in respect thereof.

Votes in
respect of
new shares
or stock.

41. At all general meetings of the Company every holder of shares or stock of the Company created under this Act shall have the right of voting in respect thereof on the principle of having one vote for every sum of one hundred pounds actually paid up in respect of the whole of such shares or stock for the time being held by him up to one thousand pounds and he shall have an additional vote for every sum of five hundred pounds actually paid up on such shares or stock beyond the first one thousand pounds up to ten thousand pounds and an additional vote for every sum of one thousand pounds actually paid up on such shares or stock beyond the first ten thousand pounds Provided that no person shall be entitled to vote in respect of any less amount than one hundred pounds paid up Provided also that (unless otherwise specified in any resolution of the Company and subject to the provisions herein-after contained with respect to the conversion and consolidation of capital) no person shall be entitled to vote in respect of any share created or issued under this Act to which a preferential dividend shall be assigned.

42. The Company may in respect of the additional capital of four hundred and fifty thousand pounds which they are by this Act authorised to raise from time to time borrow on mortgage such sums as they think fit not exceeding in the whole one hundred and fifty thousand pounds but no part thereof shall be borrowed until shares for so much of the said additional capital as is to be raised by means of shares are issued and accepted and one half of such capital is paid up and the Company have proved to the sheriff who is to certify under the forty-second section of the Companies Clauses Consolidation (Scotland) Act 1845 before he so certifies that shares for the whole of such capital have been issued and accepted and that one half of such capital 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 until stock for one half of so much of the said additional capital as is to be raised by means of stock is fully paid up and the Company have proved to such sheriff as aforesaid that such shares or stock as the case may be were issued and accepted bonâ fide and are held by the persons or corporations to whom the same were issued or their executors administrators successors or assigns and also so far as the said capital is raised by shares 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.

A D. 1881.
Power to
borrow.

43. Every provision in any Act passed before the present session of Parliament whereby the Company is authorised to raise by borrowing money for the purposes of their undertaking with respect to the appointment of a judicial factor for enforcing payment by the Company of arrears of principal money or principal money and interest shall be and the same is hereby repealed but without prejudice to any appointment which may have been made or to the continuance of any proceedings which may have been commenced prior to the passing of this Act under any such provision.

Repeal of
provisions of
former Acts
with respect
to appoint-
ment of a
judicial
factor.

44. 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

Appoint-
ment of a
judicial
factor.

A.D. 1881. application for a judicial factor is made shall not be less than ten thousand pounds in the whole.

Existing mortgages to have priority.

45. All mortgages and bonds granted by the Company in pursuance of the powers of any Act of Parliament before the passing of this Act and which shall be subsisting at the time of the passing thereof shall during the continuance of such mortgages and bonds as regards the undertaking comprised in and assigned by such mortgages and bonds respectively and subject to the provisions of the Acts under which such mortgages and bonds were respectively granted have priority over any mortgages to be granted by virtue of this Act but nothing in this section contained shall affect any priority of the interest of any funded debt or debenture stock at any time created by the Company.

Debenture stock.

46. 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 after the passing of this Act created and issued by the Company shall rank *pari passu* with the interest of all mortgages at any time after the passing of this Act granted by the Company and shall have priority over all principal moneys secured by such mortgages.

Application of moneys.

47. All moneys raised by the Company under the provisions of this Act whether by shares stock debenture stock or borrowing shall be applied for the purposes of this Act and to the general purposes of the Company as authorised by any Act of Parliament and to no other purpose.

Company may apply corporate funds to purposes of Act.

48. The Company may apply to or towards all or any of the purposes of this Act any sums of money which they have already raised or are authorised to raise by any of their Acts and which are not required for the purposes to which they are by those Acts made specially applicable.

Saving rights of Richard Alexander Oswald.

49. Nothing contained in this Act shall authorise the Company to enter upon take or use a waggon road or private railway belonging to Richard Alexander Oswald of Auchincruive intended to connect his estate with a property belonging to him situated on the north side of the harbour of Ayr (which waggon road or private railway has not yet been constructed) or any of the lands in upon or through which the said waggon road or private railway may be constructed nor shall anything contained in this Act in any way prejudice or affect the rights and interests of the said Richard Alexander Oswald or of his successors in the said estate of Auchin-

cruive in or to the said waggon road or private railway or any of the lands in upon or through which the same may be constructed in conformity with the existing rights and titles of the said Richard Alexander Oswald all which rights titles and interests of the said Richard Alexander Oswald and his successors are hereby reserved entire to him and them.

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50. 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 twenty-one and twenty-two of the Crown Lands Act 1866 and belonging to or exerciseable on behalf of Her Majesty her heirs or successors.

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

51. Nothing contained in this Act shall authorise the Company to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any right in respect thereof belonging to the Queen's most Excellent Majesty in right of her Crown and under the management of the Board of Trade without the previous consent in writing of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may give) neither shall anything in this Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exerciseable by the Queen's Majesty her heirs or successors.

Saving
rights of
the Crown in
the foreshore.

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 amount 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 herein contained shall exempt the Company or the railways from the provisions of any general Act relating to railways or to the better and more impartial audit of the accounts

Provision as
to general
railway Acts.

[Ch. cxlix.] *Glasgow and South-Western* [44 & 45 VICT.]
Railway Act, 1881.

A.D. 1881. 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 and of the rates for small parcels authorised to be taken by the Company.

Expenses
of Act.

55. All the costs charges and expenses of and incident to the obtaining of this Act and preparatory thereto shall be paid by the Company.

The SCHEDULE referred to in the foregoing Act.

LANDS BUILDINGS AND MANUFACTORIES WHEREOF PARTS ONLY
ARE REQUIRED TO BE TAKEN.

Parish.	Nos. on deposited Plan.
THE PAISLEY CANAL LINE.	
Paisley or High Church Parish of Paisley	7 8 9 10 11 12 13 15 16 17 18 19 20 27 28 29 30 31
Paisley or Low Church Parish of Paisley	19 20 23 25 28
Govan (Lanark) - - -	51 52 53 54
Do. (Renfrew) - - -	19 20 21 22 23 24 25 26 27 28 29 30 31