



CHAPTER clxxix.

An Act to empower the Callander and Oban Railway Company to construct new Railways and Works in the County of Argyle and for other purposes. A.D. 1897.

[6th August 1897.]

WHEREAS it is expedient that the Callander and Oban Railway Company (hereinafter called "the Company") should be authorised to make the railways hereinafter described and to enlarge their existing quay and sea wall and construct a new road at Oban for the better accommodation of their traffic :

And whereas the existing railways and works of the Company are maintained and worked in perpetuity by the Caledonian Railway Company in pursuance of certain agreements between those Companies confirmed or given effect to by the Callander and Oban Railway Act 1865 and the Callander and Oban Railway (Abandonment &c.) Act 1870 and the railways authorised by the Callander and Oban Railway Act 1896 are to be maintained and worked in like manner and it is expedient that the provisions of those agreements should be extended and made applicable to the new railways and works by this Act authorised and to the maintenance and working thereof by the Caledonian Railway Company :

28 & 29
Vict. cap.
cclxvi.
33 Vict.
cap. ix.
59 & 60
Vict. cap.
cxci.

And whereas it is expedient that the Company should be authorised to raise additional capital for the purposes of this Act and to pay interest out of capital during the construction of the works authorised by this Act :

And whereas by the Acts relating to the undertaking of the Company the Caledonian Railway Company were authorised to subscribe to and to take and hold shares in such undertaking to the several amounts therein specified and they at present hold two hundred and thirty-three thousand eight hundred pounds of preference shares or stock and one hundred and eighty-two thousand six hundred pounds of ordinary shares or stock in the undertaking and it is expedient that they should be authorised to

A.D. 1897. — subscribe further capital to the undertaking of the Company in manner hereinafter provided :

And whereas it is expedient that the other powers and provisions in this Act contained should be conferred on the Company or made in relation to the works hereby authorised :

And whereas plans and sections showing the lines and levels of the several works authorised by this Act and also a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the principal sheriff clerk of the county of Argyle and are hereinafter referred to as the deposited plans sections 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 Callander and Oban Railway Act 1897.

Incorporation of Acts. 2. The Lands Clauses Acts the Railways Clauses Consolidation (Scotland) Act 1845 Part I. (relating to construction of a railway) of the Railways Clauses Act 1863 the 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 non-payment 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 ;

The making of dividends ;

The giving of notices ;

Part I. (relating to cancellation and surrender of shares) Part II.

A.D. 1897.

(relating to additional capital) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 as amended by the Railway Companies (Scotland) Act 1867 and the Harbours Docks and Piers Clauses Act 1847 except the provisions thereof with respect to lifeboats and with respect to keeping a tide and weather gauge unless the Board of Trade should otherwise require are (except as expressly varied by this Act) incorporated with and form part of 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 authorised to issue and to the holders thereof:

Provided that notwithstanding anything in the Harbours Docks and Piers Clauses Act 1847 contained the Company shall not be bound to give to any person the use of their quay and sea wall at Oban as extended and enlarged under this Act which would unreasonably interfere or be inconsistent with the use of the same for their railway and the traffic thereon nor to keep the said quay and sea wall open or to allow the same to be used upon any days on which passenger trains shall not be run on the Company's railway.

3. In this Act unless there be something in the subject or context repugnant to such construction— Interpretation.

The several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings;

The expression "the Company" means the Callander and Oban Railway Company;

The expression "the Caledonian Company" means the Caledonian Railway Company;

The expression "the town council" means the magistrates and town council of the burgh of Oban:

In the provisions of the Harbours Docks and Piers Clauses Act 1847 incorporated with this Act—

The expression "harbour dock or pier" means the extension and enlargement of the Company's quay and sea wall at Oban by this Act authorised:

In the Railways Clauses Consolidation (Scotland) Act 1845 and Part I. of the Railways Clauses Act 1863 incorporated with this Act—

The expression "the railway" means the railways by this Act authorised or either of them:

A.D. 1897. In all the Acts wholly or partially incorporated with this Act—

The expressions “the Company” “the undertakers” and “the promoters of the undertaking” and other like expressions mean the Company except as hereinafter provided in relation to the Caledonian Company and the additional capital which they are hereby authorised to raise ;

The word “schoolmasters” means clerks to parish councils ;

The expression “the special Act” means this Act.

Power to
make works.

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 extension and enlargement of quay and sea wall and road hereinafter described with all proper stations sidings junctions quays roads approaches bridges wharves depôts warehouses cranes machinery and other works and conveniences in connection therewith and may enter upon take and use such of the lands delineated on the said plans and described in the deposited book of reference as may be required for those purposes The works hereinbefore referred to and authorised by this Act will be situate in the county of Argyle and are—

- (1.) A railway (on the deposited plans called Railway No. 3) one mile seven furlongs in length commencing by a junction with Railway No. 1 authorised by the Callander and Oban Railway Act 1896 in the united parish of Lismore and Appin about seven hundred and sixty yards measured in an easterly direction from the north-eastern corner of Ballachulish Hotel and terminating at a point in a field numbered 65 on the twenty-five inch Ordnance map about one hundred and twenty yards measured in a northerly direction from the northern corner of the post office building at East Laroeh :
- (2.) A railway (on the deposited plans called Railway No. 4) one furlong 1·82 chains in length (being a widening of the Company's railway at Oban) commencing by a junction with the Company's railway at a point about two hundred and eighty yards measuring along the said railway in a south-westerly direction from the northern corner of the Company's passenger station building at Oban and terminating at a point about twenty yards westward from the said northern corner of the said station building :
- (3.) An extension and enlargement of the Company's quay and sea wall at Oban commencing at the extreme northern corner of the existing quay and sea wall and extending in an easterly direction to and terminating at a point on the foreshore opposite the Station Hotel about eighty yards north-eastwards from the

northern corner of the Company's passenger station building at Oban : A.D. 1897.

- (4.) A road (on the deposited plans called Road No. 2 to form a widening of the existing road) commencing at a point about seven yards northwards of the northern corner of the Company's passenger station building at Oban and terminating at a point in the centre of the existing road opposite the station hotel about eighty yards north-eastwards from the said northern corner of the said station building. Provided that the Company shall construct on the seaward side of such road a sea wall of masonry similar to the sea wall of the existing road.

5. The new road by this Act authorised so far as the same shall extend from the northern side of the Black Linn or Oban River shall when completed and fenced in on the seaward side thereof to the reasonable satisfaction of the town council be handed over by the Company to the town council and shall together with the works and sea wall connected therewith be thereafter held and maintained by the town council as the other roads and streets within the burgh of Oban are held and maintained as a public road to the satisfaction of the Company and on the same terms as the existing road is held and maintained by them and it shall not be lawful for the town council to make or place any fence between the portion of the new road to be so handed over to the town council and the existing road or to erect any building or structure upon the said portion of new road. Provisions
as to new
road.

6. The Company shall not in constructing the extension and enlargement of the quay and sea wall and road at Oban by this Act authorised carry the works seaward further than the line marked with the letters A B C D and E on the plan signed by Henry Hobhouse Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred and deposited in the Private Bill Office of the House of Commons. Quay sea
wall and road
not to extend
seaward.

7. The Company shall construct the front of the extension and enlargement of the quay at Oban by this Act authorised from the point of commencement thereof hereinbefore described to the new road by this Act authorised with open pile work above a pitched slope of such inclination as the Board of Trade may determine and the toe of such slope shall be at the average level of low water of ordinary spring tides. Extension
of quay to
be of pile
work.

8. Subject to the provisions of this Act the Company may with the consent of the Board of Trade in writing but not otherwise dredge scour deepen and improve the Bay of Oban Power to
dredge.

A.D. 1897. — around and near the extension and enlargement of the Company's quay and sea wall by this Act authorised so as to provide and maintain good and sufficient access to the said work.

Power to
take servi-
tudes &c.
by agree-
ment.

9. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Company any servitude right or privilege (not being a servitude right or privilege of water in which others than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and feu duties or ground annuals so far as the same are applicable in this behalf shall extend and apply to such grants and to such servitudes rights and privileges as aforesaid respectively.

Lands for
extra-
ordinary
purposes.

10. The quantity of land to be taken by the Company by agreement for the extraordinary purposes mentioned in the Railways Clauses Consolidation (Scotland) Act 1845 shall not exceed ten acres but nothing in that Act or in this Act shall exempt the Company from any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them upon any land so taken.

Period for
compulsory
purchase of
lands.

11. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act.

Power to
alter roads
&c.

12. Subject to the provisions of this Act the Company may in the construction of any of the works at Oban by this Act authorised from time to time cross alter divert or stop up the streets roads footpaths passages rivers and streams shown on the deposited plans and specified in the deposited book of reference and any sewers drains gas and water pipes and electric or other mains cables or apparatus in or under any such streets roads footpaths passages rivers and streams doing as little damage as may be and providing substitutes for any sewers drains gas or water pipes or electric or other mains cables or apparatus so interfered with and making full compensation to all persons injuriously affected by the exercise of the powers of this section Provided that nothing in this section shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electric Lighting Acts 1882 and 1888 to which the provisions of section 15 of the former Act apply except in accordance with and subject to the provisions of that section Provided that the Company shall not alter divert or in any way interfere with any electric mains cables or apparatus belonging

to or used by the Postmaster-General except in accordance with the provisions of the Telegraph Act 1878. A.D. 1897.

13. For the protection of the town council the following provisions shall apply unless otherwise agreed between the Company and the town council (that is to say) :— For protection of town council.

(1.) Before the Company commence any works or operations including dredging the execution of which would cause any alteration of the Black Linn or Oban River or would in any way interfere with or affect any roads streets water pipes drains or sewers belonging to the town council the Company shall give to the town council one month's notice in writing accompanied by plans and sections showing the means to be employed for protecting the said roads streets water pipes drains or sewers during the operations of the Company and for making good any injury to or interference with the said roads streets water pipes drains or sewers and if the town council do not within one month after such notice intimate to the Company their approval or disapproval of the said plans and sections the Company may thereupon proceed to execute the works in accordance with such plans and sections and such works shall be carried out at the sight and to the reasonable satisfaction of the town council :

(2.) In the event of the town council and the Company differing upon or with reference to any plans or sections or as to the mode of carrying out the works or as to any of the provisions of this section every such difference shall be referred to the determination of an arbiter to be appointed failing agreement by the Board of Trade on the application of the Company or the town council and in such case the works shall be carried out in accordance with the determination of such arbiter.

14. Where any new portion of road authorised by the provisions of the Railways Clauses Consolidation (Scotland) Act 1845 to be formed in lieu of existing roads altered or diverted under the powers of such Act in relation to the railway by this Act authorised and on the deposited plans called Railway No. 3 is completed to the satisfaction of the sheriff of the county of Argyle and opened to the public the Company may stop up and cause to be discontinued as a road the portion of existing road for which such new portion of road is substituted and all rights of way over the same shall cease and the site of any portion of road so stopped up when and so far as the same shall be bounded on both sides by property of the Power to stop up portions of existing roads where roads altered &c.

A.D. 1897. — Company shall subject to the provisions of the Railways Clauses Consolidation (Scotland) Act 1845 with respect to mines lying under or near the railway belong to and be vested in the Company and any such new portion of road shall as respects management and maintenance and in all other respects be held as part of and be subject to the same provisions as the existing road for which the same is substituted. Provided that where any such new portion of road is formed through or along lands belonging wholly or partly to any person through or along whose lands the superseded portion of existing road for which such new portion of road is substituted passes the value of the site of so much of the said superseded portion of road as passes through or along the lands of such owner and is given up to him shall be taken into account in estimating the compensation payable to him for the land taken from him for such new portion of road.

Powers of
lateral and
vertical
deviation
for railways.

15. The Company may notwithstanding the provisions of the Railways Clauses Consolidation (Scotland) Act 1845 or any other Act deviate from the lines of the railways authorised by this Act as delineated on the deposited plans to any extent within the limits of deviation shown on such plans and may deviate from the levels of any railway as shown on the deposited sections to an extent of five feet and to such further extent as may be agreed upon with the owners of any lands through which and with the owners lessees and occupiers of any house affected by or through the curtilage of which any such deviation is intended to be made or with the county council of the county of Argyle or the district committee of the said county in respect of any road to be affected by any such deviation and may alter the gradients of the said railways accordingly. Provided that no gradient deviated under the provisions of this section shall be steeper than one foot in fifty feet and no curve shall have a radius of less than one furlong.

Powers of
lateral and
vertical
deviation
for other
works.

16. The Company may notwithstanding the provisions of any Act incorporated with this Act but subject to the provisions of section 6 and the other provisions of this Act deviate from the lines of the extension and enlargement of the Company's quay and sea wall at Oban and of the road respectively authorised by this Act as delineated on the deposited plans to any extent within the limits of deviation shown on such plans and may deviate from the levels of any such works as shown on the deposited sections to an extent of two feet in the case of the road and five feet in the case of the other works. Provided that no deviation either lateral or vertical below high water mark shall be made without the consent in writing of the Board of Trade.

17. The Company shall not under the powers of this Act construct on the shore of the sea or of any creek bay arm of the sea or navigable river communicating therewith where and so far up the same as the tide flows and reflows any work without the previous consent of the Board of Trade to be signified in writing under the hand of one of the secretaries or assistant secretaries of the Board of Trade and then only according to such plan and under such restrictions and regulations as the Board of Trade may approve of such approval being signified as last aforesaid and where any such work may have been constructed the Company shall not at any time alter or extend the same without obtaining previously to making any such alteration or extension the like consents or approvals. If any such work be commenced or completed contrary to the provisions of this Act the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the costs and charges of the Company and the amount of such costs and charges shall be a debt due from the Company to the Crown and shall be recoverable accordingly with costs.

A.D. 1897.

Works
below high
water mark
not to be
commenced
without
consent of
Board of
Trade.

18. If the railways by this Act authorised are not completed within four years and if the extension and enlargement of the Company's quay and sea wall at Oban and the road by this Act authorised are not completed within three years from the passing of this Act then on the expiration of such periods respectively the powers by this Act granted for making and completing the said works respectively or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

Periods for
completion
of works.

19. If the Company fail within the period limited by this Act to complete the railways by this Act authorised 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 are completed and opened for public traffic or until the sum received in respect of such penalty amounts to five per cent. on the estimated cost of the railways not so completed and the said penalty may be applied for by any landowner or other person claiming to be compensated or interested in accordance with the provisions of the next following section of this Act 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 of the Queen's and Lord Treasurer's Remembrancer on behalf of the Court of Exchequer in Scotland in the bank and to the credit

Penalty
imposed
unless the
railways are
opened
within the
time limited.

A.D. 1897. — specified in such warrant or order and shall not be paid thereout except as hereinafter 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 railways by unforeseen accident or circumstances beyond their control. Provided that the want of sufficient funds shall not be held to be a circumstance beyond their control.

Application
of penalty.

20. 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 has been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the railways or any portion thereof or who may have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act and for which injury or loss no compensation or inadequate compensation has been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Court of Exchequer in Scotland may seem fit and if no such compensation shall be payable or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid has 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 if a judicial factor has been appointed or the Company is insolvent or the railways in respect of which the penalty has been incurred or any part thereof have been abandoned be paid to such judicial factor or be applied in the discretion of the court as part of the assets of the Company for the benefit of the creditors thereof and subject to such application shall be repaid to the Company.

Restrictions
on displacing
persons of
labouring
class.

21.—(1.) It shall not be lawful for the Company under the powers of this Act to purchase or acquire in any district within the meaning of the Public Health (Scotland) Act 1867 ten or more houses which on the fifteenth day of December last were or have been since that day or shall hereafter be occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until—

(A) They shall have obtained the approval of the Secretary for Scotland to a scheme for providing new dwellings for such number of persons as were residing in such houses on the

fifteenth day of December last or for such number of persons as the Secretary for Scotland shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case; and

A.D. 1897.
—

(B) They shall have given security to the satisfaction of the Secretary for Scotland for the carrying out of the scheme.

(2.) The approval of the Secretary for Scotland to any scheme under this section may be given either absolutely or conditionally and after the Secretary for Scotland has approved of any such scheme he may from time to time approve either absolutely or conditionally of any modifications in the scheme.

(3.) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced:

Provided that the Secretary for Scotland may dispense with the last-mentioned requirement subject to such conditions (if any) as he may think fit.

(4.) Any provisions of any scheme under this section or any conditions subject to which the Secretary for Scotland may have approved of any such scheme or of any modifications of any such scheme or subject to which he may have dispensed with the above-mentioned requirement shall be enforceable by an order of the Court of Session to be obtained by the Secretary for Scotland.

(5.) If the Company acquire or appropriate any house or houses under the powers of this Act in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Secretary for Scotland by action in the Court of Session and shall be carried to and form part of the Consolidated Fund of the United Kingdom. Provided that the court may if it think fit reduce such penalty.

(6.) For the purpose of carrying out any scheme under this section the Company may appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase such further lands as they may require and for the purpose

A.D. 1897. of any such purchase section 90 of the Public Health (Scotland) Act 1867 shall be incorporated with this Act and shall apply to the purchase of lands by the Company for the purposes of any scheme under this section in the same manner in all respects as if they were a local authority within the meaning of that Act and the scheme were one of the purposes of that Act.

(7.) The Company may on any lands belonging to them or purchased or acquired under this section or under any Provisional Order issued in pursuance of this section erect such dwellings for persons of the labouring class as may be necessary for the purpose of any scheme under this section and may sell demise or let or otherwise dispose of such dwellings and any lands purchased or acquired as aforesaid and may apply for the purposes of this section to which capital is properly applicable or any of such purposes any moneys which they may be authorised to raise or apply for the purposes of their undertaking :

Provided that all lands on which any buildings have been erected or provided in pursuance of any scheme under this section shall for the period of twenty-five years from the date of the scheme be appropriated for the purpose of such dwellings and every conveyance demise or lease of such lands and buildings by the Company shall contain proper covenants to secure during such period of twenty-five years the exclusive use of the buildings on such lands for the purpose of such dwellings and shall be endorsed with notice of this enactment :

Provided also that the Secretary for Scotland may at any time dispense with all or any of the requirements of this sub-section subject to such conditions (if any) as he may think fit.

(8.) The Secretary for Scotland may direct any inquiries to be held which he may deem necessary in relation to any scheme under this section and he and any person appointed by him to hold inquiry shall have and may exercise for any purpose in connection with any scheme under this section all or any of the powers vested in them respectively under the Public Health (Scotland) Act 1867 in the same manner in every respect as if the preparation and carrying into effect of such scheme were one of the purposes of that Act.

(9.) The Company shall pay to the Secretary for Scotland a sum to be fixed by him in respect of the preparation and issue of any Provisional Order in pursuance of this section and any expenses incurred by him in relation to any inquiries under this section including the expenses of any witnesses summoned by the person

appointed to hold any such inquiry and a sum to be fixed by the Secretary for Scotland not exceeding three guineas a day for the services of the person so appointed. A.D. 1897.

(10.) Any houses on any of the lands shown on the deposited plans occupied or which may have been occupied by persons of the labouring class within five years before the passing of this Act which have been acquired by or on behalf of the Company and for which houses no substitutes have been or are directed to be provided by any scheme approved by the Secretary for Scotland under any powers of any previous Act relating to the Company shall for the purposes of this section be deemed to have been acquired under the powers of this Act and to have been occupied on the fifteenth day of December last by the same number of persons belonging to the labouring class as were occupying the said houses at the date of their acquisition. Provided that if the Secretary for Scotland is unable to ascertain the number of such persons who were then occupying the said houses the said houses shall be deemed to have been occupied by such number of such persons as in the opinion of the Secretary for Scotland they might have been sufficient to accommodate.

(11.) For the purposes of this section the expression "labouring class" means and includes mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them.

22. The railways extension and enlargement of the quay and sea wall at Oban and road by this Act authorised shall subject to the provisions of this Act be constructed and completed by the Company to the satisfaction of the engineer for the time being of the Caledonian Company. Provided that in the event of any requirements of such engineer on any matter connected with the construction or completion of the said works being objected to by the Company as unreasonable the question raised thereon shall as and when it arises be referred to and be determined by an engineer to be agreed upon by the respective engineers of the Caledonian Company and of the Company or failing such agreement by an engineer to be appointed by the Board of Trade on the application of either of those Companies and the costs of the reference shall be in the discretion of the referee.

New works to be constructed to satisfaction of Caledonian Company's engineer.

A.D. 1897.

New works
to be part of
Company's
undertaking
and to be
worked by
Caledonian
Company.

23. The railways extension and enlargement of the quay and sea wall at Oban and road by this Act authorised shall except the portion to be handed over to the town council as aforesaid form part of the undertaking of the Company and (unless otherwise agreed between the Company and the Caledonian Company) shall subject to the other provisions of this Act as regards the road be maintained and worked by the Caledonian Company in perpetuity and all the provisions with respect to the maintenance and working by the Caledonian Company of the other portions of the undertaking of the Company contained in the Callander and Oban Railway Act 1865 as altered and modified by the Callander and Oban Railway (Abandonment &c.) Act 1870 and the several agreements scheduled to and confirmed by those Acts shall subject to the provisions of this Act apply and extend to such works as if the same formed part of the undertaking authorised by the first of such Acts.

For pro-
tection of
Postmaster-
General.

24. Nothing in this Act relating to the working by the Caledonian Company of the railways by this Act authorised shall extend to impose upon the Postmaster-General the obligation of transmitting under the provisions of the Telegraph Act 1868 or any agreement made in pursuance thereof between the Postmaster-General and the Caledonian Company any larger number of telegraphic messages of that company free of charge than the Postmaster-General would have been bound to transmit had such working not been hereby authorised or to authorise the Postmaster-General by himself or his agents to place and maintain without the consent of the Caledonian Company telegraphic lines in under upon along over or across the railways and works by this Act authorised to any greater extent than the Postmaster-General would otherwise be entitled without such consent to place and maintain such telegraphic lines in virtue of any existing Act or agreement.

Tolls rates
and charges
on railways.

25. The railways by this Act authorised shall for the purposes of maximum rates and charges for merchandise traffic including perishable merchandise by passenger train be part of the railways of the Company as if the same had been part of the Callander and Oban Railway at the date of the passing of the Railway Rates and Charges No. 20 (Callander and Oban Railway) Order Confirmation Act 1892 and shall for the purposes of all other tolls rates and charges be part of the railway of the Company as if the same formed part of the railway authorised by the Callander and Oban Railway Act 1865 and subsequent Acts Provided that in respect of the conveyance of a consignment of perishable merchandise not exceeding fifty-six pounds in weight by passenger train the Company shall not be entitled to charge a higher rate than the maximum rate

which they are authorised to charge for the conveyance of parcels of the same weight. A.D. 1897.

26. Subject to the provisions of the next following section the Company may demand and recover in respect of vessels using the quay and sea wall of the Company at Oban as extended and enlarged under this Act or loading unloading or transhipping all or any part of their cargoes thereat or within the limits of such quay and sea wall hereinafter defined and in respect of animals goods minerals and other articles landed embarked loaded unloaded transhipped received delivered weighed or stored at such quay and sea wall or using any cranes weighing machines sheds or warehouses erected by the Company thereon or in connection therewith the several rates which the Company are by the Callander and Oban Railway Act 1878 authorised to demand and recover in respect of the quay and sea wall as by that Act authorised and all such rates shall be payable as respects any vessel by the master or owner thereof and as respects animals goods minerals and other articles by the owner of such animals goods minerals and other articles.

Rates for
use of quay
and sea wall.

27. When and so soon as it shall from time to time be certified under the hand of an officer to be appointed by the Board of Trade for that purpose that the Company have constructed and so far completed any portion of the extension and enlargement of their quay and sea wall at Oban and works connected therewith respectively as to afford new or increased accommodation for the reception loading or unloading of vessels it shall be lawful for the Company although the whole of such work shall not then have been completed from time to time to demand and recover such of the rates or such proportion of all or any of the rates authorised by this Act in respect thereto as shall in the opinion of the Board of Trade be commensurate with the accommodation afforded.

Quay rates
may be
levied
although
works not
complete.

28. Any harbour master appointed by the Company under the Callander and Oban Railway Act 1878 or this Act shall be harbour master in respect of the quay and sea wall of the Company at Oban as extended and enlarged by this Act and the limits within which the Company shall have authority and within which the powers of any such harbour master shall be exercised and within which the power to levy rates shall extend shall be the quay and sea wall of the Company and so much of the Bay of Oban within a distance of fifty yards from any part of the quay and sea wall of the Company as is not within the limits of the harbour at the North Pier at Oban defined in section 22 of the Oban Piers Order 1896 confirmed by the Pier and Harbour Orders Confirmation (No. 5)

Limits of
quay and
sea wall.

A.D. 1897. — Act 1896 and the expressions “the prescribed limits” and “the limits of the harbour dock or pier” in the Harbours Docks and Piers Clauses Act 1847 shall mean the limits in this section defined and it shall not be lawful for any general harbour master appointed in pursuance of sections 40 41 and 42 of the Callander and Oban Railway Act 1878 to exercise within those limits any of the powers or jurisdiction conferred on him by the said Callander and Oban Railway Act 1878.

Vessels not
to moor
within
certain
limits.

29. No vessel shall without the consent of the harbour master appointed by the Company be anchored or moored within a distance of thirty yards from the quay and sea wall of the Company at Oban as extended and enlarged under this Act excepting for the purpose of loading or unloading at the quay and sea wall and then only in such positions as shall be directed by such harbour master.

Company to
have appoint-
ment of
meters and
weighers.

30. The Company shall have the appointment of meters and weighers.

Power to
raise
additional
capital.

31. The Company may for the purposes of this Act from time to time subject to the provisions of Part II. of the Companies Clauses Act 1863 as amended by the Railway Companies (Scotland) Act 1867 raise any additional capital not exceeding in the whole sixty thousand pounds by the creation and issue at their option of new ordinary shares or stock or new preference shares or stock or wholly or partially by any one or more of those modes respectively but the Company shall not create and issue any share of less nominal value than ten pounds nor shall any share vest in the person accepting the same unless and until a sum not being less than one-fifth of the amount of such share shall have been paid in respect thereof Provided that if in any year ending on the thirty-first day of January there are not profits available for the payment of the full amount of preferential dividend or interest for that year on any such new preference shares or stock no part of the deficiency shall be made good out of the profits of any subsequent year or out of any other funds of the Company.

Except as
otherwise
provided
new shares
or stock to
be subject
to same
incidents as
other shares
or stock :

32. Except as by this Act otherwise provided the capital in new shares or stock created by the Company under this Act and the new shares or stock therein and the holders thereof respectively shall be subject and entitled to the same powers provisions liabilities rights privileges and incidents whatsoever in all respects as if that capital were part of the now existing capital of the Company of the same class or description and the new shares or stock were shares or stock in such capital.

A.D. 1897.

33. The capital in new shares or stock created by the Company under this Act shall form part of the capital of the Company.

And to form
part of capital
of Company.

34. Every person who becomes entitled to new shares or stock in the capital by this Act authorised to be raised by the Company shall in respect of the same be a holder of shares or stock in the Company and shall be entitled to a dividend with the other holders of shares or stock of the same class or description proportioned to the whole amount from time to time called and paid on such new shares or to the whole amount of such stock as the case may be.

Dividends
on new
shares or
stock.

35. Each holder of new shares or stock in the capital by this Act authorised to be raised by the Company shall be entitled to the same number of votes in respect thereof which the possession of an equal nominal amount of the existing capital stock of the Company would have conferred upon him. Provided that except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of any new shares or stock to which a preferential dividend shall be assigned.

Votes in
respect of
new shares
or stock.

36. Subject to the provisions of any Act already passed by which the Company are authorised to raise capital by new shares or stock and to the provisions of this Act and of any other Act passed in the present session of Parliament whether before or after the passing of this Act by which the Company may be authorised to raise capital by new shares or stock the Company may if they think fit raise by the creation and issue of new shares or stock of one and the same class all or any part of the aggregate capital which they are by such other Acts and this Act respectively authorised to raise by the creation and issue of new shares or stock.

New shares
or stock
raised under
this Act and
any other
Act of past
or present
sessions
may be of
same class.

37. The Company may in respect of the additional capital of sixty thousand pounds which they are hereinbefore authorised to raise from time to time borrow on mortgage of their undertaking any sum or sums not exceeding in the whole one-third part of the amount of the additional capital by this Act authorised to be raised and at the time actually issued by shares or stock but no part of any such sum shall be borrowed until shares or stock or shares and stock for the whole of the portion of the said additional capital in respect of which the borrowing powers are to be exercised are issued and accepted and one-half of such portion of 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 or stock or shares and stock for the whole of such portion of capital

Power to
borrow for
purposes of
Act.

A.D. 1897. — have been issued and accepted and that one-half of such portion of capital has been paid up and that not less than one-fifth part of the amount of each separate share and the whole amount of the stock in the said portion of capital has been paid on account thereof before or at the time of the issue or acceptance thereof and that such shares or stock or shares and stock as the case may be were issued and accepted and such one-half of the said portion of capital was paid up bonâ fide and that such shares or stock or shares and stock as the case may be are held by the persons to whom the same were issued or their executors administrators successors or assignees and also in so far as the said portion of capital is raised by shares that such persons or their executors administrators successors or assignees 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 certificate shall be sufficient evidence thereof.

Arrears may
be enforced
by the
appointment
of a judicial
factor.

38. The mortgagees of the Company under this or any previous Act may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a judicial factor. In order to authorise the appointment of a judicial factor in respect of arrears of principal the amount owing to the mortgagees by whom the application for a judicial factor is made shall be not less than ten thousand pounds in the whole.

Debenture
stock.

39. The Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 as amended by the Railway Companies (Scotland) Act 1867 but notwithstanding anything therein contained the interest of all debenture stock and of all mortgages at any time created and issued or granted by the Company under this or any subsequent Act shall subject to the provisions of any subsequent Act rank *pari passu* (without respect to the dates of the securities or of the Acts of Parliament or resolutions by which the stock or mortgages were authorised) and shall have priority over all principal moneys secured by such mortgages. Notice of the effect of this enactment shall be endorsed on all mortgages and certificates of debenture stock.

Existing
mortgages
to have
priority.

40. All mortgages granted by the Company in pursuance of the powers of any Act of Parliament before the passing of this Act and subsisting at the passing hereof shall during the continuance of such mortgages and subject to the provisions of the Acts under which such mortgages were respectively granted have priority over any mortgages granted by virtue of this Act but nothing in this section contained shall affect any priority of the interest

of any debenture stock at any time created and issued by the Company. A.D. 1897.

41. The Company may from time to time borrow from any bank or other company or person willing to advance or lend the same and for such period or periods and on such terms and conditions as may be agreed between the Company and any such bank company or person any sum or sums not exceeding in all the amount which the Company may at the time be entitled to borrow under the authority hereinbefore conferred and may in security of the sum or sums so borrowed assign or pledge the mortgages or debenture stock of the Company or grant to the bank company or person advancing or lending the money the right to demand or call for mortgages or debenture stock. Provided that the amount of the mortgages or debenture stock at any time so assigned or pledged or agreed to be granted together with the money borrowed and owing by the Company on mortgage or debenture stock shall not at any time exceed in the aggregate the amount which the Company are at the time authorised to borrow as hereinbefore provided.

Power for
Company to
borrow
money on
temporary
loan.

42. All moneys raised by the Company under this Act whether by shares stock debenture stock or borrowing shall be applied only to the purposes of this Act to which capital is properly applicable.

Application
of moneys.

43. The Company may apply towards the purposes authorised by this Act or any of them to which capital is properly applicable any capital or funds belonging to or authorised to be raised by them under any former Act and which may not be required for the purposes for which the same were authorised to be raised or directed to be applied.

Power to
apply to
purposes of
Act funds
not required
for other
purposes.

44. Notwithstanding anything in this Act or in any Act incorporated therewith it shall be lawful for the Company out of any money by this Act authorised to be raised to pay interest at such rate not exceeding three pounds per centum per annum as the directors of the Company may determine to any holder of shares or stock in the capital of the Company by this Act authorised on the amount from time to time paid up on the shares or stock held by him from the respective times of such payments until the expiration of the time limited by this Act for the completion of the extension and enlargement of the quay and sea wall and road by this Act authorised or such less period as the directors may determine but subject always to the conditions hereinafter stated (that is to say) :—

Power to
pay interest
out of
capital
during con-
struction.

(A) No such interest shall begin to accrue until the Company shall have obtained a certificate from the Board of Trade that

A.D. 1897.
—

two-thirds at least of the capital authorised by this Act in respect of which such interest may be paid has been actually issued and accepted and is held by persons who or whose executors administrators or assignees are legally liable for the same :

- (B) No interest shall accrue in favour of any shareholder for any time during which any call on any of his shares is in arrear :
- (c) The aggregate amount to be so paid for interest shall not exceed five thousand five hundred pounds and the amount so paid shall not be deemed capital in respect of which the borrowing powers of the Company under this Act may be exercised but such borrowing powers shall be reduced accordingly :
- (D) Notice that the Company has power so to pay interest out of capital shall be given in every prospectus advertisement or other document of the Company inviting subscriptions for shares or stock to be issued under the powers of this Act and in every certificate of such shares or stock :
- (E) The half-yearly accounts of the Company shall show the amount of capital on which and the rate at which interest has been paid in pursuance of this section :

Save as hereinbefore set forth no interest or dividend shall be paid out of any share or loan capital which the Company are by this or any other Act authorised to raise to any holder of shares or stock of the Company on the amount of the calls made in respect of his shares or the amount paid up in respect of his stock as the case may be 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.

Public
burdens &c.
and interest
on borrowed
money to
be a first
charge on
receipts.

45. Subject to payment of all public and parish burdens including poor rates county rates prison assessments and taxes generally that may be chargeable upon the undertaking of the Company and to all payments (if any) to be made for land held or which may be held by the Company in feu and all annual and other allowances to tenants (if any) and subject as respects the interest on any money borrowed by the Company under the powers of any other Act relating to their undertaking to the charges created by the respective Acts under which such money was borrowed the interest on all money which may be borrowed by the Company under the authority of this Act either on mortgage or by debenture stock or by way of loan from banks and other companies or persons (but so that the

aggregate amount on which such interest is payable shall in no case and at no time exceed the amount by this Act authorised to be borrowed) shall form a first charge on and be paid out of the gross amount of money earned realised and levied on the undertaking of the Company.

A.D. 1897.

46. The Caledonian Company may with the authority of three-fourths of the votes of the shareholders of that company present in person or by proxy at a general meeting specially convened for the purpose from time to time subscribe (in addition to the sums which they have already subscribed or are by any other Act or Acts authorised to subscribe) any sum which they think fit towards the undertaking of the Company not exceeding in the whole the sum of forty-two thousand pounds in ordinary or preference shares or stock of the Company and may apply in or towards payment of any such subscription any moneys which they are by this Act authorised to raise and shall in respect of the sums to be subscribed and the corresponding shares or stock in the Company to be held by them have all the powers rights and privileges (except in regard to voting at general meetings which shall be as hereinafter provided) and be subject to all the obligations and liabilities of proprietors of ordinary shares or stock or preference shares or stock as the case may be in the Company. Provided that the Caledonian Company shall not sell dispose of or transfer any of the shares or stock in the Company for which they may subscribe and that at all meetings of the Company at which the Caledonian Company are entitled to vote any person appointed by that company for the purpose by writing under their common seal may attend and vote in respect of the shares or stock held by the Caledonian Company in the undertaking of the Company under the powers of this Act whether he be individually a shareholder of the Company or not and that the Caledonian Company shall not vote in respect of such shares or stock in relation to the election of directors by the shareholders of the Company.

Power to
Caledonian
Company
to make
further
subscrip-
tions to
undertaking
of Com-
pany.

47. The Caledonian Company may from time to time for the purposes of their subscription to the undertaking of the Company and subject to the provisions of Part II. of the Companies Clauses Act 1863 as amended by the Railway Companies (Scotland) Act 1867 raise any capital not exceeding in nominal amount forty-two thousand pounds by the creation and issue at their option of new ordinary shares or stock or new preference shares or stock or wholly or partially by any one or more of those modes respectively. And the provisions of the Companies Clauses Consolidation (Scotland) Act 1845 with respect to the following matters (that is to say) :—

Power to
Caledonian
Company to
raise money
by the
creation of
shares or
stock.

The distribution of the capital of the Company into shares ;

A.D. 1897.

The transfer or transmission of shares ;
 The payment of subscriptions and the means of enforcing the payment of calls ;
 The forfeiture of shares for non-payment of calls ;
 The remedies of creditors of the Company against the shareholders ;
 The consolidation of the shares into stock ;
 The general meetings of the Company and the exercise of the right of voting by the shareholders ;
 The making of dividends ;
 The giving of notices ; and
 The provision to be made for affording access to the special Act by all parties interested ;

and Part I. (relating to cancellation and surrender of shares) and Part II. (relating to additional capital) of the Companies Clauses Act 1863 shall extend and apply to the Caledonian Company and to the additional capital which they are by this Act authorised to raise And all the provisions of the Companies Clauses Consolidation (Scotland) Act 1845 which relate to stock into which shares in the capital of the Company have been converted or consolidated shall apply to the stock which the Caledonian Company are by this Act authorised to issue and to the holders thereof and the provisions of the Caledonian Railway (Conversion of Stock) Act 1890 shall apply to any ordinary stock created and issued by the Caledonian Company under the authority of this Act Provided that if in any year ending on the thirty-first day of January there are not profits available for the payment of the full amount of preferential dividend or interest for that year on any such new preference shares or stock no part of the deficiency shall be made good out of the profits of any subsequent year or out of any other funds of the Caledonian Company.

Shares not to be issued until one-fifth part thereof shall have been paid up.

48. The Caledonian Company shall not issue any share under the authority of this Act of less nominal value than ten pounds nor shall any share vest in the person or corporation accepting the same unless and until a sum not being less than one-fifth of the amount of such share shall have been paid in respect thereof.

Application of moneys.

49. All moneys which the Caledonian Company may raise under the powers of this Act shall be applied for the purposes of the before-mentioned subscription only.

New shares or stock of Caledonian Company to be subject to same incidents

50. Except as by this Act otherwise provided the capital in new shares or stock created by the Caledonian Company under this Act and the new shares or stock therein and the holders thereof respectively shall be subject and entitled to the same powers

provisions liabilities rights privileges and incidents whatsoever in all respects as if that capital were part of the now existing capital of the Caledonian Company of the same class and description and the new shares or stock were shares or stock in such existing capital.

A.D. 1897.

as other shares
or stock of
that company :

51. The capital in new shares or stock so created by the Caledonian Company shall form part of the capital of the Caledonian Company.

And to form
part of capital
of Caledonian
Company.

52. Every person who becomes entitled to new shares or stock of the Caledonian Company under this Act shall in respect of the same be a holder of shares or stock in that company and shall be entitled to a dividend either preferential or ordinary as the case may be with the other holders of shares or stock of the same class or description proportioned to the whole amount from time to time called and paid on such new shares or to the whole amount of such stock as the case may be.

Dividends
on new
shares or
stock.

53. Each holder of new shares or stock in the capital of the Caledonian Company created under the powers of this Act shall be entitled to the same number of votes in respect thereof at all meetings of that company which the possession of an equal nominal amount of the existing capital stock of that company would have conferred upon him. Provided that except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of any new shares or stock to which a preferential dividend shall be assigned.

Votes in
respect of
new shares
or stock.

54. Subject to the provisions of any Act already passed by which the Caledonian Company are authorised to raise capital by new shares or stock and to the provisions of this Act and any other Act passed in the present session of Parliament whether before or after the passing of this Act by which that company may be authorised to raise capital by new shares or stock the Caledonian Company may if they think fit raise by the creation and issue of new shares or stock of one and the same class all or any part of the aggregate capital which they are by such other Acts and this Act respectively authorised to raise by the creation and issue of new shares or stock.

New shares
or stock
raised under
this Act
and any
other Acts
of past or
present
sessions
may be of
same class.

55. The Caledonian Company may apply towards the purposes of the before-mentioned subscription any capital or funds belonging to or authorised to be raised by them and which may not be required for the purposes for which the same were authorised to be raised or directed to be applied.

Caledonian
Company
may apply
funds to
purposes of
Act.

A.D. 1897.

Survey of
works by
Board of
Trade.

56. If at any time the Board of Trade deems it expedient for the purposes of this Act to order a survey and examination of any work constructed by the Company under the powers of this Act on in over through or across tidal lands or tidal water or of the intended site of any such work the Company shall defray the expense of the survey and examination and the amount thereof shall be a debt due from the Company to the Crown and be recoverable accordingly with costs or the same may be recovered with costs as a penalty is recoverable from the Company.

Abatement
of work
abandoned
or decayed.

57. If any work constructed by the Company under the powers of this Act on in over through or across tidal lands or tidal water is abandoned or suffered to fall into decay the Board of Trade may abate and remove the work or any part of it and restore the site thereof to its former condition at the expense of the Company and the amount of such expense shall be a debt due from the Company to the Crown and be recoverable accordingly with costs or the same may be recovered with costs as a penalty is recoverable from the Company.

Lights on
works
during con-
struction.

58. The Company shall on or near the works below high water mark hereby authorised during the whole time of the constructing altering or extending the same exhibit and keep burning at their own expense every night from sunset to sunrise such lights (if any) as the Board of Trade from time to time require or approve.

If the Company fail to comply in any respect with the provisions of this section they shall for each night in which they so fail be liable to a penalty not exceeding twenty pounds.

Company to
exhibit
lights.

59. The Company shall at their works in or over tidal water exhibit and keep burning from sunset to sunrise such lights (if any) as the Commissioners of Northern Lighthouses shall from time to time direct.

If the Company fail to comply in any respect with the provisions of this section they shall for each night in which they so fail be liable to a penalty not exceeding twenty pounds.

Provision
against
danger to
navigation.

60. In case of injury to or destruction or decay of the works by this Act authorised or any part thereof constructed on the shore of the sea or of any creek bay arm of the sea or navigable river communicating therewith the Company shall lay down such buoys exhibit such lights or take such other means for preventing so far as may be danger to navigation as shall from time to time be directed by the Commissioners of Northern Lighthouses and shall apply to those Commissioners for directions as to the means to be

taken and the Company shall be liable to a penalty not exceeding ten pounds for every month during which they omit so to apply or refuse or neglect to obey any direction given in reference to the means to be taken. A.D. 1897.

61. It shall not be lawful for the Company to construct any work under the powers of this Act on any land over which a right of salmon fishing belongs to Her Majesty without having previously paid to the Commissioners of Woods such compensation as may be agreed upon for any injury which the works by this Act authorised may be reasonably expected to occasion to any such right of salmon fishing as in this section mentioned And in case the amount of such compensation as aforesaid shall not be agreed upon the same shall be settled by two referees one being appointed by the said Commissioners and one being appointed by the Company or by an umpire to be appointed by the said referees. For protection of Crown salmon fishings.

62. The Company shall make compensation for the damage or injury (if any) which may be sustained by Her Majesty or Her tenants in respect of any right of salmon fishing through the exercise of the powers of this Act although the works causing such injury or damage may be constructed elsewhere than on any land over which a right of salmon fishing belongs to Her Majesty The amount of such compensation shall failing agreement be settled in manner provided by the last preceding section. Compensation for damage to Crown salmon fishings.

63. 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 exercisable by the Queen's Majesty. Saving rights of the Crown in the fore-shore.

64. 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 21 and 22 of the Crown Lands Act 1866 and belonging to or exercisable on behalf of Her Majesty. Saving rights of Crown under Crown Lands Act.

65. The Company and the Caledonian Company shall not out of any money which they are by this Act authorised to raise pay or deposit any sum which by any standing order of either House of Deposits for future Bills not to be paid out of capital.

A.D. 1897. — 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 construction of any other railway or the execution of any other work or undertaking.

Provision as
to general
Railway
Acts.

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

Expenses
of Act.

67. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

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