ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

****

Cap. clxxxviii.

An Act for making a Railway from the *Scottish Central* Railway near *Loaninghead* to the Town of *Crieff*. [15th *August* 1853.]

WHEREAS the making of a Railway leading from the *Scottish Central* Railway at a Point near *Loaninghead* in the Parish of *Blackford* in the County of *Perth* to a Point at or near to the Town of *Crieff* in the Parish of *Crieff* and County aforesaid would be of great local and public Advantage, by opening an additional, certain, and expeditious Means of Communication between the said Places, and by facilitating Communication with the Cities of *Edinburgh*, *Glasgow*, *Perth*, and more distant Towns and Places: And whereas the Persons herein-after named are willing, at their own Expense, to carry such Undertaking into execution: And whereas it is expedient that the Company hereby to be incorporated shall be enabled to enter into Agreements and Arrangements as after mentioned with the *Scottish Central* Railway Company; but the various Purposes aforesaid 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:

8 & 9 Vict. cc. 17. 19. and 33. incorporated with this Act.

I. That the several Acts of Parliament following, (that is to say,) "The Companies Clauses Consolidation (*Scotland*) Act, 1845," "The Lands Clauses Consolidation (*Scotland*) Act, 1845," and "The Railways Clauses Consolidation (*Scotland*) Act, 1845," shall be incorporated with and form Part of this Act.

Short Title.

II. That in citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "The *Crieff Junction* Railway Act, 1853."

Subscribers incorporated.

III. That Sir *David Dundas* Baronet, *Alexander Campbell*, *Thomas James Graham Stirling*, *Alexander Monteath*, *George Drummond Græme*, *John Stewart Hepburn*, *John Wright*, and *James Buchan*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Railway herein-after particularly described, with all proper Works and Conveniences belonging thereto, according to the Provisions of the said Acts and of this Act, and for the other Purposes herein and in the said Acts contained; and for the Purposes aforesaid such Company shall be incorporated by the Name of "The *Crieff Junction* Railway Company," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, within the Restrictions herein and in the said Acts contained.

Capital.

IV. That the Capital of the Company shall be Forty-five thousand Pounds Sterling, and the whole thereof, when raised, shall be applicable only to the Purposes authorized by this Act.

Number and Amount of Shares.

V. That the Number of Shares into which the Capital shall be divided shall be Four thousand five hundred, and the Amount of each Share shall be Ten Pounds.

Calls.

VI. That Thirty Shillings *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and Two Months at the least shall be the Interval between successive Calls, and the aggregate Amount of Calls to be made on any One Share in any One Year shall not exceed Eight Pounds Ten Shillings in the whole.

VII. The

Interest not to be paid on Calls paid up.

VII. That it shall not be lawful for the said Company, out of any Money by this Act authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest or Dividend to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein-before contained shall be deemed to prevent the said Company from paying to any Shareholder such Interest on Money advanced by him, beyond the Amount of the Calls actually made, as shall be in conformity with the Provisions in "The Companies Clauses Consolidation (*Scotland*) Act, 1845," in that Behalf contained.

Deposits for future Bills not to be paid out of Company's Capital.

VIII. That it shall not be lawful for the said Company, out of any Money by this Act authorized to be raised for the Purposes of such Act or Acts, to pay or deposit any Sum of Money which by any Standing Order of either House of Parliament, now in force or hereafter to be in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the said Company to construct any other Railway or execute any other Work or Undertaking.

Power to borrow Money on Mortgage.

IX. That it shall be lawful for the Company to borrow on Mortgage or Bond any Sums not exceeding in the whole the Sum of Twelve thousand Pounds Sterling, but no Part of such Sum shall be borrowed until the whole of the said Capital of Forty-five thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up: Provided always, that the said Capital, and the Sums to be borrowed as aforesaid, shall be applied solely to the Purposes authorized by this Act.

Arrears may be enforced by Appointment of a Judicial Factor.

X. That it shall be lawful for the Mortgagees of the Company to enforce the Payment of the Arrears of Principal and Interest due on any Mortgages by the Appointment of a Judicial Factor; and in order to authorize the Appointment of such Judicial Factor in the event of the Principal Monies due on such Mortgages not being duly paid, the Amount owing to the Mortgagees by whom Application for such Judicial Factor shall be made shall not be less than Two thousand Pounds on the whole.

First and subsequent General Meetings.

XI. That the First Ordinary Meeting of the Company shall be held within Two Months next after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held twice in every Year in the Months of *March* or *April*, and *September* or *October*, as the Directors may appoint; and all Ordinary Meetings shall be held in the Town of *Crieff*.

XII. That

Quorum of General Meetings.

XII. That the Quorum of General Meetings of the Company shall be Ten Shareholders present, personally or by Proxy, holding in the aggregate not less than Two thousand Pounds in the Capital of the Company.

Votes of Shareholders

XIII. That at all General Meetings of the Company the Scale according to which the Shareholders may vote in respect of their Shares shall be as follows; (that is to say,) for Two Shares or more, but not exceeding Ten Shares, One Vote; for more than Ten Shares, an additional Vote for every Ten Shares to the Extent of One hundred Shares; for more than One hundred Shares, an additional Vote for every Twenty Shares over and above the said One hundred Shares: Provided always, that no Shareholder shall be entitled to vote at any Meeting unless he shall have paid up all the Calls then payable upon the Shares held by him.

Number and Qualification of Directors.

XIV. That the Number of Directors shall be Eight, and the Qualification of a Director shall be the Possession in his own Right of Twenty-five Shares in the Capital of the Company.

Power to vary the Number of Directors.

XV. That it shall be lawful for the Company to reduce the Number of Directors, provided that the reduced Number be not less than Three.

First Directors.

XVI. That Sir *David Dundas* Baronet, *Alexander Campbell*, *Thomas James Graham Stirling*, *Alexander Monteath*, *George Drummond Græme*, *John Stewart Hepburn*, *John Wright*, and *James Buchan* shall be the First Directors of the Company.

First Election of Directors.

XVII. That the Directors hereby appointed shall continue in Office until the First Ordinary Meeting to be held after the passing of this Act; and at such Meeting the Shareholders present, personally or by Proxy, may either continue in Office the Directors appointed by this Act, or any Number of them, or may elect a new Body of Directors, or Directors to supply the Places of those not continued in Office, the Directors appointed by this Act being eligible as Members of such new Body.

Future Directors.

XVIII. That at the First Ordinary Meeting to be held in the Year next after the Year in which such last-mentioned Directors shall have been appointed or elected, the Shareholders present, personally or by Proxy, shall elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions in the said "Companies Clauses Consolidation (*Scotland*) Act" contained; and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having resigned, shall continue to be Directors until

until others are elected in their Stead in manner provided by the said "Companies Clauses Consolidation (*Scotland*) Act."

Provision for Election of new Directors in case of Resignation, &c. of those ordinarily elected.

XIX. That if the whole of the Directors of the said Company herein named, or herein-after to be appointed, in Terms of the Provisions of this Act, shall resign or die, or shall from any Cause become disqualified to act, or if so many of them shall so resign or die or become disqualified that the Number of acting Directors shall be reduced below the Quorum hereby appointed, then in that Case it shall be lawful for One or more Shareholders of the Company, holding in all not less than Five hundred Shares, by Advertisement for Three successive Weeks in any One of the *Edinburgh* and One of the *Perth* Newspapers, to call a Special General Meeting of the Company; and the Majority of the Shareholders present, personally or by Proxy, at such Meeting, shall and may elect new Directors to act in the Room and Stead of the Directors so dying or resigning or becoming disqualified: Provided always, that in electing Directors at the said Meeting it shall be specified in whose Room and Place each of the said Directors is elected, and they shall only retain Office for the same Period as the Directors would have done in whose Room and Place they shall be so elected.

Quorum of Directors.

XX. That the Quorum of a Meeting of Directors shall be Three.

Power to make Railway according to deposited Plans, &c.

XXI. And whereas Plans and Sections of the Railway, showing the Lines and Levels thereof, together with a Book of Reference to the said Plans, containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of the Lands through which the same is intended to pass, have been deposited in the Office at the City of *Perth* and the City of *Dunblane* respectively of the Principal Sheriff Clerk of the County of *Perth*: Be it enacted, That, subject to the Provisions in this and the said recited Acts contained, it shall be lawful for the Company to make and maintain the said Railway and Works in the Lines and upon the Lands delineated on the said Plans and described in the said Books of Reference, and according to the Levels defined on the said Sections, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose.

Line of Railway.

XXII. That the said Railway shall commence at and by a Junction with the *Scottish Central* Railway at a Point near *Loaninghead* in the Parish of *Blackford* and County of *Perth* and terminate at a Point in a Field called the *Market Park*, at or near to the Town of *Crieff* in the Parish of *Crieff* and County aforesaid, and which Railway and Works shall be made and maintained from, in, through, or into

the Parishes of *Blackford*, *Auchterarder*, *Muthill*, and *Crieff*, in the County of *Perth*.

As to Junction with the Scottish Railway.

XXIII. That the Railway hereby authorized to join and communicate with the *Scottish Central* Railway near to *Loaninghead* aforesaid shall join and communicate therewith at the Points where, according to the Plan deposited as in this Act mentioned, such Railway appears to join and communicate therewith; and such Junction and all Communication between the Railway hereby authorized and the said *Scottish Central* Railway, and all such Openings in the Rails thereof, and other Works of Connexion as may be necessary or convenient for forming such Junction and effecting such Communication, shall be made and completed to the Satisfaction of the said *Scottish Central* Railway Company.

Lands and Works of the Scottish Central Railway not to be interfered with except by Consent.

XXIV. That nothing herein contained shall be held to authorize the said Company to enter upon, purchase, or take any Lands belonging to the said *Scottish Central* Railway Company, nor to alter or vary the Line or Levels of the said *Scottish Central* Railway, nor to interfere with the said *Scottish Central* Railway, except for the Purpose of making and maintaining the Junction before mentioned, and necessary Works connected therewith, without the Consent of the said *Scottish Central* Railway Company, nor in any Manner to interrupt or interfere with the Traffic passing on the said last-mentioned Railway; and the Company hereby incorporated shall bear all Expense of effecting such Junction as aforesaid, and of maintaining, watching, and working the same, and of necessary Works for preventing Danger, Inconvenience, or Interruption to the Traffic on the said *Scottish Central* Railway: Provided always, that if any Difference shall arise between the said Two Companies as to the Nature or Necessity of any such Works as aforesaid, the same shall be referred to the Decision of the Board of Trade.

Certain Roads may be crossed on the Surface.

XXV. That it shall be lawful for the Company to carry the Railway across the Surface of the Roads numbered on the said deposited Plans as follows; (that is to say,)

In the Parish of *Blackford*, the Road numbered 12:

In the Parish of *Muthill*, the Roads numbered 16 and 45:

In the Parish of *Crieff*, the Roads numbered 22, 42, and 63.

Lodges or Stations may be made at level Crossings.

XXVI. That for the Security of the Public the Company shall erect and maintain either a Station or Lodge at the Place where the Railway shall cross the before-mentioned Roads on the Levels; and the said Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Roads on the Levels, or with regard to the Speed at which Trains shall pass

such

such Roads, as may from Time to Time be made by the Board of Trade; and if the said Company shall fail to erect or at all Times maintain any such Station or Lodge, or appoint a proper Person to watch or superintend the crossing at any such Point or Station, or to observe or abide by any such Rule or Regulation as aforesaid, they shall for every such Offence be liable to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred.

Board of Trade may require Bridges to be erected in lieu of level Crossings.

XXVII. That it shall be lawful for the Board of Trade, if it shall appear to them to be necessary for the Public Safety, at any Time either before or after the Railway hereby authorized to be carried across the said Roads on the Levels shall have been completed and opened for public Traffic, to require the Company, within such Time as the Board shall direct, and at the Expense of the Company, to carry the herein-before mentioned Roads either over or under the Railway by means of Bridges or Arches, in lieu of crossing the same on the Levels, or to execute such other Works as under the Circumstances of the Case shall appear to the said Board of Trade best adapted for removing or diminishing the Danger arising from such level Crossings.

Regulating Construction of Bridge.

XXVIII. That it shall be lawful for the Company to make the Bridge or Arch for carrying the Diversion of the Road, numbered as herein-after mentioned on the said deposited Plans, under the said Railway, of Dimensions not less than the following; (that is to say,)

The Arch of the Diversion of the Road numbered 47 in the Parish of *Blackford* shall be not less than Fifteen Feet high.

Regulating the Inclination of certain Road.

XXIX. That it shall be lawful for the Company to construct the Approach to the Bridge and Arch for carrying the Diversion of the Road numbered as herein-after mentioned on the said deposited Plans under the Railway hereby authorized with such Inclination as they think fit, not steeper than the following; (that is to say,)

In the Case of the Road numbered 47 in the Parish of *Blackford* not steeper than One Foot in Twenty Feet on the South-west Side of the said Railway.

Lands for extraordinary Purposes.

XXX. That the Quantity of Land to be taken by the Company for extraordinary Purposes shall not exceed Ten Acres.

Power to Parties having limited Interests

XXXI. That it shall be lawful for all Parties having a limited Right or Interest in any Lands required to be taken for the Purposes of this Act, or being under any Disability or Incapacity to sell or convey within

to convey Lands by Feu Right.

within the Meaning of Section Seven of "The Lands Clauses Consolidation (*Scotland*) Act, 1845," incorporated herewith, and being only entitled to sell or convey such Lands, or any Right or Interest therein, under the Powers by this Act and the said Consolidation Act granted, to sell and convey to the Company such Lands or any Part thereof, or any Right or Interest therein, in consideration of an annual Feu Duty or Ground Annual payable by the Company to such Parties and their Successors in the Lands, or in the Right or Interest therein so conveyed, and that in the Form prescribed by the said Consolidation Act with respect to Conveyances by Feu by Parties entitled absolutely to dispose of Lands.

Grassums not to be taken.

XXXII. Provided always, That it shall not be lawful for the Company to pay, nor for any Party having a limited Interest in or being under Disability or Incapacity to sell or convey any Lands, or any Right or Interest therein as aforesaid, to receive or take, any Grassum, Fine, or Premium, or any Consideration in the Nature thereof, for the Lands or Rights or Interests to be so conveyed, other than the annual Feu Duties or Ground Annuals made payable by such Conveyance; and the Amount of such Feu Duties or Ground Annuals shall, in case of Difference, be ascertained and settled by Valuators in the Manner prescribed by the said Consolidation Act with respect to the Valuation of Lands sold by Agreement by Parties under legal Disability or Incapacity to convey as aforesaid.

Provision for recovering all Feu Duties.

XXXIII. That all Feu Duties or Ground Annuals for any Lands, or any Right or Interest therein, required for the Purposes of the Railway, and made payable by any Conveyance under this Act and the said Consolidation Act, shall be a First Charge on the Tolls and Rates leviable under this Act and other Revenues of the Company, anything in this Act, or in any of the Consolidation Acts herewith incorporated, to the contrary notwithstanding; and if at any Time any such Feu Duties or Ground Annuals remain unpaid for Thirty Days after they respectively become payable, it shall be lawful to the Person entitled for the Time being to Payment of such Feu Duties or Ground Annuals to recover the same from the Company, with Interest and Costs, by Action in the Sheriff Court of the County of *Perth*, or summarily by Poinding and Sale of the Goods and Effects of the Company, on Application by Petition to the said Sheriff, whose Decision in either Case shall be final, and shall not be subject to Review in any Manner howsoever; and it shall not be lawful for any such Person to resume Possession of the Lands, or Rights or Interests therein, so conveyed, or to proceed by any Action of Declarator or Reduction, or by Real Diligence, or any other Process whatever, in respect thereto, or in respect to the said Feu Duties or Ground Annuals.

XXXIV. That

Period for purchasing Lands limited.

XXXIV. That 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 Completion of Works.

XXXV. That the Railway shall be completed within Four Years from the passing of this Act; and on the Expiration of such Period the Powers by this or the said Acts granted to the Company for executing the Railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Railway as shall then be completed.

Tolls.

XXXVI. That it shall be lawful for the Company to demand any Tolls for the Use of the Railway, not exceeding the following; (that is to say,)

Tonnage on Articles of Merchandise.

First, in respect of the Tonnage of all Articles conveyed upon the Railway or any Part thereof, as follows:

For all Dung, Compost, and all Sorts of Manure, Lime and Limestone, and all undressed Materials for the Repair of public Roads or Highways, *per* Ton *per* Mile not exceeding Twopence; and if conveyed by Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Penny:

For all Coal, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandise, *per* Ton *per* Mile not exceeding Twopence Halfpenny; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Mile not exceeding One Penny:

For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per* Ton *per* Mile not exceeding Threepence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Penny Halfpenny:

For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, or Things, *per* Ton *per* Mile not exceeding Fourpence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding Twopence:

And for every Carriage, of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform belonging to the Company, *per* Mile not exceeding Sixpence:

And a like Sum of Sixpence *per* Mile for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh; and if conveyed on a Truck or Platform belonging to the Company, an additional Sum *per* Mile not exceeding Sixpence:

Tolls for Passengers or Cattle.

Second, in respect of Passengers and Animals conveyed in Carriages upon the Railway, as follows:

For any Person conveyed in or upon any such Carriage, *per* Mile not exceeding Twopence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding One Penny per Mile:

For every Horse, Mule, Ass, or other Beast of Draught or Burden, and for every Ox, Cow, Bull, or Neat Cattle, conveyed in or upon any such Carriage, *per* Mile not exceeding Twopence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding Threepence *per* Mile:

For every Calf or Pig, Sheep, Lamb, or other small Animal conveyed in or upon any such Carriage, *per* Mile not exceeding One Penny; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding Three Halfpence *per* Mile.

Tolls for propelling Power.

XXXVII. That the Toll which the Company may demand for the Use of Engines for propelling Carriages shall not exceed One Penny *per* Mile for each Passenger or Animal, or for each Ton of Goods or other Articles, in addition to the several other Tolls or Sums by this Act authorized to be taken.

Limiting Charges for the Conveyance of Passengers.

XXXVIII. That it shall not be lawful for the Company to demand or receive any greater Sum, in respect of the Carriage of Passengers conveyed on the Railway by this Act authorized, than Threepence *per* Passenger *per* Mile in respect of any Passenger travelling in a First-class Carriage, Twopence *per* Passenger *per* Mile in respect of any Passenger travelling in a Second-class Carriage, and One Penny Halfpenny *per* Passenger *per* Mile in respect of any Passenger travelling in a Third-class Carriage, including the Charges for the Use of Carriages and locomotive Power, and all other Charges incidental to such Conveyance.

Passengers Luggage.

XXXIX. That every Passenger travelling upon the Railway may take with him his ordinary Luggage, not exceeding One hundred Pounds in Weight for First-class Passengers, Sixty Pounds in Weight for Second-class Passengers, and Forty Pounds in Weight for Third-class Passengers, without any Charge being made for the Carriage thereof.

XL. That

Limiting Charges for the Conveyance of Goods.

XL. That it shall not be lawful for the Company to charge, in respect of the several Articles, Matters, and Things, and of the several Descriptions of Animals, herein-after mentioned, conveyed on the Railway by this Act authorized, any greater Sum, including the Charges for the Use of Carriages, Waggons, or Trucks, and for locomotive Power, and all other Charges incidental to such Conveyance, than the several Sums herein-after mentioned; (that is to say,)

For Dung, Compost, and all Sorts of Manure, Lime and Limestone, and undressed Materials for the Repair of public Roads or Highways, One Penny Halfpenny *per* Ton *per* Mile:

For Coals, Coke, Culm, Charcoal, and Cinders, Stones for building, pitching, and paving, Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandise, *per* Ton *per* Mile Twopence:

For Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per* Ton *per* Mile Threepence:

For Cotton and other Wools, Drugs, manufactured Goods, and other Wares, Merchandise, Fish, Articles, Matters, and Things, *per* Ton *per* Mile Fourpence:

And for every Carriage, of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per* Mile Sevenpence:

For every Horse, Mule, Ass, or other Beast of Draught or Burden, *per* Mile Fivepence:

For every Ox, Cow, Bull, or Neat Cattle, *per* Mile Twopence *per* Head:

For every Calf or Pig, Sheep, Lamb, or other small Animal, *per* Mile Three Farthings each.

Restriction as to Charges not to apply to Special Trains.

XLI. That the Restriction as to the Charges to be made for Passengers, Animals, or Goods shall not extend to any special or extra Train.

Company may take increased Charges by Agreement.

XLII. That nothing herein contained shall be held to prevent the said Company from taking any increased Charge, over and above the Charges herein-before limited, for the Conveyance of Goods of any Description, by Agreement with the Owners or Persons in charge of such Goods, either in respect of the Conveyance thereof by Passenger Trains, or by reason of any other special Service performed by the said Company in relation thereto.

Regulations as to the Tolls.

XLIII. That the following Provisions and Regulations shall be applicable to the fixing of the Tolls and maximum Charges herein-before specified; (that is to say,)

For

For Articles or Persons conveyed on the Railway for a less Distance than Four Miles the Company may demand as for Four entire Miles, and, in addition to the prescribed Tolls for Conveyance, a reasonable Charge for the Expense of stopping, loading, and unloading:

For a fractional Part of a Mile beyond Four Miles, or beyond any greater Number of Miles, the Company may demand Tolls for such Fraction in proportion to the Number of Quarters of a Mile contained therein, and if there be a Fraction of a Quarter of a Mile such Fraction shall be deemed a Quarter of a Mile:

For a Fraction of a Ton the Company may demand Toll according to the Number of Quarters of a Ton in such Fraction, and if there be a Fraction of a Quarter of a Ton such Fraction shall be deemed a Quarter of a Ton:

With respect to all Articles, except Stone or Timber, the Weight shall be determined according to the usual Avoirdupois Weight:

With respect to Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Teak, Beech, or Ash, and Fifty Cubic Feet of any other Timber, shall be deemed One Ton Weight, and so in proportion for any smaller Quantity.

Tolls for small Parcels and Articles of great Weight.

XLIV. And with respect to small Packages, and single Articles of great Weight, be it enacted, That, notwithstanding the Rate of Tolls prescribed by this Act, the Company may lawfully demand the Tolls following; (that is to say,)

For the Carriage of small Parcels on the Railway, as follows:

For any Parcel not exceeding Seven Pounds in Weight, Fourpence:

For any Parcel not exceeding Fourteen Pounds in Weight, Eightpence:

For any Parcel not exceeding Twenty-eight Pounds in Weight, One Shilling and Fourpence:

For any Parcel not exceeding Fifty-six Pounds in Weight, Two Shillings:

And for Parcels exceeding Fifty-six Pounds in Weight but not exceeding Five hundred Pounds in Weight the Company may demand any Sum which they think fit:

That Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages:

For the Carriage of any One Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Carriage, shall exceed Four Tons but shall not exceed Eight Tons, the Company may demand such Sum as they think fit, not exceeding Twelvepence *per* Ton *per* Mile:

For the Carriage of any single Piece of Timber, Stone, Machinery, or other single Article, the Weight of which, with the Carriage, shall exceed Eight Tons, the Company may demand such Sum as they think fit.

Contracts as to working the Railway.

XLV. That, subject to the Provisions of "The Railways Clauses Consolidation (*Scotland*) Act, 1845," it shall be lawful for the said *Scottish Central* Railway Company and the Company hereby incorporated to make and enter into any Contracts and Agreements or Arrangements which may by them mutually be deemed necessary and advisable for the working and Use of the Railway by this Act authorized, the Management of the Traffic thereon, and generally for and in respect of all such Matters and Things as may be necessary for the proper and efficient working of the said Railway when completed, on such Terms and Conditions and in such Manner as may be agreed upon by and between the said Companies.

Railway to be subject to Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., 9 & 10 Vict. cc. 57. and 105. and 14 & 15 Vict. c. 64.

XLVI. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railway;* and another Act was passed in the Fourth Year of the Reign of Her present Majesty, intituled *An Act for regulating Railways;* and another Act was passed in the Sixth Year of the Reign of Her present Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops;* and another Act was passed in the Eighth Year of the Reign of Her present Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways;* and Two other Acts were passed in the Ninth and Tenth Years of the Reign of Her said Majesty, respectively intituled *An Act for constituting Commissioners of Railways*, and *An Act for regulating the Gauge of Railways;* and another Act was passed in the Fourteenth and Fifteenth Years of the Reign of Her said Majesty, intituled *An Act to repeal the Act for constituting Commissioners of Railways:* Be it enacted, That nothing in this Act contained shall be held to exempt the said Railway or the said Company from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railway and Company so far as the same shall be applicable thereto.

Railway not exempt from Provisions of future General Acts.

XLVII. That nothing herein contained shall be deemed or construed to exempt the Railway hereby authorized to be made from the Provisions of any General Act relating to this Act, or of any General Act relating to Railways, or to the better and more impartial Audit of the Railway Accounts, which may pass during the present

Session or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges, or of the Rates and Charges for small Parcels, authorized by this Act.

Security for Completion of Line within Time limited.

XLVIII. And whereas, pursuant to the Standing Orders of the Houses of Parliament, and to an Act of the Ninth Year of Her present Majesty, Chapter Twenty, a Sum of Three thousand five hundred and fifty-one Pounds, being One Tenth Part of the Amount subscribed by the Promoters of the Railway authorized by this Act, has been deposited in the *Commercial Bank* of *Scotland* in the Name and with the Privity of the Queen's Remembrancer of the Court of Exchequer in *Scotland*, in respect of the Application to Parliament for this Act: Be it enacted, That, notwithstanding anything contained in the said recited Act, the said Sum of Three thousand five hundred and fifty-one Pounds so deposited as aforesaid in respect of the Application for this Act, and the Interest of the said Sum of Three thousand five hundred and fifty-one Pounds, shall not, except upon the Execution and Deposit of such Bond as herein-after mentioned, be paid to or on the Application of the Person or Persons or the Majority of the Persons named in the Warrant or Order in pursuance of the said Act, or the Survivors or Survivor of them, unless the said Company shall, previously to the Expiration of the Period limited by this Act for the Completion of the Railway hereby authorized to be made, either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations, that the said Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if the said Period shall expire before the said Company shall either have opened the said Railway for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the said Sum of Three thousand five hundred and fifty-one Pounds deposited as aforesaid, and the Interest thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid by the Officer or Person in whose Name the said Sum and Interest shall then be deposited to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*; provided that at any Time after the passing of this Act, if a Bond in twice the Amount of the said Sum of Three thousand five hundred and fifty-one Pounds shall have been executed by the said Company, with One or more Sureties, (such Bond to be prepared to the Satisfaction of

and

and such Surety or Sureties to be approved by the Solicitor to the Lords Commissioners of Her Majesty's Treasury,) conditioned for Payment to Her Majesty, Her Heirs or Successors, of the said Sum of Three thousand five hundred and fifty-one Pounds, if the said Company shall not, within the Time limited for the Completion of the said Railway, either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee that the said Company have paid up One Half of the Amount of the said Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if such Bond shall have been deposited with the said Solicitor to the said Lords Commissioners, then such Sum of Money and the Interest thereof shall be paid or transferred to or on the Application of the Person or Persons or the Majority of the Persons named in such Warrant or Order as aforesaid, or the Survivors or Survivor of them; and the Monies to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Money, and the Interest thereof, would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitor to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Lords of the said Committee that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

Saving Rights of Scottish Central Railway Company.

XLIX. That nothing herein contained shall extend or be deemed or construed to extend to alter, vary, prejudice, or diminish any of the Rights, Powers, or Authorities vested in the *Scottish Central* Railway Company by virtue of the Acts relating to such Company, or any of them, except as is by this Act expressly provided and declared.

Expenses of Act.

L. That all Costs, Charges, and Expenses connected with the passing of this Act shall be paid by the Company hereby incorporated.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1853.