ANNO DECIMO NONO & VICESIMO

VICTORIÆ REGINÆ.

****

Cap. cxiii.

An Act for making a Railway from the *Scottish Central* Railway at *Dunblane* by *Doune* to *Callander*, to be called "The *Dunblane, Doune, and Callander* Railway." [21st *July* 1856.]

WHEREAS the making of a Railway leading from the *Scottish Central* Railway at *Dunblane* in the Parish of *Dunblane* and County of *Perth* by *Doune* to *Callander* in the Parish of *Callander* 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 also by facilitating Communication between more distant Towns and Places: And whereas the Persons herein-after named, with others, are willing at their own Expense to carry such Undertaking into execution: And whereas the Railway to be made under the Authority of this Act might be beneficially worked in connexion with the *Scottish Central* Railway, and it is expedient that Provision should be made for Agreements accordingly between the Company hereby incorporated and the *Scottish Central* Railway Company, and that the said last-mentioned Company should be empowered to become Shareholders in the Undertaking; 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. & 33. incorporated.

I. 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, so far as not otherwise provided by this Act, be incorporated with and form Part of this Act.

Short Title.

II. In citing this Act for any Purpose whatsoever, it shall be sufficient to use the Expression "The *Dunblane, Doune, and Callander* Railway Act, 1856."

Subscribers incorporated.

III. *William Stirling*, *James Fergusson Wyllie*, *Andrew Glover*, *George Home Binning Home*, *John Buchanan Hamilton*, *John Finlay*, *Andrew Jardine*, and *John Sawers*, 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 a Railway, with proper Works and Conveniences belonging thereto, leading from the *Scottish Central* Railway at or near *Dunblane*, by *Doune*, to *Callander* in the County of *Perth*, according to the Provisions of the said recited Acts and of this Act, and for the other Purposes herein and in the said recited Acts contained; and for the Purposes aforesaid such Company shall be incorporated by the Name of "The *Dunblane, Doune, and Callander* 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 recited Acts contained.

Capital.

IV. The Capital of the Company shall be Sixty thousand Pounds, and the whole thereof when raised shall be applicable only to the Purposes authorized by this Act.

Number and Amount of Shares.

V. The Number of Shares into which the Capital shall be divided shall be Six thousand, and the Amount of each Share shall be Ten Pounds.

Calls.

VI. Two Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and Three Fifths of the Amount of a Share shall be the utmost aggregate Amount

Amount of Calls that may be made in any One Year upon any Share, and Two Months at the least shall be the Interval between successive Calls.

Interest not to be paid on Calls paid up.

VII. It shall not be lawful for the said Company, out of any Money by this Act authorized to be raised by Call 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. 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 on Mortgage.

IX. It shall be lawful for the Company to borrow on Mortgage or Bond any Sums not exceeding in the whole the Sum of Twenty thousand Pounds, but no Part of such Sum shall be borrowed until the whole of the said Capital of Sixty 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. It shall be lawful for the Mortgagees or Bondholders of the Company to enforce the Payment of the Arrears of Principal and Interest due on any such Mortgages or Bonds by the Appointment of a Judicial Factor; and in order to authorize the Appointment of such Judicial Factor, in the event of the Moneys due on such Mortgages or Bonds not being duly paid, the Amount of Principal Moneys owing to the Mortgagees or Bondholders by whom Application for such Judicial Factor shall be made shall not be less than Two thousand Pounds in the whole.

Scottish Central Railway Company

XI. The *Scottish Central* Railway Company may subscribe towards and become Shareholders in the Undertaking hereby authorized

Subscription.

rized to any Extent not exceeding Thirteen thousand four hundred Pounds, and for such Purpose may raise the Moneys so authorized to be subscribed by them, or any Part thereof, with the Consent of Three Fifths of the Votes of the Shareholders present, personally or by Proxy, at any General Meeting of that Company called for the Purpose, by the Creation of new Shares in their Undertaking of such nominal Amount, and on such Terms, and bearing (if they shall think fit) a guaranteed or preferential Dividend at such Rate not exceeding Five Pounds *per Centum per Annum*, as the said Company may appoint: Provided always, that any Guarantee or Priority of Dividend which may be granted in respect of such new Shares shall not prejudice or affect any Guarantee, Preference, or Priority in the Payment of Interest or Dividend on any other Shares or Stock which may have been granted by them, or which may have been created or confirmed by any previous Act of Parliament, or which may otherwise be lawfully subsisting; or it shall be lawful for the *Scottish Central* Railway Company (if they think fit) to raise the Sum to be subscribed by them as aforesaid by borrowing such Sum, or any Part thereof, on Mortgage upon the Credit of their Undertaking: Provided always, that notwithstanding anything in this Act contained the Money to be borrowed and which has been borrowed by the said *Scottish Central* Railway Company shall not exceed the Amount authorized to be borrowed by the Acts relating to the said *Scottish Central* Railway Company, and shall not exceed One Third Part of the Capital of the said Company authorized to be raised by Shares prior to the passing of this Act, and no Money shall be borrowed for the Purposes of this Act by the *Scottish Central* Railway Company until the whole of their said Capital shall have been subscribed for, and One Half thereof paid up; and the Mortgages already granted or created by the said Company, and which shall be in force at the Time of the passing of this Act, shall during their Subsistence have Priority over any Mortgages which may be granted by the said Company under the Powers of this Act.

Appointment of Person to vote for Scottish Central Railway Company.

XII. It shall be lawful for the *Scottish Central* Railway Company after they shall have so become Subscribers as aforesaid from Time to Time to nominate and appoint, under their Common Seal, any Person to vote on their Behalf in respect of the Shares so held by them at any Meeting of the Company.

First and subsequent General Meetings.

XIII. 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 City of *Dunblane*.

XIV. The

Quorum of General Meetings.

XIV. The Quorum for every General Meeting of the Company shall be Six Shareholders, present personally or by Proxy, holding in the aggregate not less than Three thousand Pounds in the Capital of the Company.

Votes of Shareholders.

XV. 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.

XVI. The Number of Directors shall be Eight, and the Qualification of a Director shall be the Possession in his own Right of Forty Shares in the Undertaking, excepting in the Case of any Two of the Directors for the Time being who may be Directors of the *Scottish Central* Railway Company.

Variation of the Number of Directors.

XVII. 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.

XVIII. *William Stirling*, *James Fergusson Wyllie*, *Andrew Glover*, *George Home Binning Home*, *John Buchanan Hamilton*, *John Finlay*, *Andrew Jardine*, and *John Sawers* shall be the First Directors of the Company.

Directors to continue in Office until First Ordinary Meeting.

XIX. 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.

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

Quorum of Directors.

XXI. The Quorum of a Meeting of Directors shall be Three, so long as the Number of Directors shall be more than Three, and when reduced to Three shall be Two.

Committees of Directors.

XXII. The Quorum of a Committee of Directors shall be Two.

Power to make Railway according to deposited Plans.

XXIII. 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 said Company to make and maintain the said Railway in the Lines and upon the Lands delineated on the said Plans and described in the said Book of Reference, and according to the Levels defined on the said Sections, with all proper Works and Conveniences in connexion therewith, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose.

Line of Railway.

XXIV. The Line of Railway to be made and maintained under the Authority of this Act shall commence by a Junction with the Line of the *Scottish Central* Railway at a Point or Points thereon about Seven Chains or thereby North of the Point where the *Dunblane and Callander* Turnpike Road crosses said *Scottish Central* Railway, at or near the City of *Dunblane* in the Parish of *Dunblane* and County of *Perth*, and proceeding by *Doune*, and terminating at a Point Forty Yards or thereby South-east of the Well situated at the Washing or Bleaching Green at or near the East End of the Town of *Callander* in the Parish of *Callander* and County aforesaid, and which Railway and Works shall be made and maintained from, in, through, or into the Parishes of *Dunblane*, *Kilmadock*, and *Callander*, in the County of *Perth*.

Lands for extraordinary Purposes.

XXV. The Quantity of Land to be taken by the Company for extraordinary Purposes shall not exceed Five Acres.

As to Junction with the Scottish

XXVI. The Railway hereby authorized to join and communicate with the *Scottish Central* Railway at or near to the City of *Dunblane* aforesaid shall join and communicate therewith at the Points where, according

Central Railway.

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 Scottish Central Railway not to be interfered with without Consent.

XXVII. 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 Expenses of effecting such Junction as aforesaid, and, unless otherwise agreed upon betwixt the Companies, of maintaining, watching, and working the same, and also 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 of the Works connected with the Junction aforesaid, the same shall be referred to the Decision of any Arbiter on whom the Companies may agree, or otherwise the same shall be referred to the Decision of the Board of Trade.

Powers for compulsory Purchases limited.

XXVIII. 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 Two Years from the passing of this Act.

Period for Completion of Works.

XXIX. 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 recited 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.

Certain Roads may be crossed on the Surface.

XXX. It shall be lawful for the Company to carry the Railway with not more than a single Line of Rails across the Surface of the Road numbered on the Plans deposited as aforesaid 138 in the Parish of *Kilmadock*.

Lodges or Stations may be made at

XXXI. For the greater Convenience and Security of the Public the Company shall erect and maintain either a Station or Lodge at the

level Crossings.

the Place where the Railway shall cross the before-mentioned Road on the Level, and the said Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of said Road on the Level, or with regard to the Speed at which Trains shall pass such Road, 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.

XXXII. 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 Road on the Level 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 Road either over or under the Railway by means of Bridges or Arches in lieu of crossing the same on the Level, 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 Crossing.

Tolls.

XXXIII. It shall be lawful for the Company to demand and recover 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 provided by 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 provided by the Company, an additional Sum *per* Ton *per* Mile not exceeding One Penny:

For

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 provided by 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 provided by 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 provided by the Company, *per* Mile not exceeding Sixpence; and a Sum of One Penny Halfpenny *per* Mile for every additional Quarter of a Ton, or fractional Part of a Quarter of a Ton, which any such Carriage may weigh.

Tolls for Passengers or Cattle.

Secondly. 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 provided by the Company, an additional Sum not exceeding Twopence *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 provided by the Company, an additional Sum of 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 provided by the Company, an additional Sum of One Penny Halfpenny *per* Mile.

Tolls for propelling Power.

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

Limiting Charges for Conveyance of Passengers.

XXXV. 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 the Railway and of Carriages, and for locomotive Power, and all other Charges incidental to such Conveyance.

Passengers Luggage.

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

Restriction as to Charges not to apply to Special Trains.

XXXVII. The Charges herein-before limited in respect of the Carriage of Passengers shall not extend to any Special Train, but shall apply only to the Express and Ordinary Trains appointed or to be appointed from Time to Time by the Company.

Limiting Charges for Conveyance of Goods.

XXXVIII. 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, *per* Ton *per* Mile Twopence:

For Coals, Coke, Culm, Charcoal, and Cinders, Stone 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 Halfpenny;

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 Sixpence; and Twopence *per* Mile for any additional Quarter of a Ton which any such Carriage may weigh:

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

Company may take increased Charges for such Conveyance by Agreement.

XXXIX. Nothing herein contained shall be held to prevent the Company from taking any increased Charge over and above the Charges herein-before limited for the Conveyance of Articles, Matters, or Things, or of Animals, by Agreement with the Owners or Persons in charge thereof, either in respect of the Conveyance thereof (except small Parcels) by Passenger Trains, or by reason of any other special Service performed by the Company in relation thereto.

Tolls for small Parcels and Articles of great Weight.

XL. And with respect to small Packages and single Articles of great Weight, the Company may, notwithstanding the Rate of Tolls prescribed by this Act, 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 exceeding Seven Pounds in Weight, but not exceeding Fourteen Pounds in Weight, Sixpence;

For any Parcel exceeding Fourteen Pounds in Weight, but not exceeding Twenty-eight Pounds in Weight, One Shilling;

For any Parcel exceeding Twenty-eight Pounds in Weight, but not exceeding Fifty-six Pounds in Weight, One Shilling and Sixpence;

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: Provided always, 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, and for the Carriage of rough or hewn Timber, or other Articles which from Length or otherwise require Two or more Trucks or Waggons in the Stowage, 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.

XLI. The

Regulations as to the Tolls and maximum Charges.

XLI. The following Provisions and Regulations shall be applicable to the fixing of the Tolls and maximum Charges herein-before authorized to be taken; (that is to say,)

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 loading and unloading:

For a Fraction of a Mile beyond Four Miles, or beyond any greater Number of Miles, the Company may demand Tolls on Merchandise 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; and in respect of Passengers, every Fraction of a Mile beyond an integral Number of Miles shall be deemed a Mile:

For a Fraction of a Ton, the Company may demand Toll according to the Number of Quarters of a Ton in such Fractions; and if there be a Fraction of 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.

As to Agreements with Scottish Central Railway Company for working the Railway.

XLII. The Company and the *Scottish Central* Railway Company may from Time to Time enter into Agreements with respect to the following Purposes, or any of them; (that is to say,)

The Use and Working by the *Scottish Central* Railway Company of all or any Part of the Railway of the Company, and the Use of the Works and Conveniences belonging thereto:

The Conveyance by the *Scottish Central* Railway Company of the whole or any Part of the Traffic upon the Railway:

The Division and Apportionment of the Tolls, Charges, or Revenues accruing from such Traffic between the said Companies:

The Supply of any Rolling or Working Stock required for such Purposes:

The Use by the *Scottish Central* Railway Company of the Rolling or Working Stock belonging to the Company, or any Part thereof:

The Management, Maintenance, and Repair of the Railway:

The Costs and Expenses of such Working, Management, Maintenance, and Repairs:

The Forwarding, Interchange, and Transmission upon or over the respective Railways of the said Companies of any Passenger or other Traffic which may be conveyed upon and from the Railway to and along the *Scottish Central* Railway, or any Part thereof, or

or which may be conveyed upon and from the *Scottish Central* Railway to and along the Railway, or any Part thereof:

The Collection, Delivery, and general Conduct of such Traffic:

The fixing of the Tolls, Rates, and Charges to be levied or taken by the said Companies in respect of the Traffic conveyed over their Railways or any Part thereof respectively, not exceeding the maximum Tolls, Rates, and Charges authorized by the Acts of Parliament relating to such Railways respectively:

The Collection, taking, and levying of the said Tolls, Rates, and Charges:

The Division between the said Companies of the Receipts arising from the Traffic upon their respective Railways or any Part thereof respectively, subject to any Deductions to be made therefrom, or any Rent or other Consideration to be paid by either of the said Companies to the other of them by virtue of the said Agreements.

Duration of Agreement to be approved by Board of Trade.

XLIII. Any such Agreement shall not be for more than Ten Years, and no such Agreement shall have any Operation until the same shall have been approved of by the Board of Trade; and no such Agreement as aforesaid shall in any Manner alter, affect, increase, or diminish any of the Tolls, Rates, or Charges which the said Companies shall for the Time being be respectively authorized and entitled to demand and receive from any Person or any other Company, but all other Persons and Companies shall, notwithstanding any such Agreement, be entitled to the Use and Benefit of the Railways to which the said Agreement may relate upon the same Terms and Conditions, and on Payment of the same Tolls, Rates, and Charges, as they would have been in case no such Agreement had been entered into: Provided always, that the said Board shall not approve such Agreement without being satisfied that the same has been duly assented to by Three Fifths of the Votes of the Shareholders of the Companies Parties thereto present, personally or by Proxy, in Special Meeting assembled for that Purpose.

Appointment of joint Committee for carrying Agreement into effect.

XLIV. The said Companies may by any such Agreement appoint a joint Committee, composed of such Number of Directors of each of the said Companies as they may think proper, and from Time to Time may alter, vary, and renew any such Committee as Occasion may require, and may regulate the Proceedings of such Committee, and delegate to such Committee all such Powers of the said Companies respectively as may be necessary or expedient for carrying into effect such Agreement; and every such Committee may exercise the Powers so delegated to them in like Manner as the same might have been exercised by the said Companies respectively or their respective Directors.

Railways to be considered One during Agreement.

XLV. In case the Two Railways shall be worked under any such Agreement, then during the Continuance of such Agreement the Railways shall, for the Purpose of computing the Tolls and Charges for short Distances traversed upon both Railways, be deemed to be One continuous Railway, and in that Case the Tolls and Charges for Articles or Persons so conveyed over the said Railways for a less Distance than Six Miles shall be payable as for Six Miles, and during the Continuance of such Agreement the Tolls hereby authorized to be taken in respect of small Parcels shall be reckoned as though the Railway by this Act authorized formed Part of the *Scottish Central* Railway.

Agreement may be renewed with the Approval of the Board of Trade.

XLVI. At the Expiration of said Agreement the said Companies, with the Consent in Special Meeting of Three Fifths of the Votes of the Shareholders present, personally or by Proxy, of such Companies respectively, and subject to the Approval of the Board of Trade, may from Time to Time enter into further Agreements for all or any of the Purposes aforesaid: Provided, that before such Companies shall enter into any such further Agreement as aforesaid they shall give Notice of their Intention to enter into each new Agreement by Advertisement inserted once in each of Two successive Weeks in some Newspaper published or circulating in the County of *Perth*, and no such Agreement shall be valid at Law or in Equity until the same shall have been approved of by the Board of Trade.

Line not to be opened till Electric Telegraph is erected.

XLVII. It shall not be lawful for the Company to open their Line for Traffic until an Electric Telegraph has been erected along the whole Length of their Line.

Railway not exempt from Provisions of present and future General Acts.

XLVIII. 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 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 or 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.

XLIX. 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 nine hundred and thirty-seven Pounds Ten Shillings, being One Tenth Part of the Amount required to be subscribed by the Promoters of the Railway authorized by this Act, has been deposited in Bank 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

for this Act: Notwithstanding anything contained in the said recited Act, the said Sum of Three thousand nine hundred and thirty-seven Pounds Ten Shillings so deposited as aforesaid in respect of the Application for this Act, and the Interest of the said Sum of Three thousand nine hundred and thirty-seven Pounds Ten Shillings, 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 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 nine hundred and thirty-seven Pounds Ten Shillings 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 nine hundred and thirty-seven Pounds Ten Shillings shall have been executed by the said Company, with One or more Sureties (such Bond to be prepared to the Satisfaction of 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 nine hundred and thirty-seven Pounds Ten Shillings 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,

missioners, 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 Moneys 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.

L. 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.

LI. All the Costs, Charges, and Expenses of applying for, promoting, and obtaining this Act, and anywise incident thereto, shall be defrayed by the Company.

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