ANNO VICESIMO SEPTIMO & VICESIMO OCTAVO

VICTORIÆ REGINÆ.

Cap. lxxxi.

An Act to amalgamate the *Alva* Railway Company with the *Edinburgh and Glasgow* Railway Company. [23d *June* 1864.]

WHEREAS the *Edinburgh and Glasgow* Railway Company were incorporated by "The *Edinburgh and Glasgow* Railway Consolidation Act, 1852:" And whereas by "The *Edinburgh and Glasgow* and *Stirling and Dunfermline* Railways Act, 1858," the *Stirling and Dunfermline* Railway was transferred to and made Part of the Undertaking of the *Edinburgh and Glasgow* Railway Company: And whereas by "The *Alva* Railway Act, 1861," the *Alva* Railway Company were incorporated, and authorized to make a Railway commencing by a Junction with the *Stirling and Dunfermline* Railway at or near the West End of the *Cambus* Station thereof, and terminating at or near the South Side of the Town of *Alva*, and for that Purpose to raise, by the Creation and Issue of Shares, the Sum of Fifteen thousand Pounds, and to borrow on Mortgage the Sum of Five thousand Pounds: And whereas the paid-up Capital of the *Alva* Railway Company consists of Twelve hundred

15 & 16 Vict. c. cix.

21 & 22 Vict. c. lxiv.

24 & 25 Vict. c. cxcv.

and thirty-seven Shares of Ten Pounds each, amounting to Twelve thousand three hundred and seventy Pounds, and the Sums raised and received by the said Company for the Purposes of their Undertaking, including the Sum of Five thousand Pounds borrowed on Mortgage, and the Sum of Eighty-seven Pounds Ten Shillings paid on forfeited Shares held by the said Company, amount to Seventeen thousand four hundred and fifty-seven Pounds Ten Shillings: And whereas the *Alva* Railway Company have completed the Railway authorized by the last-recited Act, and the same was opened for public Traffic on the Third Day of *June* Eighteen hundred and sixty-three, and has since been worked by the *Edinburgh and Glasgow* Railway Company: And whereas it would be of public Advantage and Convenience if the *Alva* Railway Company were amalgamated with the *Edinburgh and Glasgow* Railway Company, and the said Companies are desirous and have agreed that the Undertaking of the *Alva* Railway Company should be transferred to and vested in the *Edinburgh and Glasgow* Railway Company on the Terms and Conditions hereinafter specified; but these Objects cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and 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 *Edinburgh and Glasgow* and *Alva* Railways Amalgamation Act, 1864."

Interpretation of Term.

2. In this Act the Expression "Time of Amalgamation" shall mean the Thirty-first Day of *July* Eighteen hundred and sixty-four.

Certain Provisions of 8 & 9 Vict. c. 17. and 26 & 27 Vict. c. 92. incorporated.

3. Subject to the Provisions of this Act, the Clauses and Provisions of "The Companies Clauses Consolidation (*Scotland*) Act 1845," with respect to the Distribution of the Capital of the Company into Shares, with respect to the Transfer or Transmission of Shares, with respect to the Remedies of Creditors of the Company against the Shareholders, with respect to the borrowing of Money by the Company on Mortgage or Bond, with respect to the Conversion of the borrowed Money into Capital, with respect to the Consolidation of the Shares into Stock, with respect to the General Meetings of the Company and the Exercise of the Right of voting by the Shareholders, and with respect to the Provision to be made for affording Access to the Special Act by all Parties interested, and Part Fifth of "The

"The Railways Clauses Act, 1863," are incorporated with this Act: Provided that each Proprietor of the ordinary Shares or Stock in the *Edinburgh and Glasgow* Railway Company by this Act authorized to be created and issued shall be entitled to the same Number of Votes in respect thereof which the Possession of an equal nominal Amount of the Capital authorized by the Acts relating to the said Company would have conferred upon him.

Alva Railway transferred to Edinburgh and Glasgow Company.

4. From and after the Thirty-first Day of *July* Eighteen hundred and sixty-four the *Alva* Railway Company shall be dissolved, and the Undertaking of the *Alva* Railway Company shall be and is hereby transferred to the *Edinburgh and Glasgow* Railway Company.

Shareholders of Alva Railway Company to be entitled to ordinary Shares or Stock in Edinburgh and Glasgow Company.

5. Every Person, Company, or Corporation who at the Time of Amalgamation shall be the Proprietor of One or more of the said Twelve hundred and thirty-seven Shares in the *Alva* Railway Company, on which the Sum of Ten Pounds has been paid up, shall for and in respect of each such Share receive and become the Proprietor of One ordinary Share of Ten Pounds or of ordinary Stock to the Amount of Ten Pounds in the *Edinburgh and Glasgow* Railway Company; and it shall be lawful for the *Edinburgh and Glasgow* Railway Company to create such Number of ordinary Shares or such Amount of ordinary Stock in their Undertaking as may be required for that Purpose: Provided, that in the event of any Debts being due by the *Alva* Railway Company at the Time of Amalgamation (except the Sum of Five thousand Pounds borrowed on Mortgage as aforesaid), the *Edinburgh and Glasgow* Railway Company shall be entitled to retain the said Shares or Stock, and to apply the Dividends that may accrue thereon in Payment of such Debts, or in Repayment of any Sums that may be disbursed by the *Edinburgh and Glasgow* Railway Company on account of such Debts, and as soon as such Debts have been so paid off, the said Company shall issue the said Shares or Stock to the Persons, Companies, or Corporations respectively entitled thereto under the Provisions of this Act.

Rights of Proprietors of Shares issued in lieu of Shares in Alva Company.

6. The ordinary Shares of Ten Pounds each, or the ordinary Stock in the *Edinburgh and Glasgow* Railway Company, which shall be issued by that Company to the Proprietors of Shares in the *Alva* Railway Company, shall be held to be fully paid up, and the Proprietors thereof shall after the Issue thereof be entitled to participate in all Dividends payable by the *Edinburgh and Glasgow* Railway Company

Company from Time to Time on their ordinary Shares or Stock, and shall and may exercise the same Rights and Privileges, and shall be subject to the same Liabilities and Obligations in all respects as are conferred or imposed upon and are competent to the other Proprietors of ordinary Shares or Stock in the *Edinburgh and Glasgow* Railway Company.

Certificates of Shares to be delivered to Proprietors.

7. After Payment of the Debts of the *Alva* Railway Company (except the said Sum of Five thousand Pounds borrowed on Mortgage) as herein-before provided, the *Edinburgh and Glasgow* Railway Company shall, on Demand of any Proprietor of Shares in the *Alva* Railway Company, and in exchange for the Certificate of Shares in that Company held by him, deliver to such Proprietor, free of Expense, a Certificate of the ordinary Shares or Stock in the *Edinburgh and Glasgow* Railway Company to which such Proprietor has become entitled under the Provisions of this Act.

No additional Share Capital of Alva Company to be raised, and Forfeiture of Shares on which Calls are unpaid.

8. It shall not be lawful for the *Alva* Railway Company or the *Edinburgh and Glasgow* Railway Company to create or issue any Part of the unissued Shares of the Capital authorized to be raised by "The *Alva* Railway Act, 1861;" and all Shares in the *Alva* Railway Company which may have been created and issued, but on which the Calls have not been fully paid up previous to the First Day of *December* Eighteen hundred and sixty-three shall be and are hereby declared to be forfeited and cancelled.

Power to Edinburgh and Glasgow Company to reborrow Money.

9. When and so often as the Sum of Five thousand Pounds borrowed on Mortgage as aforesaid by the *Alva* Railway Company, or any Part of such Sum, shall be paid off, it shall be lawful for the *Edinburgh and Glasgow* Railway Company to reborrow on Mortgage of their Undertaking any Sum or Sums not exceeding the Amount so paid off.

Saving Priority of existing Mortgages.

10. The Mortgages and Bonds granted by the *Edinburgh and Glasgow* Railway Company under the Authority of the recited Acts relating to the said Company, or any of them, shall during the Subsistence thereof have Priority over any Mortgage to be granted by the said Company under the Authority of this Act.

Debt may be funded.

11. The *Edinburgh and Glasgow* Railway Company may fund the whole or any Part of the said Sum of Five thousand Pounds authorized

rized to be raised on Mortgage as aforesaid under the Powers and Provisions, and with the Rights and Privileges, and subject to the Restrictions and Conditions which are contained in Sections Nineteen to Twenty-eight, both inclusive, of "The *Edinburgh and Glasgow* Railway Consolidation Act, 1852."

Tolls to be levied.

12. From and after the Time of Amalgamation the *Edinburgh and Glasgow* Railway Company may demand and recover for the Use of the *Alva* Railway, and the Conveyance thereon of Passengers, Animals, Goods, Articles, Matters, and Things, any Tolls and Charges not exceeding the Tolls and Charges authorized to be levied by the third-recited Act, with and under the Provisions and Regulations as to Tolls and Charges therein specified; and for and in respect of Passengers, Animals, Goods, Articles, Matters, and Things passing or conveyed on both the *Alva* Railway and the *Stirling and Dunfermline* Railway the said Company may demand and recover any Tolls and Charges not exceeding the Tolls and Charges authorized to be levied by the second-recited Act and the other Acts therein recited relating to the *Stirling and Dunfermline* Railway, with and under the Provisions and Regulations as to Tolls and Charges specified in the said Acts or any of them; and such Tolls and Charges for and in respect of Passengers, Animals, Goods, Articles, Matters, and Things passing or conveyed on both the said Railways shall be computed and imposed as if the said Railways formed One Line of Railway.

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

13. It shall not be lawful for the *Edinburgh and Glasgow* Railway Company, out of any Money by this Act or any other Acts relating to the said Company 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 in force for the Time being, 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 Railway, or execute any other Work or Undertaking.

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

14. Nothing herein contained shall be deemed or construed to exempt the Railways by the recited Acts authorized to be made from the Provisions of any General Act relating to Railways, now in force or which may hereafter pass during this or any future Session of Parliament, or from any future Revision and Alteration, under the

The Edinburgh and Glasgow and Alva Railways Amalgamation Act, 1864.

Authority of Parliament, of the maximum Rates of Fares or Charges authorized by the recited Acts or this Act.

Expenses of Act.

15. The Costs and Charges of applying for and obtaining this Act, and incidental thereto, shall be paid by the *Edinburgh and Glasgow* Railway Company.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1864.