ANNO DECIMO QUINTO

VICTORIÆ REGINÆ.

****

Cap. cix.

An Act to consolidate and amend certain of the Acts relating to the *Edinburgh and Glasgow* Railway, and to grant further Powers to the Company of Proprietors thereof.

[17th *June* 1852.]

WHEREAS an Act was passed in the First and Second Years of the Reign of Her present Majesty, intituled *An Act for* 1 & 2 Vict.
making a Railway from Edinburgh *to* Glasgow, *to be called* c. 58.
"*The* Edinburgh and Glasgow *Railway,*" *with a Branch to* Falkirk, whereby the *Edinburgh and Glasgow* Railway Company were incorporated, with Powers to make and maintain the Railway in that Act mentioned, and to raise by the Creation and Issue of Shares a Capital of Nine hundred thousand Pounds, and to borrow on Mortgage, or to raise by the Creation of additional Shares, the further Sum of Three hundred thousand Pounds: And whereas another Act was passed in the Third and Fourth Years of the Reign of Her said Majesty, intituled
An Act to amend the Act relating to the Edinburgh and Glasgow *Rail-* 3 & 4 Vict.
way: And whereas another Act was passed in the Second Session c. 108.
of the Fifth Year of the Reign of Her said Majesty, intituled *An Act* 5 & 6 Vict.
to amend the Acts relating to the Edinburgh and Glasgow *Railway,* c. 12.
and to grant further Powers to the Company of Proprietors thereof,

whereby the *Edinburgh and Glasgow* Railway Company were authorized to execute certain Works, and to raise by the Creation and Issue of Shares the further Sum of Two hundred and twenty-five thousand Pounds, and to borrow on Mortgage, or to raise by the Creation of additional Shares, the further Sum of Seventy-five thousand Pounds: And whereas another Act was passed in the Seventh and Eighth Years of the Reign of Her said Majesty, intituled *An Act to authorize an Extension of the* Edinburgh and Glasgow *Railway, and to amend and enlarge the Provisions of the Acts relating to such Railway*, whereby the *Edinburgh and Glasgow* Railway Company were empowered to extend the Line thereof from its Termination near the *Hay Market* to the *North Bridge* in the City of *Edinburgh*, and to acquire the Railway next herein-after mentioned, and were also authorized to raise by the Creation and Issue of Shares the further Sum of Two hundred and eighty-one thousand two hundred and fifty Pounds, and to borrow on Mortgage, or to raise by the Creation of additional Shares, the further Sum of Ninety-three thousand seven hundred and fifty Pounds, and in the event of their purchasing the said Railway a Sum equal to the Capital authorized to be raised for its Construction: And whereas another Act was passed in the Seventh and Eighth Years of the Reign of Her said Majesty, intituled *An Act for making a Railway to connect the* Edinburgh and Glasgow *and* Slamannan *Railways*, the Powers of which Act, including the Power of raising Capital to the Amount of Twelve thousand Pounds, are now vested in the *Edinburgh and Glasgow* Railway Company: And whereas another Act was passed in the Eighth and Ninth Years of the Reign of Her said Majesty, intituled *An Act to amend the Acts relating to the* Edinburgh and Glasgow *Railway, and to authorize the Formation of additional Branches*, whereby the *Edinburgh and Glasgow* Railway Company were authorized to raise by the Creation and Issue of Shares the further Sum of One hundred thousand Pounds, and to borrow on Mortgage, or to raise by the Creation of additional Shares, the further Sum of Thirty-three thousand Pounds: And whereas another Act was passed in the Eighth and Ninth Years of the Reign of Her said Majesty, intituled *An Act for making a Railway, to be called the* Glasgow Junction *Railway, with Branches*, whereby the *Edinburgh and Glasgow* Railway Company were authorized to construct the same, and to raise by the Creation and Issue of Shares the further Sum of One hundred and fifty thousand Pounds, and to borrow on Mortgage, or to raise by the Creation of additional Shares, the further Sum of Fifty thousand Pounds: And whereas another Act was passed in the Ninth Year of the Reign of Her said Majesty, intituled *An Act to enable the* Edinburgh and Glasgow *Railway Company to alter the Line of the* Glasgow Junction *Railway, and to form a Branch to* South Queensferry, whereby the *Edinburgh and Glasgow* Railway Company were authorized to raise, by the Creation and Issue of Shares, the further

7 & 8 Vict. c. 58.

7 & 8 Vict. c. 70.

8 & 9 Vict. c. 91.

8 & 9 Vict. c. 182.

9 & 10 Vict. c. 70.

further Sum of One hundred and fifty thousand Pounds, and to borrow on Mortgage, or to raise by the Creation of additional Shares, the further Sum of Fifty thousand Pounds: And whereas another Act was passed in the Ninth and Tenth Years of the Reign of Her said Majesty, intituled "The *Stirlingshire Midland Junction* Railway Act, 1846," under the Provisions of which the said Undertaking has become vested in the *Edinburgh and Glasgow* Railway Company, and the Capital of the said Company has been increased to the Extent of One hundred and fifty thousand Pounds (on which a guaranteed annual Dividend of Five Pounds Ten Shillings *per Centum per Annum* is payable), and by which Act the said Company were authorized to borrow on Mortgage, or to raise by the Creation of additional Shares, the further Sum of Fifty thousand Pounds: And whereas another Act was passed in the Ninth and Tenth Years of the Reign of Her said Majesty, intituled "The *Airdrie and Bathgate Junction* Railway Act, 1846," whereby the *Edinburgh and Glasgow* Railway Company were in certain Events authorized to acquire and construct the Railway therein described: And whereas an Act was passed in the Tenth and Eleventh Years of the Reign of Her said Majesty, intituled "The *Glasgow, Airdrie, and Monklands Junction* Railway (*Cowlairs Branch*) Act, 1847;" and another Act was passed in the Eleventh and Twelfth Years of the Reign of Her said Majesty, intituled "The *Edinburgh and Glasgow* Railway Amendment Act (No. 2.), 1848," by which Acts the *Edinburgh and Glasgow* Railway Company were in certain Events authorized to construct a Branch Line from their Railway at *Cowlairs* to the proposed Line of the *Glasgow, Airdrie, and Monklands Junction* Railway Company, and to make Agreements with and hold Shares in that Company, and were authorized to raise by the Creation of Shares or on Mortgage such Sum as should be necessary for the Construction of the said Branch, and a Sum of One hundred and eighty-three thousand and fifty Pounds for Payment of the Shares so authorized to be held by them: And whereas another Act was passed in the Eleventh and Twelfth Years of the Reign of Her said Majesty, intituled "The *Edinburgh and Glasgow* Railway Amendment and Branches Act (No. 1.), 1848," whereby the *Edinburgh and Glasgow* Railway Company were authorized to complete and maintain a Branch Railway from the *Slamannan Junction* Railway to *Blackbraes*, now called the *Blackbraes Branch*, and to execute certain other Works, and were authorized to raise by the Creation and Issue of Shares the further Sum of Two hundred and twenty thousand Pounds, and to borrow on Mortgage, or to raise by the Creation of Shares, the further Sum of Fifty-five thousand Pounds: And whereas another Act was passed in the Eleventh and Twelfth Years of the Reign of Her said Majesty, intituled "The *Edinburgh and Glasgow*, and *Edinburgh and Bathgate* Railway Companies' Amendment Act, 1848," whereby the *Edinburgh and Glasgow* Railway Company were authorized to hold Shares

9 & 10 Vict. c. 165.

9 & 10 Vict. c. 377.

10 & 11 Vict. c. 245.

11 & 12 Vict. c. 118.

11 & 12 Vict. c. 70.

11 & 12 Vict. c. 160.

Shares in the Capital Stock of the *Edinburgh and Bathgate* Railway Company, and to borrow on Mortgage, or to raise by the Creation and Issue of Shares, the further Sum of Seventy-seven thousand one hundred and seventy-five Pounds: And whereas another Act was passed in the Twelfth and Thirteenth Years of the Reign of Her said Majesty, intituled "The *Edinburgh and Glasgow* Railway (*Wilsontown, Morningside, and Coltness* Railway Transfer) Act, 1849," under the Provisions of which the *Wilsontown, Morningside, and Coltness* Railway, and all the Powers and Provisions of the following Acts, so far as in force, have been transferred to and are now vested in the *Edinburgh and Glasgow* Railway Company; *videlicet*, an Act passed in the Fourth and Fifth Years of the Reign of Her said Majesty, intituled *An Act for making a Railway, to be called "The* Wilsontown, Morningside and Coltness *Railway," in the Counties of* Lanark *and* Linlithgow; and Three Acts passed in the Ninth and Tenth Years of the Reign of Her said Majesty, intituled respectively *An Act to enable the* Wilsontown, Morningside, and Coltness *Railway Company to make a Branch to the* Caledonian *Railway; An Act to enable the* Wilsontown, Morningside, and Coltness *Railway Company to improve their Line, and to make Branch Railways to* Shotts *and* Climpy; and *An Act to enable the* Wilsontown, Morningside, and Coltness *Railway Company to make a Branch Railway to the Town of* Bathgate: And whereas by the said "*Edinburgh and Glasgow* Railway (*Wilsontown, Morningside, and Coltness* Railway Transfer) Act, 1849," the Capital of the *Edinburgh and Glasgow* Railway Company was increased to the Extent of Three hundred and five thousand Pounds, and the said Company were authorized to raise a Sum not exceeding that Amount for the Purpose of redeeming the guaranteed Shares thereby created (which Redemption has been made), and for the other Purposes of the said Act, and to borrow on Mortgage or Loan, or to raise by the Creation of additional Shares, the further Sum of One hundred and one thousand six hundred and sixty-six Pounds: And whereas another Act was passed in the Twelfth and Thirteenth Years of the Reign of Her said Majesty, intituled "The *Edinburgh and Glasgow* Railway and *Edinburgh and Glasgow Union* Canal Amalgamation Act, 1849," under the Provisions of which the *Edinburgh and Glasgow Union* Canal, and all the Powers, so far as in force, of the several Acts relating thereto recited in the said last-mentioned Act, and passed respectively in the Fifty-seventh and Fifty-ninth Years of the Reign of His Majesty King *George* the Third, the First and Second, Fourth, and Seventh Years of the Reign of His Majesty King *George* the Fourth, and the Fourth and Fifth, Sixth and Seventh, and Eighth and Ninth Years of the Reign of Her present Majesty, have been transferred to and are now vested in the *Edinburgh and Glasgow* Railway Company: And whereas by the said "*Edinburgh and Glasgow* Railway and *Edinburgh and Glasgow Union* Canal

12 & 13 Vict. c. 72.

4 & 5 Vict. c. 43.

9 & 10 Vict. c. 160.

9 & 10 Vict. c. 161.

9 & 10 Vict. c. 162.

12 & 13 Vict. c. 39.

Canal Amalgamation Act, 1849," the *Edinburgh and Glasgow* Railway Company were authorized to raise by the Creation and Issue of Stock of the said Company the further Sum of One hundred and fourteen thousand Pounds, and to borrow on Mortgage, or, in the Event therein mentioned, by the Creation of additional Stock, the further Sum of Ninety-five thousand Pounds: And whereas the total Amount of Capital specifically authorized to be raised under the Powers of the Acts herein-before recited is Three millions seven hundred and seventy thousand eight hundred and ninety-one Pounds, and the *Edinburgh and Glasgow* Railway Company have for the Purposes thereof raised by the Creation and Issue of ordinary Shares, now converted into consolidated Stock, the Sum of Two millions two hundred and twenty-three thousand three hundred and seventy-five Pounds, and by the Creation and Issue of preference or guaranteed Shares, under the Provisions of the said "*Stirlingshire Midland Junction* Railway Act 1846," the Sum of One hundred and fifty thousand Pounds, and have borrowed on Mortgage or Bond the Sum of Nine hundred and eighty-one thousand seven hundred and twenty Pounds, and have other outstanding Engagements, the Amount of which has not been fully ascertained: And whereas it is expedient that the Capital and borrowing Powers of the Company should be limited and defined, and that some of the Acts herein-before recited should be repealed, and that some of the Provisions thereof, so far as now applicable and in force, should be re-enacted and consolidated, and that "The Companies Clauses Consolidation (*Scotland*) Act, 1845," "The Lands Clauses Consolidation (*Scotland*) Act, 1845," and "The Railways Clauses Consolidation (*Scotland*) Act, 1845," should, except as otherwise provided by this Act, be made applicable to the whole Undertaking of the Company: And whereas it would be for the Advantage of the Public and of the Company if Power were given to them to extend the Feeder of the *Edinburgh and Glasgow Union* Canal at *Pumpherston* to *Muirhouston* Stream or Burn, and to take Water from the said Stream or Burn in place of from the River *Almond*, and also to lease out or dispose of the surplus Water of the said Canal, and of the Reservoirs and Feeders thereof: And whereas it would also be for the Advantage of the Public and of the Company if a Lease already granted by them of the said *Blackbraes Branch* were sanctioned, and Power were given to them from Time to Time to lease out the said Portion of their Undertaking; 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:

8 & 9 Vict. cc. 17. 19. & 33.

The Edinburgh and Glasgow Railway Consolidation Act, 1852.

Short Title.

I. This Act may be cited for all Purposes as "The *Edinburgh and Glasgow* Railway Consolidation Act, 1852."

Interpretation of Terms.

II. The Expression "the Company" in this Act shall denote the *Edinburgh and Glasgow* Railway Company as hereby incorporated; and the Expression "The *Edinburgh and Glasgow* Railway Company" shall denote the *Edinburgh and Glasgow* Railway Company as incorporated previous to the passing of this Act.

Certain of the recited Acts repealed.

III. All the Acts herein-before recited, except "The *Edinburgh and Glasgow* Railway and *Edinburgh and Glasgow Union* Canal Amalgamation Act, 1849," and the Acts relating to the *Edinburgh and Glasgow Union* Canal, therein recited, "The *Airdrie and Bathgate Junction* Railway Act, 1846," "The *Glasgow, Airdrie, and Monklands Junction* Railway (*Cowlairs Branch*) Act, 1847," "The *Edinburgh and Glasgow* Railway Amendment Act (No. 2.), 1848," and "The *Edinburgh and Glasgow* and *Edinburgh and Bathgate* Railway Companies Amendment Act, 1848," are hereby repealed.

Parts of certain other of the recited Acts repealed.

IV. "The *Airdrie and Bathgate Junction* Railway Act, 1846," "The *Glasgow, Airdrie, and Monklands Junction* Railway (*Cowlairs Branch*) Act, 1847," and "The *Edinburgh and Glasgow* Railway Amendment Act (No. 2.), 1848," are hereby repealed, in so far as they refer to or confer Powers or impose Obligations on the *Edinburgh and Glasgow* Railway Company, and "The *Edinburgh and Glasgow* and *Edinburgh and Bathgate* Railway Companies Amendment Act, 1848," is hereby repealed, in so far as it confers Power on the *Edinburgh and Glasgow* Railway Company to raise further Capital by the Creation of Shares or by Mortgage: Provided always, that nothing in this Act contained shall in any way prejudice or affect the Liability or Obligations of the *Edinburgh and Glasgow* Railway Company as Holders of Shares in their own Name or in the Names of other Parties in the *Glasgow, Airdrie, and Monklands Junction* Railway Company and the *Edinburgh and Bathgate* Railway Company, or either of them.

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

V. "The Companies Clauses Consolidation (*Scotland*) Act, 1845," "The Lands Clauses Consolidation (*Scotland*) Act, 1845," and "The Railways Clauses Consolidation (*Scotland*) Act, 1845," are hereby incorporated with this Act, and made applicable to the Undertaking herein-after described.

Re-incorporating the Shareholders of the Edinburgh

VI. The several Persons and Corporations who at the Time of the passing of this Act are Proprietors of or entitled to ordinary Consolidated Stock or Preference (*Stirlingshire Midland Junction* Railway) Shares in the *Edinburgh and Glasgow* Railway Company are hereby incorporated

incorporated into a Company, with perpetual Succession and other Privileges of a Body Corporate, under the Name and Style of "The *Edinburgh and Glasgow* Railway Company," called in this Act "the Company."

and Glasgow Railway Company.

VII. The said Proprietors shall pay to the Company any Arrears of Calls due by them in respect of the Shares or Stock held by them, with Interest thereon; and in default of Payment the Company may forfeit the said Shares or Stock, and sue the said Proprietors for Payment of such Arrears and Interest, in the same Way as if the Calls had been made in pursuance of this Act and of the Acts incorporated herewith.

Providing for Recovery of Arrears of Calls.

VIII. The Seal of the *Edinburgh and Glasgow* Railway Company shall be the Seal of the Company.

Seal of the Company.

IX. The Officers and Servants of the *Edinburgh and Glasgow* Railway Company shall be Officers and Servants of the Company, until removed, and shall be subject to the Provisions of this Act and of the Acts incorporated herewith, as regards both their by-past and future Intromissions; and all Bonds or Securities for such Intromissions granted to the *Edinburgh and Glasgow* Railway Company may be enforced by the Company to the same Extent and Effect that such Bonds or Securities might have been enforced by the *Edinburgh and Glasgow* Railway Company if this Act had not been passed.

Officers to continue.

X. The Byelaws, Rules, and Regulations enacted by the *Edinburgh and Glasgow* Railway Company, or which at the Time of the passing of this Act are in force, shall be deemed to be Byelaws, Rules, and Regulations of the Company, and shall, until altered, continue in force in respect to the several Railways and Canal therein specified, and the Traffic thereon, and the Officers and Servants thereby designated.

Byelaws to continue.

XI. The Capital of the Company shall be Two millions three hundred and seventy-three thousand three hundred and seventy-five Pounds, being the aggregate Amount of the Stock and Shares held by the several Persons and Corporations hereby incorporated.

Capital of the Company.

XII. The Certificates of such Stock and Shares granted by the *Edinburgh and Glasgow* Railway Company shall be deemed to be Certificates granted by the Company of the Stock or Shares held under this Act, and the Books, Registers, Accounts, and other Documents and Vouchers of the *Edinburgh and Glasgow* Railway Company, and the Minutes of the Proceedings of the said Company and the Directors thereof, shall be deemed to be the Books, Registers, Accounts, Documents,

Former Certificates to be sufficient.

ments, Vouchers, and Minutes of the Company, and shall receive Effect in the same Way and to the same Extent that they would have done in any Question or Proceeding to which the *Edinburgh and Glasgow* Railway Company were Parties if this Act had not been passed.

Dividend on Preference Shares.

XIII. Every Proprietor of Preference (*Stirlingshire Midland Junction* Railway) Shares shall receive out of the Profits of the Company, payable half-yearly on the Second Day of *February* and on the Second Day of *August* in every Year, a Dividend at the Rate of Five Pounds Ten Shillings *per Centum per Annum*.

Dividend to be preferable on the Profits of the Company.

XIV. The Dividend to the Proprietors of Preference (*Stirlingshire Midland Junction* Railway) Shares shall be preferable to the Dividend on the ordinary Stock or Shares of the Company, and on any guaranteed or preferential Shares to be created in virtue of this Act, but shall not have Priority over the Dividend to any other Shareholders who in virtue of any Act passed in the Ninth and Tenth Years of the Reign of Her present Majesty may be entitled to a preferable Dividend out of the said Profits, excepting to the Extent of the net Receipts from the Portion of the Company's Undertaking authorized to be made by "The *Stirlingshire Midland Junction* Railway Act, 1846," which shall be and remain primarily liable for the Payment of the said Dividend.

Preference Shares to be separately registered;

XV. The Preference (*Stirlingshire Midland Junction* Railway) Shares shall be kept by the Company as a separate Stock, and the Certificates thereof shall be separately numbered, and the Transfers thereof shall be recorded in a separate Register.

And to confer only a limited Interest in the Company.

XVI. The Proprietors of Preference (*Stirlingshire Midland Junction* Railway) Shares shall not participate in the Profits of the Company to any greater Extent than the fixed Dividend above mentioned, nor be liable for any of the Obligations of the Company, nor shall the Possession of such Shares qualify them or any of them to be Directors of the Company, or to act or vote at any General Meeting thereof; and it shall not be necessary for the Company or the Directors thereof to offer to them any Portion of any Capital which by this or any future Act they may be authorized to raise.

Saving Claim of Priority of Holders of Preference Shares.

XVII. Nothing in this Act contained shall repeal, affect, qualify, or prejudice any Right to Priority or Preference which would have been competent under "The *Stirlingshire Midland Junction* Railway Act, 1846," to the Holders or Proprietors of the Stock or Shares thereby created, if this Act had not been passed.

XVIII. All

Arrears of Dividends and Interest to be paid.

XVIII. All Dividends and Interest which had accrued or were accruing to the Proprietors of Stock or Shares in the *Edinburgh and Glasgow* Railway Company at the Time of the passing of this Act, and which shall not have been paid to them, shall be paid by the Company at the Dates and in the Way they would have been paid by the *Edinburgh and Glasgow* Railway Company if this Act had not been passed.

Borrowing Powers of the Company.

XIX. It shall be lawful for the Company to borrow on Mortgage or Bond any Sums not exceeding in the whole the Sum of One million one hundred and eleven thousand seven hundred Pounds; but the Sums which have been borrowed and which shall from Time to Time be outstanding under the Mortgages granted in virtue of the Acts herein recited, and hereby repealed, in whole or in part, or any of them, or in virtue of the Acts relating to the *Edinburgh and Glasgow Union* Canal, or of "The *Edinburgh and Glasgow Union* Canal Amalgamation Act, 1849," shall be deemed a Part of the said Sum of One million one hundred and eleven thousand seven hundred Pounds; and such Mortgages shall be binding on the Company, and shall be enforceable against them and against the Undertaking, or such Portions thereof as are thereby mortgaged, in the same Way and to the same Effect that they would have been enforceable against the *Edinburgh and Glasgow* Railway Company, and against the respective Subjects thereby mortgaged, if this Act had not been passed.

Company may fund their Debt and issue Certificates of Funded Debt.

XX. It shall be lawful for the Company from Time to Time, in lieu of continuing on Mortgage the said Sum of One million one hundred and eleven thousand seven hundred Pounds, to resolve at any Special General Meeting to fund the whole or such Part thereof as they think fit, and on any such Resolution being passed the Amount stated therein shall be called Funded Debt of the Company; and it shall be lawful for the Directors to issue to any Person or Corporation paying to them, on behalf of the Company, a Portion of the said Debt, a Certificate of such Person or Corporation being the Holder of Funded Debt of the Company to the Amount so paid.

Transfer of Funded Debt.

XXI. The several Holders of such Funded Debt may thenceforth transfer their respective Interests therein, or any Parts of such Interests, in the same Manner, and subject to the same Regulations and Provisions, as or according to which any Stock or Shares in the Capital of the Company may be transferred under the Provisions of this Act and the Acts incorporated herewith; and the Company shall cause an Entry to be made in some Book, to be kept for that Purpose, of every such Transfer, and for every such Entry they may demand any Sum not exceeding Two Shillings and Sixpence.

Register of Holders of Funded Debt.

XXII. The Company shall from Time to Time cause the Names of the several Parties who may be interested in such Funded Debt as aforesaid, with the Amount of the Interest therein possessed by them respectively, to be entered in a Book to be kept for the Purpose, and to be called the "Register of Holders of Funded Debt;" and such Book shall be accessible at all reasonable Times to the several Holders of such Debt, or of Mortgages on the Undertaking.

Application of Sums received on account of Funded Debt.

XXIII. The Sums which may from Time to Time be received by the Company from Parties agreeing to take any Portion of the said Funded Debt shall be applied by the Directors exclusively in paying off the Mortgages in lieu of which such Funded Debt has been created, and until so applied shall be deposited by them in a separate Account to be called "*Edinburgh and Glasgow* Railway (Funded Debt) Account," to be opened by them in One of the Banks in *Scotland* incorporated by Act of Parliament or Royal Charter.

Annuity payable in respect of Funded Debt.

XXIV. The several Holders of the Funded Debt of the Company shall not be entitled, except in the Event after mentioned, to Repayment of the Capital thereof, but shall receive an Annuity thereon at the Rate of Four Pounds Sterling *per Centum per Annum*, payable half-yearly on the Second Day of *February* and the Second Day of *August* in every Year.

Holders of Funded Debt to be Creditors and Mortgagees.

XXV. The several Holders of such Funded Debt shall be Creditors of the Company for the Payment of the said Annuity, and, in the Event after mentioned, for the Repayment of the Portion of the Principal of the said Debt held by them respectively, and shall also be deemed to hold by virtue of this Act a Mortgage over the whole Undertaking of the Company, for Payment of the said Annuity, and for Payment, in the Event herein-after mentioned, of the Portion of the Principal of the said Debt held by them respectively, which Mortgage shall have the same Order of Priority as other Mortgages issued in pursuance of this Act.

Payment of Arrears may be enforced by the Appointment of a Judicial Factor.

XXVI. The Holders of all Mortgages on the Undertaking, including the Holders of the Funded Debt of the Company, may enforce Payment of the respective Sums which may from Time to Time become due to them by the Appointment of a Judicial Factor; but in order to authorize the Appointment of such Judicial Factor the Application shall be made by the Holders of Mortgages the Principal Sums due in respect of which amount to the Sum of One hundred thousand Pounds, or by the Holders of Mortgages or of Funded Debt the Interest or Annuities due in respect of which to the Amount of Five thousand Pounds have for more than One Month been in arrear.

XXVII. In

Holders of Funded Debt may require Repayment of Principal, if Annuity not regularly paid.

XXVII. In the Event of the Appointment of a Judicial Factor to enforce Payment of the said Debts, and of the said Appointment not being recalled within Six Months thereafter, it shall be lawful for any of the Holders of the Funded Debt of the Company, by a Minute lodged in the Process in which the said Appointment was made, to intimate their Option to require Payment of the Portion of the Principal Sum of the said Funded Debt held by them, and such Principal Sum shall thereupon become payable on the Second Day of *February* or Second Day of *August* which shall next occur; and after the said Date the Annuities payable to the Holders who have intimated such Option shall cease, and in lieu thereof the said Principal Sum shall, until paid, bear Interest at the Rate of Five Pounds *per Centum per Annum*.

Funded Debt may be re-issued at a reduced Rate of Annuity.

XXVIII. In the Event of any Portion of the Principal of the Funded Debt of the Company being paid under the Provision herein-before contained, the Directors may re-issue Certificates for such Portion to any other Person or Corporation paying to them, on behalf of the Company, the Amount so paid.

Company may raise Money by the Issue of Preference Shares in lieu of borrowing.

XXIX. If in pursuance of the Provisions of "The Companies Clauses Consolidation (*Scotland*) Act, 1845," the Company, instead of borrowing or continuing on Loan the Sums hereby authorized to be borrowed, shall resolve in lieu thereof to raise the same or Part thereof by creating new Shares, it shall be lawful for them to confer on such Shares a guaranteed and preferential Dividend out of the Profits of the Company, at such Rate, not exceeding Four Pounds *per Centum per Annum*, payable at such Terms and with such Privileges and Advantages as shall be fixed by any Special General Meeting of the Company.

Former Grants of Preference not to be affected.

XXX. No such Guarantee, Preference, Privilege, or Advantage shall prejudice or affect any Preference or Priority in the Payment of Interest or Dividend on any other Shares or Stock which shall have been granted by the *Edinburgh and Glasgow* Railway Company in pursuance of or which may have been confirmed by any previous Act of Parliament, or which may otherwise be lawfully subsisting.

Quorum of General Meetings.

XXXI. The Quorum for every General Meeting of the Company shall be Twenty Shareholders holding in the aggregate not less than Ten thousand Pounds in the Capital Stock of the Company.

Half-yearly Meetings.

XXXII. The Half-yearly General Meetings of the Company shall be held in the Month of *February* or *March* and of *August* or *September* respectively.

Number and Qualification of Directors.

XXXIII. The Number of Directors shall be Fourteen, and the Qualification of a Director shall be the Possession in his own Right of Two thousand Pounds in the Capital Stock of the Company.

XXXIV. The

Number of Directors may be reduced.

XXXIV. The Company may from Time to Time reduce the Number of Directors, provided that the reduced Number be not less than Five.

Directors of old to continue Directors of new Company.

XXXV. The Persons who at the Time of the passing of this Act are Directors of the *Edinburgh and Glasgow* Railway Company shall be the First Directors of the Company, and shall retire from Office by Rotation, as nearly as may be in the Proportions and in the Manner prescribed by "The Companies Clauses Consolidation (*Scotland*) Act, 1845," (those longest in Office without having been re-elected retiring first,) and such retiring by Rotation shall commence at the First Ordinary Meeting of the Company to be held in the Year One thousand eight hundred and fifty-three, and at such Meeting, and at all subsequent Meetings of the Company held in the Month of *February* or *March*, the Shareholders of the Company shall elect Directors in the Place of those then retiring.

Books to be balanced half-yearly.

XXXVI. The Books of the Company shall be balanced as at the Thirty-first Day of *January* and the Thirty-first Day of *July* in each Year.

Vesting the Property of the old in the new Company.

XXXVII. The whole Railways, Works, Lands, Tenements, Railway Plant, Stock in Trade, Shares in Railway Companies, Mortgages over Turnpike or other Roads, Goods, Debts, Monies, and other Property and Effects whatsoever, Heritable and Moveable, Real and Personal, belonging or owing to or held by the *Edinburgh and Glasgow* Railway Company, subject to the existing Debts, Liabilities, Engagements, Contracts, Obligations, and Incumbrances affecting the same, are hereby vested in and may be lawfully held, used, exercised, enforced, and enjoyed by the Company.

Contracts and Agreements of the old Company may be enforced by and against the new Company.

XXXVIII. The Company may enforce in their own Name against any Person or Corporation, and any Person or Corporation may enforce against the Company, to the same Extent and Effect as might have been enforced by or against the *Edinburgh and Glasgow* Railway Company if this Act had not been passed,

All Acts of Parliament, and Provisions of Acts, other than those hereby specially repealed, conferring any Right on the *Edinburgh and Glasgow* Railway Company, or any of the Companies incorporated with or represented by them, or on such Person or Corporation, or their Predecessors;

All Notices for taking Land or other Notices given or preliminary Steps of Procedure taken by the *Edinburgh and Glasgow* Railway Company, or by any of the Companies incorporated with or represented by them, or by such Person or Corporation, or their Predecessors, in pursuance of any of the said recited Acts;

All Claims for Compensation or Damages, or for Penalties, Monies, Costs, or Expenses, payable or recoverable by or from the *Edinburgh*

burgh and Glasgow Railway Company, under any of the said recited Acts, or in consequence of any Act, Deed, Matter, or Thing done or omitted to be done by such Person or Corporation, or their Predecessors, or by the *Edinburgh and Glasgow* Railway Company, or any of the Companies incorporated with or represented by them;

All Contracts or Agreements for the Sale or Purchase of Land, and other Contracts or Agreements whatever, entered into or adopted by the *Edinburgh and Glasgow* Railway Company, or any of the Companies incorporated with or represented by them, and such Person or Corporation, or their Predecessors;

All Grants, Conveyances, Leases, Discharges, or other Deeds or Writings granted to the *Edinburgh and Glasgow* Railway Company, or any of the Companies incorporated with or represented by them, by such Person or Corporation, or their Predecessors, or to such Person or Corporation, or their Predecessors, by the *Edinburgh and Glasgow* Railway Company, or any of the said Companies, or to which any of the said Parties have acquired Right;

All Rights, Privileges, Liberties, Exemptions, Decrees, or Causes of Action possessed or enjoyed or claimed by the *Edinburgh and Glasgow* Railway Company in their own Right, or in Right of any of the Companies incorporated with or represented by them, or by such Person or Corporation, or their Predecessors, under any of the said recited Acts, or in consequence of any Act, Deed, Matter, or Thing done or omitted to be done by such Person or Corporation, or their Predecessors, or by the *Edinburgh and Glasgow* Railway Company, or any of the Companies incorporated with or represented by them, as aforesaid.

Certain Provisions of repealed Acts to be enforceable as Agreements.

XXXIX. The Company may enforce against the several Persons or Corporations whose Names are contained or who are otherwise designated in the Schedule (A.) to this Act annexed, and their Heirs or Representatives, and the said Persons and Corporations, and their Heirs or Representatives, may enforce against the Company, the Provisions in the recited Acts which are in the said Schedule referred to, in the same Way and as fully and to the same Effect as if the said Provisions had formed Part of Agreements respectively entered into between the Company and them, which Agreements had been authorized and sanctioned by Statute.

Actions not to abate.

XL. All Actions, Suits, and Proceedings at Law or in Equity, and all Arbitrations, to which the *Edinburgh and Glasgow* Railway Company, at the Time of the passing of this Act, have been or are Parties, are hereby specially saved and reserved entire, and shall not be prejudiced or affected by anything in this Act contained, and may be proceeded in by or against the Company, without the Necessity

of intimating such Action, Suit, Proceeding, or Arbitration to the Company, or making them formally Parties thereto.

Act not to revive Claims which have lapsed.

XLI. Nothing herein or in the Acts incorporated herewith contained shall revive, in favour of or against the Company, any Claim or Cause of Action which at the Date of the passing of this Act had lapsed, or been waived or discharged, or confer any new Claim, or Cause of Action, Right, Privilege, Liberty, or Exemption, which did not exist previously to the passing of this Act, in favour of or against the *Edinburgh and Glasgow* Railway Company.

Company enabled to act as Trustees on certain Roads, and defining their Powers and Privileges.

XLII. In respect of the Sums advanced or to be advanced by the *Edinburgh and Glasgow* Railway Company to the Trustees on the Turnpike Roads mentioned in the Schedule (B.) to this Act annexed, in pursuance of the Provisions of the Acts hereby repealed, referred to in the Schedule (A.) to this Act annexed, the Company, so long as they shall be Creditors for any Part of the said Sums or Interest thereon, shall, as regards the Road or District of Roads on which the same may be secured, be entitled to the following Powers and Privileges:

They shall be entitled, by their Chairman, Deputy Chairman, or One of their Directors specially appointed for that Purpose, to attend all Meetings of the Trustees on such Road or District of Roads, and to vote as a Trustee in the Management thereof:

In the Case of the Four first Road Trusts mentioned in the said Schedule, they shall farther be entitled, by their Chairman, Deputy Chairman, or One of their Directors as aforesaid, to exercise a Veto on any Resolution occasioning an extraordinary Expenditure or Diminution of the annual Revenue of such Road or District of Roads:

In the Case of the Trust for the *Cumbernauld and Kirkintilloch* Turnpike Road, they shall farther be entitled, by their Chairman, Deputy Chairman, or One of their Directors as aforesaid, to exercise a Veto on the Erection by the Trustees of any Gate or Side Bar subjecting the Traffic coming to or from the *Edinburgh and Glasgow* Railway or any of the Branches thereof to the Payment of any new or additional Toll:

But wherever the said Veto shall be exercised (except with reference to the Erection of any such Gate or Side Bar) it shall be subject to Appeal by the Trustees as follows; *viz.* in the Case of the Three Road Trusts first mentioned in the said Schedule, to the Commissioners on Highland Roads; and in the Case of the Road Trust fourth mentioned in the said Schedule, to the Solicitor General for *Scotland* for the Time being, or, failing the said Commissioners or Solicitor General, to some other Body or Person to be mutually agreed on between them and the Company.

XLIII. The

Powers of certain Acts vested in the Company.

XLIII. The Rights, Privileges, Powers, and Authorities vested in the *Edinburgh and Glasgow* Railway Company by "The *Edinburgh and Glasgow* Railway and *Edinburgh and Glasgow Union* Canal Amalgamation Act, 1849," and by the "*Edinburgh and Glasgow* and *Edinburgh and Bathgate* Railway Companies Amendment Act, 1849," are hereby transferred to and vested in, and may be lawfully held, used, exercised, enforced, and enjoyed by the Company.

Undertaking of the Company described.

XLIV. The Undertaking of the Company shall consist of the Maintenance of the following Railways, Canal, and Works; *viz.*

The Main Line of the *Edinburgh and Glasgow* Railway from *Queen Street* in *Glasgow* to the *North Bridge* in *Edinburgh*:

The Branch from the said Main Line near *Garngibber* to *Lennoxtown* of *Campsie*, with the subsidiary Branch to the *Monkland and Kirkintilloch* Railway near *Middle Muir Cottage*:

The Branch from the said Main Line near *Garngibber* to the *Monkland and Kirkintilloch* Railway near *Claddens*:

The Branch from the said Main Line near *Myrehead* to the *Slamannan* Railway at *Causewayend Basin*, called the *Slamannan Junction* Railway, with the subsidiary Branch therefrom to *Blackbraes*:

The Main Line of the Railway leading from near *Whitburn* to the *Wishaw and Coltness* Railway near *Crowfoot*, called the *Wilsontown, Morningside, and Coltness* Railway:

The Branch from the Main Line of the last-mentioned Railway near *Lingoremoss* to *Shotts*:

The Branch from the said Main Line near *Whitburn* to *Bathgate*:

The *Edinburgh and Glasgow Union* Canal, with the Reservoirs, Aqueducts, Feeders, and whole Works thereof:

And shall also include the Formation or Completion and Maintenance of the Branch from the Main Line of the *Edinburgh and Glasgow* Railway near *Polmont* to the *Scottish Central* Railway near *Larbert*, authorized by "The *Stirlingshire Midland Junction* Railway Act, 1846," agreeably to the Plans and Sections of the said Branch referred to in the said Act.

Power to stop up certain Roads or Streets.

XLV. As authorized by "The *Edinburgh and Glasgow* Railway Amendment and Branches Act, No. 1., 1848," the Company may permanently stop up and appropriate the Soil or Sites of the intended Roads or Streets numbered respectively on the Plan referred to in the said Act, to the Extent shown upon the said Plan, as follows; *videlicet*,

The intended Roads or Streets numbered $\frac{48}{2}$, $\frac{48}{4}$, and 53 of the Parish of *Barony* of *Glasgow*:

The intended Road or Street numbered $\frac{47}{2}$ of the Parish of *St. David's* of *Glasgow*.

XLVI. The

Period for Completion of Works.

XLVI. The Powers by this Act granted for the Formation and Completion of the last-mentioned Branch shall cease upon the Sixteenth Day of *July* One thousand eight hundred and fifty-three, except as to so much thereof as shall then be completed.

Land for extraordinary Purposes.

XLVII. The Quantity of Land to be taken by the Company for extraordinary Purposes, beyond the Lands hereby transferred to and vested in them, shall not exceed Fifty Acres.

Period for disposing of superfluous Lands.

XLVIII. The Period within which the Company shall sell and dispose of superfluous Lands shall be Seven Years after the passing of this Act.

Period for compulsory Purchase of Lands limited.

XLIX. The Company shall not be entitled to use or exercise the compulsory Powers for taking Lands conferred by "The Lands Clauses Consolidation (*Scotland*) Act, 1845," with respect to any Portion of the Undertaking herein-before mentioned, except in such Cases, and with respect to such Lands, and during such Periods only, as the *Edinburgh and Glasgow* Railway Company would have been entitled to use the compulsory Powers of taking Lands conferred on them by the said recited Acts or any of them if this Act had not been passed.

Provision as to Grahamston Road.

L. And whereas Complaints have been made as to the Fitness and Convenience of the Bridge erected for carrying the *Grahamston* Road near *Falkirk* over the *Stirlingshire Midland Junction* Railway, and of the Approaches thereto: It shall be lawful for the Sheriff Depute of the County of *Stirling*, and he is hereby required, on the Application of the Provost and Magistrates of *Falkirk*, at any Time within Three Months after the passing of this Act, to appoint an Arbitrator, who shall, within Three Months after his Appointment, determine whether any, and if any, what Alterations should be made of the Site or Construction of the said Bridge or of the Approaches thereto; and the Company shall be bound, within Six Months after such Determination of the Arbitrator, whose Determination shall be final, to make any Alterations thereon, or to erect any new Bridge, and for that Purpose, if necessary, to remove the Foot Passenger Bridge in the ancient Line of Road, or to execute any farther Works connected with the existing Bridge which the said Arbitrator may direct, and which shall be within the Powers by this Act and the Acts incorporated herewith conferred on them; and in the event of the Company failing to execute the Works so directed, within the Period above mentioned, it shall be lawful for the said Sheriff Depute to cause the same to be executed at their Expense.

LI. And

Compensation to be paid to Cleugh Road Trustees.

LI. And whereas the Branch from the Main Line of the *Wilsontown, Morningside, and Coltness* Railway, near *Whitburn*, to *Bathgate*, hereby vested in and declared a Part of the Undertaking of the Company, crosses and is nearly parallel to One of the Turnpike Roads under the Management of the Trustees appointed by an Act passed in the First and Second Years of the Reign of Her present Majesty, Chapter Seventy-three, commonly called the *Cleugh* Road Trustees: And whereas the Opposition of the said Trustees to the Bill for authorizing the Construction of the said Branch was withdrawn on the Understanding that the Sum of Seven hundred Pounds should be paid to the said Trustees as Compensation for the Damage and Loss of Revenue to be occasioned by the said Branch: The Company are hereby required, within One Month after the passing of this Act, to pay to the said Trustees the said Sum of Seven hundred Pounds; and upon such Payment being so made the Suit now pending with respect to the said Matter at the Instance of the said Trustees against the *Edinburgh and Glasgow* Railway Company and others, and all Claims connected therewith, shall be extinguished and discharged.

Power to remove Dam at Pumpherston, and to extend Feeder of Edinburgh and Glasgow Union Canal.

LII. The Company may, with the Approbation of a General or Special General Meeting, remove or discontinue the Use of the Dam or Weir across the River *Almond* near *Pumpherston* in the Parish of *Midcalder* in the County of *Midlothian*, and the Gauge or Sluice situated therein, and may also remove or discontinue the Use of the Portion of the Feeder leading from the said Dam or Weir to the *Edinburgh and Glasgow Union* Canal near *Clifton Hall* in the Parish of *Kirkliston* in the County of *Midlothian*, which is stated as intended to be removed or discontinued on the Plan of the Works authorized by this Act deposited with the Sheriff Clerk of the County of *Midlothian* on or before the Thirtieth Day of *November* last, and to sell and dispose of the Land in or upon which the said Dam or Weir and Portion of Feeder are situated, so far as the same belongs to the Company.

Compensation to be made to Messrs. Cadell, in discharge of certain Suits pending.

LIII. And whereas certain Suits are now pending between the Company and *James John Cadell* Esquire, and Messrs. *William Cadell*, Sons, and Company, with respect to the Supply of Water to Mills and Manufactories belonging to them: Be it enacted, That, before removing or discontinuing the Use of the said Dam or Weir, and Gauge or Sluice, the Company shall pay to *William Cadell*, for behoof of the said *James John Cadell* and *William Cadell*, Sons, and Company, the Sum of One thousand Pounds, in consideration of a Discharge by him, and the said *William Cadell*, Sons, and Company, of all such Suits, and of all Claims of Compensation, at the Instance

of the said Parties or any of them, arising from their having constructed Works on the River *Almond*, in reliance on the Continuance of the present Mode of Supply to the said Canal, and from the Discontinuance of the said Supply.

On Removal of Dam, Power to take Water from the River Almond to cease.

LIV. Upon the Removal or Discontinuance of the said Dam or Weir, and Gauge or Sluice, the Company shall cease to be entitled to take Water from the River *Almond*, under the Provisions of the said Act passed in the Fifty-seventh Year of the Reign of His Majesty King *George* the Third, intituled *An Act for making and maintaining a navigable Canal from the* Lothian *Road near the City of* Edinburgh *to join the* Forth and Clyde *Navigation near* Falkirk *in the County of* Stirling, and the Provisions of the said Act relating to the said Dam or Weir and Gauge shall thereupon be and are hereby repealed.

Power to form a new Dam on Muirhouston Stream, and to take Water therefrom.

LV. The Company may, with the Approbation of a General or Special General Meeting, make and maintain a new Dam or Weir across the Stream or Burn called *Muirhouston*, near its Junction with *Linhouse Water* in the Parish of *Midcalder* in the County of *Midlothian*, with all proper Works and Conveniences connected therewith, and may take Water therefrom; and for that Purpose may extend the Feeder herein-before mentioned to the said new Dam or Weir in the Line and upon the Lands delineated on the said Plan, and described in the Book of Reference thereto, and may enter upon, take, and use such of the said Lands as shall be necessary for that Purpose.

Company to erect a Gauge at new Dam.

LVI. Before taking any Water from the new Dam or Weir by this Act authorized to be made, the Company shall erect thereon a Gauge or Sluice in such Position, on such Level, and of such Plan, Nature, Construction, and Dimensions, as shall be determined by an Engineer or Engineers appointed in the Manner directed by the Provisions of the last-mentioned Act, with reference to the Erection of a Gauge or Sluice upon any Dam or Weir across the River *Almond*.

How Dimension of Gauge to be fixed.

LVII. The Engineer or Engineers so appointed, or an Umpire to be named by them, in pursuance of the Provisions of the last-mentioned Act, shall (within the respective Periods thereby fixed) determine the Dimensions of the said Gauge or Sluice, with reference to the Quantity of Water which the Company are bound to send through the Gauge or Sluice already erected on *Muirhouston* Stream or Burn at *Torphin*, and the Quantity of Water which during the Months of *May*, *June*, *July*, *August*, *September*, and *October* flows out of Tributaries or from Drainage into the Portion of the said Stream or Burn between *Torphin*

Torphin and the Gauge or Sluice to be erected at the new Dam or Weir by this Act authorized to be made.

Provisions of former Act imposing Penalties for altering Gauge, &c. applied to new Dam.

LVIII. The Provisions of the last-mentioned Act, in so far as they define what shall be considered as Flood Water, and in so far as they impose a Penalty on the Company for stopping or preventing Water from flowing over any Gauge or Sluice erected by them, and for altering such Gauge or Sluice, are hereby made applicable to the Dam or Weir, and Gauge or Sluice, on the *Muirhouston* Stream or Burn, by this Act authorized.

Power to the Company to give Supplies of Water from the Canal;

LIX. Subject to the Provisions and Restrictions in this Act contained, the Company may lay down Pipes through the Banks of the *Edinburgh and Glasgow Union* Canal, or the Reservoirs or Feeders thereof, for the Purpose of taking for their own Use, or of giving to the Owners or Occupiers of any Houses, Manufactories, or other Works on or near the same, a Supply of Water therefrom, but no such Supply shall be taken or given so as to interfere with the Supply of Water required for the Purposes of the Navigation, or with the Supply which the Company are bound to allow to pass through the Gauges or Sluices placed on any Dam or Weir erected in pursuance of the Provisions of the said recited Acts relating to the *Edinburgh and Glasgow Union* Canal; and it shall be in the Power of the Company at all Times, without giving Notice to such Owners or Occupiers, or being liable to them in Damages, to stop the said Supply, in case of apprehended Scarcity of Water, for the Purposes of the Navigation, or in case of Repairs requiring to be made, or of any other reasonable Cause.

and to charge Rates for the same.

LX. Subject also to the Provisions and Restrictions in this Act contained, the Company may charge such Owners or Occupiers a reasonable Sum by way of annual Payment, or a fixed Sum by way of Compensation, for the Supply of Water respectively given to them, and may also make Stipulations or enact Rules and Regulations as to the Return of the Water or any Part thereof to the Canal, the Purity of the Water so returned, the Disjunction of the Company's Pipes from the private Pipes belonging to or used by such Owners or Occupiers, on the Expiry of the Period for which Permission to take the Water has been given, or in case of Nonpayment of the annual Rates exigible for the same, or of the Breach of any of the Rules and Regulations regarding the Supply, and other such Matters, and to impose suitable Penalties not exceeding Five Pounds for each Offence, and Five Pounds for every Day during which the Infringement of such Rules and Regulations shall continue after Notice given to the Person guilty thereof.

LXI. And

Defining and regulating joint Interests of the Company and of the Edinburgh Water Company in Water sold.

LXI. And whereas by the recited Act passed in the Fifty-seventh Year of the Reign of His Majesty King *George* the Third it was enacted, that the *Edinburgh and Glasgow Union* Canal Company should permit and suffer Pipes or other Conduits to be laid or placed in the Banks or Sides of the Canal at the East End thereof, and the surplus or waste Water of the Canal, when it should exceed the Depth of Five Feet, to be conveyed through such Pipes or Conduits to and for the Use of the City of *Edinburgh*: And whereas the Right to the said surplus or waste Water was, by an Act passed in the Fifty-ninth Year of the said Reign, intituled *An Act for more effectually supplying the City of* Edinburgh *and Places adjacent with Water*, vested in the *Edinburgh* Joint Stock Water Company, now called the *Edinburgh* Water Company, who have constructed a Weir at the East End of the said Canal, and have laid a Pipe thereto of Twelve Inches Diameter: And whereas Disputes have arisen as to the Meaning of the Provision above recited, and regarding the Meaning of an Agreement entered into between the Promoters of the said Act passed in the Fifty-seventh Year of the Reign of His said Majesty and the Magistrates of *Edinburgh*, having reference thereto: And whereas it is expedient that the Arrangement between the Parties should be altered: Be it enacted, That the said Provision shall be and is hereby repealed; and in lieu thereof, and of the Provisions in the said Agreement, be it enacted as follows:

1. The *Edinburgh* Water Company may retain and use, by themselves or their Assigns, the said Weir and Pipe at the East End of the Canal, and shall have full Right to the whole Water flowing over the said Weir, and free Access to the Company's Property at all convenient Times, for the Purpose of inspecting, repairing, and renewing the same, and the Works connected therewith:
2. The *Edinburgh* Water Company shall be jointly and equally interested with the Company in all Water supplied at a Price or Rent by the Company, under the Powers of this Act, for Use or Consumption, to the East of *Buncle*'s or No. 3. Drawbridge, near *Edinburgh*; and, unless otherwise provided by Agreement, the Company shall account for and pay to the *Edinburgh* Water Company the Moiety of any Monies received in respect of such Supply, under Deduction only of the proportionate Expense of collecting the same, such accounting and Payment to be made yearly:
3. The Company shall not supply any Water for the Purposes of other Railways or to other Railway Companies within Five Miles of the City of *Edinburgh*, except with the Consent in Writing of the said *Edinburgh* Water Company, and for Rents, Rates, or Sums to be fixed by the *Edinburgh* Water Company; but in all other Cases the Rents, Rates, or Sums payable for Water supplied under this Act for Use or Consumption, to the East

of

of the Bridge above mentioned, shall be fixed by Agreement between the Companies, or, in case of Difference of Opinion, by Arbitration:

4. No Water for domestic Purposes shall be sold or given gratuitously, or be allowed to be taken by the Company, within the Parish of *Saint Cuthbert*'s, or within the City of *Edinburgh*, or Towns of *Portobello* or *Leith*:

5. The Company shall not be bound to account or pay for any Water taken from the said Canal for the Purposes of their present Railway Undertaking.

Power to lease the Blackbraes Branch.

LXII. The Company may from Time to Time, in conformity with the Provisions of "The Railways Clauses Consolidation (*Scotland*) Act 1845," lease out the *Blackbraes Branch* of their Undertaking, herein-before mentioned, with all proper Works and Conveniences therewith connected, to such Person or Persons, and for such Period, not exceeding Nineteen Years, and on such Terms and Conditions, as shall be approved of by a General or Special General Meeting of the Company, but so as not to discharge the Company from any Liabilities imposed on them by the said "Railways Clauses Consolidation (*Scotland*) Act, 1845," except as between themselves and the said Lessees; and the Lease of the said Branch already granted by the *Edinburgh and Glasgow* Railway Company to Messieurs *James Russel* senior and *James Russel* junior, carrying on Business as Coalmasters under the Firm of *James Russel* and Son, in so far as the same is in conformity with the Provisions of the said "Railways Clauses Consolidation (*Scotland*) Act, 1845," and of this Act, and has been approved of by a General or Special General Meeting of the Shareholders of the said Company, shall be binding on the Company hereby incorporated.

Tolls for the Use of the Railways.

LXIII. The Company may demand any Tolls for the Use of the Railways belonging to them, not exceeding the following; (that is to say,)

Tonnage on Articles, &c.

1. In respect of the Tonnage of all Articles, Matters, and Things conveyed upon the Railway or any Part thereof, as follows:

For all Dung, Compost, and all Sorts of Manure, and all undressed Materials for the Repair of public Roads or Highways, *per* Ton *per* Mile One Penny; and if conveyed by Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile of One Penny:

For all Coal, Coke, Culm, Charcoal, Lime and Limestone, Cinders, Stones for building, pitching, and paving, Bricks, Tiles, Slates, Clay, Sand, Ironstone, Iron Ore, and Pig Iron, in so far as conveyed upon the Portion of the Undertaking called the *Wilsontown, Morningside, and Coltness* Railway, and the Branches therefrom

therefrom to *Shotts* and *Bathgate*, *per* Ton *per* Mile One Penny; and in so far as conveyed upon other Portions of the Undertaking, *per* Ton *per* Mile One Penny Halfpenny; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile of One Penny:

For all Bar Iron, Rod Iron, Hoop Iron, and all other Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandise, in so far as conveyed upon the Portion of the Undertaking called the *Wilsontown, Morningside, and Coltness* Railway, and the Branches therefrom to *Shotts* and *Bathgate*, *per* Ton *per* Mile One Penny; and in so far as conveyed upon other Portions of the Undertaking, *per* Ton *per* Mile Twopence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile of 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 Threepence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile of 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 Fourpence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile of 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, *per* Mile 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 of Sixpence.

Tolls on Passengers.

2. In respect of Passengers and Animals conveyed in Carriages upon the Railway or any Part thereof, as follows:

For any Person conveyed in or upon any such Carriage, *per* Mile Twopence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum of Twopence:

For every Horse, Mule, Ass, or other Beast of Draught or Burden conveyed in or upon any such Carriage, *per* Mile Fourpence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile of Twopence:

For every Ox, Cow, Bull, or Neat Cattle conveyed in or upon any such Carriage, *per* Mile Twopence; and if conveyed in or upon

upon any Carriage belonging to the Company, an additional Sum *per* Mile of One Penny:

For every Calf or Pig, Sheep, Lamb, or other small Animal conveyed in or upon any such Carriage, *per* Mile One Penny; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum of One Halfpenny.

Charge for propelling Power.

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

Limiting Charges for Conveyance of Passengers.

LXV. 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 Railways belonging to them 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, unless in the Case of Passengers travelling by Special Trains.

Passengers' Luggage.

LXVI. Every Passenger travelling upon the said Railways 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.

Limiting Charges for Conveyance of Goods.

LXVII. 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 Railways belonging to them or any Part thereof, 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, and all other Articles, Matters, and Things hereinbefore classed therewith, *per* Ton *per* Mile Twopence:

For Coals, and all other Articles, Matters, and Things hereinbefore classed therewith, in so far as conveyed upon the Portion of the Undertaking called the *Wilsontown, Morningside, and Coltness* Railway, or the Branches therefrom to *Shotts* and *Bathgate*, if carried for a less Distance than One Mile,

Mile, *per* Ton Twopence Halfpenny; if carried One Mile and less than Eight Miles, *per* Ton *per* Mile Twopence Halfpenny; and if carried Eight Miles or upwards, *per* Ton *per* Mile Twopence; and in so far as conveyed upon other Portions of the Undertaking, *per* Ton *per* Mile Twopence Halfpenny:

For Bar Iron, and all other Articles, Matters, and Things herein-before classed therewith, in so far as conveyed upon the said *Wilsontown, Morningside, and Coltness* Railway, or the Branches therefrom to *Shotts* and *Bathgate*, if carried for a less Distance than One Mile, *per* Ton Twopence Halfpenny; if carried One Mile and less than Eight Miles, *per* Ton *per* Mile Twopence Halfpenny; and if carried Eight Miles or upwards, *per* Ton *per* Mile Twopence; and in so far as conveyed upon other Portions of the Undertaking, *per* Ton *per* Mile Twopence Halfpenny:

For Sugar, and all other Articles, Matters, and Things herein-before classed therewith, *per* Ton *per* Mile Threepence:

For Cotton, and all other Articles, Matters, and Things herein-before classed therewith, *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 Threepence:

For every Calf or Pig, Sheep, Lamb, or other small Animal, *per* Mile One Penny Halfpenny.

Foregoing Restrictions not to apply to Charges by Special Trains, or where fixed by Agreement.

LXVIII. The Restrictions herein-before contained, as to the Charges to be made for Passengers, Animals, Goods, Minerals, or other Articles, shall not extend to any Special Train, nor prevent the Company from taking increased Charges for the Conveyance of such Animals, Goods, Minerals, or Articles; by Agreement with the Owners or Persons in Charge thereof, either in respect of their Conveyance by Passenger Trains, or by reason of any other special Service performed by the Company in relation thereto.

Regulations as to Tolls.

LXIX. 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 Coal, and Bar Iron, and the other Articles, Matters, and Things herein-before classed therewith, conveyed exclusively upon the Portion of the Undertaking called the *Wilsontown, Morningside, and Coltness* Railway, and the Branches therefrom to *Shotts* and *Bathgate*,

Bathgate, for a less Distance than One Mile, the Company may demand as for One Mile; and, with that Exception, for all Articles, Matters, or Things, and for Passengers or Animals conveyed upon any Portion of the Railways belonging to the Company for a less Distance than Six Miles, the Company may demand as for Six entire Miles:

For a Fraction of a Mile beyond One Mile on the Portion of the Undertaking called the *Wilsontown, Morningside, and Coltness* Railway, and the Branches therefrom to *Shotts* and *Bathgate*, and beyond Six Miles on any other Portion of the Railways belonging to the Company, or beyond any greater Number of Miles than One Mile or Six Miles respectively, the Company may demand Tolls and Charges on all Articles, Matters, and Things for such Fraction in proportion to the Number of Quarters of a Mile, and if there be a Fraction of a Quarter of a Mile such Fraction may be deemed a Quarter of a Mile; and in respect of Passengers or Animals, every Fraction of a Mile beyond an integral Number of Miles may 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 Fraction, and if there be a Fraction of a Quarter of a Ton such Fraction may 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:

In addition to the said Tolls and maximum Charges, the Company may (except in regard to Coals or Bar Iron, and the other Articles, Matters, and Things herein-before classed therewith, conveyed exclusively upon the said *Wilsontown, Morningside, and Coltness* Railway, or the Branches therefrom to *Shotts* and *Bathgate*,) charge a reasonable Sum for the Trouble occasioned by loading and unloading, when performed by the Company, or for the Use of any Inclined Planes worked by stationary Power, or other special Services or Accommodations.

Tolls for small Parcels and Articles of great Weight.

And with respect to small Packages, and single Articles of great Weight, the Company may lawfully demand the Tolls following; (that is to say,)

For the Carriage of small Parcels not exceeding Fourteen Pounds in Weight, One Shilling, whatever the Distance:

For every Parcel exceeding Fourteen Pounds, but not exceeding Twenty-eight Pounds in Weight, Two Shillings, whatever the Distance:

For every Parcel exceeding Twenty-eight Pounds but not exceeding Fifty-six Pounds in Weight, Three Shillings, whatever the Distance:

For Parcels exceeding Fifty-six Pounds, and not exceeding One Hundredweight, Four Shillings; and the Company may demand any Sum not exceeding Ninepence for every Hundredweight beyond One Hundredweight up to Five Hundredweight: 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, 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.

Engines, Waggons, &c. to be provided by the Company.

LXX. The Company shall, when required in Writing, provide within a reasonable Time such sufficient Number of Locomotive Engines, Waggons, and Trucks, or Locomotive Engines alone, as may be required to convey upon the Portion of the Undertaking called the *Wilsontown, Morningside, and Coltness* Railway, and the Branches therefrom to *Shotts* and *Bathgate*, the Coals and Bar Iron, and the Articles, Matters, and Things herein-before classed therewith; and in the event of any Dispute as to the Length of previous Notice which it may be reasonable to give to the Company on behalf of any Party requiring such Locomotive Engines, Waggons, or Trucks, or the Sufficiency thereof for the Conveyance of such Traffic, the same shall be settled in the Manner provided by "The Railways Clauses Consolidation (*Scotland*) Act, 1845," with respect to the Settlement of Disputes by Arbitration: Provided always, that the Company shall not be bound to provide a Locomotive Engine and Waggons or Trucks for any Load less than Forty Tons.

Wilsontown, Morningside, and Coltness Railway and Stations may be used by all Companies, &c.

LXXI. All Companies and Persons shall be entitled to use the Portion of the Undertaking called the *Wilsontown, Morningside, and Coltness* Railway, and the Branches therefrom to *Shotts* and *Bathgate*, with their or his own Engines and Waggons, upon Payment only of the Toll for the Use of the Line herein-before limited, such Engines and Waggons being always properly constructed; and in case of Difference

Difference between the Company and the Owner of such Engines or Waggons on the Subject of the Construction or State of Repair thereof, the same shall be settled by Arbitration in the Manner provided by "The Railways Clauses Consolidation (*Scotland*) Act, 1845," with respect to the Settlement of Disputes by Arbitration; and the Company, besides giving the Use of the said Railway and Branches in respect of the Toll before mentioned, shall give the Use of the Stations, Sidings, Tanks, and Watering Places connected therewith, and shall afford every Accommodation to Engines and Waggons belonging to other Companies or Persons, which they shall for the Time afford to their own Engines and Waggons while in Use on the Line; and in the event of any Dispute as to such Use of Stations, Sidings, Tanks, and Watering Places, or such Accommodation, the same shall be settled by Arbitration in manner aforesaid.

Disputes to be settled by Arbitration.

LXXII. The Company shall from Time to Time, when required in Writing by the Magistrates of the City of *Edinburgh*, or their Clerk, or by the Commissioners of Police for the said City, or their Inspector, provide, within Twenty-four Hours thereafter, at the *Haymarket* Station on the Railway, a sufficient Number of Trucks to receive any Quantity of Dung or Manure belonging to the said Magistrates or Commissioners of Police, not being less than Twenty-five Tons, which shall be specified in the said Notice, and shall convey such Dung to any other Station on the Railway, not being less than Three Miles distant, or to any Station beyond the said Distance on a Railway directly communicating therewith, and leased or worked by them, on the Payment of One Penny Halfpenny *per* Ton *per* Mile for Distances under Six Miles, and of One Penny *per* Ton *per* Mile for Distances of Six Miles or upwards, provided the said Magistrates or Commissioners of Police shall provide Persons to perform the Duty of loading and unloading the said Trucks, and shall, in case the said Trucks are detained at either Station for a longer Period than Twenty-four Hours, pay Demurrage at the Rate of Sixpence *per* Truck for each Day or Part of a Day thereafter.

Company to convey Manure belonging to Police from Edinburgh in large Quantities at lower Rates.

LXXIII. It shall not be lawful for the Company, out of any Money by this Act or any other Act relating to the Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay any 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 contained shall be deemed to prevent the 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.

Interest not to be paid on Calls paid up.

LXXIV. It

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

LXXIV. It shall not be lawful for the Company, out of any Money by this Act or any other Acts relating to the 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 Company to construct any Railway or execute any other Work or Undertaking.

Railways and Company 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. c. 57., and 14 & 15 Vict. c. 64.

LXXV. Nothing in this Act contained shall be held to exempt the said Railways or the Company from the Provisions of the several Acts herein-after mentioned respectively; (that is to say,) an Act passed in the First and Second Years of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railways;* another Act passed in the Third and Fourth Years of the Reign of Her said Majesty, intituled *An Act for regulating Railways;* another Act passed in the Fifth and Sixth Years of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops;* another Act passed in the Seventh and Eighth Years of the Reign of Her said 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;* another Act passed in the Ninth and Tenth Years of the Reign of Her said Majesty, intituled *An Act for regulating the Gauge of Railways;* and another Act 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;* but such Provisions shall be in force in respect to the said Railways and the Company, so far as the same shall be applicable thereto, and not otherwise specially provided for by this Act.

Railways not exempt from Provisions of future General Acts.

LXXVI. Nothing in this Act contained shall be deemed or construed to exempt the Railways by this or the said recited Acts authorized to be made from the Provisions of any General Act relating to such Acts, or of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during this or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act or by the said recited Acts.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

Name.	Title of Provision.
Act 1 & 2 Vict. Cap. 58.	
Sir James G. Baird. Dr. Neill. Trustees of the Costorphine District of Roads. Governors of Heriot's Hospital. John Romanes. The Trustees of the late William Dumbreck. Mrs. Carnegie. Trustees of the Calder District of Roads, in the County of Edinburgh. James Walker. William R. Watson, and his Curators. Alexander Berwick. Earl of Hopetoun. Edinburgh and Glasgow Union Canal Company. William Blair. Captain Charles Grant. Kirk Session of Linlithgow. William Wilkie. William Johnstone. John Davidson. Lord Dundas. Thomas Learmonth, or Major Ross. Russell and Aitken. William Forbes. Burgh Feuars of Falkirk. Thomas Heugh. Mrs. M. Balderston. William Scott. Robert Balloch. Thomas Aitken. Andrew Crawford. William and Ebenezer Rennie. James Boyd. Mrs. Thomas Fleming, Hugh Fleming, John Rae, Mrs. James Wardrop, or John Wardrop, Second Burgher Congregation of Falkirk, Hugh M'Donald Presses. Thomas Duncan. William Wilson. Lord Elphinstone.	Company empowered to deviate from Plan to an Extent not exceeding One hundred Yards.

The Edinburgh and Glasgow Railway Consolidation Act, 1852.

Name.	Title of Provision.
John Shanks More, and William Ellis.	Company empowered to deviate from Plan to an extent not exceeding One hundred Yards—*continued.*
Archibald Stirling.	
Directors of the Magdalen Asylum, Glasgow.	
William Stewart Stirling Crawford.	
Trustees of new Parliamentary Turnpike Road, Glasgow.	
William Findlay and Brothers, and George Richmond, William Carswell, and Alexander Drysdale, Trustees of the late James Shepherd.	
William Logan White - - -	For the Protection of the Lands of Kellerstane.
James Maitland Hog - - -	No Deposit of Earth, &c. to be made on the Property of James Maitland Hog, Esquire.
	Line of Railway not to be carried nearer to Newliston House than is shown on Plan.
	Embankments on Property of James Maitland Hog, Esquire, to be planted.
Earl of Hopetoun - - -	No Land to be taken from Lord Hopetoun except for the Line, &c., and no Depôts or Buildings, &c. except as stated.
	No Materials to be taken from the Hopetoun Estate adjoining the Line, or Bricks, &c. burnt, except South or East of Broomhouse.
	No Spoil, except at Two Places inclosed and planted.
	How to form the Cuttings and Bankings and Fences.
	Not to deviate at Craigton or Niddry; and to inclose as the Proprietor may desire. To make temporary Fences.
	As to Stone, Lime, and Minerals on Hopetoun Estate.
	Bridges on Hopetoun Estate.
Earl of Zetland - - - -	No Depôt on Lands of Lord Dundas.
	As to temporary Fences on the Lands of Lord Dundas.
	Stone Fences to be made on Lord Dundas's Property.
	Bridges on the Lands of Lord Dundas.
	As to Stone, Lime, and Minerals on the Estate of Lord Dundas.
	As to growing Wood on the Estate of Lord Dundas.
Thomas Campbell Hagart - -	For Protection of the Mansion House of Bantaskine.
Heirs of Patrick Bell - - -	For ascertaining the Damage that may arise in tunneling through Bell's Hill.
William Forbes - - -	How Railway is to be carried through the Estate of Callendar.
John Shanks More and William Ellis -	For Protection of the Estate of Netherwood.
	As to Construction of the Railway through the Estate of Netherwood.
Company of Proprietors of the Forth and Clyde Navigation.	For Protection of Forth and Clyde Navigation in making Tunnel under the same.

The Edinburgh and Glasgow Railway Consolidation Act, 1852.

Name.	Title of Provision.
Company of Proprietors of the Forth and Clyde Navigation—*continued.*	Not to take Lands or interfere with Works of the Forth and Clyde Canal Company without Consent.
	Saving Rights of the Forth and Clyde Canal Company.
Edinburgh and Glasgow Union Canal Company.	No Part of Estate of Glenfuir to be taken for Depôts, Stations, &c.
Monkland and Kirkintilloch Railway Company, now incorporated with the Monkland Railways Company.	Company to erect a Bridge over the Monkland and Kirkintilloch Railway.
	Not to take Lands or interfere with Works of Monkland and Kirkintilloch Railway Company without Consent.
	Saving the Rights of the Monkland and Kirkintilloch Railway Company.
The Trustees on the Turnpike Road from Almond Bridge to Bailliestone.	Providing Compensation to the Trustees of the Bathgate and Airdrie Road.
The Trustees on the Corstorphine Division of the Midlothian Turnpike Roads.	Providing Compensation to the Trustees of the Corstorphine Road.
Trustees on the Turnpike Road from Linlithgow Bridge to Stirling, &c.	Providing Compensation to the Trustees of Stirlingshire Roads.
The Three Sets of Trustees last mentioned.	Money paid by the Company to be a Charge on the said Roads.
	Company to vote as a Trustee at Meetings of Trustees of said Roads, and to exercise a Veto in certain Cases.
The Trustees on the Linlithgow Turnpike Road.	Providing Compensation to Trustees of the Linlithgow Road.
The Trustees under "An Act for making certain Roads in the Counties of Lanark, Stirling, and Dumbarton."	Providing Compensation to the Trustees of the Cumbernaned and Kirkintilloch Roads.
The Two Sets of Trustees last mentioned -	Money paid by the Company to be charged on the several Roads.
	Company to vote as Trustee at the Meetings of Trustees of said Roads.
The Burgh of Linlithgow - -	Saving Rights of Magistrates of Linlithgow.

Act 4 & 5 Vict. Cap. 43.

The Owners of Lands on the Wilsontown, Morningside, and Coltness Railway.	Company not to be entitled to Minerals.
	Mines lying near the Railway not to be worked if the Company willing to purchase them.
	If Company unwilling to purchase, Owner may work the Mines.
	Power to the Company to enter and inspect the working of Mines.
	If Mines improperly worked, Supports to be made.
	Mining Communications.

Act 7 & 8 Vict. Cap. 58.

The Magistrates of Edinburgh - -	Walls and Banks to be erected along the open Portion of the extended Railway.
	Limiting Extent of Land to be taken between the Great and Little Mound.

The Edinburgh and Glasgow Railway Consolidation Act, 1852.

Name.	Title of Provision.
The Magistrates of Edinburgh—*continued.*	Restricting the Erection of Buildings fronting the Little Mound.
	Restricting Erection of other Buildings.
	Company to plant the Western Slope of the Little Mound.
	Restrictions in the Use of Fuel for Locomotive Engines.
	Providing against Diminution of the Market Dues.
	Guarantee of Revenue of the Markets after a Lapse of Fifteen Years.
The Trustees of the Royal Institution, Edinburgh.	Providing against Injury to the Royal Institution.
The Edinburgh Water Company - - -	For protecting the Pipes of the Edinburgh Water Company.
	If the Company shall open or take down the Archway through which the Main Pipe of the Water Company shall pass, they shall rebuild same.
	To relay Main Pipe to the Satisfaction of the Engineer of the Water Company.
	Operations to be executed at the sole Expense of Railway Company.
The Edinburgh, Leith, and Newhaven Railway Company, now incorporated with the Edinburgh, Perth, and Dundee Railway Company.	Recital that certain Lands belonging to the Edinburgh, Leith, and Newhaven Railway Company are required for the Purposes of this Act. Power to take such Lands.
	Edinburgh and Glasgow Company to relieve the Edinburgh, Leith, and Newhaven Company of their Obligations, &c.
	Edinburgh and Glasgow Company to construct a Road Eastward from the Little Mound.
	Edinburgh and Glasgow Company to provide a Road to the Edinburgh, Leith, and Newhaven Station, if South Canal Street occupied by them.
	If Line of Little Mound altered, interjected Ground to belong to Edinburgh, Leith, and Newhaven Railway Company.
	Station Ground to be provided to Edinburgh, Leith, and Newhaven Railway Company, in lieu of Ground given up by them.
	Empowering Company to shut up Streets.
	An Archway to be constructed under the Little Mound for connecting the Railways.
	Edinburgh, Leith, and Newhaven Company may form a Connexion with the Edinburgh and Glasgow Line under the Road from the Little Mound.
	Facilities to be afforded for Traffic between the Railway and the Edinburgh, Leith, and Newhaven Line, and no Charge to be made on Traffic between the last-mentioned Line and the North British Line.

The Edinburgh and Glasgow Railway Consolidation Act, 1852.

Name.	Title of Provision.
The Edinburgh, Leith, and Newhaven Railway Company, now incorporated with the Edinburgh, Perth, and Dundee Railway Company—*continued.*	Arbitrators to determine Compensation. Arbitrators. Vacancy of Arbitrator. Power of Arbitrators to call for Books, &c. Additional Space for the Edinburgh, Leith, and Newhaven Railway Company may be acquired, at their Expense.

Act 7 & 8 Vict. Cap. 70.

The Slamannan Railway Company, now incorporated with the Monkland Railways Company.	For Protection of the Slamannan Railway. How Communication with the Edinburgh and Glasgow and Slamannan Railways to be made.

Act 8 & 9 Vict. Cap. 91.

The Monkland and Kirkintilloch Railway Company, now incorporated with the Monkland Railways Company.	Company to erect a Bridge over the Monkland and Kirkintilloch Railway. Not to take Lands or interfere with Works of the Monkland and Kirkintilloch Railway Company, without Consent. Saving Rights of the Monkland and Kirkintilloch Railway Company.
The Company of Proprietors of the Forth and Clyde Navigation.	For Protection of the Luggie Aqueduct. Railway Company liable for all Damages. If the Railway Company fail to repair the Aqueduct, &c., the Canal Company to do it, and recover over. Railway Company responsible for Loss occasioned by Interruption to Navigation through Accidents arising from making of the Branch. Rights of Canal Company reserved.
The West Stirlingshire Turnpike Road Trust.	Company to contribute towards Payment of the Debt due on the West Stirlingshire Turnpike Road. Proviso for Application of Money, and Power of Company in relation thereto. Trustees of Roads may enter into Contracts with the Company.
The Trustees of the Cumbernauld and Kirkintilloch Turnpike Road.	Company to contribute towards a Part of the Debt owing on the Kirkintilloch and Cumbernauld Road. Proviso as to Application of Money, and Power of Company in relation thereto. Trustees of Roads may enter into Contracts with the Company.

Act 9 & 10 Vict. Cap. 165.

The Company of Proprietors of the Forth and Clyde Navigation.	Company to erect a Bridge over the Forth and Clyde Canal to the Satisfaction of their Engineer. Passage of Trains over the Bridge to be regulated. Keeper of Bridge appointed, and Expense of working the same to be defrayed by Railway Company.

Name.	Title of Provision.
ACT 11 & 12 VICT. CAP. 70.	
The Owners of Land and Minerals on the Blackbraes Branch.	Connexion between the Depôt on the Edinburgh and Glasgow Union Canal and the Railway to continue.

SCHEDULE (B.)

	£	s.	d.
1. The Trustees on the Turnpike Road from Almond Bridge to Baillieston	17,500	0	0
2. The Trustees on the Corstorphine Division of the Midlothian Turnpike Roads	800	0	0
3. The Trustees on the Turnpike Road from Linlithgow Bridge to Stirling	2,500	0	0
4. The Trustees on the Cumbernauld and Kirkintilloch Turnpike Road	2,000	0	0
5. The Trustees under "An Act for making certain Roads in the Counties of Lanark, Stirling, and Dumbarton"	2,500	0	0
6. The West Stirlingshire Turnpike Road Trustees	4,500	0	0

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