ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

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Cap. ccliii.

An Act to authorize the Joint Committee for managing the General Railway Station at *Perth* to lease or feu Part of the Ground within the Station Limits for an Hotel, or to erect an Hotel thereon; to enable the Companies interested in the said Station, or the Majority of them, to contribute to the Hotel; and for other Purposes.

[5th *July* 1865.]

WHEREAS the General Passenger Station at *Perth* is the common Property of the *Scottish Central* Railway Company, the *Scottish North-eastern* Railway Company, the *North British* Railway Company (as coming in place of the *Edinburgh, Perth, and Dundee* Railway Company now amalgamated therewith), and the *Inverness and Perth Junction* Railway Company, and the Limits of the said Station are defined by Section 61. of "The *Scottish Central* Railway Consolidation Act, 1859," (herein called the General Station Act,) and by the Plan in that Section referred to: And whereas the Rights of the *Scottish Central* Railway Company (herein called the *Central* Company), the *Scottish North-eastern* Railway Company (herein called the *Scottish North-eastern* Company), and the *Edinburgh, Perth, and Dundee* Railway Company (herein called the *Edin-* 22 & 23 Vict. c. lxxxiii.

burgh Company) in the said Station were defined by the General Station Act, and by Two Agreements, one bearing Date the Sixth and Seventh Days of *September* One thousand eight hundred and sixty, and made between the *Central* Company and the *Scottish North-eastern* Company, relative to the Use by the *Scottish North-eastern* Company of the Portion of the *Scottish Central* Railway between the General Station and the Terminus at *Perth* of the *Scottish North-eastern* Railway, and the Payments to be made in respect thereof, and the other of the said Agreements bearing Date the Sixth, Seventh, and Nineteenth Days of *September* One thousand eight hundred and sixty, and made between the *Central* Company, the *Scottish North-eastern* Company, and the *Edinburgh* Company, relative to the Completion and Use of the said General Station, and the improved Accesses thereto, and the Management and Maintenance thereof, and the Payments to be made to the *Central* Company in respect thereof, which Agreements were confirmed by Section 33. of "The *Scottish North-eastern* Railway Amendment Act, 1862," and under Section 34. of that Act an annual Sum of One hundred and fifty Pounds, which under the said Agreement was payable by the *Scottish North-eastern* Company to the *Central* Company for the Use in all Time coming by the *Scottish North-eastern* Company of that Portion of the *Central* Railway, and of the Sidings belonging thereto, which are situate between the said General Station and the Terminus of the *Scottish North-eastern* Railway at *Glasgow Road Bridge*, was extinguished upon Payment by the *Scottish North-eastern* Company to the *Central* Company of the gross Sum of Three thousand Pounds: And whereas under the General Station Act the Management of the said Station (except the Main Line of the *Scottish Central* Railway through the same) was vested in a Joint Committee of Six Persons appointed, Two by each of the said Three Companies, in the Manner provided by Section 81. of the said Act: And whereas by "The *Inverness and Perth Junction* Railway Act, 1861," the *Inverness and Perth Junction* Railway Company (herein called the *Inverness* Company) was incorporated, and by Section 58. of that Act, after reciting to the Effect that the said Three Companies interested in the said Station had agreed to admit the said *Inverness* Company into the Joint Use and Management thereof, it was enacted to the Effect,—

First. That the *Inverness* Company should, along with the said Three Companies, have the Use of and be jointly interested as Owners in the Portion of the said General Station appropriated to Passengers, and coloured Red on the Plan therein referred to, for all their Passenger, Mail, and Coaching Traffic as therein defined, and in such Use the Four Companies should be entitled to the like Accommodation corresponding to their Traffic without Preference or Priority:

Second. That the *Inverness* Company should not be entitled to use or be interested as Owners in the Portion of the General Station appropriated to Goods, and coloured Yellow on the said Plan:

Third.

Third. That the *Inverness* Company, from the opening of their Railway and Use of the said Station, should pay to the Joint Committee, for the Benefit of the said Three Companies, the annual Sum therein mentioned in the Proportions following, *viz.*, to the *Central* Company Two Fifths, the *Scottish North-eastern* Company Two Fifths, and the *Edinburgh* Company One Fifth:

Fourth. That as soon as the *Inverness* Company became entitled to the Use of the said Station they should be entitled to take Part in the Management, and to appoint Two Directors of the said Company to be Members of the said Joint Committee, and to have the same Powers as the Members appointed by the other Companies, and the Number of the said Committee was thereupon to be increased to Eight:

Fifth. That the Payment of the yearly Rent therein-before made payable should be full Compensation for the Use of the Passenger Portion of the said Station and the Accesses thereto, but in case thereafter any Addition to or Alteration of the said Station should be found expedient for the common Benefit of all the Companies having the Privilege or Use thereof, and should actually be executed, then the *Inverness* Company should, in the Form of an increased yearly Rent or Capital Sum, bear a suitable Proportion of the Costs of such additional Works along with the other Companies:

Sixth. That in addition to the yearly Rent for the Use of the said Passenger Station the *Inverness* Company should pay a Portion of the Expenses of the Maintenance of the said Station, including therein the Cost of Maintenance of the *Scottish Central* Railway passing through the same, and of the improved Accesses provided for in the General Station Act, so far as not otherwise specially provided for by that Act, and attending the general Management, Regulation, and Control of the said Station as provided for by the General Station Act, along with the said Three other Companies, as the same might be apportioned between the Four Companies in Terms of the 83rd Section of the said Act and of that Act, and in proportion to the Use made of the said General Station by the said Four Companies respectively: Provided that any Sums received from other Companies for the Use of the Passenger Portion of the said Station should be applied in reduction of such Costs and Expenses as aforesaid, the *Inverness* Company always contributing a rateable Proportion of whatever Outlay shall have been incurred for the special Accommodation of such Railway Company:

And whereas the Joint Committee now consists of Eight Members:

And whereas under Section 81. of the General Station Act the Joint Committee have the exclusive Power of Maintenance, Management, Regulation, and Control of the said General Station, and of the

improved Accesses thereto, so far as not otherwise provided by that Act, the Appropriation of any Lands or Buildings within the Limits thereof, the Alteration and Appropriation of any existing Works within the said Limits, excepting the Main Line of Railway of the *Central* Company, the Construction and Appropriation of any additional Works or Buildings which may from Time to Time be found necessary in the said General Station, the Disposal of any Lands held for the Purposes of the said General Station and Accesses which may from Time to Time be found superfluous, and the Appointment and Removal of all Officers and Servants at the said Station, and the making and altering Bye-laws for the Regulation thereof: And whereas the said General Station at *Perth* is situate at a considerable Distance from the principal Hotels and Inns in the Town of *Perth*, and it would be a great Accommodation to Railway Travellers and others, and also beneficial to the Companies, if a commodious Hotel were erected within the Limits of the said Station: And whèreas it is expedient that the Joint Committee, with the Assent of the Four Companies interested in the said Station or of a Majority of them, should be authorized to appropriate a convenient Site within the Limits of the said Station for an Hotel, with suitable Offices thereto, and to lease or feu the same for the Erection of an Hotel thereon, the Rent or Feu Duty to be paid for the same to be considered as Part of the Profits of the said Station: And whereas it is expedient that the said Four Companies or the Majority of them should be authorized to subscribe towards the Erection and carrying on of the said Hotel, and to apply Capital for those Purposes: And whereas the *Central* Company, the *Scottish North-eastern* Company, the *North British* Company, and the *Inverness* Company are willing to subscribe to the said Hotel if authorized by Parliament so to do: And whereas the Objects aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Short Title.

1. This Act may be cited for all Purposes as "The *Perth Station* Hotel Act, 1865."

Interpretation of Terms.

2. In this Act the Expression "the Joint Committee" means the Joint Committee for the Management of the *Perth* General Station appointed and acting under the recited Acts; the Expression "the existing Station" means the *Perth* General Station and all the Lands and Works comprised within the Limits prescribed by the General Station Act; the Expression "the *Central* Company" means the *Scottish Central* Railway Company; the Expression "the *Scottish North-eastern* Company" means the *Scottish North-eastern* Railway Company; the Expression "the *North British* Company" means the *North British*

British Railway Company; the Expression "the *Inverness* Company" means the *Inverness and Perth Junction* Railway Company; and the Expression "the Four Companies" means the *Central*, the *Scottish North-eastern*, the *North British*, and the *Inverness* Companies, unless in any of the Cases aforesaid there be something in the Subject or Context repugnant to such Construction.

Parts of 10 & 11 Vict. c. 16. incorporated.

3. The following Clauses and Provisions of the "Commissioners Clauses Act, 1847," namely,

With respect to the Construction of that Act and of other Acts to be incorporated therewith;

With respect to the Contracts to be entered into and the Deeds to be executed by the Commissioners;

With respect to the Liability of the Commissioners, and to legal Proceedings by or against the Commissioners;

With respect to giving Notices and Orders;

With respect to the Recovery of Damages not specially provided for, and of Penalties, and to the Determination of any other Matters referred to Justices or to the Sheriff; and

With respect to Access to the Special Act, shall be incorporated with this Act; and in those Clauses and Provisions the Expression "the Commissioners" means the Joint Committee, and all other Words and Expressions having special Meanings assigned to them have in this Act the Meanings so assigned to them.

Power to Joint Committee to lease or feu Station Ground for Site of an Hotel.

4. It shall be lawful for the Joint Committee, with the Consent of the Four Companies or of the Majority of them, to let on Lease for a Term of Years, not exceeding Ninety-nine Years, any Part of the Land or Ground comprised within the Limits of the existing Station, or any Lands to be added to and comprised within any enlarged Limits as the same may be extended under any Act to be passed in the present Session of Parliament, or any Lands which may be acquired by the Joint Committee from the *Central* Company for the Purpose, and any Approaches to the Lands so leased, to any Person or Persons or Company for the Purpose of erecting on such Lands an Hotel, with Refreshment Rooms and other Conveniences, for the Accommodation of Railway Travellers and other Persons, and for such Rent or other Consideration, either annual or in gross, and upon such Terms and Conditions as to the Plan and Extent of the proposed Building and otherwise, as may have been or may be agreed upon between or on behalf of the Joint Committee and the Person or Persons or Company taking such Land for the Purpose of building an Hotel thereon; and it shall be lawful for the Joint Committee, with such Consent as aforesaid, to make Grants of the Lands so leased, and such Grants shall be effectual to vest the Lands comprised therein for the Term or Estate thereby granted.

Rent of Land to be Part of Revenue Station.

5. The Rent reserved and made payable to the Joint Committee shall in their Hands be deemed Part of the Revenue of the existing Station, and shall be applied by them accordingly.

Consenting Companies may take Shares in Hotel Company.

6. If any such Lease shall be made to an Hotel Company, it shall be lawful for the *Central* Company, the *Scottish North-eastern* Company, the *North British* Company, and the *Inverness* Company, and any One or more of them, to take and hold any Shares in the Capital of such Company, not exceeding in the whole Fifteen thousand Pounds, as the Companies taking such Shares and the Hotel Company may from Time to Time agree on, and the Companies taking such Shares shall not sell the same.

Consenting Companies may undertake Erection of Hotel.

7. If the Joint Committee cannot find any Persons or Company to whom in their Opinion it is expedient that any such Lease of Land for an Hotel should be granted, then it shall be lawful for the *Central* Company, the *Scottish North-eastern* Company, the *North British* Company, and the *Inverness* Company, or any One or more of them, to take such Lease, and to erect on the Lands so leased a suitable Hotel, of such Extent, and according to such Plan, Elevation, and Specification, as shall be approved by the Joint Committee, and those Companies respectively from Time to Time may apply for the Purposes of such Hotel, and for paying for the Site thereof, and of and incident to the Erection, furnishing, and fitting up the same, and for any Refreshment Rooms forming Part thereof, or let in connexion therewith, and for carrying on the same, any Sum or Sums of Money and in such Proportions as the said Companies may agree upon, not exceeding in the whole the Sum of Twenty thousand Pounds, and such Hotel, or the Share or Interest therein of each Company subscribing, shall be deemed Part of the Undertaking of such Company.

Existing Capital or Revenue may be applied by Companies to Purposes of this Act.

8. Any Sums of Money which the *Central* Company, the *Scottish North-eastern* Company, the *North British* Company, and the *Inverness* Company respectively are by this Act authorized to apply for any of the Purposes of this Act may be paid or taken out of any of their existing or authorized Capital or borrowed Money or Revenue.

Sanction of Shareholders to be obtained to Exercise of Powers of this Act.

9. The several Powers by this Act conferred on the *Central* Company, the *Scottish North-eastern* Company, the *North British* Company, and the *Inverness* Company respectively, with respect to contributing Money for or towards an Hotel, shall be exercised subject to the Sanction or Approval of at least Three Fifths of the Votes of the Shareholders of such Company present, in person or by proxy, at a General Meeting of the Shareholders of such Company specially convened for the Purpose.

10. And

If the Act incorporating the Joint Committee pass, then the Powers of this Act to be vested in the incorporated Committee.

10. And whereas there is now pending in Parliament a Bill intituled *An Act to incorporate the Committee for managing the General Station at* Perth, *and to vest in such Committee the whole of that Station and other Works to be made Part thereof; to alter the Division and Appropriation thereof; to authorize the Enlargement and Improvement of that Station, and the Construction of new Works; to enable the Committee to recover the Expense of Enlargement from the Companies interested in such Station, and to confer Powers and impose Liabilities on those Companies; and for other Purposes:* Be it enacted, That if that Bill shall pass and become Law, and the Joint Committee shall be thereby incorporated, then all the Powers, Authorities, and Discretions by this Act conferred on the Joint Committee shall upon the Commencement of that Act be transferred to and vested in the Committee so incorporated, and may be exercised by them in the same Manner in all respects as if the several Powers and Provisions of this Act had been contained in that Act, and thereby expressly conferred upon the Committee.

Interest not to be paid out of Capital.

11. The Joint Committee, or any Railway Company to which this Act relates, shall not, out of any Money by this Act or any other Act relating to the Joint Committee or the Railway Company authorized to be raised by Shares or by borrowing, pay Interest or Dividend to any Shareholder on the Amount of the Calls made in respect of the Shares held by him: Provided that the Committee or the Railway Company from Time to Time may pay to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as is in conformity with the Provisions in that Behalf of "The Companies Clauses Consolidation Act, 1845."

Deposit on future Bills not to be paid out of Capital.

12. The Joint Committee, or any Railway Company to which this Act relates, shall not, out of any Money by this Act or any other Act relating to the Joint Committee or to the Railway Company authorized to be raised by Shares or by borrowing, pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament from Time to Time in force, is required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the Joint Committee or the Railway Company to make any Railway, or execute any other Work or Undertaking.

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

13. This Act shall not exempt the Joint Committee, or any Railway Company to which this Act relates, or any Railway to which this Act or any Act therein recited relates, from the Provisions of any present or future General Act relating to Railways, or to the better or more impartial Audit of the Accounts of Railway Companies, or from any future Revision and Alteration, under the Authority of Parliament, of the Rates and Fares and Charges by this Act or any Acts therein recited

recited respectively authorized, or of the Rates for small Parcels thereby respectively authorized.

Expenses of Act.

14. All the Costs, Charges, and Expenses of and incident to the preparing and applying for, obtaining, and passing of this Act shall be borne and paid by the Joint Committee out of any Funds for the Time being in their Hands or under their Control and applicable to the Purposes of the Station, and shall be repaid by the Companies interested in the said Hotel in such Proportions as the Joint Committee or their Arbitrator shall think just and reasonable.

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