



ANNO UNDECIMO & DUODECIMO

# VICTORIÆ REGINÆ.

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*Cap. clx.*

An Act to enable the *Edinburgh and Glasgow Railway Company* to hold Shares in the *Edinburgh and Bathgate Railway Company*, and for other Purposes. [31st August 1848.]

**W**HEREAS an Act was passed in the First and Second Years of the Reign of Her present Majesty, intituled *An Act for making a Railway from Edinburgh to Glasgow, to be called "The Edinburgh and Glasgow Railway," with a Branch to Falkirk:* 1 & 2 Vict. c. 58. And whereas the Powers and Provisions of the said Act were amended and enlarged by other Acts relating to the *Edinburgh and Glasgow Railway*, passed respectively in the Third and Fourth, the Fifth, the Seventh and Eighth, the Eighth and Ninth, and the Ninth Years of the Reign of Her present Majesty: And whereas an Act was passed in the Ninth and Tenth Years of the Reign of Her said Majesty, intituled "*The Edinburgh and Bathgate Railway Act, 1846,*" and another Act was passed in the last Session of Parliament, intituled "*The Edinburgh and Bathgate Railway (Deviation and Amendment) Act,*" 9 & 10 Vict. c. 332. 10 & 11 Vict. c. 246. 1847:"

[Local.] 24 I 1847:" c. 246.

1847 :” And whereas the *Edinburgh and Bathgate* Railway which is in the course of Construction will run into and be connected with the *Edinburgh and Glasgow* Railway, and the Two Lines of Railway might be advantageously worked together : And whereas by the said recited *Edinburgh and Bathgate* Railway Act, 1846, it is provided that the *Edinburgh and Bathgate* Railway, upon the Completion of the same or of any Part thereof, shall be leased to the *Edinburgh and Glasgow* Railway Company : And whereas the said *Edinburgh and Glasgow* Railway Company are Proprietors of Three thousand and eighty-seven Shares of Twenty-five Pounds each in the Capital of the said *Edinburgh and Bathgate* Railway Company, the Sum paid and payable in respect whereof amounts to the Sum of Seventy-seven thousand one hundred and seventy-five Pounds, which Shares now stand registered in the Names of certain Parties on behalf of the said Company, and it is expedient that the said *Edinburgh and Glasgow* Railway Company should be authorized to hold and have the same registered in their own Name, and to raise Money for the Purpose of paying the Calls due and to become due thereon : And whereas it is expedient that the said recited Acts or some of them should be amended ; but these Objects cannot be effected without the Aid and 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, That it shall be lawful for the *Edinburgh and Glasgow* Railway Company to retain and to hold in their own Name the said Three thousand and eighty-seven Shares of Twenty-five Pounds each in the Capital Stock of the *Edinburgh and Bathgate* Railway Company ; and the said *Edinburgh and Glasgow* Railway Company shall, within Ten Days from the Date of the passing of this Act, be bound to deliver to the said *Edinburgh and Bathgate* Railway Company, or to their Secretary for the Time being, the Certificates of Proprietorship of the said Three thousand and eighty-seven Shares ; and upon such Delivery the said *Edinburgh and Glasgow* Railway Company shall be by the said *Edinburgh and Bathgate* Railway Company duly registered as Proprietors of such Shares in the Register Book of Shareholders of the said *Edinburgh and Bathgate* Railway Company, in lieu and in place of the Persons in whose Names the same stand at present registered, and that notwithstanding of any Call or Calls made or to be made in respect thereof being in whole or in part due upon the said Shares or any of them at the Date of such Registration : Provided always, that, notwithstanding of such Registration, the said *Edinburgh and Glasgow* Railway Company shall be and remain subject and liable in Payment of the said Call or Calls, in like Manner in every respect as the Persons in whose Names the said Shares stand at present registered are or would be subject and liable in Payment of the same ; and after such Registration the said *Edinburgh and Glasgow* Railway Company shall hold the said Shares, subject to the Provisions of this Act, and subject to the Provisions and Regulations, and with the same Liabilities, Benefits, Powers, and Privileges, as the other Shares in the *Edinburgh and Bathgate* Railway Company

Incorporation  
of Acts.

Company are or may be held under, with, or subject to: Provided also, that until the Registration of the said *Edinburgh and Glasgow* Railway Company as Proprietors of such Shares as aforesaid the Persons in whose Names the same at present stand registered shall remain subject and liable as Proprietors of such Shares, in the same Manner and to the same Extent as the other Shareholders of the Company.

II. And be it enacted, That it shall be lawful for the *Edinburgh and Glasgow* Railway Company from Time to Time to raise, in addition to the Sums which they are authorized to raise by the said recited Acts relating to the said Company, or which they may be authorized to raise by any other Act to be passed in the present Session of Parliament, any Sum not exceeding Seventy-seven thousand one hundred and seventy-five Pounds, and that either by Mortgage or by the Creation of Shares, or partly by one or partly by the other of such Means, and to apply the same in Payment of the past and future Calls on such Shares, and to no other Purpose whatever, which Sum may be raised by the said *Edinburgh and Glasgow* Railway Company in the like Way, with the like Powers, and subject to the like Restrictions and Conditions, as are provided in the said recited Act relating to the *Edinburgh and Glasgow* Railway, passed in the Seventh and Eighth Years of the Reign of Her present Majesty, with respect to the raising of the Money thereby authorized to be raised by Shares; and that any Guarantee of Dividend which may be granted in respect of such new Shares or Stock in pursuance hereof shall not prejudice or affect any Guarantee of Dividend or Interest which may have been granted by the said Company by or in pursuance of any Act of Parliament passed prior to the passing of this Act: Provided always, that no such Mortgage shall be made by the *Edinburgh and Glasgow* Railway Company until the whole of the Capital which they are hereby authorized to raise shall have been subscribed or taken up, and One Half of the whole Capital of that Company for the Time being paid up; and all the Monies to be raised by Mortgage by the said Company shall not at any Time exceed One Third of the Capital of the Company at that Time: Provided also, that the Power hereby granted shall in no way affect the Liabilities of the said *Edinburgh and Glasgow* Railway Company as Proprietors of the said Shares, nor the Liabilities of the Persons in whose Names the same stand registered as aforesaid.

Power to raise Money by Creation of Shares and by Mortgage.

III. And be it enacted, That it shall be lawful for the Directors of the said *Edinburgh and Glasgow* Railway Company from Time to Time to nominate and appoint, by Writing under the Hands of Three of their Number, such Person as they shall think fit, to attend any Meetings of the said *Edinburgh and Bathgate* Railway Company, and to vote at such Meetings in respect of the Shares or Stock in such Company to which the said *Edinburgh and Glasgow* Railway Company may for the Time being be entitled: Provided always, that neither the *Edinburgh and Glasgow* Railway Company, nor the Person to be appointed as aforesaid, shall be entitled to vote in respect of the said Shares in any Question relating to the Appointment of Directors of the said *Edinburgh and Bathgate* Railway Company, nor in any Question

Made of voting.

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tion relating to any Agreement between that Company and the said *Edinburgh and Glasgow* Railway Company, nor at any Time to vote at any such Meetings on more than the said Three thousand and eighty-seven Shares, and in respect of Seventy-seven thousand one hundred and seventy-five Pounds of Capital Stock in the said Undertaking.

Mode of  
Appointment  
of Directors  
of *Edinburgh*  
and *Bathgate*  
Railway  
Company.

IV. Provided also, and be it enacted, That until the next annual Election of Directors of the *Edinburgh and Bathgate* Railway Company, the present Directors shall continue in Office, but then and thereafter the Directors of the *Edinburgh and Bathgate* Railway Company shall consist of Persons, One Half of whom, together with the Chairman, were Shareholders of the *Edinburgh and Bathgate* Railway Company prior to the Twenty-eighth Day of *July* One thousand eight hundred and forty-seven, exclusive of the *Edinburgh and Glasgow* Railway Company, and of Persons who at that Time held Shares on their Behalf, and exclusive also of Persons officially connected with that Company, and the other Half of such Directors shall be appointed by and out of the Board of Directors for the Time being of the *Edinburgh and Glasgow* Railway Company: Provided nevertheless, that in the event of the said *Edinburgh and Glasgow* Railway Company selling or transferring the said Shares or any Part thereof, the Number of Directors so to be appointed by them shall be diminished by One for every Five hundred of the said Shares which may be so sold or transferred; and upon every such Sale or Transfe to the Extent aforesaid One of such Directors shall become disqualified, and the Directors of the Company shall from Time to Time determine which of their Number appointed as aforesaid shall retire in consequence thereof, and the Vacancy thence arising shall in the meantime be supplied by the remaining Directors, by Appointment from among the Shareholders of the Company, duly qualified, excluding Directors of the *Edinburgh and Glasgow* Railway Company, and Persons officially connected therewith; and the Persons so appointed shall hold Office so long only as the Persons in whose Place they may be appointed would have done had such Persons remained in Office, and thereafter their Successors shall be elected in the Manner provided by the said *Edinburgh and Bathgate* Railway Act and the Acts therewith incorporated.

Interest not  
to be paid on  
Calls paid up.

V. And be it enacted, That it shall not be lawful for the *Edinburgh and Glasgow* Railway Company, out of any Money by this Act or any other Act relating to the said Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest 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 said Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with the Provisions in the Companies Clauses Consolidation (*Scotland*) Act 1845, in that Behalf contained.

VI. And

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

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

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

Railway 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., and 9 & 10 Vict. cc. 57. 105.

VIII. And be it enacted, That nothing herein 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 Act, or of any general Act relating to Railways, now in force or which may hereafter pass during this or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act.

Railways to be subject to Provisions of any future general Act.

IX. And be it enacted, That in citing this Act in legal Instruments, and in other Acts of Parliament, it shall be sufficient to use the Expression "*The Edinburgh and Glasgow and Edinburgh and Bathgate* Railway Companies Amendment Act, 1848."

Short Title.

X. And be it enacted, That the Costs, Charges, and Expenses of obtaining and passing this Act, and all other Costs, Charges, and Expenses in any way incident thereto, shall be defrayed by the *Edinburgh and Glasgow* Railway Company, out of the Money already raised and received, or out of the first Money to be raised and received by them, in preference to any other Payment whatsoever.

Expenses of Act.

[Local.]

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XI. And

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11° & 12° VICTORIÆ, *Cap.* clx.

Public Act.

XI. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

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