



ANNO DECIMO OCTAVO

VICTORIÆ REGINÆ.

Cap. lvi.

An Act for consolidating into One Act and amending the Provisions of the several Acts relating to the *Dundee and Perth and Aberdeen* Railway Junction Company; and for enabling the Company to raise Money for the Payment of Debts; and for other Purposes. [15th June 1855.]

WHEREAS by "The *Dundee and Perth* Railway Act, 1845," 8 & 9 Vict. c. clvii.
a Company was incorporated under the Name and Style of
"The *Dundee and Perth* Railway Company," for the
Purpose of making a Railway from *Dundee* to *Perth*: And whereas 9 & 10 Vict. c. ccxxviii.
further Powers were conferred on the same Company by "The *Dundee and Perth* Railway (Amendment) Act, 1846," with reference to the
Construction of the said Railway, and Authority was thereby granted
to the said Company to take on Lease the Undertaking of the *Dundee and Newtyle* Railway Company, and to purchase the Harbour Branch
of the said *Dundee and Newtyle* Railway Company: And whereas by 10 & 11 Vict. c. lxxxix.
"The *Dundee and Perth* Railway (Alteration and Extension) Act, 1847," further Powers were conferred on the said *Dundee and Perth* Railway Company with reference to the first-mentioned Railway, and
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for the Formation of certain Branches in connexion therewith: And whereas by a Lease dated the Fourteenth Day of *October* in the Year One thousand eight hundred and forty-six, made between the said Two Companies, pursuant to the Provisions of the herein-before second-recited Act, the said *Dundee and Newtyle* Railway, and the Powers of the said *Dundee and Newtyle* Railway Company in relation thereto, were leased for Nine hundred and ninety-nine Years to, and became vested in, the said *Dundee and Perth* Railway Company, who have also acquired, under the same Provisions, and by and in virtue of a Deed of Conveyance granted by *George Kinloch* and others, dated the Thirteenth, Fourteenth, Fifteenth, Nineteenth, and Twenty-first Days of *October* One thousand eight hundred and forty-six, the Railway known as the Harbour Branch of the *Dundee and Newtyle* Railway: And whereas by “The *Dundee and Newtyle* Railway (Widening, Altering, and Improving) Act, 1847,” Powers were conferred on the said *Dundee and Perth* Railway Company for improving the said *Dundee and Newtyle* Railway, and for taking Tolls thereon during the Term of the said Lease: And whereas by “The *Dundee and Perth* Railway (*Dundee Junction*) Act, 1848,” Powers were also conferred on the said *Dundee and Perth* Railway Company to extend their Railway into the Royal Burgh of *Dundee*, so as to join a contemplated and heretofore unexecuted Undertaking of the *Dundee and Arbroath* Railway Company: And whereas by an Act passed in the same Session, intituled “The *Dundee and Arbroath* Railway Lease Act, 1848,” the said *Dundee and Perth* Railway Company were authorized to take on Lease the Undertakings made or to be made by the said *Dundee and Arbroath* Railway Company: And whereas by the last-recited Act the Name and Style of the said *Dundee and Perth* Railway Company and of their Undertaking were altered, and the said Company was thereby appointed to be called and known by the Name of “The *Dundee and Perth and Aberdeen* Railway Junction Company” (herein-after mentioned and referred to as “the Company”), and their Undertaking was appointed to be called and known by the Name of “The *Dundee and Perth and Aberdeen* Railway Junction:” And whereas by “The *Dundee and Perth and Aberdeen* Railway Junction (Additional Capital) Act, 1850,” further Powers were conferred on the Company, for raising additional Capital for the Purposes of their Undertaking, by the Issue of Shares to the Extent of One hundred and fifty thousand Pounds, and it was also provided by the same Act that a preferential Right of Dividend might be attached to the Capital of Fifty thousand Pounds authorized by the before-recited Act, for the Improvement of the *Dundee and Newtyle* Railway, and that a preferential Right of Dividend should be attached to the Capital which had been theretofore issued as ordinary Share Capital under the Authority of the said

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said *Dundee and Perth* Railway (*Dundee Junction*) Act, 1848: And whereas the Capital which the Company is authorized to raise by the before-recited Acts amounts to the Sum of Six hundred and fifty thousand Pounds, and the Sums which they are authorized to borrow amount to the Sum of Two hundred and sixteen thousand five hundred and ninety-nine Pounds: And whereas the Capital of Three hundred thousand Pounds authorized by "The *Dundee and Perth* Railway Act, 1845," and "The *Dundee and Perth* Railway (Alteration and Extension) Act, 1847," has been issued in Shares of the nominal Value of Twenty-five Pounds each, and has been paid up to the Amount of Two hundred and ninety-nine thousand seven hundred Pounds, and is known as the Ordinary Share Capital of the Company: And whereas the Capital of One hundred and fifty thousand Pounds authorized by "The *Dundee and Perth* Railway (*Dundee Junction*) Act, 1848," has been issued in Shares of the nominal Value of Six Pounds Six Shillings and Eightpence, and has been paid up to the Extent of One hundred and forty thousand five hundred Pounds or thereabouts, and is known as the Preference Share Capital of the Company: And whereas no Part of the Share Capital of One hundred and fifty thousand Pounds and Fifty thousand Pounds respectively authorized to be created by "The *Dundee and Perth and Aberdeen* Railway Junction (Additional Capital) Act, 1850," and "The *Dundee and Newtyle* Railway (Widening, Altering, and Improving) Act, 1847," has hitherto been issued: And whereas prior and subsequent to the passing of the before-recited Act relating to the Lease of the *Dundee and Arbroath* Railway, and in contemplation and in pursuance of such Act, certain Transactions took place between the Company and the *Caledonian* Railway Company, by and with the Sanction and Approval of the Shareholders of those Companies, at Meetings specially called for the Purpose, and Debts were thereby incurred, which Transactions were subsequently settled and terminated in and by a certain Deed of Agreement and Discharge made between those Companies, under their Seals, respectively affixed thereto by and with the like Sanction and Approval on the Twenty-ninth Day of *June* and Fourteenth Day of *July* One thousand eight hundred and fifty-three: And whereas under the said Transactions and by the Settlement thereof as aforesaid certain Shares referred to in the said Deed of Agreement and Discharge came to be held by or for behoof of the Company, Part of which have been realized, and the Proceeds thereof applied for the Purposes of the Undertaking, and certain Shares in the Company which are referred to in such Agreement and Discharge are still held in like Manner: And whereas the Undertakings of the Company have been completed so as to answer the Objects thereof, but at a greater Cost than originally contemplated: And whereas the Company, through the Execution of such Works,
and

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and under the Transactions aforesaid, still remain indebted in certain Sums of Money on account of Land Purchases, Compensations, Plant, Furnishings, Advances, and other Matters, and it is expedient to provide for the Payment of the same: And whereas it would be attended with Advantage if other Powers were conferred on the Company touching the Conversion of borrowed Capital into Shares or into Annuities: And whereas the Purposes aforesaid cannot be effected without the Authority of Parliament; but the same might be more conveniently accomplished if the recited Acts were repealed, and the Provisions thereof were consolidated into One Act, and if some of such Provisions were amended: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title. I. This Act may be cited for any Purpose as "*The Dundee and Perth and Aberdeen Railway Junction (Consolidation) Act, 1855.*"

Commence- II. This Act shall commence and have Effect on and from the
ment of Act. Fourth *Wednesday* next after the passing thereof.

8 & 9 Vict.
cc. 17. 19. &
33. incor- III. "*The Companies Clauses Consolidation (Scotland) Act, 1845,*"
porated. "*The Lands Clauses Consolidation (Scotland) Act, 1845,*" and
"*The Railways Clauses Consolidation (Scotland) Act, 1845,*" so far
as the same are not expressly varied by this Act, shall be incorporated
with this Act; and in construing such Acts for the Purposes of this
Act the Expression "*the Special Act*" shall mean this Act, and
the Expression "*the Undertaking*" shall mean the Railways, Branch
Railways, and Works connected therewith by this Act vested in the
Company incorporated by the first-recited Act.

Recited Acts IV. Subject to the Provisions of this Act, the recited Acts are
repealed. by this Act repealed.

Company to V. The Company shall for the Purposes of this Act remain incor-
remain in-
corporated. porated by the same Name of "*The Dundee and Perth and Aberdeen
Railway Junction Company,*" and by that Name shall continue to be
a Body Corporate, with perpetual Succession and a Common Seal,
with Power to purchase, hold, and dispose of Lands and other
Property for the Purposes but within the Restrictions of this Act.

Defining Un- VI. The Undertaking of the Company shall consist of the
dertaking of
Company. several Railways and other Works connected therewith respectively
which at the Time of the Commencement of this Act were vested
in

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in or were capable of being constructed by the Company as a Part of their Undertaking, and which are as follows ; (that is to say,)

First, a Main Line of Railway commencing in the Town of *Dundee* in the County of *Forfar* and terminating in the City of *Perth* in the County of *Perth*, authorized by "The *Dundee and Perth* Railway Act, 1845," and subsequent Acts authorizing Extensions, Deviations, and Alterations thereof :

Second, a Branch Railway in the Town of *Dundee* known as the Harbour Branch of the *Dundee and Newtyle* Railway, acquired by the Company under the Provisions of "The *Dundee and Perth* Railway (Amendment) Act, 1846 :"

Third, a Branch Railway known as the *Inchtute* Branch of the said Railway, and another like Branch known as the *Polgavie* Branch, all in the Parish of *Inchtute* and said County of *Perth*, authorized by "The *Dundee and Perth* Railway (Alteration and Extension) Act, 1847 :"

And shall also consist of the Railway and Works authorized to be made by the herein-before third and fifth recited Acts, or of so much thereof as may be completed within the Powers in the said Acts and this Act contained.

VII. The several Railways and Works herein last before described, together with all retaining Walls, Embankments, Tramways, and other Works, Lands, Buildings, Rights, Privileges, Servitudes, and Real and Heritable Estate whatsoever, and also all Personal Estate and Effects whatsoever, which were respectively vested in or belonged to the Company immediately before the Commencement of this Act, and all the Estate, Right, Title, Interest, Property, Claim, and Demand of the Company in, to, upon, or over the same, and all their Rights and Remedies in respect thereof, shall, from and after the Commencement of this Act, be and become vested in and belong to and be available for the Company : Provided always, that all Works executed by the Company for the Renewal, Maintenance, or Repair of any of the said Railways or Branch Railways shall be executed within the Limits and in the Manner directed by the said repealed Acts ; and provided also, that nothing in this Act contained shall be deemed or held to extend the Time granted by any of the said recited Acts for the compulsory Purchase of Lands or Houses, or for the Construction of any such Railway or Work ; and provided also, that the Quantity of Land which the Company may purchase for Stations and extraordinary Purposes shall, inclusive of the Lands already purchased for the like Purposes, not exceed Ten Acres.

Railways, &c.
vested in new
Company.

VIII. Subject to the Provisions in "The Railways Clauses Consolidation (*Scotland*) Act, 1845," contained, with reference to the crossing of Roads on the Level, it shall be lawful for the Company

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Power to
continue
Crossings of
Roads on the
Level.
to

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to carry or continue the several Railways and Branch Railways vested in them as aforesaid, and the *Dundee and Newtyle* Railway, across and on the Level with the several Turnpike Roads and Highways now crossed, or by the repealed Acts authorized to be crossed, on the Level, and which are referred to in the said Acts, and numbered on the Plans therein referred to.

Company to
erect Station
or Lodge
where Roads
crossed on
the Level.

IX. For the greater Convenience and Security of the Public, the Company shall, where not already erected, erect and permanently maintain either a Station or Lodge at the Points where the said Railways cross the before-mentioned Turnpike Roads and Highways on the Level, and upon which the Company shall work their Traffic by means of Locomotive Engines, and shall also permanently maintain all existing Stations or Lodges at any such Crossings; and the Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Roads on the Level, or with regard to the Speed at which Trains shall pass such Roads, as may from Time to Time be made by the Board of Trade; and if the Company shall fail to erect or at all Times to maintain any such Station or Lodge, or appoint a proper Person to watch or superintend the Crossing at any such Point or Station, or to observe or abide by any such Rule or Regulation as aforesaid, they shall for every such Offence be liable to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred.

Board of
Trade may
require
Bridges in-
stead of
level Cross-
ings.

X. It shall be lawful for the Board of Trade, if it shall appear to them necessary for the Public Safety, at any Time to require the Company, within such Time as the Board of Trade shall direct, and at the Expense of the Company, to carry any or either of the herein-before mentioned Turnpike Roads and Highways over which the Company shall work their Traffic by means of Locomotive Engines as aforesaid, either under or over the Railway by means of a Bridge or Arch instead of crossing the same on the Level, or to execute such other Works as under the Circumstances of the Case shall appear to the said Board of Trade the best adapted for removing or diminishing the Danger arising from any such level Crossing; and such Works shall be executed by the Company within such Time as shall be directed by the said Board of Trade.

Maps, &c.
deposited to
remain with
the Sheriff
Clerks, &c.,
and to be
open to In-
spection.

XI. The several Maps, Plans, Sections, and Books of Reference, and Corrections and Certificates of Correction of Maps, Plans, Sections, and Books of Reference, which, prior to or in pursuance of the recited Acts or any of them, have been deposited with any Sheriff Clerks, Town Clerks, or Schoolmasters of the several Counties, Cities,

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Cities, Burghs, Parishes, and Places to which the same relate, or any Parishes and Places adjoining thereto, shall remain in the Custody of the said Sheriff Clerks, Town Clerks, and Schoolmasters respectively, to the end that all Persons interested in any Manner therein may at all reasonable Times have Liberty to inspect the same, and to take Copies thereof or Extracts therefrom, at their Pleasure, such Persons paying to such Sheriff Clerks, Town Clerks, and Schoolmasters from whom such Inspection or Copies or Extracts may be demanded respectively the Sum of One Shilling for every such Inspection, and the further Sum of One Shilling for every Hour during which such Inspection shall continue after the First Hour, and at the Rate of Sixpence for every One hundred Words of such Copy or Extract; and the said Maps, Plans, Sections, and Books of Reference, and the said Corrections and Certificates of Correction thereof, or any Copy thereof respectively, or of so much thereof respectively as shall relate to any Matter which may be in question, certified to be a true Copy by the respective Sheriff Clerks or Town Clerks who have made the same, shall be admitted as Evidence in all Courts of Law and Equity or elsewhere, as fully and for all the like Intents as if this Act had not been passed.

XII. The several Clauses and Provisions whatever in favour of or relating to the Company contained in any Act or Acts other than the recited Acts, and which immediately before the Commencement of this Act are in force, shall apply, on and from the Commencement of this Act, to the Company, and their Directors, Officers, and Servants, and shall remain and be in full Force accordingly; and they respectively may and shall accordingly, and for the Purposes of this Act, be entitled to, and have, exercise, and enjoy, all such Rights, Interests, Powers, Authorities, and Privileges whatsoever, and be subject to all such Liabilities and Obligations, as, if this Act were not passed, they respectively under and by virtue of the same might be entitled to, or might have, exercise, or enjoy, or be subject to.

Company to remain entitled to Rights under other Acts.

XIII. The several Sections and Provisions of the recited Acts respectively which are described in the Schedule to this Act annexed, so far as the same respectively are at the Commencement of this Act in force or may thereafter be in force, shall remain and be in force and shall be binding on the Company, and shall have the same Construction and Interpretation as they would have had in the respective Acts in which they were contained, and this Act and the several Powers and Provisions thereof shall in all respects be subject and without Prejudice to those Sections and Provisions respectively; and this Act, or anything therein contained, shall not in any Manner extend, restrict, alter, or affect those Sections and Provisions, or any of them.

Sections of recited Acts inserted in Schedule to this Act to remain in force.

XIV. All

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Conveyances
&c. to re-
main in
force.

XIV. All Purchases, Sales, Deeds, Dispositions, Grants, Conveyances, Assignments, Leases, Mortgages, Bonds, Contracts, Agreements, Securities, and other Acts and Things before the Commencement of this Act made, done, entered into, granted, executed, or instituted under or by virtue of the recited Acts or either of them, or with reference to the Purposes thereof, or otherwise concerning the Undertaking of the Company or any Part thereof, shall be as good, valid, and effectual, to all Intents and Purposes whatsoever, for, against, and with reference to the Company, as if this Act were not passed, and may be proceeded on and enforced accordingly; and all Contracts and Arrangements entered into by or on behalf of the Company for any of the Purposes of or with respect to their Undertaking shall be binding on and performed and observed by the Parties thereto.

Present Act
not to affect
anything
done under
recited Acts
previous to
Commence-
ment of this
Act.

XV. Notwithstanding the Repeal of the recited Acts, and except only as is by this Act otherwise expressly provided, everything before the Commencement of this Act done or suffered under the recited Acts or any of them shall be as valid as if those Acts were not repealed; and the Repeal thereof and this Act respectively shall accordingly be subject and without Prejudice to everything so done or suffered, and to all Rights, Liabilities, Claims, and Demands, both present and future, which, if those Acts were not repealed, and this Act were not passed, would be incident to or consequent on any and every thing so done or suffered.

General
Saving of
Rights.

XVI. The Repeal of the recited Acts or either of them shall not extend in any way to defeat, affect, or prejudice any Rights, Privileges, Liberties, Powers, Grants, Servitudes, Leases, Accommodations, or Exemptions, not herein-after specified and reserved or otherwise expressly provided for by this Act, which under or by virtue of the said recited Acts or either of them were given, granted, continued, or reserved by, to, or for the Benefit of the Company, or by, to, or for the Benefit of any Persons or Corporations whose Estates, Properties, or Interests are, have been, or may be in anywise affected in or by the making of or maintaining or otherwise on account of the Railways and Works by the same Acts respectively authorized to be made or maintained, or to which the Company or such Persons or Corporations are or may be or but for the Repeal of the said recited Acts would have been otherwise entitled, under or by virtue of such Acts or any of them, and which Rights, Privileges, Liberties, Powers, Grants, Servitudes, Leases, Accommodations, or Exemptions were subsisting or were or may be capable of being exercised, but all such Rights, Liberties, Privileges, Powers, Grants, Leases, Servitudes, Accommodations, and Exemptions

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tions shall be and they are hereby declared to be as valid and effectual as if the said Acts were not repealed; and all Agreements and Contracts before the passing of this Act entered into between the Company and any Person with reference to the Lands required for the Construction of the Railways to be maintained or otherwise made or completed by virtue of this Act shall be as binding and effectual in all respects as if the Provisions of the recited Acts respectively or either of them had been with respect to such Contracts, Agreements, and Lands respectively extended and applied to the Objects and Purposes of this Act, and such Contracts and Agreements had been entered into after the passing of this Act; and notwithstanding the Repeal of the recited Acts or either of them any Grants, Leases, or Servitudes from Time to Time made to or acquired by the Company may be from Time to Time altered, varied, or renewed by the Company and the other Parties thereto, their Heirs, Executors, Administrators, and Assigns, in the same Manner in all respects, and with the same Powers, and under the same Provisions, whether with reference to the Company or the other Parties thereto, as if such Alteration, Variation, or Renewal had been effected under the Provisions of the recited Acts or either of them.

XVII. No Action, Suit, Prosecution, Arbitration, or other Proceeding commenced either by or against the Company before the Commencement of this Act shall abate or be discontinued or be prejudicially affected by this Act, but, on the contrary, shall continue and take effect, both in favour of and against the Company, in like Manner in all respects as the same would continue and take effect if this Act were not passed; and all Offences against the Provisions of the recited Acts or either of them committed before the Commencement of this Act may be prosecuted, and all Penalties incurred by reason of such Offences may be sued for and recovered, in like Manner in all respects as if this Act were not passed.

Actions not
to abate.

XVIII. In every Case in which, under the Provisions of the recited Acts, any Money was before the Commencement of this Act paid by the Company into any Bank, or to any Trustees or Trustee, as Purchase or Compensation Money, or on any other Account, such Money, or the Stocks, Funds, or Securities in or upon which the same is or shall be invested, by the Order of the Court of Session or otherwise, and the Interest, Dividends, and annual Produce thereof, shall after the Commencement of this Act be applied and disposed of pursuant to those Acts, and the Obligations of the Company under those Acts with respect to such Moneys, Stocks, Funds, and Securities shall be performed and observed by the Company.

As to Moneys
paid into
Bank.

[Local.]

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XIX. All

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Debts due to
and by the
Company to
be paid to
and by them.

XIX. All Persons who immediately before the Commencement of this Act owed any Sum of Money to the Company, or to any Person on their Behalf, shall pay the same, with all the Interest (if any) due and payable or accruing for the same, to the Company; and all Debts, Moneys, and Liabilities which immediately before the Commencement of this Act were due or owing by or recoverable from the Company, or for the Payment and Satisfaction of which the Company were or if the said Acts had not been repealed would be liable, shall be paid, with all Interest (if any) due or to accrue due thereon, by or be recoverable from or be satisfied by the Company.

Byelaws, &c.
to remain
in force.

XX. All Byelaws, Resolutions, Orders, Notices, and Proceedings of the Company and the Directors thereof, made and taken before the Commencement of this Act, shall continue in full Force and Effect as if this Act were not passed, and such Byelaws may be enforced and all Penalties thereunder may be recovered accordingly: Provided always, that unless such Byelaws be renewed under this Act they shall cease to be in force at the Expiration of Six Months after the Commencement of this Act.

Books, &c.
to be
Evidence.

XXI. All Books, Certificates, Writings, and Documents by the recited Acts or either of them directed or authorized to be kept or made, and which if this Act were not passed would be receivable in Evidence, shall be admitted in Evidence in all Courts of Law and Equity and elsewhere accordingly.

Directors to
remain in
Office.

XXII. Subject to the Provisions of this Act, the several Persons who at the Commencement of this Act are the Directors of the Company shall remain in Office and be the Directors of the Company, but shall retire from Office in the same Rotation as that in which they would retire if this Act were not passed.

Officers to
continue.

XXIII. Every Officer and Servant appointed by virtue of or acting under the Authority of the recited Acts or either of them shall hold and enjoy his Office and Appointment, with the Salary thereunto annexed, and be deemed an Officer and Servant of the Company, until he be removed from such Office and Employment, and he shall have the like Power and Authority for the Purposes of this Act, and be subject to the like Power of Removal, Rules, Regulations, Pains, and Penalties, in all respects whatsoever, as if he were appointed under this Act.

Capital of
Company.

XXIV. The Share Capital of the Company shall be their existing authorized Share Capital of Six hundred and fifty thousand Pounds.

XXV. The

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XXV. The Certificates of Shares created and issued under the Powers of the repealed Acts, and which shall be existing at the Commencement of this Act, shall continue to be the Certificates of the same Shares until others shall require to be issued in lieu thereof, under the Provisions of "The Companies Clauses Consolidation (*Scotland*) Act, 1845;" and all Persons and Corporations Proprietors of such last-mentioned Shares shall, except where otherwise provided in this Act, stand and be possessed of every such Share upon the same Trusts, and subject to the same Powers, Provisions, Declarations, and Agreements, Charges, Liabilities, and Burdens, as the same Shares were subject and liable to immediately before the Commencement of this Act.

Certificates
of existing
Shares to
remain.

XXVI. The Amount of Money which the Company may borrow or which may be owing by the Company at any One Time on Mortgage or Bond shall not exceed the Sum of Two hundred and sixteen thousand five hundred and ninety-nine Pounds authorized to be borrowed by the said repealed Acts; and the Mortgages or Bonds heretofore made or to be made by the Company for the same or any Part thereof, and all Renewals or Substitutions of the same, shall be binding on the Company, and shall be enforceable against them and the Undertaking.

As to exist-
ing Mort-
gages.

XXVII. All Mortgages or Bonds granted by the Company prior to the Commencement of this Act, or any Renewals or Substitutions thereof, shall have the same Priorities they had under the Acts hereby repealed.

Existing
Mortgages
to have
Priority.

XXVIII. It shall be lawful for the Company from Time to Time, with the Consent of Three Fifths of the Votes of the Shareholders present, in Person or by Proxy, at any General Meeting of the Company convened with due Notice of that Object, to resolve that any Portion of the borrowed Capital of the Company represented by any such Mortgages or Bonds, not exceeding an Amount to be defined in and by such Resolution, may be converted either into Mortgage Stock of the Company of like Amount, with a fixed and perpetual irredeemable yearly Dividend or Interest attached at any Rate not exceeding Five Pounds *per Centum per Annum*, or into Mortgage irredeemable Annuities at a Rate not exceeding such last-mentioned Rate, such Conversion to take place either by Agreement with the Holders of such Mortgages or Bonds respectively before the same respectively become due, or by paying off the same respectively when due, and creating and issuing such Stock or Annuities as aforesaid, instead of reborrowing the Sums so paid off; and it shall thereupon be lawful for the Directors of the Company to carry

Conversion
of Mortgage
or Bond
Debt into
Stock or
perpetual
Annuities.

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carry into effect such Resolution or Resolutions, by the Creation and Issue, either of so much Stock having such fixed Rate of Interest or Dividend as aforesaid, or of such Annuities as aforesaid as may from Time to Time be necessary for such Purpose, or partly by each of such Means; and the Stock or Annuities so respectively created and issued shall be deemed to be Moveable or Personal Estate, but shall be a Charge upon the Tolls and Undertaking, and Lands, Tenements, and Hereditaments of the Company; and the Interest or Dividend of the said Stock, and the Amount of the said Annuities, and all Arrears thereof respectively, shall respectively for ever have the like Priority in the Payment thereof as was attached to the Mortgage or Bond from which the same was converted, but shall nevertheless have Priority of Payment over all other Dividends on any other Stock or Shares of the Company whatever; and the Stock and Annuities respectively, when so created and issued, shall be termed respectively "*Dundee and Perth and Aberdeen Railway Junction Mortgage Stock*," or "*Dundee and Perth and Aberdeen Railway Junction Mortgage Annuities*" (as the Case may be): Provided, that nothing herein contained shall in anywise prejudice or affect the Rights of the Holders of the then existing Mortgages or Bonds of the Company: Provided also, that after the Conversion of any such Mortgages or Bonds into Stock or Annuities it shall not be lawful for the Company again to borrow the Sum so converted, or to issue Mortgages or Bonds, or any other Securities, in respect thereof, but the Powers of borrowing by the Company shall, to the Extent of the Sums so from Time to Time converted into Stock or Annuities, be extinguished.

As to Votes
of Holders
of Mortgage
Stock and
Annuities.

XXIX. The Holders of the said Mortgage Stock or Mortgage Annuities shall not be entitled to vote at any Meetings of the Company in respect thereof.

Transfer of
Mortgage
Stock and
Annuities.

XXX. The several Holders of any such Mortgage Stock or Mortgage Annuities to be created under the Authority of this Act may transfer any such Stock or Annuities for the Time being held by them, or any Part thereof, by Deed duly stamped, in the same Manner and subject to the same Regulations and Provisions (*mutatis mutandis*) as or according to which the Capital Stock of the Company or any Interest therein may be transferred; and the Company shall thereupon 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

XXXI. The Company shall from Time to Time cause the Names, Descriptions, and Places of Abode of the several Parties who may be

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be entitled to any such Stock and Annuities as aforesaid, with the Amount thereof to which they are so respectively entitled, to be entered in Books to be kept for that Purpose, to be respectively called "The Register of Mortgage Stock" and "The Register of Mortgage Annuities;" and such Books shall be accessible at all seasonable Times to every Mortgagee, Bond Holder, Annuitant, or Share or Stock Holder of the Company.

Mortgage
Stock and
Annuities to
be kept.

XXXII. The Powers and Provisions contained in the Fifty-sixth and Fifty-seventh Sections of "The Companies Clauses Consolidation (Scotland) Act, 1845," with respect to the Recovery of Interest or Arrears of Interest due on Mortgages or Bonds, shall be applicable, so far as may be, to the Recovery of the Interest on the said Mortgage Stock or Annuities, if and when the same shall be in arrear; and it shall be lawful for the Proprietors of the said Mortgage Stock or Annuities to enforce the Payment of the Arrears of Interest due thereon by the Appointment of a Judicial Factor, provided that such Interest in arrear shall not be less than the Sum of Eight hundred and fifty Pounds in the aggregate.

Arrears may
be enforced
by Appoint-
ment of a
Judicial
Factor.

XXXIII. If the Interest on or in respect of any such Mortgage Stock or Annuities shall be in arrear for Thirty Days next after any of the respective Days whereon the same shall be due, the Proprietor for the Time of such Stock or Annuities may, without Prejudice to his Power to apply for the Appointment of a Judicial Factor, recover such Arrears, with Costs, by Action or Suit against the Company in any Court of competent Jurisdiction.

Such Arrears
may be
recovered by
Action or
Suit.

XXXIV. The preferential Interest or Dividend of Five Pounds *per Centum per Annum* provided to be paid on the Capital of the Company under the Authority of the Act seventh herein-before recited shall continue to be paid and be payable in preference to and in priority over the Interest or Dividend on all Ordinary Stock or Shares of the Company.

Interest of
existing
Preference
Shares.

XXXV. It shall be lawful for the Directors of the Company, at any Time after the Commencement of this Act, to issue, out of the Share Capital of the Company remaining unissued, Shares of the Company not exceeding in the whole the nominal Amount of One hundred and twenty thousand Pounds; and such Shares shall be of such nominal Amount as they shall determine, and shall be called "*Dundee and Perth and Aberdeen Railway Junction First-class Preference Shares*;" and the said Directors may annex to such Shares a preferential or guaranteed Rate of Interest not exceeding the Rate of Five Pounds *per Centum per Annum*, to be paid in priority over the Interest or Dividend on all other Stock or Shares, preferential

Power to is-
sue 120,000*l.*
First-class
Preference
Shares for
Payment of
the Debts of
the Com-
pany.

[Local.]

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or

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or ordinary, forming Part of the Capital of the Company (excepting Mortgage Stock created under the Authority of this Act); and such Shares may be issued by them to such Persons, in such Proportions, and at such Times as they may deem most expedient, and shall be deemed a Part of the said Capital of the Company, and shall be subject to all the Incidents of such Capital, except where otherwise provided in this Act; and the Moneys received by the Issue of such Shares shall be exclusively applied to the Payment of the Expenses of this Act, and to Payment and Satisfaction of the Debts incurred by and in consequence of the Transactions aforesaid by the Company, and of the Price of Land purchased, and to Repayment of Advances made to and for behoof of the Company remaining unsatisfied; and in the meantime, until the Sums of Money in which the Company are at the passing of this Act indebted as aforesaid are paid and discharged out of the Moneys to be so received, the Interest thereof, or of so much thereof as shall for the Time remain undischarged, shall be paid out of the Revenue of the Company before and in preference to any Dividend upon any Stock or Shares of the Company issued or authorized to be issued prior to the passing of this Act: Provided always, that it shall not be lawful to issue any such Shares for a less Amount in Money than the nominal Amount thereof; and provided also, that the said Directors may, if they think fit, issue any Part of such Shares as fully paid up to any Creditor of the Company in respect of any such Debts as aforesaid who may be willing to accept of the same in satisfaction thereof or any Part thereof, such Debt being extinguished or diminished, as the Case may be, to the Extent of the nominal Amount of the Shares so issued to and accepted by him as aforesaid.

Calls.

XXXVI. Twenty-five Pounds *per Centum* of the Amount of any Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders in respect of such last-mentioned Shares, and Two Months at the least shall be the Interval between successive Calls, and Three Fourths of the Amount of a Share shall be the utmost aggregate Amount of the Calls to be made in any One Year upon such Share.

Arrears may
be recovered
by Action or
Suit.

XXXVII. If the Interest on any such Shares shall be in arrear for Thirty Days next after any of the respective Days whereon the same shall be due, the Proprietor for the Time being of such Shares may recover such Arrears, with Costs, by Action or Suit against the Company, in any Court of competent Jurisdiction.

Shares to be
Registered.

XXXVIII. The Company shall cause an Entry or Registration of the Shares so from Time to Time created to be made in some Book or Books to be kept for that Purpose, and to be called "The Register

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Register of Holders of *Dundee and Perth and Aberdeen Railway Junction. First-class Preference Shares,* wherein they shall enter the Names, Descriptions, and Places of Abode of the several Persons, and the Names and Descriptions of the several Corporations, from Time to Time entitled to any such Shares, with the respective Numbers and Amount of such Shares; and such Books shall be accessible for Inspection and Perusal at all reasonable Times to any Holder of such Shares, or other Share or Stock Holder of the Company, without the Payment of any Fee or Charge.

XXXIX. The Holders of the Shares hereby authorized to be created shall not be entitled to vote at any Meetings of the Company in respect thereof. Holders of Shares not to vote.

XL. Such of the Shares in the Company referred to in the said Deed of Agreement and Discharge as still remain undisposed of in the Hands of the Company shall in like Manner be realized by the Directors of the Company as soon as the same can be disposed of with Advantage to the Company, and the Proceeds thereof shall be applied exclusively to the Purposes of this Act. Regulating the Disposal of certain Shares.

XLI. The Company shall not, out of any Money by this Act authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, pay Interest or Dividend to any Shareholder on the Amount of the Calls on his Shares: Provided always, that this Act shall not prevent the Company from paying any Shareholder such Interest on Money advanced by him in anticipation of Calls as is in conformity with the Provisions in that Behalf of "The Companies Clauses Consolidation (*Scotland*) Act, 1845." Interest not to be paid on Calls paid up.

XLII. The Company shall not, out of any Money by this Act authorized to be raised for the Purposes thereof, 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 an Act authorizing the Company to construct any other Railway or execute any other Work or Undertaking. Deposits for future Bills not to be paid out of Company's Capital.

XLIII. The Ordinary Meetings of the Company shall be held half-yearly on the First Day of *February* and the First Day of *August* in every Year, or within One Month before or after those Days respectively. Ordinary Meetings.

XLIV. The

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Quorum of
General
Meetings.

XLIV. The Quorum of every General Meeting of the Company shall be Fifteen Shareholders holding in the aggregate not less than Five thousand Pounds in the Capital of the Company.

Votes of
Share-
holders.

XLV. The Scale according to which Shareholders may vote in respect of their Shares shall be as follows ; (that is to say,) for each entire Sum of Twenty-five Pounds of the Capital of the Company up to One hundred Pounds One Vote, and an additional Vote for every entire Sum of Fifty Pounds in such Capital beyond the first One hundred Pounds.

Number and
Qualification
of Directors.

XLVI. The Number of the Directors shall be Nine, being the Number now in Office ; and the Qualification of a Director shall be the Possession in his own Right of Shares or Stock of the Company of not less than Two hundred and fifty Pounds.

Power to in-
crease or
reduce the
Number of
Directors.

XLVII. The Company may from Time to Time increase or reduce the Number of Directors, provided the increased Number be not more than Fifteen, and the reduced Number be not less than Seven.

Quorum for
Meetings of
Directors.

XLVIII. The Quorum of a Meeting of Directors shall be Three Directors.

Number and
Quorum of
Committees
of Directors.

XLIX. The Number of Directors of which Committees appointed by the Directors shall consist shall not be less than Three nor more than Five, and the Quorum of any such Committee shall be Two Directors.

Newspapers
for Adver-
tisements.

L. The Newspapers for Advertisements shall be a Newspaper published in *Dundee*, and a Newspaper published in *Perth*.

Tolls.

LI. The Company may demand and take, for the Use of the Railways and Branch Railways vested in the Company, and for the Use of the Railways of the *Dundee and Newtyle* Railway Company leased by the Company under the Provisions of the before-recited Act of the 9th and 10th *Victoria*, Chapter 228, any Tolls not exceeding the following ; (that is to say,)

For the Use of the Railways and Branch Railways vested in the Company, Tolls not exceeding the following ; (that is to say,)

Tonnage on
Articles of
Merchandise.

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

For all Dung, Compost, and all Sorts of Manure, Lime and Lime-stone, and all undressed Materials for the Repair of public Roads

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Roads or Highways, *per Ton per Mile* not exceeding One Penny Halfpenny; and if conveyed in Carriages provided by the Company, an additional Sum *per Ton per Mile* not exceeding One Penny:

For all Coals, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandise, *per Ton per Mile* not exceeding Twopence; and if conveyed in Carriages provided by the Company, an additional Sum *per Ton per Mile* not exceeding One Penny:

For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Stones, and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per Ton per Mile* not exceeding Twopence; and if conveyed in Carriages provided by the Company, an additional Sum *per Ton per Mile* of One Penny:

For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, or Things, *per Ton per Mile* not exceeding Threepence; and if conveyed in Carriages provided by the Company, an additional Sum *per Ton per Mile* not exceeding Twopence:

And for every Carriage, of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform not provided by the Company, *per Mile* not exceeding Fivepence; and a Sum of Twopence *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 provided by the Company, an additional Sum *per Mile* not exceeding Threepence:

2. In respect of Passengers and Animals conveyed in Carriages upon such Railways or Branch Railways, as follows:

Tolls for
Passengers
or Cattle.

For any Person conveyed in or upon any such Carriage, *per Mile* not exceeding Twopence; and if conveyed in or upon any Carriage provided by the Company, an additional Sum not exceeding Twopence *per Mile*:

For every Horse, Mule, Ass, or other Beast of Draught or Burden, and for every Ox, Cow, Bull, or Neat Cattle, conveyed in or upon any such Carriage, *per Mile* not exceeding Twopence; and if conveyed in or upon any Carriage provided by the Company, an additional Sum not exceeding Threepence *per Mile*:

For every Calf or Pig, Sheep, Lamb, or other small Animal, conveyed in or upon any such Carriage, *per Mile* not exceeding One

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Penny;

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Penny; and if conveyed in or upon any Carriage provided by the Company an additional Sum not exceeding One Penny Halfpenny *per* Mile.

Tolls for
propelling
Power.

LII. The Toll which the Company may demand for the Use of Engines for propelling Carriages upon such Railways or Branch Railways shall not exceed One Penny *per* Mile for each Passenger or Animal, or for each Ton of Goods or other Articles, in addition to the several other Tolls or Sums by this Act authorized to be taken.

Regulations
as to the
Tolls.

LIII. The following Provisions and Regulations shall be applicable to the fixing of Tolls upon the said Railways and Branch Railways; (that is to say,)

For Articles or Persons conveyed on the said Railways or Branch Railways for a less Distance than Six Miles the Company may demand as for Six entire Miles:

For a Fraction of a Mile beyond Six Miles or beyond any greater Number of Miles the Company may demand Tolls on Merchandise for such Fraction in proportion to the Number of Quarters of a Mile contained therein; and if there be a Fraction of a Quarter of a Mile, such Fraction shall be deemed a Quarter of a Mile; and in respect of Passengers every Fraction of a Mile beyond an integral Number of Miles shall be deemed a Mile:

For a Fraction of a Ton the Company may demand Toll according to the Number of Quarters of a Ton in such Fraction; and if there be a Fraction of a Quarter of a Ton, such Fraction shall be deemed a Quarter of a Ton:

With respect to all Articles, except Stone and 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, Ash, or Fifty Cubic Feet of any other Timber, shall be deemed One Ton Weight, and so on in proportion for any smaller Quantity.

Limiting
Charges for
Conveyance
of Passen-
gers.

LIV. 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 said Railways or Branch Railways than Twopence *per* Passenger *per* Mile in respect of any Passenger travelling in a First-class Carriage, One Penny Halfpenny *per* Passenger *per* Mile in respect of any Passenger travelling in a Second-class Carriage, and One Penny and One Eighth of a Penny *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: Provided always, that in the Case of
Trains

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Trains travelling at a greater Rate of Speed than Twenty-five Miles *per* Hour it shall be lawful for the Company to demand and receive in respect of Passengers travelling by such Trains in a First-class Carriage any Sum not exceeding Twopence Three Farthings *per* Mile, and for Passengers travelling by such Trains in a Second-class Carriage any Sum not exceeding Twopence *per* Mile, and if travelling in a Third-class Carriage by such Trains any Sum not exceeding One Penny Halfpenny *per* Mile, including in such Charges the Charges for the Use of Carriages and Locomotive Power, and all other Charges incidental to such Conveyance.

LV. 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 said Railways or Branch Railways, any greater Sum, including the Charges for the Use of Carriages, Waggon, 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,)

Limiting
Charge for
the Convey-
ance of
Cattle.

For all Dung, Compost, and all other Sorts of Manure, Lime, and Limestone, and all undressed Materials for the Repair of public Roads or Highways, *per* Ton *per* Mile One Penny Halfpenny :

For all Coals, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, and Ironstone and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandise, *per* Ton *per* Mile Twopence :

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 Twopence Halfpenny :

For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, and Things, *per* Ton *per* Mile Threepence Halfpenny :

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 and a Half, carried or conveyed on a Truck or Platform, *per* Mile Sixpence :

For every Horse, Mule, Ass, or other Beast of Draught or Burden, *per* Mile Fivepence :

For every Ox, Cow, Bull, or Neat Cattle, *per* Mile Twopence :

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

Provided always, that if any Passengers, Animals, or Goods be conveyed for a less Distance than Six Miles on the said Railways and Branch Railways the Company shall be entitled to demand and receive

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receive Tolls as for Six entire Miles; and provided also, that for the Tonnage of all Articles, Matters, and Things conveyed upon the Junction Line of Railway commencing at *Princes Street* in the said City of *Perth*, to *St. Leonard's Farm*, described and authorized to be made by the Act third herein-before recited, or any Part thereof, and in respect of Passengers, Beasts, Cattle, and Animals conveyed in Carriages, and for Carriages conveyed on the same or any Part thereof, and for and in respect of Locomotive Engines or other Power for drawing or propelling supplied by the Company, and for the Conveyance thereon or any Part thereof respectively in Waggons or Carriages belonging to the Company of any Passengers, Cattle, or other Animals, Goods, Wares, Merchandise, Articles, Matters, and Things, the Company may lawfully demand and receive Rates, Tolls, and other Charges as for and applicable to a Distance of Three Miles, anything in this Act to the contrary notwithstanding :

Second and
Third Class
Carriages.

Two Thirds in Number of the Company's regular Trains running each Day shall have Carriages attached for the Conveyance of Second and Third Class Passengers.

Tolls for
propelling
Power.

LVI. The Toll which the Company may demand for the Use of Engines for propelling Carriages upon the *Dundee and Newtyle* Railway shall not exceed One Penny *per* Mile for each Passenger or Animal, or for each Ton of Goods or other Articles, in addition to the several other Tolls or Sums by this Act authorized to be taken, except when Passengers, Animals, Goods, or other Articles are sent by a Special Train, in which Cases the Company shall be entitled to charge any reasonable Sum in their Discretion beyond the Rates and Charges herein limited.

Regulations
as to the
Tolls.

LVII. The following Provisions and Regulations shall be applicable to the fixing of Tolls upon the said *Dundee and Newtyle* Railway; (that is to say,)

For Articles or Persons conveyed on the said Railway for a less Distance than Six Miles the Company may demand as for Six entire Miles :

For a Fraction of a Mile beyond Six Miles or beyond any greater Number of Miles the Company may demand Tolls on Merchandise for such Fraction in proportion to the Number of Quarters of a Mile contained therein, and if there be a Fraction of a Quarter of a Mile such Fraction shall be deemed a Quarter of a Mile; and in respect of Passengers every Fraction of a Mile beyond an integral Number of Miles shall be deemed a Mile :

For a Fraction of a Ton the Company may demand Toll according to the Number of Quarters of a Ton in such Fraction; and
if

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if there be a Fraction of a Quarter of a Ton, such Fraction shall be deemed a Quarter of a Ton :

With respect to all Articles, except Stone and 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, Ash, or Fifty Cubic Feet of any other Timber, shall be deemed One Ton Weight, and so on in proportion for any smaller Quantity.

LVIII. 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 said *Dundee and Newtyle* Railway, any greater Sum, including the Charges for the Use of Carriages, Waggon, or Trucks, and for locomotive Power, and all other Charges (except the Dues for Inclined Planes) incidental to such Conveyance, than the several Sums herein-after mentioned ; (that is to say,) Limiting Charge for Conveyance of Goods and Cattle.

For all Dung, Stones for building, pitching, and paving, and for all Bricks, Tiles, and Slates, *per Ton per Mile* Twopence Halfpenny :

For all Coals, Lime, and Limestone, Bone Dust, Potatoes in Bags, Grass, and other such Agricultural Produce (except Hay), all Grain, Malt, Meal, and Rags, *per Ton per Mile* Twopence Three Farthings :

For all rough Bones, Guano, Potatoes in Bulk, Flour, Railway Sleepers, and Pit Props, Salt, Flax, Hemp, Tow, Yarn, Wool, Linen, Cloth, and all Iron Ore and Pig Iron, Sheep Flakes, and Hay, *per Ton per Mile* Threepence :

For all Cotton and Woollen Cloths, Machinery, Lead, Copper, and Brass, Hardware, Iron Castings, Bar Iron, Rod Iron, and other Iron, Coke, Timber, Dyewoods, Earthenware, Ale, Porter, Sugar, Fish, Tea, and all Kinds of Groceries, Spirits, and Wines, Household Furniture, Silks, Muslins, Gold and Silver Plate, Glass, China, and all other Articles, Matters, and Things, *per Ton per Mile* Fourpence :

And for every Carriage, of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per Mile* 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* Fourpence :

For every Calf, Pig, or Sheep, *per Mile* One Halfpenny :

For every Lamb or other small Animal, *per Mile* One Farthing :

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Provided

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Provided always, that if any Passenger, Animals, or Goods be conveyed for a less Distance than Six Miles on the said Railway the Company shall be entitled to demand and receive Tolls as for Six entire Miles.

Limiting
Charges for
Conveyance
of Passen-
gers.

LIX. 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 said *Dundee and Newtyle* Railway than Twopence *per* Passenger *per* Mile in respect of any Passenger travelling in a First-class Carriage, One Penny Three Farthings *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: Provided always, that in the Case of Trains travelling at a greater Rate of Speed than Twenty-five Miles *per* Hour it shall be lawful for the Company to demand and receive, in respect of Passengers travelling by such Trains in a First-class Carriage, any Sum not exceeding Twopence Three Farthings *per* Mile, and for Passengers travelling by such Trains in a Second-class Carriage any Sum not exceeding Twopence *per* Mile, and if travelling in a Third-class Carriage by such Trains any Sum not exceeding One Penny Halfpenny *per* Mile, including in such Charges the Charges for the Use of Carriages and Locomotive Power, and all other Charges incidental to such Conveyance.

Extra Rates
for Inclined
Planes.

LX. It shall be lawful for the Company to demand, levy, and receive, for and in respect of the Use of the several Stationary Steam Engines and Ropes and Machinery used on the several Inclined Planes on the said *Dundee and Newtyle* Railway, and the Expenses of upholding the same, for all Goods, Wares, and Merchandises carried or conveyed up or down the Two Inclined Planes at the North and the South Extremities of the Line, or either of them, or Part of either of such Inclined Planes, such Sum or Sums as the Company shall from Time to Time appoint, not exceeding Fourpence for each Ton or Fraction of a Ton, or for each Barrel Bulk of Five Cubic Feet, or Part of a Barrel Bulk, for each of the said Inclined Planes on which or on Part of which such Goods, Wares, and Merchandises or other Things shall be so carried or conveyed, over and above the Rates and Duties herein-before authorized.

Tolls for
small Pack-
ages and
single Arti-

LXI. And with respect to small Packages, and single Articles of great Weight, the Company may, notwithstanding the Rate of Tolls prescribed by this Act, lawfully demand upon the said Railways and Branch

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Branch Railways and *Dundee and Newtyle* Railway the Tolls not exceeding the following ; (that is to say,) cles of great Weight.

For any Parcel not exceeding Seven Pounds in Weight, Sixpence ;

For any Parcel above Seven and not exceeding Fourteen Pounds in Weight, Ninepence ;

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

For any Parcel above Twenty-eight and not exceeding Fifty-six Pounds in Weight, Two Shillings ;

And for Parcels exceeding Fifty-six Pounds in Weight but not exceeding Five hundred Pounds in Weight the Company may demand any Sum which they think fit :

Provided always, that Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages :

For the Carriage of any One Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Carriage, shall not exceed Eight Tons, the Company may demand such Sum as they think fit, not exceeding Sixpence *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.

LXII. Nothing herein contained shall prevent the Company from taking any increased Charge, over and above the Charges hereinbefore limited, for the Conveyance of Goods of any Description, or of any Animals, Matters, or Things, by Agreement with the Owners or Persons in charge thereof, either in respect of the Conveyance of the same (small Parcels excepted) by Passenger or Special Trains, or by reason of any special Service performed by the Company in relation thereto. Company may take special Rates by Agreement in special Cases.

LXIII. The Restriction as to Charges to be made for Passengers shall not extend to any Special Train that may be required to run upon any of the said Railways, but shall apply only to the Ordinary and Express Trains appointed from Time to Time by the Company. Restriction as to Charges not to apply to Special Trains.

LIV. Every Person travelling upon the said Railways and Branch Railways and *Dundee and Newtyle* Railway may take with him his ordinary Luggage, not exceeding One hundred and twelve Pounds in Weight for First-class Passengers, One hundred Pounds in Weight for Passengers Luggage.

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for Second-class Passengers, and Sixty Pounds in Weight for Third-class Passengers, without any Charge being made for the Carriage thereof.

Tolls on
Dundee and
Newtyle
Railway to
be taken
during the
Subsistence
of Lease only.

LXV. Provided always, That the several Provisions in this Act contained with respect to Tolls, Rates, and Charges for or in respect of the Railways of the *Dundee and Newtyle* Railway Company shall only be in force during the Subsistence of the Lease to the Company of such last-mentioned Railways.

Rights of the
Dundee and
Newtyle
Railway
Company not
to be affected.

LXVI. Nothing in this Act contained shall prejudicially affect the Rights, Remedies, and Priorities of the *Dundee and Newtyle* Railway Company competent to them under or by virtue of the Lease and Deed of Conveyance herein-before recited, or any Act or Acts of Parliament passed prior to the passing of this Act, all of which Rights, Remedies, and Priorities are hereby reserved entire, and the same may be enforced and made available to the said *Dundee and Newtyle* Railway Company in all respects as if this Act had not been passed.

Railways, &c.
not exempt
from Provi-
sions of pre-
sent and
future Gene-
ral Railway
Acts.

LXVII. Nothing herein contained shall be deemed or construed to exempt the said Railways and Branch Railways from the Provisions of any General Act relating to this Act, 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 the present 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 or of the Rates for small Parcels by this Act authorized.

Expenses of
Act.

LXVIII. All the Costs, Charges, and Expenses of and incident to the obtaining and passing of this Act shall be paid by the Company.

*The Dundee and Perth and Aberdeen Railway Junction
(Consolidation) Act, 1855.*

SCHEDULE referred to in the foregoing Act.

The Sections of the Acts relating to the Dundee and Perth and Aberdeen Railway Junction Company which are to remain in force.

Year and Chapter of Act, Local and Personal, as printed by Her Majesty's Printers.	Number and Title of Sections of such Act as printed by Her Majesty's Printers.
Anno Octavo & Nono Victoriæ Reginæ, Cap. clvii.	XXX. Company not to use Locomotive Power along Dock Street.
Ditto - -	XXXI. Regulating Use of Railway across Union Street.
Ditto - -	XXXII. Regulations as to Use of Rail- way along the Quay.
Ditto - -	LI. Reserving the Rights of the Crown.
Ditto - -	LII. Saving Rights of Magistrates of Dundee and Perth and Police Com- missioners and Harbour Trustees of Dundee.
Anno Nono & Decimo Victoriæ Reginæ, Cap. ccxxviii.	XXII. Traffic on Dundee and Newtyle Railway to be fairly accommodated.
Ditto - -	XXIII. Power to purchase the Dundee and Newtyle Railway.
Ditto - -	XXIV. Form and Effect of Conveyance.
Ditto - -	XXXII. Saving the Rights of the Crown.
Anno Decimo & Undecimo Victoriæ Reginæ, Cap. lxxxix.	V. Regulating the Mode of crossing the River at Perth.
Ditto - -	VI. Previous to Construction of Bridge Plan to be lodged.
Ditto - -	VII. As to the Removal of Sand Banks.
Ditto - -	VIII. Penalty on Company for causing Vessels to be detained longer than necessary.
Ditto - -	IX. Navigation to be kept clear during Construction and repairing of Bridges.
Ditto - -	XVIII. As to the Junction with the Scottish Central Railway.
Ditto - -	XIX. Bridges abandoned by Company may be removed by the Admiralty at the Expense of the Company.
Ditto - -	XXVIII. Provision as to the Burgh Customs of Perth.
Ditto - -	XXXIX. As to Rights of Scottish Central Railway Company.

[Local.]

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*The Dundee and Perth and Aberdeen Railway Junction
(Consolidation) Act, 1855.*

Year and Chapter of Act, Local and Personal, as printed by Her Majesty's Printers.	Number and Title of Sections of such Act as printed by Her Majesty's Printers.
Anno Decimo & Undecimo Victoriæ Reginæ, Cap. cvi.	I. Power to widen and alter Railway.
Ditto - -	XIII. Lodges to be erected at level Crossings.
Ditto - -	XVII. Powers of existing Acts to be exercised by Lessees.
Anno Undecimo & Duodecimo Victoriæ Reginæ, Cap. lii.	XIII. Power to make Branch Railways and Works according to deposited Plans.
Ditto - -	XIV. Power to Admiralty to order local Survey.
Ditto - -	XV. Company to embank Ground in passing through the Area of the Tay, &c. as shall be required by the Commissioners of Woods, &c.
Ditto - -	XVI. Company to form a Road.
Ditto - -	XVII. Powers to Commissioners of Woods, &c. to make Agreements.
Ditto - -	XVIII. Saving Rights of Parties having an Interest in the Shore of the Tay.
Ditto - -	XIX. Regulating Construction of Arches over Streets.
Ditto - -	XX. Bridge over Trades Lane to be 18 Feet high.
Ditto - -	XXV. Saving Trustees Claim for Compensation for the Loss of Traffic.
Ditto - -	XXVI. How such Compensation is to be ascertained.
Ditto - -	XXVII. A gross Payment may be made as Compensation for Loss of Traffic.
Ditto - -	XXVIII. Works abandoned by the Company may be removed by the Admiralty.
Ditto - -	XXXII. Railway Company to collect Town's Customs, and to account for the same.
Ditto - -	XXXV. Saving Rights of Town of Dundee, &c.
Ditto - -	XXXVI. Saving Rights of the Crown.
Anno Undecimo & Duodecimo Victoriæ Reginæ, Cap. cliv.	VI. Providing for the forwarding of the Traffic on the Edinburgh and Northern Railway.
Ditto - -	VII. Trains to wait a certain Time for Arrival of Edinburgh and Northern Trains.
Ditto - -	VIII. Company not to charge higher Rates for Edinburgh and Northern Railway Traffic than are charged on their own Lines.
Ditto - -	IX. Rates of Charge for Coal and Lime Traffic from Edinburgh and Northern Railway.
Ditto - -	X. Regulating Charges for Trucks.

*The Dundee and Perth and Aberdeen Railway Junction
(Consolidation) Act, 1855.*

Year and Chapter of Act, Local and Personal, as printed by Her Majesty's Printers.	Number and Title of Sections of such Act as printed by Her Majesty's Printers.
Anno Undecimo & Duodecimo Victoriæ Reginae, Cap. cliv. Ditto - -	XI. Traffic to be booked, and without Charge for Trouble. XII. Edinburgh and Northern Railway Company may form Sidings, &c.
Anno Decimo Tertio & Decimo Quarto Victoriæ Reginae, Cap. xxxix. Ditto - -	XIV. Certain Provisions of 11 & 12 Vict. c. 154. as to Traffic of Edinburgh and Northern Railway to come into imme- diate Operation. XIX. Saving the Rights of the Crown.

LONDON :

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