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VICTORIÆ REGINÆ.

Cap. lxxxi.

An Act to enable the *Scottish Central Railway Company* to make and maintain certain Extensions of their *Denny Branch*. [27th July 1857.]

WHEREAS the *Scottish Central Railway Company* were, by 19 & 20 Vict. c. cxxxix.
“The *Scottish Central Railway (Denny Branches) Act, 1856*,” empowered to make and maintain a Branch Railway from their Main Line to the Town of *Denny* in the County of *Stirling*: And whereas it would be attended with public Advantage and Convenience if the said Company were authorized to extend the said Branch Railway to Points near *Stoneywood Old Mill* in the Parish of *Denny*, and near *Ingliston Ironstone Pit* in the Parish of *Dunipace*, and to make a Branch from the said last-mentioned Extension to a Point in the Parish of *Denny* near *Denovan Print Works*, all in the County of *Stirling*; but these Objects cannot be accomplished 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,)

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I. This

The Scottish Central Railway (Denny Branch Extensions) Act, 1857.

Short Title.

I. This Act may be cited for all Purposes as “The *Scottish Central Railway (Denny Branch Extensions) Act, 1857.*”

“The Company.”

II. The Expression “the Company” in this Act shall mean the *Scottish Central Railway Company.*

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

III. “The Lands Clauses Consolidation (*Scotland*) Act, 1845,” and “The Railways Clauses Consolidation (*Scotland*) Act, 1845,” are hereby incorporated with this Act.

Certain Portion of 8 & 9 Vict. c. 17. incorporated.

IV. Subject to the Provisions of this Act, the Clauses and Provisions of “The Companies Clauses Consolidation (*Scotland*) Act, 1845,” with respect to the Distribution of the Capital of the Company into Shares, and with respect to the Transfer or Transmission of Shares, and with respect to the Payment of Subscriptions and the Means of enforcing the Payment of Calls, and with respect to the Forfeiture of Shares for Nonpayment of Calls, and with respect to the borrowing of Money by the Company on Mortgage or Bond, and with respect to the Conversion of the borrowed Money into Capital, and with respect to the Consolidation of the Shares into Stock, and with respect to the General Meetings of the Company and the Exercise of the Right of voting by the Shareholders, shall be incorporated with this Act: Provided always, that each Holder of new Shares or Stock in the Capital by this Act authorized to be raised by the Company shall be entitled to the same Number of Votes in respect thereof which the Possession of an equal nominal Amount in Money of the Capital authorized by “The *Scottish Central Railway Act, 1845,*” would have conferred upon him.

Power to raise additional Capital by new Shares;

V. It shall be lawful for the Company from Time to Time to raise, in addition to the Capital authorized to be raised by any other Act relating to their Undertaking, any Sum not exceeding Thirty thousand Pounds, by the Creation and Issue of new Shares in their Undertaking.

with Right to a guaranteed or preferential Dividend.

VI. It shall be lawful for the Company, with the Consent of Three Fifths of the Votes of the Shareholders present, personally or by Proxy, at any Extraordinary Meeting convened for that Purpose, to confer on such new Shares the Right to a guaranteed or preferential Dividend out of the Profits of the Company at such Rate, not exceeding Five Pounds *per Centum per Annum*, and with such Privileges and Advantages, as shall be fixed by such Meeting.

Additional Capital to form Part of general Capital.

VII. The Capital to be raised by the Creation and Issue of such new Shares shall be Part of the general Capital of the Company, and shall be raised subject to the like Conditions and Restrictions as to the maximum Amount of each Call, and the Interval between the successive

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successive Calls, as are prescribed by "The *Scottish Central Railway Act, 1845*," in relation to the Capital thereby authorized to be raised, and, except as otherwise provided by the Extraordinary Meeting of the Company which shall resolve to create and issue the same, such new Shares shall confer on the Holders thereof all the Rights and Privileges, and shall impose on them all the Liabilities and Obligations, which the existing Shares or Stock of the Company confer and impose on the Holders thereof.

VIII. Such new Shares may be apportioned among and offered to the Persons who shall, at the Time of the Creation thereof, be Shareholders in the Company, or, if not taken by them, or as to so many as shall not be taken by them, may be disposed of to such other Persons as may be willing to accept the same, in such Manner and on such Terms and Conditions as shall be determined by the Extraordinary Meeting which shall resolve to create and issue the same.

Company to direct Appropriation and Disposal of new Shares.

IX. After the said Sum of Thirty thousand Pounds shall have been subscribed, or the said new Shares shall have been taken up, and One Half of the Amount thereof shall have been paid up, it shall be lawful for the Company from Time to Time to borrow on Mortgage of their Undertaking, or on Bond or Cash Credit Bond, any Sum or Sums of Money not exceeding in the whole Ten thousand Pounds, in addition to the Sums authorized to be borrowed by the other Acts relating to their Undertaking, and to convert the said Debt into Debenture Stock, under the Powers and Provisions, with the Rights and Privileges, and subject to the Restrictions and Conditions contained in "The *Scottish Central Railway Act, 1853*:" Provided always, that all Mortgages, Bonds, and Debenture Stock for which or for the Interest whereof the Company are lawfully liable, and which shall be in force at the Time of the passing of this Act, and all Renewals thereof, shall, during their Subsistence, have Priority over any Mortgage, Bond, or other Security for Money to be granted by the Company under the Powers of this Act.

Power to borrow on Mortgage or Bond.

X. The whole Sums herein-before authorized to be raised by the Creation of Shares and by borrowing shall be applied for the Purposes of this Act, and for no other Purpose whatsoever.

Application of Money to be raised.

XI. If, in pursuance of the Provisions of "The Companies Clauses Consolidation (*Scotland*) Act, 1845," the Company, instead of borrowing or continuing on Loan the Sums hereby authorized to be borrowed, shall resolve to raise the same or any Part thereof by creating new Shares, it shall be lawful for them to confer on such Shares the Right to a guaranteed or preferential Dividend out of the Profits

Company may issue additional Preference Shares in lieu of borrowing.

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Profits of the Company at such Rate not exceeding Five Pounds *per Centum per Annum*, and with such Privileges and Advantages, as shall be fixed with the Consent of Three Fifths of the Votes of the Shareholders present, personally or by Proxy, at the Extraordinary Meeting which shall resolve to create and issue the same.

Former Guarantee or Preference not to be affected.

XII. No Guarantee or Preference which may be conferred on any Shares under the Provisions of this Act shall prejudice or affect any Preference or Priority in the Payment of any Interest or Dividend on any other Shares or Stock which shall have been granted by the Company in pursuance of, or which may have been confirmed by, any previous Act of Parliament, or which may otherwise be lawfully subsisting.

Subscription Contract to be valid.

XIII. The Subscription Contract which, pursuant to the Standing Orders of Parliament, was entered into with respect to the Undertaking authorized by this Act previously to the Commencement of the last Session of Parliament, shall be as valid and shall be construed as if this Act had been passed in the said last Session.

Power to make Works according to deposited Plans.

XIV. Whereas Plans and Sections describing the Lines and Levels of the Railways after mentioned, with a Book of Reference to the said Plans, have been deposited for public Inspection in the Office at *Stirling* of the Principal Sheriff Clerk of the County of *Stirling*: It shall be lawful for the Company, subject to the Provisions and with the Powers of Deviation and other Powers contained in this Act and in the Acts incorporated herewith, to make and maintain in the Lines and upon the Lands delineated on the said Plans and described in the said Book of Reference, and according to the Levels defined on the said Sections, the said Railways, with all proper Works and Conveniences connected therewith, and to enter upon, take, and use such of the said Lands as they may deem necessary for the said Purposes.

Description of Railways.

XV. The Railways by this Act authorized shall be,—

First, a Railway commencing at a Point on the Branch Railway to the Town of *Denny* authorized by “*The Scottish Central Railway (Denny Branches) Act, 1856*,” near its Terminus in the said Town, and terminating near *Stoneywood* Old Mill in the Parish of *Denny*, all in the County of *Stirling*;

Secondly, a Railway commencing at a Point on the said Branch Railway authorized by the last-mentioned Act, about a Quarter of a Mile to the Eastward of the Gasworks in *Denny*, and terminating near *Ingliston* Ironstone Pit in the Parish of *Dunipace*, all in the County of *Stirling*; and,

Thirdly,

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Thirdly, a Railway commencing at a Point on the Railway last hereby authorized between *Boreland Farm* and *Herbertshire Print Field*, and terminating at or near the River *Carron* opposite *Denovan Print Works*, all in the County of *Stirling*.

XVI. In constructing the said Railways it shall be lawful for the Company to carry the same by not more than Two Lines of Railway across the Surface of the following Roads, or to make the said Roads to cross the said Railways on the Level thereof; (that is to say,) Level Crossings of Roads.

On the Line to *Stoneywood Old Mill*,

The Road in the Parish of *Denny* numbered 46 on the Plans deposited as aforesaid :

On the Line to *Ingliston Ironstone Pit*,

The Road in the Parish of *Dunipace* numbered 5 on the said Plans.

XVII. For the greater Convenience and Security of the Public the Company shall erect and maintain either a Station or a Lodge at each of the said Points of crossing, and 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 maintain such Station or Lodge at either of the said Points, or to appoint a proper Person to watch or superintend the Crossing, or to observe or abide by any such Rules or Regulations as aforesaid, they shall 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. Stations or Lodges to be erected at the Points of crossing.

XVIII. It shall be lawful for the Board of Trade, if it shall appear to them to be necessary for the public Safety, at any Time, either before or after the Railways hereby authorized to be carried across the said Roads on the Level shall have been completed and opened for public Traffic, to require the Company, within such Time as the said Board shall direct, and at the Expense of the Company, to carry either of such Roads either over or under the Railway by means of a Bridge or Arch in lieu 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 best adapted for removing or diminishing the Danger arising from such level Crossing. Board of Trade may require Bridges to be erected in lieu of level Crossings.

XIX. In constructing the said Railways it shall be lawful for the Company to alter the Rates of Inclination of the Roads numbered as after mentioned on the said deposited Plans to such Extent as they Inclinations of certain Roads.

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may think fit, provided that such altered Inclinations shall not be steeper than herein-after mentioned; *videlicet*,

The Road in the Parish of *Denny* numbered 23, not steeper than One Foot in Thirteen Feet :

The Road in the Parish of *Denny* numbered 93, not steeper than One Foot in Twenty-three Feet :

The Road in the Parish of *Dunipace* numbered 36, not steeper than One Foot in Twenty-three Feet.

Land for extraordinary Purposes.

XX. It shall be lawful for the Company to purchase by Agreement in connexion with the said Railways, and in addition to any other Land held by them, any Quantity of Land not exceeding Five Acres for the extraordinary Purposes specified in "The Railways Clauses Consolidation (*Scotland*) Act, 1845."

Period for compulsory Purchases limited.

XXI. The compulsory Powers of taking Lands conferred by this Act shall not be exercised after the Expiration of Eighteen Months from the passing of this Act.

Period for Completion of Works.

XXII. All the Powers conferred by this Act for making the said Railways shall cease on the Expiration of Three Years from the passing of this Act, except as to so much of the said Railways as shall then be completed.

Suspending Dividend in case of Non-completion.

XXIII. If the said Railways shall not be completed and opened for public Traffic within the said Period of Three Years, the Payment of any Dividend on the ordinary and unguaranteed Capital of the Company shall, after the Expiration of that Period, be suspended until the said Railways shall be completed and opened.

Tolls.

XXIV. The said Railways shall be and be held to be a Part of the *Scottish Central Railway*, and it shall be lawful for the Company to demand and recover for the Use of the Railways hereby authorized, and the Conveyance of Traffic thereon, any Tolls, Rates, and Charges, not exceeding the Tolls, Rates, and Charges leviable on the said Branch Railway to the Town of *Denny* under the Powers of "The *Scottish Central Railway (Denny Branches) Act, 1856.*"

Interest not to be paid on Calls.

XXV. It shall not be lawful for the Company, out of any Money by this Act or any other Act relating to the Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay to any Shareholder Interest or Dividend 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

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that nothing herein contained shall be deemed to prevent the Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with the Provisions in that Behalf contained in "The Companies Clauses Consolidation (*Scotland*) Act, 1845."

XXVI. It shall not be lawful for the Company, out of any Money by this Act or any other Act relating to the Company authorized to be raised for the Purposes of such Act, to pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament in force for the Time being, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the Company to construct any Railway or execute any other Work or Undertaking.

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

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

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

XXVIII. All the Costs, Charges, and Expenses of applying for and obtaining this Act, and in any way preparatory and incidental thereto, shall be paid by the Company.

Expenses of Act.

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1857.

