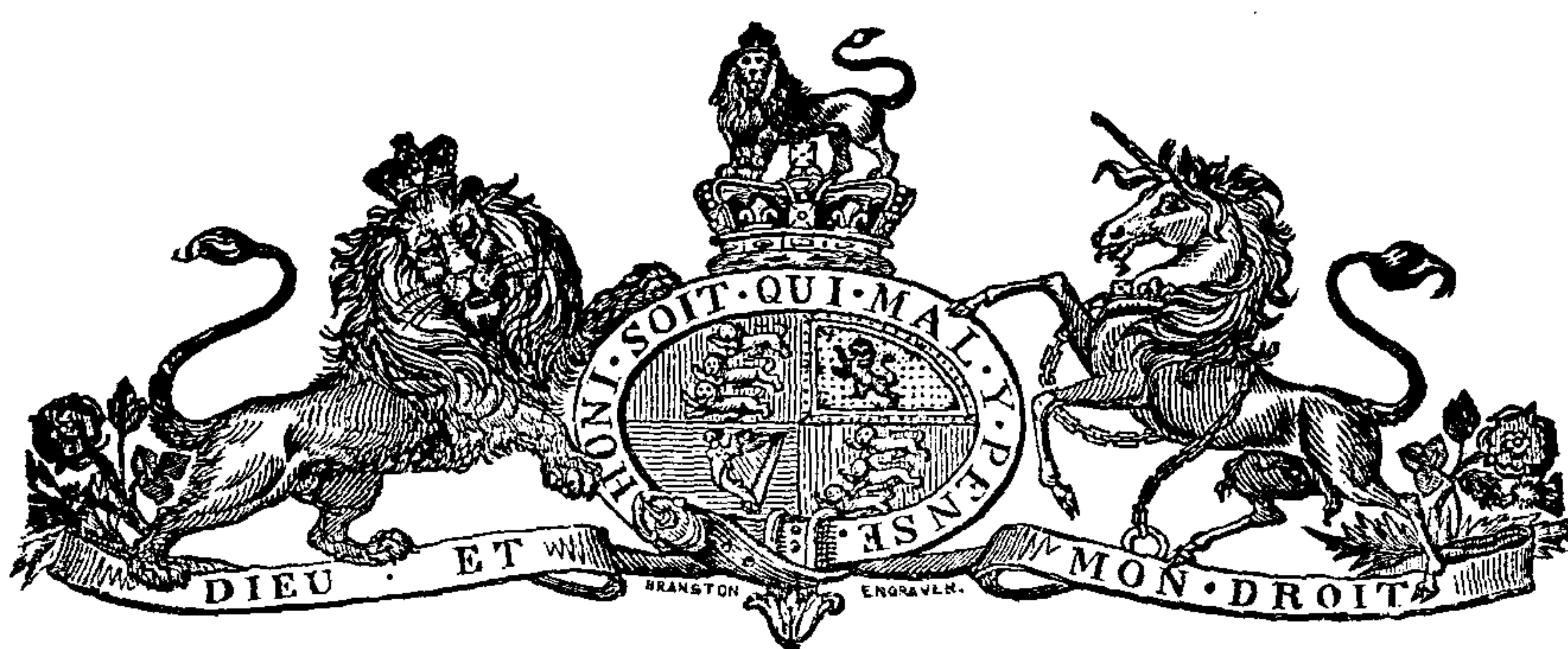




ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

Cap. lxxxviii.

An Act to enable the *London and South-western Railway Company* to widen and improve the *London and South-western Railway* from the Junction thereof with the *Richmond Railway* to the Terminus at *Nine Elms*, and to enable them to enlarge their intended Station at the *York Road, Lambeth*.
[2d July 1847.]

WHEREAS an Act was passed in the Fifth Year of the Reign of His late Majesty King *William the Fourth*, intituled *An Act for making a Railway from London to Southampton*, and by the said Act several Persons were incorporated by the Name and Style of "*The London and Southampton Railway Company*" for carrying into execution the said Undertaking: And whereas by other Acts passed respectively in the First, Second, Fourth, Fifth, Eighth, and Ninth Years of the Reign of Her present Majesty Queen *Victoria* further Powers have been conferred upon the Company, and the Name and Style of the Company has been changed to "*The London and South-western Railway Company*," and by virtue of such Powers the said Undertaking has been extended to *Portsmouth* and to *Guildford*, and also by the *Salisbury Branch Railway*
[Local.] 13 G from

4 & 5 W. 4.
c. 88.

from *Bishopstoke* by *Romsey* to *Salisbury*: And whereas in exercise of further Powers granted to the Company by other Acts passed in the Ninth Year of the Reign of Her said Majesty, and in the last Session of Parliament, various other Branches and Extensions of the *London and South-western* Railway are now in course of Execution, and in particular Extensions to the *York Road* aforesaid, and to *London Bridge*: And whereas it will conduce to the Convenience and Safety of the Public using the said *London and South-western* Railway that the said Railway should be widened and additional Rails should be provided between the Junction thereof with the *Richmond* Railway near *Falcon Bridge* in the Parish of *Battersea* and the Terminus thereof at *Nine Elms*: And whereas for the Purpose of providing further Accommodation for the Public at the said *York Road* Station, and for the Purpose of more conveniently connecting the said Station with the said Extension to *London Bridge*, it is expedient that the Powers of the said Company to purchase Land at or near the said *York Road* Station should be enlarged or extended: And whereas the *London and South-western* Railway Company are willing, at their own Expence, to widen the said *London and South-western* Railway between the Points aforesaid, and to provide additional Rails thereon, and are also willing to make the said intended Enlargement of the said *York Road* Station, and it is expedient that Powers should be granted to them for effecting the several Objects aforesaid, and that for the same and other Purposes some of the Powers and Provisions of the several Acts herein-before referred to should be amended and enlarged, but the same cannot be effected without the Authority of Parliament: And whereas an Act was passed in the Eighth Year of the Reign of Her said present Majesty Queen *Victoria*, called "The Lands Clauses Consolidation Act, 1845:" And whereas another Act was passed in the said Eighth Year of the Reign of Her said Majesty, called "The Railways Clauses Consolidation Act, 1845:" 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 all Provisions, Matters, and Things contained in the said herein-before referred to Acts relating to the *London and South-western* Railway, or any of them, so far as the same are now unrepealed, and except such of them or such Parts thereof as are by this Act repealed, altered, or otherwise provided for, shall extend to the several Purposes and Things hereby authorized to be done as fully and effectually as if the same several Provisions, Matters, and Things were repeated and re-enacted in this Act with reference to such Purposes and Things.

Provisions of
recited Acts
to extend to
this Act.

8 & 9 Vict.
cc. 18. & 20.
incorporated
with this Act.

II. And be it enacted, That the several Acts of Parliament following, (that is to say,) "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act.

Short Title.

III. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments, Notices, and other Proceedings, it shall be sufficient to use the Expression "The *London and South-western*

western Railway Company's widening and York Road Station Enlargement Act, 1847."

IV. And whereas the estimated Expence of widening the said Rail- Capital.
way between the Points aforesaid, and of making the said intended Enlargement of the said *York Road Station* and the Works connected therewith, is One hundred and fifty thousand Pounds; be it enacted, That it shall be lawful for the Company to raise by the Issue of new Shares in the Undertaking of the Company, of such Amount and respectively in such Classes, on such Terms, with such Conditions, whether the Dividends thereon shall be fixed or rateable, and otherwise with such Privileges and subject to such Restrictions, (except as herein-after mentioned,) as the Company shall think fit, the further Sum of One hundred and fifty thousand Pounds: Provided always, that the nominal Amount of any such Share shall be such a Sum not exceeding Fifty Pounds as the Directors of the Company shall determine.

V. And be it enacted, That the Directors of the Company are hereby required, within Six Calendar Months after the passing of this Act, to fix and determine the Number of such Shares, and the nominal Amount of each of them, and the Classes, if any, into which such Shares shall be divided, and thereupon the said several Shares shall be duly numbered in regular Order of arithmetical Progression, and every such Share shall always be distinguished by the Number to be originally applied to the same; and the said Sum hereby authorized to be raised in Shares shall be exclusive of and in addition to the Sums which the Company shall be authorized to raise in Shares by any other Act or Acts passed in the present Session of Parliament, except "*The London and South-western Railway Company's additional Capital Act, 1847,*" and shall be included in and shall not be in addition to the Sum authorized to be raised in Shares by the last-mentioned Act. Directors to fix Number and Amount of Shares.

VI. And be it enacted, That it shall not be lawful for the said Company, out of any Money by this Act or any other Act relating to the said Railway 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-before 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 Act, 1845, in that Behalf contained. Interest not to be paid on Calls paid up.

VII. And be it enacted, That it shall not be lawful for the said Company, out of any Money by this Act or any other Act relating to the said Railway Company authorized to be raised for the Purposes of such Act or Acts, to pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament now in force or hereafter to be in force, may be required to be deposited in respect Deposits for future Bills not to be paid out of the Company's Capital.

respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the said Company to construct any other Railway, or execute any other Work or Undertaking.

Power to
make Calls
on new
Shares.

VIII. And be it enacted, That, subject to the Provisions of this Act, the Directors of the Company shall have Power from Time to Time, and at any Time after the passing of this Act, to make at their Discretion such Call or Calls of Money from the Subscribers to and Proprietors of the said new Shares by this Act authorized to be created as the Directors shall from Time to Time find necessary for the Purposes of the Company, so that no such Call shall exceed Ten Pounds *per Centum* of the total nominal Value of such new Share, and so that there shall be an Interval of Three Calendar Months at least between the Days of making every Two successive Calls.

Notice to be
given when
Call made.

IX. And be it enacted, That the several Sums of Money so to be called for shall be paid into such Banks, or to such Persons, and (subject to the Restrictions herein contained) at such Time and Place, and in such Manner as the Directors shall from Time to Time direct and appoint, of which Time and Place Twenty-one Days Notice at least shall be previously given by Advertisement under the Hands of the Secretary of the Company inserted in One or more of the daily *London* Newspapers, and in One or more Newspaper or Newspapers usually circulated in each of the Counties of *Surrey*, *Southampton*, *Wilts*, and *Dorset*; and all the Powers, Provisions, Remedies, Penalties, Forfeitures, Matters, and Things created or imposed by the said Act of the First Year of Her present Majesty, and the said Act of the Fifth Year of His said late Majesty as altered and amended by the first-mentioned Act, for compelling the Payment of Calls, and for forfeiting the Shares of such Proprietors as shall be in default, and for Payment of Subscriptions in advance in case the Directors shall think proper to accept the same, shall extend and be applicable to the new Shares by this Act authorized to be created as fully and effectually to all Intents and Purposes as if the same had been repeated and re-enacted in this Act in respect of the said new Shares hereby authorized to be created: Provided always, that no Proprietor or Owner of any new Share hereby authorized to be created shall in any Case be liable to pay any greater Sum in the whole than the total nominal Amount at which each such new Share shall be fixed and determined by the Directors of the Company in pursuance of the Power herein contained.

Power to
borrow ex-
tended to
50,000*l*.
beyond the
Amount
already
authorized.

X. And be it enacted, That it shall be lawful for the Company, when and as soon as the total Amount of the Capital of the Company authorized by the said Acts and this Act to be raised by Subscription shall have been subscribed or taken up, and One Half thereof actually raised and paid up, by an Order of any General or Special General Meeting of the Company, from Time to Time to borrow and take up at Interest any further or additional Sum of Money, not exceeding (besides and exclusive of the Sums of Money authorized to be borrowed by the said Acts or any of them, and exclusive of and in addition to any Sum or Sums which the said Company may be authorized to borrow by the passing of any other Act or Acts in this present

present Session of Parliament, except the *London and South-western Railway Company's additional Capital Act, 1847*, and to be included in and not to be in addition to the Sum authorized to be borrowed by the last-mentioned Act,) the Sum of Fifty thousand Pounds on the Credit of the said *London and South-western Railway*, including the Branches and Extensions thereof, as to them shall seem proper, and thereupon to secure Repayment thereof, with Interest, to such Persons as shall be found willing to lend the same, by such Mortgages, Assignments, or Bonds as are authorized by the said Acts or some of them in respect of the Sum thereby authorized to be borrowed.

XI. And be it enacted, That all the Powers, Authorities, and Provisions, Directions, Remedies, Regulations, Matters, and Things, in the said Acts contained relating to or in anywise affecting the borrowing of Money and the Augmentation of Capital Stock instead of borrowing, or by the Conversion of Money borrowed into Capital Stock, and relating to or in anywise affecting Mortgages and Assignments, and Transfers of Mortgages and Assignments, and Mortgagees and Assignees, and Transferees of Mortgagees and Assignees, shall extend and be applicable to the said additional Sum of Fifty thousand Pounds hereby authorized to be raised as aforesaid in the same Manner as the same extend and are applicable by the recited Acts to the Sum thereby authorized to be borrowed as aforesaid.

Provisions of recited Acts relative to the borrowing of Money to be applicable to this Act.

XII. Provided always, and be it enacted, That any Mortgage, Bond, or other Security for Money, and every Transfer of any Share, Mortgage, Bond, or other Security for Money, to be granted or made by virtue of this Act, shall be by Deed duly stamped, wherein the Consideration for the same shall be duly stated, any thing herein or in the said Acts contained to the contrary notwithstanding.

Mortgages, &c. to be stamped

XIII. And whereas Plans and Sections showing the Extent to which it is proposed to widen and enlarge the said *London and South-western Railway* within the Limits aforesaid, and showing the Lines and Levels thereof, and also a Book of Reference containing the Names of the Owners, Lessees, or reputed Owners, Lessees, and the Occupiers of the Lands through which the said Widening and Enlargement is intended to pass, have been deposited with the Clerk of the Peace for the County of *Surrey*; be it enacted, That it shall be lawful for the said Company to widen and enlarge the said *London and South-western Railway* to the Extent shown on the said Plan deposited as aforesaid, or to any less Extent, and to lay down additional Lines of Rails, with all proper Works and Conveniences connected therewith, on the Lands delineated on the said Plan and referred to in the said Book of Reference, and subject nevertheless to the Provisions contained in "The Railways Clauses Consolidation Act, 1845," according to the Levels defined on the said Sections, and to enter upon, take, and use such of the said Lands as shall be necessary for the Purpose.

Power to make Railway according to deposited Plans.

XIV. And whereas a Plan showing the Extent to which it is proposed to purchase Lands for the Purpose of enlarging the said *York Road Station*, together with a Book of Reference to the said Plan

Power to enlarge York Road Station according to

[Local.]

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containing

deposited
Plan.

containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and of the Occupiers, of the Lands which may be required to be taken for the Purposes of the Enlargement of the said Station, have been deposited with the Clerk of the Peace of the County of *Surrey*; be it therefore enacted, That it shall be lawful for the said Company to enlarge the said Station to the Extent shown on the said Plan deposited as aforesaid, or to any less Extent, and to construct all proper Works and Conveniences connected with such Station upon the Lands delineated on the said Plan, and referred to in the said Book of Reference deposited as aforesaid, and to enter upon, take, and use such of the said Lands, and to stop up, alter, abolish, and divert the following Streets, Highways, Lanes, Alleys, and Passages, Foot and Carriage and other Ways, whether public or private, namely, *Granby Street, Little York Street, Harlington Street, Mill Street, Henry Place, Charlotte Street, Robert Street, Little Vine Street, Vine Street, and Griffin Street.*

As to Lands
required for
Extension of
West London
Railway.

XV. And whereas a Bill is now pending before Parliament for widening and extending the *West London* Railway to *Nine Elms* in the Parish of *Battersea* over Lands laid down on the Plan, and described in the Book of Reference deposited as in this Act mentioned; be it therefore enacted, That in the event of the said Bill passing into a Law during the present Session of Parliament, so as to authorize the Formation of the Works thereby contemplated upon or over any of the Lands before referred to, nothing in this Act contained shall be held to prevent the Construction of the said Works, or the Purchase of any of the said Lands for the Purposes thereof: Provided always, that in the event of any Difference arising between the said *London and South-western* Railway Company and the Company or Companies who may be authorized to extend the said *West London* Railway under the Powers of the said Bill, if the same shall pass into a Law, with reference to the Lands to be occupied by either of the said Companies for the Purposes of the Works authorized by this Act, or which may be authorized by the said Bill, if the same shall pass into a Law as aforesaid, such Difference shall be referred to the Railway Commissioners for the Time being, who shall have Power to determine which of the Lands aforesaid shall be occupied by the said Companies respectively, and the Determination of the said Commissioners shall be final and conclusive.

New Works
to form Part
of the Lon-
don and
South-west-
ern Railway.

XVI. And be it enacted, The said intended Widening and the said intended Enlargement shall become and be Part of the said *London and South-western* Railway, and shall be subject and liable to all and singular the same Provisions, Clauses, Liabilities, Regulations, and Agreements, and shall possess and enjoy all and singular the same Powers, Privileges, Exemptions, and Advantages, as the said *London and South-western* Railway now uses, possesses, or enjoys, or is subject or liable to.

Period for
compulsory
Powers
limited.

XVII. And be it enacted, That the Powers of the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing of this Act.

XVIII. And be it enacted, That, notwithstanding any thing contained in the said "Lands Clauses Consolidation Act, 1845," to the contrary, it shall not be compulsory upon the Company at any Time to resell any Land or Buildings which may have been or may be purchased by them at or near the said *York Road* Station, or near the said *London Bridge* Station, and defined on the Parliamentary Plans relating to the said Stations.

Company not to be compelled to sell Land adjoining the London Stations.

XIX. And be it enacted, That the several Rules and Regulations and Provisions contained in an Act passed in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act for regulating the Construction and the Use of Buildings in the Metropolis and in its Neighbourhood*, shall not extend or be construed to extend to any Buildings of the said Company erected or to be erected under and by virtue of this Act or of any of the said recited Acts.

Provisions of 7 & 8 Vict. c. 84. not to apply to this Act.

XX. And be it enacted, That nothing in this Act or in the said recited Acts contained shall extend or be construed to extend to compel the said *London and South-western* Railway Company to widen or enlarge any Bridge or Culvert in any other Mode or on any other Principle than the Mode or Principle on which the existing Bridges and Culverts in the present Railway between *Falcon Bridge* and *Nine Elms* are now actually constructed and built, but that, notwithstanding any thing in the said recited Acts contained, it shall be lawful for the said Company in the widening and enlargement of such Bridges, Culverts, and Works to adopt and use in all respects the Mode and Principle of Construction and the Dimensions already existing on the same Railway between the aforesaid Points, so that such Enlargement shall be uniform with and form Continuations of the said existing Bridges and Culverts.

As to Construction of Bridges and Culverts.

XXI. Provided always, and be it enacted, That the maximum Charges to be made by the Company in respect of all the Tolls and Charges for the Use of the Railway hereby authorized to be made, and of Carriages, Waggon, or Trucks, and for locomotive Power, and every Expence incidental to such Conveyance (except the loading and unloading of Goods, where such Service is performed by the Company), shall not exceed the Sums in that Behalf limited by "The *London and South-western* Railway Company's Amendment Act, 1846;" and the said maximum Charges shall not extend to Articles, Matters, or Things, Passengers, Beasts, Cattle, and Animals, conveyed by or in any Express or Special Train; and that in all Cases where any such Articles, Matters, or Things, Passengers, Beasts, Cattle, and Animals, shall be conveyed on the Railway for a less Distance than Six Miles, the Company may demand and receive the before-mentioned maximum Charges for Six Miles.

Maximum Charges.

XXII. 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*

Railway to be subject to the 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.
c. 57.

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 another Act passed in the last Session of Parliament, intituled *An Act for regulating the Gauge of Railways ;* be it enacted, That nothing in this Act contained shall be held to exempt the said Railway and Branch Railways hereby authorized to be made, or the said *London and South-western Railway Company*, from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the same Railway and Branch Railways, and Company, so far as the same shall be applicable thereto.

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

XXIII. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railway and Branch Railways by this or the said recited Acts authorized to be made from the Provisions of any general Act relating to such Acts, or of any general Act relating to Railways, 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.

Expences of
Act.

XXIV. And be it enacted, That all the Costs, Charges, and Expences of attending the passing of this Act, or incidental thereto, shall be paid by the said Company, *pari passu* with the Costs, Charges, and Expences of every other Act of Parliament passed in the present Session to which they may be liable, out of the first Monies that shall come to their Hands, and in preference to every other Payment whatsoever.

Public Act.

XXV. 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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