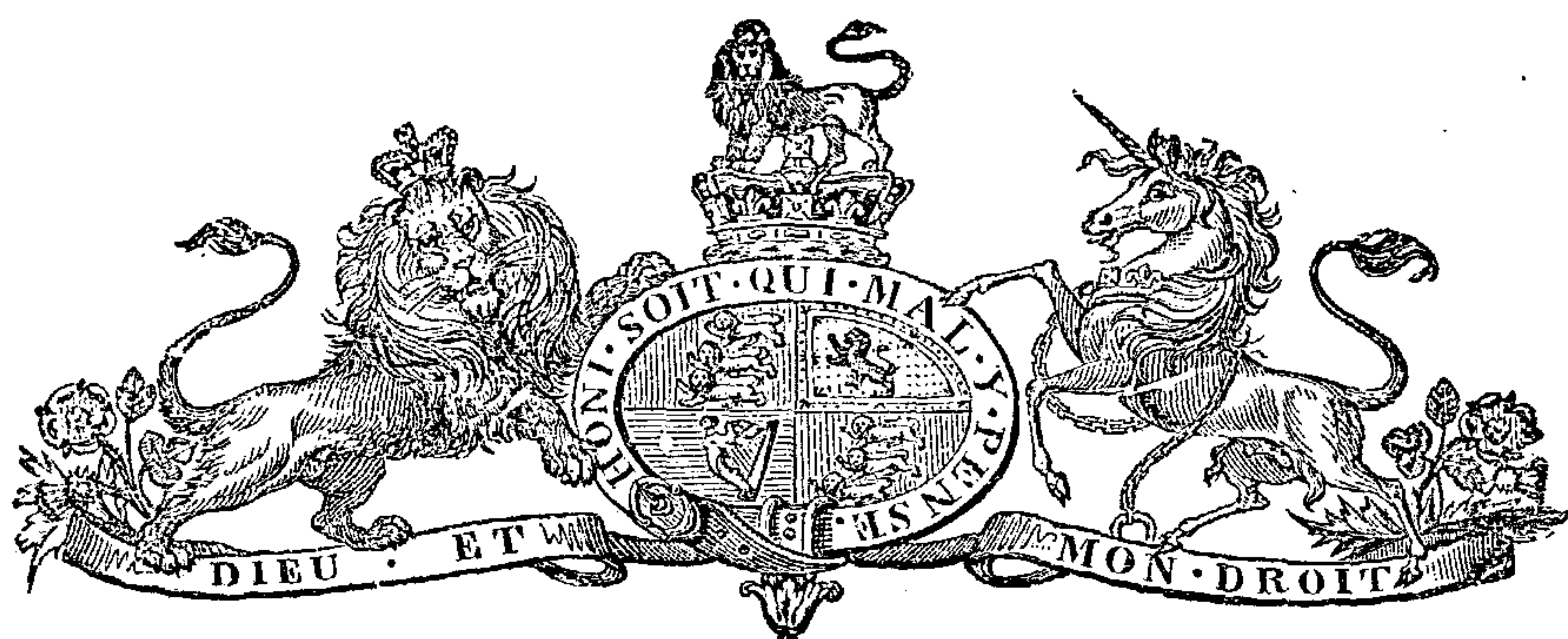




ANNO VICESIMO SEXTO & VICESIMO SEPTIMO

VICTORIÆ REGINÆ.

Cap. ccxxvii.

An Act to confer further Powers on the *London, Brighton, and South Coast* Railway Company, with reference to the Widening and Improvement of the *Pimlico* Railway; and for other Purposes. [28th July 1863.]

WHEREAS by "The *Victoria Station and Pimlico* Railway Act, 1858," (herein-after called "the original Act,") the *Victoria Station and Pimlico* Railway Company (herein-after called "the *Victoria* Company") were incorporated; and by "The *Victoria Station and Pimlico* Railway Act, 1859," (herein-after called "the Second Act,") and "The *Victoria Station and Pimlico* Railway Act, 1861," (herein-after called "the Third Act,") further Powers were granted to them: And whereas under the Authority of those Acts the *Victoria* Company have made and opened for Traffic a Station or Stations at *Pimlico* (herein-after comprised under the Name of "the *Victoria* Station,") and a Railway thence to the South Bank of the River *Thames*, with a Bridge carrying it over that River (which Railway and Bridge are herein-after comprised under the Name of "the *Pimlico* Railway": And whereas the original Act (Section Seventy-seven) confirmed an Agreement (herein-after called "the Two Companies Agreement")

[*Local.*] 40 H

21 & 22 Vict.
c. cxviii.

22 & 23 Vict.
c. cxii.

24 & 25 Vict.
c. lxxxi.

ment")

Victoria Station and Pimlico Railway Act, 1863.

ment") set forth in the Schedule to that Act, and entered into by or on behalf of the *Victoria Company* with the *London, Brighton and South Coast Railway Company* (herein-after called "the Company"), whereby the *Victoria Company* undertook to construct and complete the *Pimlico Railway* with Two Lines of Rails: And whereas under the Authority of the original Act and the Two Companies Agreement the *Victoria Company* conveyed to the Company absolutely and free from Incumbrances (except an annual Rentcharge of Three thousand Pounds mentioned in such Agreement, which has since been redeemed,) a Piece of Land on which the Company have since erected a Station and other Buildings for the Purposes and Conveniences of their Traffic, and the *Victoria Company* have also transferred to the Company that Portion of the Approach to the *Victoria Station* which is in front of the Station so erected by the *Brighton Company*: And whereas under the Authority of the original Act and the Two Companies Agreement an Approach has been made from *Lower Belgrave Place* to the *Victoria Station*, and that Agreement reserved to the Occupiers of every Station on the Land coloured Red and Blue on the said Plan, their Servants, Passengers, and Agents, a general Right of Way over the whole of that Approach, such Occupiers contributing their fair Proportion of the Expense of lighting, watching, regulating, managing, and maintaining the said Approach; but under that Agreement the Company have the sole Management, Control, and Regulation of the whole of the said Approach to all the Stations, and of the lighting, watching, and Maintenance thereof, the Company undertaking to manage and regulate the same in such fair and equitable Mode as may be most conducive to the Benefit of themselves and of all the Companies having the Right to use the said Approach: And whereas under the Authority of the original Act and the Two Companies Agreement the Company took Shares in the *Victoria Company* (whose whole Capital under the original Act was Six hundred and seventy-five thousand Pounds) of the nominal Value of Four hundred and fifty thousand Pounds, being (as in that Agreement stated) the estimated Value to the Company of the Benefits thereby agreed to be secured to them, and those Shares have been fully paid up, and by virtue of that Act and that Agreement those Shares have been extinguished, and the Two Lines of Rails, and the Points, Switches, Signals, and other like Works and Conveniences thereof, and the User of so much of the Land and of so much of the said Bridge as were respectively occupied by the Two Lines of Rails and by those Points, Switches, Signals, Works, and Conveniences, and as might be occupied by any Works for an Electric Telegraph which the Company was to be at liberty to erect, became absolutely vested in and belong to the Company, for the Estate and Interest of the *Victoria Company* therein, free from Claims and Liabilities, subject to a Right of User for the *Victoria Company*, their Assignees and Grantees respectively, but reserving to the Company the Preference and Priority in the User: And whereas the Two Companies Agreement provides

Victoria Station and Pimlico Railway Act, 1863.

vides for the Company paying to the *Victoria* Company certain Sums, if they use the said Two Lines of Railway for Traffic other than the Traffic of certain Railways and Districts therein mentioned: And whereas the Third Act (Section Thirty) confirmed an Agreement (herein-after called "the Three Companies Agreement") set forth in the Schedule to that Act between the *Victoria* Company and the *London, Chatham, and Dover* Railway Company (herein-after called "the *Dover* Company") and the *Great Western* Railway Company (herein-after called "the *Great Western* Company"), and that Act annulled a previous Agreement between the *Victoria* Company and the *Dover* Company (by their former Name of the *East Kent* Railway Company) set forth in the Schedule to the original Act, and repealed the Seventy-eighth Section of that Act, and so much of the Seventy-seventh Section of that Act as related to the *East Kent* Railway Company: And whereas in pursuance of the Three Companies Agreement the *Victoria* Company have laid Two Lines of Way of the Mixed Gauge on the *Pimlico* Railway, and have provided in the *Victoria* Station a Station for the *Dover* Company and the *Great Western* Company Eastward of the Station there of the Company, and by the Three Companies Agreement the *Victoria* Company agreed to lease the first-mentioned Station and certain Land adjoining that Station Eastwards to the *Dover* Company and the *Great Western* Company in perpetuity, and also to lease to them in perpetuity the Right of using the Railway free of Tolls, but subject to such Provisions of the Two Companies Agreement as relate thereto: And whereas, under both Agreements, the *Victoria* Company are liable to repair and maintain the Works, the other Companies being liable to repay their Expenditure thereon (excepting Expenditure on any rebuilding or repairing arising wholly or partly from defective or improper Construction), but by Agreement between the Company and the *Victoria* Company the Company in fact repair and maintain the same: And whereas the *Victoria* Station and the *Pimlico* Railway as now existing are inadequate for the Accommodation of the Traffic there and the Convenience of the Public, and the Company have proposed to widen, enlarge, and improve that Railway (including the Bridge over the *Thames*), and for the Purposes of this Act they deposited in the Month of *November* last with the respective Clerks of the Peace for the Counties of *Middlesex* and *Surrey* Plans and Sections of the proposed Widening, Enlargement, and Improvement: And whereas the *Dover* Company have caused a Bill to be introduced into Parliament in the present Session to enable them (amongst other Objects) to improve the Communication with the *Victoria* Station, for which Purpose they propose to construct a Railway (called in that Bill "Railway No. 4 (*Victoria* Station Extension)") including a Bridge over the *Thames*, and that Bill provides for the Completion and opening of that Railway with at least Two Lines of Way on the Mixed Gauge within Three Years from the passing of the Bill into Law, and that the *Dover* Company shall acquire such Land and so construct their Bridge and Railway as to admit

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admit of the laying down by the Company of a Third Line of Way on the Narrow Gauge on the East Side of the existing Lines of the *Pimlico* Railway, and between the same Lines and the proposed Railways of the *Dover* Company from the South Side of the *Thames* to the South Side of *Eccleston Bridge*; and that the *Dover* Company shall acquire and convey to the Company so much Land as is requisite for that Purpose, and shall also acquire and convey to the Company certain other Land: And whereas that Third Line of Way will be wholly within the Limits of Deviation defined on the Plans deposited for the Purposes of this Act, and it is expedient that the Company be empowered to widen and improve the *Pimlico* Railway by the Construction of that Third Line of Way: And whereas the said Bill also provides that upon the Opening for public Traffic of the Railway No. 4 (*Victoria Station Extension*) and the Railway No. 5 therein mentioned all Claims, Rights, and Powers whatsoever of the *Dover* Company and the *Great Western* Company in, to, over, or with reference to the Part of the *Pimlico* Railway by this Act vested absolutely in the Company shall absolutely cease and determine: And whereas that Bill also provides for the Payment by the Company to the *Dover* Company of several Sums of Money therein mentioned: And whereas it is expedient that the Company be authorized to raise Money for that Purpose and for the Construction of the said Third Line of Way on the Narrow Gauge: And whereas of the original Capital of the *Victoria* Company the Company contributed Four hundred and fifty thousand Pounds, and the Shares representing that Amount were extinguished as aforesaid: And whereas the *Victoria* Company do not carry or conduct any Traffic, nor use the *Victoria* Station or the *Pimlico* Railway, nor interfere with respect thereto further than in the Reception of the Rent payable under the Three Companies Agreement: And whereas it is expedient that the contingent Liability of the Company under the Two Companies Agreement to pay to the *Victoria* Company certain Sums for Traffic other than the Traffic of certain Railways and Districts therein mentioned be commuted for a yearly Rent to be payable as by this Act provided; and that in the Manner and at the Times by this Act provided that Agreement should cease to be operative, and the Section (77) of the original Act should be repealed: And whereas it is expedient that the Three Companies Agreement and the Rent thereby made payable should be applied and attached to the Two new Lines of Way on the Mixed Gauge to be made by the *Dover* Company as aforesaid in lieu and exoneration of the Part of the *Pimlico* Railway by this Act vested absolutely in the Company: And whereas the Objects aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

1. This

Victoria Station and Pimlico Railway Act, 1863.

1. This Act may be cited for any Purpose as "*Victoria Station and Pimlico Railway Act, 1863.*" Short Title.

2. "The Railways Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," except in so far as those Acts are altered by this Act, shall be incorporated with this Act and shall extend and apply to all the Works and Purposes by this Act authorized. 8 & 9 Vict. cc. 18. & 20. and 23 & 24 Vict. c. 106. incorporated.

3. The Clauses and Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the Distribution of the Capital of the Company into Shares, with respect to the Transfer or Transmission of Shares, with respect to the Payment of Subscriptions and the Means of enforcing the Payment of Calls with respect to the Forfeiture of Shares for Nonpayment of Calls; with respect to the Remedies of Creditors of the Company against the Shareholders, with respect to the borrowing of Money by the Company on Mortgage or Bond, with respect to the Conversion of the borrowed Money into Capital, and with respect to the Consolidation of the Shares into Stock, shall be incorporated with this Act, and shall in all respects not by or under the Powers of this Act otherwise provided for respectively apply to all Shares and Stock created and to all Mortgages granted and Monies borrowed by the Company under the Powers of this Act. Certain Parts of 8 & 9 Vict. c. 16. incorporated.

4. In construing this Act and in connexion with this Act the Acts and Parts of Acts incorporated with this Act the following Words and Expressions shall have the respective Meanings herein-after assigned to them, unless excluded by the Subject or Context; (that is to say,) Interpretation of Terms.

"The Special Act" shall mean this Act:

"The Company" shall mean the Company incorporated by the Local and Personal Act Nine and Ten *Victoria*, Chapter Two hundred and eighty-three, and known as "the *London, Brighton, and South Coast Railway Company*:"

"The *Dover Company*" shall mean the *London, Chatham, and Dover Railway Company*:

"The *Great Western Company*" shall mean the *Great Western Railway Company*:

"The *Victoria Company*" shall mean the *Victoria Station and Pimlico Railway Company*:

"The *Pimlico Railway*" shall mean the Railway and Bridge constructed by the *Victoria Company* under the Authority of the recited Acts:

"The old Mixed-Gauge Lines" shall mean the Two Lines of Way of the Mixed Gauge now existing on the *Pimlico Railway* from the South Side of the River *Thames* to a Point on that Railway

Victoria Station and Pimlico Railway Act, 1863.

Fifty Yards to the South of the South Side of *Eccleston Bridge*, and shall include the several Lines diverging from those Lines at that Point or North of that Point and leading into the Portion of the *Victoria Station* belonging to the Company :

“ The new Mixed-Gauge Lines ” shall mean the Two Lines of Way of the Mixed Gauge to be constructed by the *Dover Company* as provided by the recited Bill :

“ Share ” shall include Stock :

“ Superior Courts ” shall include any “ Court of competent Jurisdiction ” as interpreted by this Act :

“ Court of competent Jurisdiction ” and every like Expression shall be read and have effect as if the Debt or Demand with reference to which the Expression is used were a common Simple Contract Debt and not a Debt or Demand created by Statute.

Same Meanings to Words in this Act as in incorporated Acts.

5. All Words and Expressions to which by any Act wholly or partially incorporated with this Act Meanings are assigned shall in this Act have the respective Meanings so assigned to them, unless the Subject or Context be repugnant to or inconsistent with such Construction, or other Meanings be assigned to them by this Act.

Power to widen and improve Railway.

6. Subject to the Provisions in this Act contained the Company may, upon Lands to be provided by the *Dover Company*, and upon the Bridge to be made by them as aforesaid, and upon Lands of the *Victoria Company*, construct on the East Side of the old Mixed-Gauge Lines from the Southern End of the Bridge carrying that Railway over the *Thames* in the said Parish of *Battersea*, otherwise *St. Mary Battersea*, to the South Side of *Eccleston Bridge* in the Parish of *St. George Hanover Square*, an additional Line of Railway on the Narrow Gauge of Four Feet Eight Inches and Half an Inch (herein-after called “ the Narrow-Gauge Line ”), and shall construct the same accordingly, and may for that Purpose enter upon, take, and use the Lands, Banks, and Earthworks of the *Pimlico Railway* : Provided that this Act shall not authorize the Company to construct the Narrow-Gauge Line beyond the Limits of Deviation defined upon the Plans deposited as aforesaid :

Period for Completion of Works.

7. The Narrow-Gauge Line shall be completed within Five Years from the passing of this Act, and on the Expiration of that Period the Powers by this Act or the Acts incorporated herewith granted to the Company for making the same, or otherwise in relation thereto, shall cease to be exercised except as to so much of the same as shall then be completed.

Tolls on new and improved Lines.

8. For the Purposes of the Tolls, Rates, and Charges to be taken thereon by the Company the Narrow-Gauge Line shall be deemed Part of the Railway by the *Victoria Station and Pimlico Railway Act, 1858*, authorized

Victoria Station and Pimlico Railway Act, 1863.

authorized as if constructed under that Act, and the Company may demand and take thereon or in respect thereof the Tolls, Rates, and Charges by that Act authorized, but the maximum Rates of Charge to be taken by them thereon or in respect thereof shall not, in the Cases to which maximum Rates of Charge are applicable, exceed those limited by that Act; and all the Restrictions and Provisions applicable to the Construction and User of the Railway formed under the *Victoria Station and Pimlico Railway Act, 1858*, and the Railway to be formed under the *London, Chatham, and Dover Railway Act (No. 1) 1863*, and called in that Act Railway No. 4 (*Victoria Station Extension*), shall so far as applicable be held to apply to the Construction and User of the Railway hereby authorized.

9. In all respects not by this Act otherwise provided for the Narrow-Gauge Line and all Lands acquired by the Company under the said Bill as passed, when so acquired shall be deemed Part of their Undertaking, and their Byelaws, Rules, and Regulations shall extend and apply thereto accordingly.

Certain Works, &c. to be part of Company's Undertaking.

10. The Three Companies Agreement shall not, nor shall any Clause, Article, or Provision thereof, apply to or affect the Narrow-Gauge Line or any Lands acquired by the Company under this Act or the said Bill as passed.

Recited Three Companies Agreement not to apply to new Works, &c.

11. The Company may apply to the Purposes of this Act and of the Payments to be made by them under the said Bill as passed any Monies raised or to be raised by them by virtue of any other Acts (excepting "*The London, Brighton, and South Coast Railway (New Lines) Act 1862*"), and not required for any Purposes to which they are by such other Acts made specially applicable.

Application of Funds.

12. For the Purposes of this Act and of the Payments to be made by them under the said Bill as passed the Company may from Time to Time raise (in addition to any other Monies which they are or may be authorized to raise) by the Creation of new Shares and Stock in their Undertaking, or by either of those means, any additional Capital not exceeding in the whole Four hundred and fifty thousand Pounds.

Power to raise additional Capital by new Shares.

13. The Company may from Time to Time create the new Shares or Stock under this Act of such Amounts as shall be fixed and determined by the Resolutions of any Ordinary or Extraordinary Meetings of the Company, and such Meeting may from Time to Time fix the Amounts and Times of Payment of the Calls on such new Shares, and the Company may dispose of such Shares and Stock to such Persons and on such Terms and Conditions as the Company think fit: Provided also, that it shall not be

Amount of Shares, &c.

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be necessary to apportion any such new Shares or Stock amongst the then Shareholders of the Company unless so resolved at any such Meeting.

Privileges
may be
attached to
new Shares.

14. The Company may from Time to Time, with the Sanction of Three Fifths at least of the Votes of the Shareholders present, personally or by proxy, at any Extraordinary Meeting of that Company convened with Notice of this Purpose, attach to all or any new Shares or Stock or any Class of new Shares or Stock created under the Powers of this Act, before the Issue thereof, any preferential, fixed, fluctuating, contingent, immediate or deferred, perpetual or terminable Dividend; and also (if the Company so thinks fit) any total or partial, permanent or temporary Restriction of the Rights of voting and other Qualifications of the Holders thereof: Provided that any such fixed or preferential Dividend shall not exceed the Rate of Five Pounds *per Centum per Annum* on the Amount of the Stock, or on the Amount for the Time being paid upon the Shares to which the same is attached, and that all Shares or Stock of the same Class shall be of like Amount, and shall confer like Privileges, and shall bear like Dividends or Interest, and be subject to like Restrictions (if any).

Preferential
Dividends
not to carry
Arrears
beyond One
Year.

15. The new Shares or Stock created by the Company under the Powers of this Act shall be entitled to the preferential Dividend (if any) which may have been attached to such Shares or Stock as aforesaid out of the Profits of each Year, in priority to the ordinary Shares and Stock in the Company; but if in any Year ending the Thirty-first Day of *December* there shall not be Profits available for the Payment of the full Amount of such preferential Dividend for that Year, the Deficiency shall not be made good out of the Profits of any subsequent Year, or out of any other Funds of the Company.

Saving
existing
Preference
Shares.

16. Provided always, That any Preference or Priority in the Payment of Interest or Dividend which may be granted by the Company in respect of any new Shares or Stock (other than Debenture Stock) in pursuance of this Act shall not prejudice or affect any Preference or Priority in the Payment of Interest or Dividend on any other Shares or Stock which may have been previously granted by the Company by or in pursuance of, or which may have been confirmed by, any Act of Parliament passed prior to the passing of this Act, or which may otherwise be lawfully subsisting.

New Shares
how offered
to existing
Share-
holders.

17. Any such new Shares or Stock which any such Meeting may resolve to apportion among the then Shareholders shall be offered to them by Circular given to or sent by Post addressed to each Shareholder according to his Address in the Books of the Company, or left at his usual or last known Place of Abode; and every such Offer made by
Letter

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Letter sent by Post shall be considered as made on the Day on which such Letter in the ordinary course of Delivery ought to reach the Place to which it is addressed.

18. Such last-mentioned new Shares or Stock shall vest in and belong to the then Shareholders who shall by Writing under their Hands accept the same and pay the Value thereof to the Company at the Time and (as regards Shares) by the Instalments which shall be fixed by the Directors, and if any then Shareholders for One Month after such Offer of new Shares or Stock fail to accept the same by Writing under their Hands, and pay (in the Case of Stock) the nominal Value thereof within the Time limited for that Purpose, and (in the Case of Shares) the Instalments called for in respect thereof, the Directors of the Company may dispose of the same in such Manner as they may deem most for the Advantage of the Company.

Vesting or
other Dis-
position of
such Shares.

19. Every Person who becomes entitled to any new Share or Stock created under the Powers of this Act shall in respect of the same be a Proprietor in and of the Undertaking of the Company, and (except as otherwise provided by or under the Powers of this Act) shall be entitled to a Dividend with the other Proprietors proportioned to the whole Amount for the Time being paid up on such Share or Stock.

Dividends
on new
Shares.

20. Except as by or under the Powers of this Act otherwise provided, all new Shares and Stock created by the Company under the Powers of this Act shall, in proportion to the Amount for the Time being paid up thereon, confer upon the respective Holders thereof the same Qualifications, Rights of voting, and other Privileges as any ordinary Shares or Stock of the Company.

Qualifica-
tions, &c. for
new Shares
and Stock.

21. If after having created any new Shares or Stock under the Powers of this Act the Company resolve not to issue the same, or any Portion thereof, they may cancel the new Shares or Stock to which such Resolution applies, and may from Time to Time thereafter create and issue in lieu thereof other new Shares or Stock, not exceeding the aggregate Amount of the Shares or Stock so cancelled.

Company
may cancel
unissued
new Shares
and issue
others in-
stead.

22. The Receipt of the Guardian of any Shareholder being a Minor, or the Committee of any Shareholder being an Idiot, Lunatic, or Person *non compos mentis*, shall be a sufficient Discharge to the Company for any Money payable to such Shareholder.

Receipt for
Persons
under Dis-
ability.

23. The Company may from Time to Time borrow on Mortgage for the Purposes of this Act and of the Payments to be made by them as aforesaid (in addition to any other Money which they are or may be authorized to borrow) any Money not exceeding in the whole One hundred and fifty thousand Pounds.

Borrowing
Powers.

[*Local.*]

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24. Pro-

Victoria Station and Pimlico Railway Act, 1863.

Restrictions
on borrow-
ing.

24. Provided always, That no Money shall be borrowed by the Company under the Powers of this Act until the whole of the additional Capital which the Company is by this Act authorized to raise shall have been subscribed for or taken, and One Half of that Amount shall have been paid up, and until the Company shall have proved to the Justice who is to certify under the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the whole of that additional Capital has been subscribed for or taken *bonâ fide* and is held by the Subscribers or their Assigns, and that such Subscribers or their Assigns are legally liable for the same (of which Facts the Certificate of the Justice under that Section shall be sufficient Evidence).

Priority of
existing
Mortgages.

25. All Mortgages granted by the Company before the passing of this Act and which shall be in force at the Time of the passing of this Act shall during their continuance in force, and as regards the Undertaking or Fund comprised in and assigned by such Mortgages, have Priority over all Mortgages granted by the Company by virtue of this Act.

Application
of Monies
raised under
this Act.

26. All and every Part of the Monies which the Company is by this Act authorized to raise by new Shares or Stock or on Mortgage shall be applied to the Purposes by this Act authorized, or to the Payments to be made by them as aforesaid.

Extending
Company's
Powers for
Conversion
of Shares
into Stock.

27. The Powers of the Company for the Conversion of Shares into Stock shall extend to all Shares when the nominal Value thereof is or shall be fully paid up, whether paid up in pursuance of Calls or wholly or partly in anticipation of Calls.

Extending
to Money
borrowed
under this
Act Powers
of Acts for
Conversion
of Debt into
Debenture
Stock and
Annuities.

28. Subject and without Prejudice to any Mortgages or Bonds granted by the Company under any Act of Parliament and for the Time being in force, the Powers and Provisions of "The *London, Brighton, and South Coast* Railway Act, 1853," "The *London, Brighton, and South Coast* Railway Act, 1854," and "The *London, Brighton, and South Coast* Railway Company's Act, 1859," respectively, with respect to the Conversion of borrowed Capital into Debenture Stock and Perpetual Annuities, the Creation and Issue of Debenture Stock, and the Grant and Sale of Debenture Stock and of Perpetual Annuities in lieu of or in substitution for borrowing or re-borrowing, and providing Funds for paying off Mortgages or Bonds, and otherwise relating to such Debenture Stock and Annuities, and the Application and Investment of the Money to arise from the Grant, Sale, and Issue of any Debenture Stock and Perpetual Annuities, shall extend and apply to all Monies which the Company are by this Act authorized to borrow as fully and effectually as if all those Monies had been at the Date of the passing of "The *London, Brighton, and South Coast* Railway Act, 1853," authorized to be borrowed.

29. Notwith-

Victoria Station and Pimlico Railway Act, 1863.

29. Notwithstanding this Act, and the Cesser under this Act of the Two Companies Agreement, and the annulling by this Act of Clause 9 of the Three Companies Agreement, the said Approach to the *Victoria Station* shall continue vested in the same Company or Companies as at present.

Approaches to *Victoria Station* to continue vested as before.

30. Provided always, That all Companies for the Time being occupying any Station comprised in the *Victoria Station*, their Officers, Servants, Passengers, and Agents, shall have (in common with the Company) a general Right of Way over the whole of the said Approach to the *Victoria Station*, all such Companies contributing from Time to Time, on Demand in Writing under the Hand of the Secretary for the Time being of the Company, to be left at the respective principal Offices of such Companies, their fair Proportion of the Expense of lighting, watching, regulating, managing, and maintaining the said Approach, and the Company shall have the sole Management, Control, and Regulation of the whole of the said Approach, and of the lighting, watching, and Maintenance thereof but the Company shall and they are hereby required to manage and regulate the same in such fair and equitable Mode as may be most conducive to the Benefit of themselves and of all the other Companies having a Right to use the said Approach.

Use and Management of Approach.

31. Immediately upon the opening for public Traffic of the new Mixed-gauge Lines and the Mixed-Gauge Lines of Railway No. 5 referred to in the recited Bill, the old Mixed-Gauge Lines, and the Site, Soil, Works, and Fences thereof, and the existing Bridge carrying those Lines over the *Thames*, shall vest absolutely in the Company in perpetuity for their own Use and Benefit, free from all Claims, Rights, Powers, Charges, and Incumbrances of the *Dover Company*, the *Great Western Company*, and the *Victoria Company*, or any or either of them, or any Assignees or Grantees of the *Victoria Company* (excepting, as regards the *Victoria Company*, the Rent payable to them by the Company under this Act), and the Company shall have the same Power of levying Tolls, Rates, and Charges thereon as the *Victoria Company* now have.

Mixed-gauge Lines discharged from Rights of *Dover* and *Great Western Companies*.

32. By way of Commutation of or Compensation for any Tolls, Sums, or Price which under the Two Companies Agreement the Company might have become liable to pay to the *Victoria Company*, the Company shall, from and after the First Day of *July* One thousand eight hundred and sixty-four, or from and after the carrying of Traffic by the Company in respect of which any such Tolls, Sums, or Price would have been payable (whichever shall first happen), pay to the *Victoria Company* a yearly Rent of One thousand one hundred and twenty-five Pounds by equal half-yearly Payments, the first of which shall be payable on the

Commutation Rent payable by Company.

First

Victoria Station and Pimlico Railway Act, 1863.

First Day of *January* One thousand eight hundred and sixty-five, or on the Expiration of Six Months from the Commencement of carrying such Traffic as aforesaid by the Company (whichever shall first happen); but the Company may from Time to Time deduct from that Rent the Income or Property Tax payable in respect thereof.

For Reco-
very of Rent.

33. If and as often as the Rent or any Portion of the Rent payable under this Act to the *Victoria* Company by the Company is not paid within Twenty-eight Days after it becomes payable, after Demand thereof in Writing by the Secretary or Chairman of the Board of Directors of the *Victoria* Company, the *Victoria* Company may either recover the same from the Company, with Costs of Suit, in any Court of competent Jurisdiction, or may levy the same by Distress and Sale of the Goods and Chattels, Estate and Effects of the Company found in the said Parish of *Saint George Hanover Square*.

Two Com-
panies
Agreement
to cease
and become
inoperative.

34. On the passing of this Act so much and such Parts of the first herein-before recited Agreement (in this Act called "the Two Companies Agreement") as restrict or limit or might be alleged to restrict or limit the Company from using the *Pimlico* Railway or any Part thereof, or their Part of the *Victoria* Station, for the Traffic of certain Railways and Districts therein mentioned, or as bind the Company to pay the *Victoria* Company any Tolls, Sum, or Price for or in respect of any Passengers or Traffic shall cease and become inoperative; and at and from the opening for public Traffic of the new Mixed-Gauge Lines all the Residue of the Two Companies Agreement shall cease and become inoperative, and the Seventy-seventh Section of "The *Victoria Station and Pimlico* Railway Act, 1858," shall be hereby repealed; but such Cesser and Repeal shall be subject and without Prejudice to the Payment of all Sums of Money then due under that Agreement as modified by this Act, and the Rights and Remedies for the Recovery thereof.

Three
Companies
Agreement
applied to
new Mixed-
Gauge Lines
in exonera-
tion of the
Pimlico
Railway.

35. Upon and from the opening for public Traffic of the new Mixed-Gauge Lines those Lines (including the Portion of the new Bridge over the *Thames* occupied by those Lines) shall for all the Purposes for the Time being in force of the Three Companies Agreement, and of the Lease to be made in pursuance thereof, be substituted for and represent the old Mixed-Gauge Lines (including the existing Bridge over the *Thames*), and the Rent payable thereunder shall as from the Date of such opening attach to and upon the new Mixed-Gauge Lines; and the *Victoria* Company shall have and may exercise the same Remedies for the Recovery thereof upon and with reference to the new Mixed-Gauge Lines as they would have had upon and with reference to the *Pimlico* Railway if this Act had not been passed, and the old Mixed-Gauge Lines (including the existing Bridge over the *Thames*) shall be wholly freed and

Victoria Station and Pimlico Railway Act, 1863.

and discharged from the Three Companies Agreement and the said Lease and the Rent payable under the same, and all Rights, Claims, and Demands in respect thereof.

36. Upon and from the opening for public Traffic of the new Mixed-Gauge Lines Clause 9 of the Three Companies Agreement (except so much of that Clause as relates to the Expenses connected with the working of the Moiety of the *Victoria* Station agreed to be leased to the *Dover* Company and the *Great Western* Company, and to Damages and other Consequences of Accidents in that Portion of the Station,) is hereby annulled, anything in the Third Act herein-before recited notwithstanding, but subject and without Prejudice to the Payment of all Sums of Money then due under that Clause as modified by this Act, and to the Rights and Remedies for the Recovery thereof.

Annuling
Clause 9 of
Three
Companies
Agreement.

37. After the passing of this Act the *Victoria* Company shall not be bound to bear or repay any Costs or Expenses of any rebuilding or repairing of the Bridges, Railway, or other Works of the *Pimlico* Railway which shall have arisen wholly or partially from defective or improper Construction, anything in the Two Companies Agreement or the Three Companies Agreement to the contrary notwithstanding; but such Costs or Expenses shall be borne and paid by the Company so far as they relate to the old Mixed-Gauge Lines (including the existing Bridge over the *Thames*): Provided that this Clause shall not extend to render the Company liable for the Costs or Expenses of any Damage or Injury arising from the Execution of the Works authorized by the said Bill as passed, but all such last-mentioned Costs and Expenses are to be borne and paid by the *Dover* Company.

Victoria
Company
discharged
from Lia-
bility to
Expenses
arising from
defective
Construc-
tion.

38. From and after the opening for public Traffic of the new Mixed-Gauge Lines the *Victoria* Company shall continue incorporated for the Receipt, Recovery, and Distribution of the Rents payable to them under this Act and the Three Companies Agreement as applied and attached by this Act, or any Lease made in pursuance of that Agreement, and of any Tolls payable to them under the last-mentioned Agreement or Lease in case the *Dover* Company and the *Great Western* Company admit the Traffic of the *London and North-western* Railway Company into their Portion of the Station, and for the holding, Management, Use, Enjoyment, and Protection of the Property of the *Victoria* Company not by this Act vested in the Company, and for the Sale of any superfluous Lands belonging to the *Victoria* Company, and for the Payment or Satisfaction of the Charges, Debts, and Liabilities of the *Victoria* Company, the raising (for the Purposes authorized by the Acts relating to the *Victoria* Company) of Money by Shares or by borrowing which the *Victoria* Company are now authorized to raise or borrow, and the Registration of their Shares, Stock, Mortgages, and Bonds, and of the Transfers and

Cesser of
Part of
Powers, &c.
of *Victoria*
Company.

[*Local.*]

40 L

Trans-

Victoria Station and Pimlico Railway Act, 1863.

Transmission thereof, and for any Purposes incidental to those Objects respectively, and with respect to all other Purposes and Objects, their Powers, Rights, and Privileges shall upon such opening be by this Act extinguished.

Power to
Great West-
ern Railway
Company to
run over and
use certain
Portions of
the Brighton
Company's
Railway.

39. The *Great Western Railway Company* shall from and after the opening for public Traffic of the Railway No. 5 intended to be authorized by the said Bill when passed, have for all Purposes of Traffic carried or destined to be carried upon the *West London Extension Railway*, or some Part thereof, the User of so much of the Railways of the Company as lies between the Junction with the *West London Extension Railway* at *Long Hedge Farm* and the Junction with the said Railway No. 5, including the Use of such Junctions respectively, upon the Payment of such Tolls and upon such Terms and Conditions as shall be agreed upon between the Company and the *Great Western Railway Company*, or failing such Agreement as shall be settled by a Person to be appointed by the Board of Trade upon the Application of either of those Companies for such Purpose: Provided always, that the *Great Western Railway Company* shall pay to the Company, in addition to any Tolls or Charges, Interest at the Rate of Four Pounds *per Centum per Annum* on the Amount of the Expenditure of the Company in and about the providing with Broad-gauge Rails, and the adapting of the Lines, Sidings, Stations, and other Works of the aforesaid Portion of Railways and Works of the Company to the User of the Broad Gauge, such Payments to be made half-yearly, free from all Deductions; and from and after the opening of the said Railway No. 5, this Clause shall be in substitution for the Section numbered 62 of "*The London, Brighton, and South Coast Railway Act, 1860*," so far as it relates to the *Great Western Railway Company*, and until such opening that Section shall remain in full Force.

Saving
Rights of
certain Rail-
way Com-
panies.

40. Except as is by this Act specially provided, nothing herein contained shall take away or be construed to take away, diminish, alter, prejudice, or affect any of the Rights, Powers, Privileges, Immunities, or Authorities of the *Great Western Railway Company*, the *Dover Company*, the *Victoria Company*, or the Company.

Interest not
to be paid on
Calls paid
up.

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

42. It

Victoria Station and Pimlico Railway Act, 1863.

42. It shall not be lawful for the Company, out of any Money by this Act or any other Act relating to them authorized to be raised by Shares or borrowing 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 of any Application to Parliament for the Purpose of obtaining an Act authorizing the Company to construct any other Railway, or to execute any other Work or Undertaking.

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

43. Nothing herein contained shall be deemed or construed to exempt the Lines of Railway by this Act authorized to be constructed 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 or by the recited Acts or of the Rates for small Parcels.

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

44. All the Costs, Charges, and Expenses of applying for and passing this Act, and preparatory or incident thereto, shall be paid by the Company.

Expenses of Act.

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