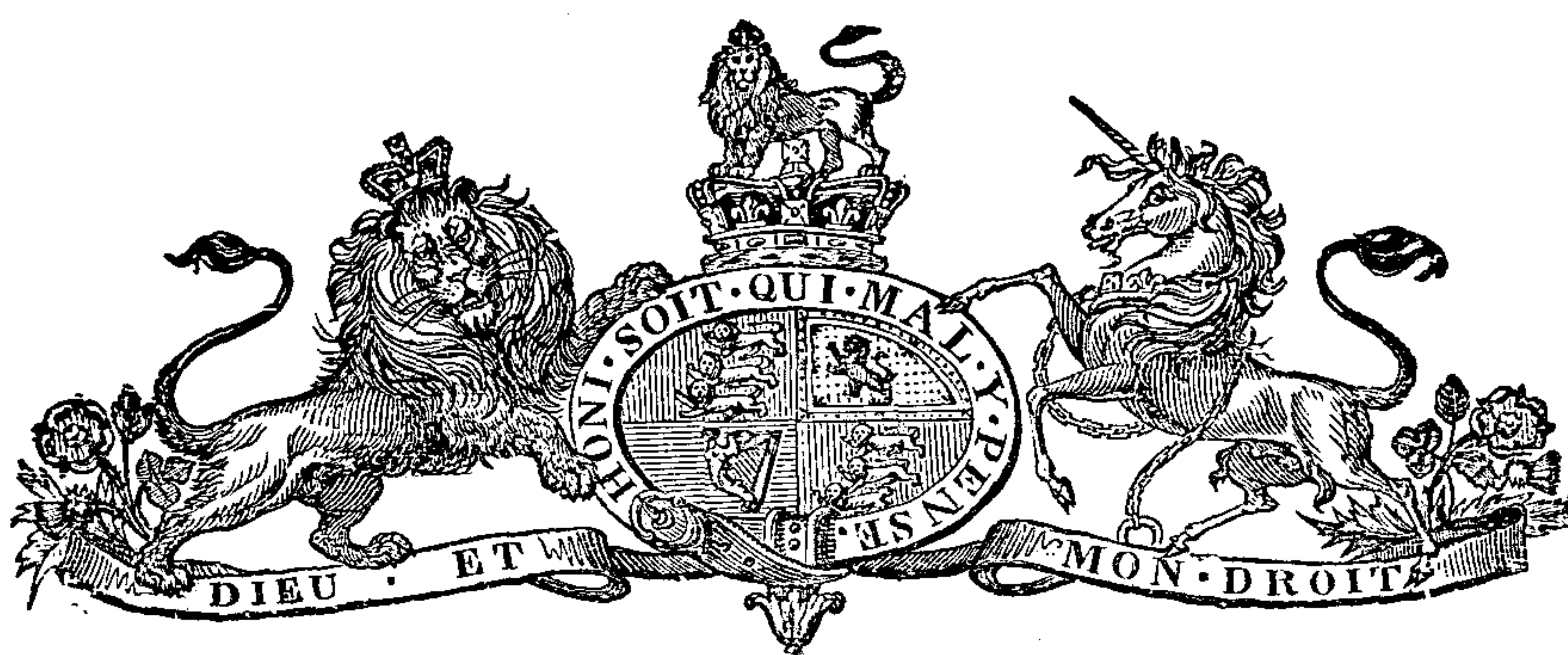




ANNO VICESIMO SEPTIMO & VICESIMO OCTAVO

VICTORIÆ REGINÆ.

Cap. cxcii.

An Act for authorizing the *Charing Cross* Railway Company to acquire additional Lands at or near to their *Cannon Street* Station in the City of *London*, and to raise further Monies; and for other Purposes. [14th *July* 1864.]

WHEREAS by “The *Charing Cross* Railway Act, 1859,” 22 & 23 Vict. c. lxxxi.
the *Charing Cross* Railway Company (in this Act called the Company”) were incorporated, and were authorized to make and maintain the *Charing Cross* Railway, commencing by a Junction in *Southwark* with the *North Kent* and *Greenwich* Lines of the *South-eastern* Railway, crossing the River *Thames* by means of a Bridge, and terminating in *Hungerford Street*, with a Branch therefrom to the *London and South-western* Railway: And whereas by 24 & 25 Vict. c. xciii.
“The *Charing Cross* Railway (City Terminus) Act, 1861,” the Company were authorized to make and maintain a Railway commencing by a Junction in *Southwark* with the *Charing Cross* Railway, crossing the River *Thames* by means of another Bridge, and terminating near to *Cannon Street* in the City of *London*, with a Branch Railway therefrom in *Southwark*, forming another Junction with the *Charing Cross* Railway: And whereas by “The *Charing Cross* Railway Act, 1863,” 26 & 27 Vict. c. cxv.
[*Local.*] 29 Y Provision

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Provision was made for a Lease or Sale and Conveyance or Transfer of the *Charing Cross* Railway, Property, and Effects of the Company, to the *South-eastern* Railway Company (in this Act called “the *South-eastern* Company”), or the Amalgamation of the Company and their Undertaking, Property, and Powers with the *South-eastern* Company and their Undertaking, Property, and Powers: And whereas it is expedient that the Powers and Provisions in that Behalf of that Act be extended to the Property and Powers of the Company under this Act: And whereas it is expedient, and the Commissioners of Sewers of the City of *London* (in whom are vested the Jurisdiction and Management of public Places in the said City) are willing, that the Company be authorized to stop up and discontinue as a public Place *Scott’s Yard*, and to purchase Lands in or adjoining thereto: And whereas it is expedient that the Company be authorized to purchase Lands on the Western Side of and adjoining to *Dowgate Hill* and on the Southern Side of and adjoining to *College Street*: And whereas it is expedient that the Company be authorized to appropriate and use for the Purposes of their Undertaking the Lands acquired by them under the Authority of this Act: And whereas it is expedient that the Company be authorized to grant a Lease to the City Terminus Hotel Company (Limited) (in this Act called the Hotel Company) of a Site for an Hotel and Refreshment Rooms and other like Accommodation, at or near to their *Cannon Street* Station in the City of *London*, and to make Arrangements with the Hotel Company with respect to the same, and otherwise: And whereas it is expedient that the Company be authorized to raise further Monies: And whereas Plans showing the Lands intended to be taken compulsorily under the Powers of this Act, and a Book of Reference thereto, have been deposited with the respective Clerks of the Peace for the County of *Middlesex* and for the City of *London*, and those Plans and Books of Reference are in this Act referred to as the deposited Plans and Book of Reference: And whereas the Objects of this Act cannot be attained 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,)

Short Title. 1. This Act may for all Purposes be cited as “The *Charing Cross* Railway Act, 1864.”

8 & 9 Vict.
c. 18.
23 & 24 Vict.
c. 106. and
26 & 27 Vict.
c. 118. in-
corporated. 2. “The Lands Clauses Consolidation Act, 1845,” and “The Lands Clauses Consolidation Acts Amendment Act, 1860,” and Part I. (relating to Cancellation and Surrender of Shares) and Part II. (relating to additional Capital) of “The Companies Clauses Act, 1863,” (save so far as any of the Sections and Provisions of those Acts

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Acts and Parts are expressly excepted or varied by this Act), are incorporated with this Act.

3. The following Sections and Provisions of "The Companies 8 & 9 Vict. Clauses Consolidation Act, 1845," are incorporated with this Act; c. 16. incor-
(that is to say,) porated.

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 Payment of Calls;

With respect to the Forfeiture of Shares upon 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;

With respect to the Consolidation of the Shares into Stock;

With respect to the Provision to be made for affording Access to the Special Act.

4. The several Words and Expressions to which by the Acts in whole or in part incorporated with this Act Meanings are assigned have in this Act the same respective Meanings, unless excluded by the Subject or Context; provided that the Expression "Superior Courts" or "Courts of competent Jurisdiction," or any other like Expression, in this Act, or in any Act incorporated herewith, shall be read and have effect as if the Debt or Demand with respect to which the Expression is used were a common Simple Contract Debt and not a Debt or Demand created by Statute; and the Words "Share" and "Shareholder" shall include, where requisite, Stock and Stockholder. Same Mean- ings to Words in incorporated Acts as in this Act.

5. Subject to the Provisions of this Act, the Company from Time to Time may enter upon, take, and use such of the Lands shown on the deposited Plans and specified in the deposited Books of Reference as they deem expedient, and may appropriate and use for such of the Purposes of their Undertaking as they think fit all or any Parts of the Lands so taken. Power to take Lands and use same for Purposes of Act.

6. The Company may stop up and discontinue as a public Place and abolish all Rights of Way over *Scott's Yard*, and may appropriate and use the same for any of the Purposes of their Undertaking as they think fit. Power to stop up Scott's Yard and use same for Purposes of Act.

7. In

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Question of
disputed
Compensa-
tion in City
of London to
be heard in
Lord Mayor's
Court of City
of London.

7. In every Case in which any Question of disputed Compensation is to be determined by the Verdict of a Jury in the City of *London* or in the Liberties thereof the Jury shall be required to appear before the Court of the Mayor and Aldermen of the City of *London*, holden in the Outer Chamber of the *Guildhall* of the City, according to the Custom of the City, at a Time appointed by the Court; and the several Provisions of "The Lands Clauses Consolidation Act, 1845," with respect to the Settlement of Questions of disputed Compensation by Juries appearing before the Sheriff, Coroner, or other Person, extend and apply to the Settlement of Questions of disputed Compensation under this Act by Juries appearing before that Court; and that Court shall give Judgment for the Purchase Money or Compensation assessed by the Jury, and the Verdict and Judgment shall be signed by the Registrar of the Court, and entered among the Records of the Court, and the Registrar shall settle the Costs of the Inquiry.

Powers for
compulsory
Purchases
limited.

8. The Powers of the Company for the compulsory Purchase and taking of Lands for the Purposes of this Act shall not be exercised after the Expiration of One Year after the passing of this Act.

Local Rates
to be made
good.

9. If and while the Company are possessed under this Act of any Lands assessed or liable to be assessed to any Sewers Rate, Consolidated Rate, Poor Rate, Police Rate, Main Drainage Rate, Church Rate, or other Parochial or Ward Rate, they shall from Time to Time, until the Company's Works or Buildings on those Lands are completed and assessed or liable to be assessed, be liable to make good the Deficiency in the Assessment for those Rates by reason of those Lands being taken or used for Purposes of the Company, and the Deficiency shall be computed according to the Rental at which those Lands with any Buildings thereon are now rated.

Power to
Company
to raise
further
Capital by
Shares.

10. The Company for the Purposes of this Act, in addition to all such other Monies as they are already or by any other Act of the present Session authorized to raise by Shares or by Stock, from Time to Time may raise by the Creation and Issue of new Shares or Stock, whether preferential or ordinary, or both, any Capital not exceeding Ninety thousand Pounds: Provided, that the Company shall not issue any Share created under the Authority of this Act, nor shall any Share vest in the Person accepting the same, unless and until a Sum not being less than One Fifth Part of the Amount of such Share shall have been paid up in respect thereof.

Power to
borrow on
Mortgage.

11. The Company for the Purposes of this Act from Time to Time may borrow on Mortgage, and in addition to the Sums which they are already or by any other Act of the present Session authorized

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rized to borrow, any Sums not exceeding in the whole Thirty thousand Pounds: Provided, that the Company shall not borrow on Mortgage under this Act any Sum until the whole of the additional Capital of Ninety thousand Pounds by this Act authorized is subscribed for, and One Half thereof is actually paid up, and until the Company shall prove to the Justice who is to certify under the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that Shares for all such additional Capital are subscribed for *bonâ fide* and issued, and that not less than Twenty *per Centum* has been paid on account of each separate Share before or at the Time of the Issue or Acceptance thereof, and that such Shares are *bonâ fide* held by Subscribers or their Assigns, and that such Subscribers or their Assigns are legally liable for the same, of which Proof having been given the Certificate of such Justice under such Section shall be sufficient Evidence.

12. The several Mortgages from Time to Time before the passing of this Act granted by the Company, and on the passing of this Act in force, shall during the Continuance thereof respectively have Priority over the Mortgages from Time to Time granted by the Company under this Act.

Priority of existing Mortgages.

13. The Mortgagees of the Company under this Act may enforce the Payment of the Arrears of Interest, or of Principal and Interest, due on their respective Mortgages by the Appointment of a Receiver, and the Amount to authorize the Requisition for a Receiver is Three thousand Pounds.

Arrears may be enforced by Appointment of a Receiver.

14. All and every Part of the Monies by this Act authorized to be raised by Shares and by borrowing respectively shall be applied only to the Purposes of this Act, and the Company may apply for all or any of the Purposes of this Act any Money from Time to Time raised by them and not required for any special Purpose for which by any Act authorizing the raising thereof it is made applicable.

Application of Monies.

15. The Company shall not, out of any Money by this Act or any other Act relating to them authorized to be raised by them by Shares or by borrowing, pay Interest or Dividend to any Shareholder on the Amount of the Calls made in respect of Shares held by him: Provided, that the Company may pay to any Shareholder such Interest on Money advanced by him beyond the Amount of Calls actually made as is in conformity with the Provisions in that Behalf of "The Companies Clauses Consolidation Act, 1845," incorporated with this Act.

Interest not to be paid on Calls paid up.

16. The Company shall not, out of any Money by this Act or any other Act relating to them authorized to be raised by them by
[Local.] 29 Z Shares

Deposit on future Bills not to be paid out of Capital.

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Shares or by borrowing, 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 obtaining an Act authorizing the Company to make any Railway, or execute any other Work or Undertaking.

Power to
Company
to lease
Lands at
their Cannon
Street Sta-
tion as a Site
for an Hotel.

17. The Company may grant to the Hotel Company, and the Hotel Company may accept, a Lease for a Term of Years of any Part of the Company's *Cannon Street* Station and the Site thereof, and any Buildings already or hereafter erected thereon, and the Approaches thereto respectively, at the *Cannon Street* Terminus of their Railway, and any Lands acquired by the Company at or near to *Cannon Street*, with such Exceptions and Reservations, for such Considerations, either annual or in gross, and on such Terms and Conditions whatsoever, as the Company and the Hotel Company from Time to Time agree on, for the Purpose of the Erection and Maintenance on the demised Lands of an Hotel and Refreshment Rooms and other like Accommodation and Conveniences connected therewith, and the Hotel Company may erect and maintain the same as so agreed on; and the demised Premises, subject to the Lease thereof, shall be and continue vested in the Company for their own Use and Benefit.

Power to
Company to
contribute
towards
Erection of
Hotel.

18. The Company, if and when they think fit, may subscribe and contribute Funds towards the Erection of an Hotel and Refreshment Rooms, and other like Accommodations and Conveniences connected therewith, at or near to their *Cannon Street* Station, and may take and hold by themselves or their Nominees Shares of the Capital of the Hotel Company to any Amount not exceeding Sixty-five thousand Pounds as the Two Companies mutually agree on, and the Company shall not sell or dispose of any Shares so taken.

Power to
Company
and Hotel
Company to
enter into
Agreements.

19. The Company and the Hotel Company from Time to Time may enter into and carry into effect Agreements and Arrangements for all or any of the following Purposes, and all Matters incidental or accessory thereto, and the Agreements may be for such Terms and Conditions as the Two Companies think fit; (that is to say,)

The accepting, taking, and holding by the Company or their Nominees, as the Consideration or Part of the Consideration for any Lease to be made by the Company to the Hotel Company under this Act, of Shares of the Capital of the Hotel Company whether fully paid up, or to be deemed fully paid up, or otherwise:

The voting by the Company in respect of their Shares of or Contribution to the Capital of the Hotel Company at Meetings of the Hotel Company:

The

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The exercising by the Company, in respect of their Shares of or Contribution to the Capital of the Hotel Company, of the Powers and Privileges of Shareholders of the Hotel Company :

The appointing by the Company of Directors of the Hotel Company :

The effecting of all or any of the Purposes of this Act with respect to the Hotel, Refreshment Rooms, Accommodation, and Conveniences.

20. Provided, That the several Powers of the Company under this Act with respect to the Hotel, Refreshment Rooms, Accommodation, and Conveniences shall be exercised subject to the Sanction or Approval of at least Three Fifths of the Votes of the Shareholders present, in person or by proxy, at an Extraordinary General Meeting of the Company specially convened for the Purpose.

Sanction of Shareholders for exercise of Powers of Company relating to Hotel.

21. The Powers and Provisions of "The *Charing Cross* Railway Act, 1863," with respect to the making by the Company, and the accepting by the *South-eastern* Company, of a Lease, or of a Sale and Conveyance, or of a Transfer of all or any Part of the *Charing Cross* Railway, and other Property and Effects of the Company, and all or any of their Rights, Powers, Privileges, or Authorities with respect to the same, or for the Amalgamation of the Company and their Undertaking, Property and Effects, Rights, Powers, Privileges, and Authorities, with the *South-eastern* Company and their Undertaking, Property and Effects, Rights, Powers, Privileges, and Authorities, extend to and include the Property and Effects of the Company and their Rights, Powers, Privileges, and Authorities respectively under this Act.

Provisions of 26 & 27 Vict. c. cxv. as to Lease, &c. to South-eastern Company, extended to this Act.

22. Except as by this Act expressly provided, nothing in this Act contained shall in any way take away, lessen, prejudice, or alter any of the Estates, Rights, Powers, and Privileges of the *South-eastern* Company or of the Company.

Saving Rights of South-eastern Company and Company.

23. Nothing in this Act contained shall exempt any Railway to which this Act relates from the Provisions of any present or future General Act relating to Railways, or to the better or more impartial Audit of the Accounts of Railway Companies, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges by the recited Acts and this Act respectively authorized, or the Rates for small Parcels thereby respectively authorized.

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

24. All

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Expenses of
Act.

24. All the Costs, Charges, and Expenses of and incidental to the preparing and applying for, obtaining, and passing of this Act shall be borne and paid by the Company

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