ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

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Cap. ccxlix.

An Act to amend the Acts relating to the *London and South-western* Railway. [22d *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 thereof have been changed to "The *London and South-western* Railway Company," and by virtue of such Powers the said Undertaking has been extended to *Portsmouth*, to *Guildford*, and to *Richmond*, and, by *Bishopstoke* and *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, further Extensions of the *London and South-western* Railway are now in course of Execution by the Company to *York Road*, *Lambeth*, and to *London Bridge*, and from *Basingstoke*, by *Whitchurch* and *Andover*,

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to *Salisbury*, and also Branch Railways to *Hampton Court Bridge*, to *Chertsey*, to *Godalming*, and to *Farnham* and *Alton*: And whereas an Act was passed in the Ninth Year of Her said present Majesty's Reign, called "The *Southampton and Dorchester* Railway Act, 1845," and a Company was thereby incorporated by the Name of the *Southampton and Dorchester* Railway Company, and was authorized to construct a Railway from *Southampton* to *Dorchester*, with a Branch to the Town of *Poole*: And whereas, under the Provisions of "The *London and South-western* Railway Company's Amendment Act, 1845," the *London and South-western* Railway Company were authorized to subscribe towards the said last-mentioned Undertaking; and the same Company were empowered by "The *London and South-western* Railway Company's Amendment Act, 1846," to lease the same, and they have accordingly subscribed for and now hold a considerable Part of the Capital of the said Undertaking, and have accepted a Lease thereof for a Term of Nine hundred and ninety-nine Years, and the said *London and South-western* Railway Company are desirous of holding a further Part of the Capital of the same Undertaking, and of improving the same and making additional Works and Conveniences in connexion therewith: And whereas it is expedient and will be of public Advantage that the said *London and South-western* Railway Company should be authorized to make the Subscription and do the several Acts aforesaid, and that for such and other Purposes the Powers and Provisions of the several Acts relating to the said *London and South-western* Railway and the various Extensions and Branches thereof should be amended and enlarged: 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 several Acts relating to the said *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.

Powers of Acts relating to South-western Railway extended to this Act.

Short Title.

II. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments, Parliamentary Notices, and other Proceedings, it shall be sufficient to use the Expression "The *London and South-western* Railway Company's Amendment Act, 1847."

Interest not to be paid on Calls paid up.

III. And be it enacted, That it shall not be lawful for the said Company, out of any Money by any 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.

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

IV. 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 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 subscribe a further Sum towards the Southampton and Dorchester Railway;

V. And be it enacted, That it shall be lawful for the said *London and South-western* Railway Company and they are hereby authorized, with the Consent of a Special General Meeting of the Proprietors in that Company, to subscribe further towards and become Holders of further Shares in the Capital of the said *Southampton and Dorchester* Railway Company, and also to apply the Monies and Funds of the *London and South-western* Railway Company in improving the same Railway and making additional Works and Conveniences in connexion therewith, upon such Terms and Conditions as may be or may have been agreed on between the said *London and South-western* Railway Company and the said *Southampton and Dorchester* Railway Company, to any Extent not exceeding the Sum of Two hundred thousand Pounds beyond the Amount or Sum of Four hundred thousand Pounds which the said *London and South-western* Railway Company are authorized by the "*London and South-western* Railway Company's Amendment Act, 1845," to subscribe towards and hold in the Capital of the said *Southampton and Dorchester* Railway Company.

and to raise Money for the aforesaid Purposes by Creation of new Shares or Stock.

VI. And be it enacted, That for the Purpose and Object aforesaid, and for or towards the Subscription hereby authorized, it shall be lawful for the said *London and South western* Railway Company, in addition to such Sums of Money as they have been already authorized by other Acts passed in the present Session of Parliament to raise by the Creation of new Shares or Stock for other Purposes, and notwithstanding any thing in the same Acts or any of them contained, to raise all or any Part of the Amount in this Act mentioned by the Creation of new Shares or Stock in the Undertaking of the said *London and South-western* Railway, of such Amount and under such Conditions, and as to the Rights of voting and other Privileges to be conferred on the Holders of such Shares or Stock, as the said *London and South western* Railway Company at any Special General Meeting of the Proprietors thereof respectively to be convened for the Purpose shall determine; or it shall be lawful for the said *London and South-western* Railway Company, if they think fit, to raise the said Amount or any Portion thereof by Mortgage of their Undertaking, in like Manner and under and subject to the same Provisions as the same Company by all or any of the Acts relating to their Undertaking is authorized to raise Money by Mortgage on the Credit thereof: Provided always, that the same Company shall not raise such Amount or

any

any Portion thereof by Mortgage until the whole of their Capital for the Time being shall have been subscribed for and One Half thereof paid up, and the same Company shall not by such Means increase the Amount which may be owing at any one Time on Mortgage of their said Undertaking beyond the Proportion of One Third of their then existing Capital.

Powers to enter into Contracts with reference to the Purposes aforesaid.

VII. And be it enacted, That it shall be lawful for the said *London and South-western* Railway Company, and for the said *Southampton and Dorchester* Railway Company, to make and enter into Contracts or Agreements for effecting all or any of the Purposes and Objects by this Act authorized or incidental thereto; and every such Contract or Agreement may contain such Covenants, Clauses, Powers, Provisions, and Conditions as may be mutually agreed upon between the Parties thereto.

Present Directors to continue in Office notwithstanding Irregularities in Elections.

VIII. And whereas certain Irregularities have occurred in the filling up of Vacancies in the Office of Director of the said *London and South-western* Railway Company: And whereas it is expedient that further Provisions should be made with reference to the Directors; be it therefore enacted, That the several Persons now appearing on the Minutes of the Proceedings of the said Directors and of the said Company to be and now acting as the Directors thereof shall, notwithstanding any Irregularity which may have occurred in or with reference to the Election or Appointment to the Office of Director of them or any of them, be and continue by right Directors until their respective Retirement from Office as herein-after provided.

Acts of such Directors valid.

IX. And be it enacted, That all Acts done by any Meeting of the Directors, or of a Committee of Directors, or by any Person acting as a Director, shall, notwithstanding there may have been any such Irregularity, be as valid as if there had not been any such Irregularity.

Retirement of Directors.

X. And be it enacted, That the present Directors and their respective Successors in Office shall respectively retire from Office as herein-after provided; that is to say, at the first General Meeting of the Company to be held in the Year One thousand eight hundred and forty-eight, and at the first General Meeting of the Company to be held in every subsequent Year to the Year One thousand eight hundred and fifty-one inclusive, One full Fifth Part in Number of the present Directors, to be from Time to Time determined by Ballot among themselves, unless they shall otherwise agree, shall retire from Office, and at the first General Meeting of the Company to be held in the Year One thousand eight hundred and fifty-two the others of the present Directors shall retire from Office, and at the first General Meeting of the Company to be held in every subsequent Year One full Fifth Part of the Directors, being those who have been longest in Office, shall retire from Office, so that the whole Number of Directors retire from Office in every Five Years: Provided always, that, for the Purpose of ascertaining such Seniority in Office, all the present Directors shall be deemed to have been first elected Directors at the first General Meeting of the Company held in the Year One thousand eight hundred and forty-seven.

XI. And

Election of Directors.

XI. And be it enacted, That at the first General Meeting of the Company to be held in the Year One thousand eight hundred and forty-eight, and at the first General Meeting of the Company to be held in every subsequent Year, so many Directors shall be elected as shall be necessary to fill up all the then Vacancies in the Office of Director.

Existing Provisions as to Directors and Candidates to apply.

XII. Provided always, and be it enacted, That all the Provisions of the recited Acts or any of them relating to the Directors and Candidates for the Office of Director shall, except so far as they may be inconsistent with the Provisions of this Act, be applicable to the present and future Directors and all Candidates for the Office of Director.

Provision in certain Acts as to the signing of Notices, &c. repealed.

XIII. And whereas it is by the recited Acts relating to the *London and South-western* Railway Company, or some of such Acts, enacted, that in all Cases in which it should be necessary for the said Company to serve any Summons or Demand, or any Notice or any other Writ or Proceeding at Law or in Equity, upon any Corporation or any Person whomsoever, the same should be signed by the Secretary for the Time being of the said Company, without being required to be under the Common Seal of the said Company: And whereas it is expedient that the said recited Provision should be amended; be it therefore enacted, That, subject to the Provisions herein-after contained, so much of the Provisions of the said recited Acts as require that such Summons or Demand, Notice, Writ, or Proceeding at Law or in Equity, should be so signed by the Secretary for the Time being of the said Company, shall be and the same are hereby repealed.

Directors may make new Regulations as to signing Notices, &c.

XIV. And be it enacted, That it shall be lawful for the Board of Directors of the Company from Time to Time to make such Rules and Regulations as they shall think fit, for the signing by the Secretary, Assistant Secretary, Treasurer, and Clerk of the Company, or either of them, of such Summonses, Demands, Notices, Writs, and Proceedings at Law and in Equity as it shall be necessary for the said Company to serve upon any Person or Corporation whomsoever, under the Provisions of the said recited Acts or any of them or of this Act.

Regulations to be published.

XV. And be it enacted, That the said Board of Directors shall, Six Weeks at least before such Rules and Regulations as they shall make in exercise of the Powers last herein-before contained shall come into operation, publish the Purport and Effect of such Rules and Regulations, with the Name or Names and Style or Styles of Office of such Party or Parties as shall be so nominated by them for the said Purposes, by an Advertisement to be inserted at least Twice in the *London Gazette* and in Two of the daily Morning *London* Newspapers, and at least Twice in some Newspaper commonly circulated in each of the Counties of *Surrey*, *Southampton*, and *Wilts*.

Until new Regulations made the present Re-

XVI. Provided always, and be it enacted, That until the Board of Directors of the said Company shall have made such Rules and Regulations and such Nomination and Appointment as aforesaid, and shall have

gulations to continue in force.

have published the same in manner aforesaid, the said Provisions of the said recited Acts relating to the said *London and South-western* Railway Company, with reference to the Signature of Summonses, Demands, Notices, Writs, and other Proceedings by the Secretary of this Company, shall be and remain in full Force, any thing herein contained to the contrary in anywise notwithstanding.

Public Act.

XVII. 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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