ANNO UNDECIMO & DUODECIMO

VICTORIÆ REGINÆ.

****

Cap. cxxv.

An Act for enabling the *London and South-western* Railway Company to effect certain Extensions and Deviations at *Godalming, Cosham, London Bridge, Southampton,* and *Poole,* and certain Arrangements respecting Steam Packets; and for other Purposes. [14th *August* 1848.]

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, whereby a Company for carrying such Undertaking into effect was incorporated by the Name of "The *London and Southampton* Railway Company," but such Name has since been changed to that of "The *London and South-western* Railway Company," and such Company is herein-after referred to as the *South-western* Company: And whereas the following Acts relating to such Company have since been passed; to wit, the *London and South-western* Railway Deviations Act, 1837; the *Portsmouth* Branch Railway Act, 1839; the *London and South-western* Railway Company's Amendment Act, 1841; the *London and South-western* Railway Companies *Wandsworth* Water Act, 1841; the *Salisbury* Branch Railway Act, 1844; the *London and South-western* Railway Companies

4 & 5 W. 4. c. 88. incorporating the South-western Company.

Other Acts relating to the same Company.

panies Amendment Act, 1844; the *London and South-western* Railway Metropolitan Extensions Act, 1845; the *London and South-western* Railway Companies Amendment Act, 1845; the *Guildford Extension and Portsmouth and Fareham* Railway Act, 1845; the *London and South-western* Railway Companies Amendment Act, 1846; the *London and South-western* Railway, *Chertsey and Egham* Branch, Act, 1846; the *London and South-western, Farnham and Alton* Branch, Act, 1846; the *London and South-western* Railway, *Hampton Court* Branch, Act, 1846; the *London and South-western* Railway Company's *London Bridge* Extension Act, 1846; the *London and South-western* Railway Company's *Basingstoke and Salisbury* Extension Act, 1846; the *London and South-western* Railway Company's Widening and *York Road* Station Enlargement Act, 1847; the *London and South-western* Railway Company's *Portsmouth* Extensions and *Godalming* Deviation Act, 1847; the *London and South-western* Railway Company's *Andover and Southampton* Junction Railway Act, 1847; the *London and South-western* Railway Company's Amendment Act, 1847: And whereas, under the Powers conferred on such Company, they have constructed a Railway from *London* to *Southampton*, with Branches and Extensions to *Portsmouth*, to *Guildford*, to *Richmond*, and from *Bishopstoke*, by *Romsey*, to *Salisbury*, and are in course of constructing Branches and Extensions to *Hampton Court Bridge*, to *Chertsey*, to *Godalming*, to *Farnham* and *Alton*, from *Basingstoke*, by *Whitchurch* and *Andover*, to *Salisbury*, to *York Road*, *Lambeth*, and to the Neighbourhood of *London Bridge*, and are about to construct further Branches or Extensions: And whereas by the *Guildford Extension and Portsmouth and Fareham* Railway Act, 1845, a Company was incorporated for constructing the *Guildford Extension and Portsmouth and Fareham* Railway by the Name of the *Guildford Extension and Portsmouth and Fareham* Railway Company, and such Company is herein-after referred to as the *Guildford Extension* Company: And whereas under the Authority of the last-recited Act the Undertaking, Powers, and Authorities of the *Guildford Extension* Company have been transferred to and are now vested in the *South-western* Company, and such Undertaking is now in course of Construction by the same Company: And whereas by the *Direct London and Portsmouth* Railway Act, 1845, a Company was incorporated for constructing a Railway from *Epsom* to *Portsmouth*, by the Name of the *Direct London and Portsmouth* Railway Company, and such Company is herein-after referred to as the *Portsmouth* Company, and further Provisions with respect to the same Company were made by the *Direct London and Portsmouth* Railway Amendment and Deviations Act, 1847: And whereas the Bills for the *Guildford Extension and Portsmouth and Fareham* Railway Act, 1845, and the *Direct London and Portsmouth* Railway Act, 1845, were pending at the same Time in Parliament, and by the first of such Acts the *Guildford* Company was prohibited from taking any Lands situate to the South of the Inclosure numbered 118 in the Parish of *Godalming* in the deposited Plans and Books of Reference therein referred to, and from constructing any Works within such Inclosure Eastward of a Line drawn parallel to the Centre Line of Railway as shown on such Plans, and on the West Side thereof, and at the Distance of Fifty

Feet

Feet therefrom, so as to interfere with the convenient Construction through such Inclosure of the then proposed *Direct London and Portsmouth* Railway, if the same should be sanctioned by Parliament in the then or the then next Session of Parliament: Provided always, that if the *Guildford* Company should purchase the Entirety of such Inclosure, and a Bill for constructing the *Direct London and Portsmouth* Railway should be so sanctioned within such Period, the *Guildford* Company should sell to the Company which should be incorporated for making such *Direct London and Portsmouth* Railway so much of such Inclosure East of the Line to be so drawn as should be necessary for the convenient Construction of the Line of the *Direct London and Portsmouth* Railway through such Inclosure, at a Price to be agreed or to be settled as therein expressed; and by the second of such Acts it was enacted, that the *Portsmouth* Company should construct a good and sufficient Station at *Godalming*, and the Company authorized to make or who should from Time to Time work the Railway from *Guildford* to *Godalming* should have the Use of such Station, subject to the Payment to the *Portsmouth* Company of a Charge proportioned to the Use thereof by the respective Companies: And whereas the *Portsmouth* Company have not proceeded with the Execution of any of their Works at *Godalming* aforesaid: And whereas an Act was passed in the Ninth Year of the Queen, called the *Southampton and Dorchester* Railway Act, 1845, whereby a Company for constructing a Railway from *Southampton* to *Dorchester*, with a Branch to *Poole*, was incorporated by the Name of the *Southampton and Dorchester* Railway Company, and such Company is herein-after referred to as the *Dorchester* Company: And whereas the following Acts relating to the *Dorchester* Company have since been passed; (to wit,) the *Southampton and Dorchester* Railway (*Lymington and Eling* Branches) Act, 1847, and the *Southampton and Dorchester* Railway (*Weymouth* Branch) Act, 1847, and by such Acts they have been authorized to construct Branches to *Lymington*, to the *Southampton Water* at *Eling*, and to *Weymouth*, and to lease the same to the *South-western* Company: And whereas under the Authority of the *London and South-western* Railway Company's Amendment Act, 1846, the *Dorchester* Company granted, and the *South-western* Company accepted, a Lease for Nine hundred and ninety-nine Years of the Undertaking of the *Dorchester* Company: And whereas a Bill is now pending in Parliament for amalgamating the *Southampton and Dorchester* Company with the *South-western* Company: And whereas an Act was passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for paving, lighting, watching, and otherwise improving the Town of* Godalming *in the County of* Surrey: And whereas the Railway between *Woking* and *Guildford* was constructed under the Powers of the *Guildford Junction* Railway Act, 1844, and the same, and the Works and Conveniences thereof, have been conveyed to the *South-western* Company, under the Provisions of the *London and South-western* Railway Company's Amendment Act, 1845, and the *Richmond* Railway was constructed on the Powers of the *Richmond* Railway Act, 1845, and the same, and the Works and Conveniences thereof, have been conveyed to the *South-western* Company, under the Provisions of the *London and South-western* Railway Company's Amendment

6 G. 4. c. 177.

Amendment Act, 1846: And whereas it would be of public Advantage that the said Provisions of the *Guildford Extension and Portsmouth and Fareham* Railway Act, 1845, and of the said *Direct London and Portsmouth* Railway Act, 1845, restricting the *South-western* Company from taking any Lands South of the said Inclosure numbered 118 on the said deposited Plan, and obliging the said *Direct London and Portsmouth* Railway Company to construct a Station at *Godalming*, for the Use of themselves and of the said *South-western* Railway Company, should be repealed, and that an Extension of the Line and Works of the *Guildford Extension and Portsmouth and Fareham* Railway should be made near *Godalming*, and that Deviations from the same Line should be made near *Cosham*, and that the Works of the Extension to *London Bridge* of the *London and South-western* Railway should be altered so as to afford better Access to the Railway, and that the Terminus and Works of the *London and South-western* Railway at *Southampton* should be extended, and that a Branch should be made at *Southampton* from the same Railway to the *Southampton* Docks, and that an Extension of the Station and Works of the *Poole* Branch of the *Southampton and Dorchester* Railway should be made at or near *Poole*, and that the *South-western* Company should be authorized to build, charter, hire, navigate, and manage Steam Boats in communication with the *London and South-western* Railway; and the *South-western* Company are willing to effect such Purposes; and it is expedient that for such and other Purposes some of the Powers and Provisions of the recited Act should be enlarged, amended, or repealed, and that other Powers and Provisions should be granted and made; but such several Purposes 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,

Short Title of this Act.

That in citing this Act for any Purposes whatsoever it shall be sufficient to use the Expression "The *London and South-western* Railway Company's Amendment Act, 1848."

Provisions of recited Acts extended to this Act.

II. And be it enacted, That all the Provisions of the recited Acts relating to the *South-western* Company, and the Acts incorporated therewith, or any of them, except so far as such Provisions are now repealed, and except such of them or such Parts thereof as are by this Act repealed, altered, or otherwise provided for, shall extend to the Purposes of this Act, as if re-enacted in this Act with reference to such Purposes, and shall be incorporated with this Act accordingly.

Capital.

III. And whereas the estimated Expense of making such Extensions, Deviations, and other Works is One hundred and forty thousand Pounds, and the Amount of the additional Capital which the *South-western* Company will require for the Purpose of providing Steam Vessels, as herein-after mentioned, is One hundred thousand Pounds, making together the Sum of Two hundred and forty thousand Pounds: Be it therefore enacted, That the *South-western* Company may for the Purposes of this Act raise the further Sum of Two hundred

hundred and forty thousand Pounds, by the Creation of new Shares or Stock in the Undertaking of the *London and South-western* Railway, and the nominal Amount of each such new Share shall be such a Sum not exceeding the Sum of Sixteen Pounds Thirteen Shillings and Four-pence as the Directors shall determine, and the first Payment in respect of every such new Share shall be the Sum of One Pound Thirteen Shillings and Four-pence.

Meeting to be held before Capital required for Steam Navigation is raised.

IV. Provided always, and be it enacted, That it shall not be lawful for the said *South-western* Company to raise the said Sum of One hundred thousand Pounds, or any Part thereof, for the Purposes of Steam Navigation, unless with the Consent of Three Fifths at least of the Proprietors of the said Company, expressed at a General or Special General Meeting of the said Company convened for that Purpose.

Appropriation of new Shares, and Rights and Interest of Proprietors in respect thereof.

V. And be it enacted, That the Proprietors of such new Shares shall be Proprietors of Stock in the Company to the same Extent and as beneficially to all Intents and Purposes whatsoever (except in respect of Dividends and otherwise as herein-after provided) as Proprietors of the like nominal Amount of the Capital of the Company by the first-recited Act authorized to be raised by Shares, and shall accordingly in respect of such new Shares be entitled to the Rights and Privileges, and be subject to the Powers, Provisions, Remedies, Indemnities, Penalties, Clauses, Matters, and Things expressed in the recited Acts or any of them, so far as the same are now unrepealed, and are not by this Act repealed, altered, or otherwise provided for.

As to Dividends on new Shares.

VI. And be it enacted, That Dividends on such new Shares shall be paid only in respect of the Sums for the Time being paid up thereon respectively, and only from the respective Times appointed for the Payment of such Sums: Provided always, that the Dividends in respect of the Sums, not exceeding One Pound Thirteen Shillings and Four-pence a Share, paid on any such new Shares before the passing of this Act, shall be paid as from the First Day of *January* One thousand eight hundred and forty-eight inclusive.

Directors to fix the Number and Amount of Shares.

VII. And be it enacted, That the Directors of the Company are hereby authorized and required, within Six 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 thereupon such new Shares shall be duly numbered in regular Order of arithmetical Progression, and every such Share shall, except as herein-after provided, always be distinguished by the Number originally applied to the same.

Power to consolidate certain Shares into 50*l.* Shares.

VIII. And whereas it is expedient that the Company should be authorized to consolidate into Shares of Fifty Pounds each Shares for the Time being in the Company of a lesser Denomination: Be it therefore enacted, That the Company may from Time to Time, if authorized by a Resolution of a Majority of at least Three Fifths of the Proprietors present in Person or by Proxy, and not declining to vote at any Special General Meeting of the Company, direct that

all or any of the Shares for the Time being in the Company of a lesser Denomination than Fifty Pounds, the Holders whereof shall consent in Writing to such Consolidation, shall be consolidated into Shares of Fifty Pounds each, upon such Terms and Conditions and in such Manner as shall appear just and convenient: Provided always, that any such Resolution or Direction shall not be made in respect of any Number less than the whole of the Shares of the same Class, or so as to give the Right or Opportunity of such Consolidation to any of the Proprietors of Shares of the same Class, exclusively of any other of such Proprietors: Provided also, that any Alteration of the Rights or Liabilities of any Proprietor, in respect of Calls, Dividends, Voting, Qualification, or otherwise, shall not be effected by any such Consolidation, but the Proprietors for the Time being of any such consolidated Share shall have and be subject to in respect thereof the same Rights and Liabilities as those which he would have had and been subject to in respect of the Shares so consolidated in case the same had not been so consolidated.

Preferential Dividends on Shares.

IX. And be it enacted, That there shall be paid out of the general Revenues of the Company, and in priority of all other Dividends whatsoever, the following Dividends in respect of such new Shares; that is to say, a Dividend at the Rate of Seven Pounds *per Centum per Annum* upon the first Payment of One Pound Thirteen Shillings and Four-pence in respect of any such new Share, and a Dividend at the Rate of Five Pounds *per Centum per Annum* upon all other Sums paid in respect thereof; and such fixed Dividends shall be paid half-yearly at the same Time as the ordinary Dividends of the Company, and shall continue payable as aforesaid for ever: Provided always, that the Priority by this Act given to such Dividends shall be without Prejudice to any Priority or Guarantee of Dividend or Interest on any of the Shares or Capital Stock of the Company given by or under any Act passed before the present Session of Parliament: Provided also, that the Proprietors of any of such new Shares may, by Writing under their respective Hands, deliver on or before the First Day of *July* One thousand eight hundred and fifty-three at the Office of the Treasurer of the Company, declare their respective Option to accept, from and after the First Day of *January* One thousand eight hundred and fifty-four, in respect of any of such new Shares, Dividends in common and rateably with the Proprietors of other Shares in the Company, instead of such fixed Dividends; and from and for ever after the First Day of *January* One thousand eight hundred and fifty-four each fixed Dividend shall wholly cease to be payable in respect of those of such new Shares as to which such Option shall be so declared, and the Proprietors of the same Shares shall receive Dividends thereon in common and rateably with the Proprietors of the Shares in the Company in respect whereof such fixed Dividends shall not be payable.

As to voting in respect of new Shares.

X. Provided always, and be it enacted, That for the Purpose of voting, the Amount of Capital in the Company represented by all such new Shares held by any Proprietor shall be considered as divided into as many Fifty Pound Shares as such Amount of Capital will admit of, and the Right of voting of such Proprietor in respect of

of such new Shares shall be determined by the Number of Fifty Pound Shares into which the Amount of Capital represented by such new Shares held by him shall be capable of being divided.

Power to make Calls on new Shares.

XI. 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 be made before the First Day of *July* One thousand eight hundred and forty-nine, or shall exceed Ten *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, and so that the total Amount paid on any such new Share shall not exceed the Sum of Sixteen Pounds Thirteen Shillings and Four-pence.

Notice to be given when Call made.

XII. 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 the least shall be previously given by Advertisement, under the Hand 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*, *Dorset*, and *Somerset*; 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 said 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.

The whole Capital which the Company may be authorized in the present Session to raise to be considered as one aggregate Sum.

XIII. Provided always, and be it enacted, That if the *South-western* Company be by any other Act or Acts passed at any Time during the present Session of Parliament authorized to raise any other Sum as additional Capital, then (except only so far as may be by such other Act or Acts otherwise provided) such Company shall be deemed to be by this Act and such other Act or Acts authorized to raise as additional Capital One entire Sum of an Amount equal with that of the Aggregate of the several Sums which they shall be so authorized to raise, and the respective Sum which by each of this Act and such other Act or Acts such Company is so authorized to raise shall be deemed to be a proportionate Part of such entire Sum;

and

and any Proprietor of any Share created for the Purpose of raising any One of such Sums shall not in respect of Dividend or other Privilege have any Priority or Preference to or over any Proprietor of any Share created for the Purpose of raising any other of such Sums.

Power to borrow on Mortgage.

XIV. And be it enacted, That when One Half of the Capital by this Act authorized to be raised, or when One Half of the total Amount of the Capital of the *South-western* Company by this Act and the other Acts relating to the same Company respectively authorized to be raised, shall have been paid up, the *South-western* Company may, with the Sanction of any General or Special General Meeting of the same Company, from Time to Time borrow and take up at Interest any further Sums, not exceeding Eighty thousand Pounds, in like Manner and under and subject to the same Provisions as the same Company are by all or any of the Acts relating to their Undertaking authorized to raise Money by Mortgage on the Credit thereof: Provided always, that no Part of such Sum shall be borrowed until the whole of the additional Capital in respect of which such Powers are to be exercised shall have been subscribed for; provided also, that all and every Part of such Sum of Money so to be borrowed shall be applicable only to the Objects and Purposes by this Act authorized.

Interest not to be paid on Calls paid up.

XV. And be it enacted, That it shall not be lawful for the *South-western* Company, out of any Money by this Act or any other Act relating to the said 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 above 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.

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

XVI. And be it enacted, That it shall not be lawful for the *South-western* Company, out of any Money by this Act or any other Act relating to the said 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 same Company to construct any other Railway or execute any other Work or Undertaking.

Works to be executed according to deposited Plans.

XVII. And whereas Plans and Sections of the proposed Deviations and other Works, showing the respective Lines and Levels thereof, and also Books of Reference thereto, containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of the Lands through or in which the same are intended to pass or to be made, or which may be required to be taken for the

Purposes of the Undertaking, have been deposited with the respective Clerks of the Peace for the several Counties of *Surrey* and *Southampton*, the Town and County of the Town of *Southampton*, the Town and County of the Town of *Poole*, and the County of *Dorset*: Be it enacted, That, subject to the Provisions of and incorporated with this Act, the *South-western* Company may make and maintain the Extensions, Deviations, and other Works herein-after particularly described in the Lines and upon the Lands delineated on such Plans and described in such Books of Reference, and upon the Levels defined on such Sections, and may enter upon, take, and use such of the same Lands as shall be necessary for such Purposes: Provided always, that in case any Question of disputed Compensation with respect to any such Lands situate within the Town and County of the Town of *Southampton* and the Town and County of the Town of *Poole* respectively shall be required to be determined by the Verdict of a Jury, the Warrant for summoning a Jury shall be issued, as regards such Question arising in respect of Lands situate within the Town and County of the Town of *Southampton*, to the Sheriff of the County of *Southampton*, and as regards such Question arising in respect of Lands situate within the Town and County of the Town of *Poole*, to the Sheriff of the County of *Dorset*, and such respective Sheriff shall act under such Warrant, and such other Proceedings shall be had as if such Lands had been situate exclusively within the County of *Southampton* or the County of *Dorset*, as the Case may be.

Description of Works.

XVIII. And be it enacted, That such Extensions, Deviations, and Works shall be the following; to wit,

Godalming.

1.—*Godalming Extension and Works.*

An Extension of the Railway authorized to be made from *Guildford* to *Godalming* by the *Guildford Extension and Portsmouth and Fareham* Railway Act, 1845, with all proper and convenient Stations, Erections, Bridges, Wharfs, Warehouses, Communications, Approaches, and other Works connected therewith, which Extension of such Railway and the Works connected therewith shall commence in a certain Garden and Grounds in the Parish of *Godalming* in the County of *Surrey* occupied by the Reverend *Edward Jacobs Boyce*, and numbered 118 in the same Parish, on the Plan of the *Guildford Extension and Portsmouth and Fareham* Railway, deposited in the Month of *November* One thousand eight hundred and forty-four, with the Clerk of the Peace for the same County, and shall terminate in Land occupied by *William Stafford* the younger, and numbered 99 in the same Parish on such Plan; And also the widening and improving of the Street or Road between *High Street* in the Town and Parish of *Godalming* and the Terminus of such proposed Extension of such Railway, and the altering of the Level and Inclinations of such Street or Road.

Cosham.

2.—*Cosham Deviations and Works.*

Alterations and Deviations in the Line of the *Guildford Extension and Portsmouth and Fareham* Railway, as authorized by the *Guildford Extension and Portsmouth and Fareham* Railway Act, 1845, together

together with all proper and convenient Stations, Erections, Bridges, Wharfs, Warehouses, Communications, Approaches, and other Works to be connected therewith; one of which proposed altered or deviated Lines shall commence in a Field occupied by Messrs. *Pittis* in the Parish of *Wymering* in the County of *Southampton*, numbered 30 in the same Parish on such Plan deposited for the Purposes of this Act, and shall terminate by a Junction with the *Portsmouth* Extension of the *Brighton and Chichester* Line of the *London, Brighton, and South Coast* Railway in a Field in the Parish of *Widley* in the same County, occupied by *John Burrill*, and numbered 12 in the same Parish on the same Plan; and one other of such proposed altered or deviated Lines shall commence in the same Field so numbered 30 in the said Parish of *Wymering*, and shall terminate in a Field in the same Parish, occupied by the said *John Burrill* and numbered 69 on such deposited Plan of the *Guildford Extension and Portsmouth and Fareham* Railway; and the other of such proposed altered or deviated Lines shall commence by a Junction with the *Portsmouth* Extension of the *Brighton and Chichester* Line of the *London, Brighton, and South Coast* Railway, in such Field in such Parish of *Widley* so numbered 12, and shall terminate in a Field in such Parish of *Wymering* occupied by Messrs. *Pittis*, and numbered 36 on such Plan deposited for the Purposes of this Act.

London Bridge.

3.—*London Bridge Extension and Works.*

An improved Access to the intended *London Bridge* Station of the *South-western* Company from *Wellington Street* and *London Bridge*, on the North Side of the House numbered 1007 on the deposited Plan of the said Works, and all proper and convenient Erections, Approaches, and other Works and Conveniences connected therewith, and which Works shall be executed in the Parish of *Saint Saviour Southwark* in the County of *Surrey*.

South-ampton.

4.—*Southampton Extension and Branch.*

An Alteration, Extension, and Enlargement of the Terminus or Station of the *London and South-western* Railway, and the various Buildings, Works, and Conveniences connected therewith, in the Parish of *Saint Mary* in the Town and County of the Town of *Southampton*; and which Works shall be executed by taking and adding to such Station an adjoining Part of the now or late unin-closed waste Lands called the *Marsh* in such Parish, and by constructing and maintaining upon such additional Land such further Buildings, Works, and Conveniences as may be found necessary, and also by constructing and maintaining an additional Line or Lines of Railway commencing in the same Parish at or from the present Line of the *London and South-western* Railway at and South of the Point at which it crosses the public Road called the *Marsh Road*, and terminating in the same Parish on the South Side of the *Dock Road*, and about Two hundred and fifty Yards East of the *Dock House* there.

Poole.

5.—*Poole Enlargement and Works.*

The Enlargement of the Station, and the Formation of further Station Accommodation, Warehouses, Wharfs, Landing Places, Approaches,

Approaches, and other Works and Conveniences in connexion with the *Southampton and Dorchester* Railway, and which Enlargement and Works shall be made in and upon the Lands situate in the Parishes of *Hamworthy* in the County of *Dorset* and *Saint James* in the Town and County of the Town of *Poole*, or one of them, and East of the Road leading from the *Poole* Station of the *Southampton and Dorchester* Railway to *Poole Bridge*, and between the Line of the *Poole* Branch of such Railway, as delineated on the Plan thereof deposited in the Month of *November* One thousand eight hundred and forty-four with the respective Clerks of the Peace for the County of *Dorset* and the Town and County of the Town of *Poole*, and the Mid-channel of the Inner Harbour of *Poole*.

Power to cross Roads on the Level.

XIX. And be it enacted, That in making the Railways by this Act authorized the *South-western* Company may construct the same across and on the Level of the following Roads shown on such Plans deposited for the Purposes of this Act; that is to say, on the *Cosham* Deviations, the Turnpike Road numbered 37 *a* in the Parish of *Wymering*, and 1 *a* in the Parish of *Widley*, and the public Road numbered 67 in the Parish of *Wymering*; on the *Southampton* Extension and Branch, the public Roads numbered 3 and 6 respectively in the said Parish of *Saint Mary, Southampton*; on the *Poole* Enlargement, the public Road numbered 39 in the Parish of *Hamworthy* on the said deposited Plans.

Company to erect a Station or Lodge at Points of crossing, and to abide by Regulations of Commissioners of Railways.

XX. And be it enacted, That for the greater Convenience and Security of the Public the Company shall erect and permanently maintain either a Station or Lodge at the Points where the said Railway crosses the before-mentioned Roads on the Level; and the said Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Roads on the Level, or with regard to the Speed at which Trains shall pass such Roads, as may from Time to Time be made by the Commissioners of Railways; and if the said Company shall fail to erect or at all Times maintain any such Station or Lodge, or appoint a proper Person to watch or superintend the crossing at any such Point or Station, or to observe or abide by any such Rule or Regulation as aforesaid, they shall for every such Offence be liable to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred.

Prohibition on Company from taking certain Lands at Godalming repealed.

XXI. And be it enacted, That the recited Provisions of the *Guildford Extension and Portsmouth and Fareham* Railway Act, 1845, and of the *Direct London and Portsmouth* Railway Act, 1845, severally prohibiting the *South-western* Company from taking any Lands South of the said Inclosure numbered 118 in the Parish of *Godalming* on the before-mentioned Plans, and with reference to the Manner of forming the Railway authorized to be made by the said *Guildford Extension and Portsmouth and Fareham* Railway Act, 1845, in and through the said Inclosure, and the Sale of Parts thereof to the said *Portsmouth* Company, and obliging the *Portsmouth* Company to construct a Station at *Godalming* for the joint Use of themselves

and

and of the said *South-western* Company, be and they are hereby repealed.

Junction with the South-western Railway to be made by the Direct London and Portsmouth Railway Company.

XXII. And whereas it is expedient that when the said *Direct London and Portsmouth* Railway shall be executed a Junction shall be made between the same and the Railway authorized to be made by the said *Guildford Extension and Portsmouth and Fareham* Railway Act, 1845, at a Point North of the Garden Ground numbered on the said deposited Plan of the same Railway 118 in the said Parish of *Godalming*, and that the *South-western* Railway Company shall construct in or South of the said Inclosure a good and sufficient Station, and that the *Portsmouth* Company, their Lessees and Assigns, and every Company using the *Direct London and Portsmouth* Railway, shall have the Use of the Portion of Railway to be constructed by the said *South-western* Company under the Provisions of the said *Guildford Extension and Portsmouth and Fareham* Act, 1845, or of this Act, between the said Point of Junction and the Termination of the Railway at *Godalming* hereby authorized, inclusive of the said Station: Be it therefore enacted, That a Junction shall, at the Expense of the *Portsmouth* Company, be made between the said Railways at a convenient Point North of the River *Wey* and of the said Garden and Grounds, and the said Railway shall be so constructed as to admit of the Formation of such Junction within the Powers of said Companies respectively; and that such Point of Junction, and the Mode of forming the same, shall be settled by the Engineers of the said respective Companies, and in case of Dispute or Difference between them by the Commissioners of Railways, or by an Engineer to be appointed by them, whose Decision shall be final; and the said Junction shall be at all Times thereafter maintained, worked, and watched by the *South-western* Company, at the Expense of the *Portsmouth* Company.

Station at Godalming to be jointly used by both the said Companies.

XXIII. And be it enacted, That the *South-western* Company shall, at their own Expense, construct and maintain, at *Godalming*, in or South of the said Garden and Grounds numbered 118 as aforesaid, a good and sufficient Station; and the *Portsmouth* Company, their Lessees and Assigns, and every Company using the *Direct London and Portsmouth* Railway, shall have the Use of such Station, and of the Railway and Works of the *South-western* Company, between the aforesaid Point of Junction and the Termination of such Railway and Works at *Godalming*, subject to the Payment to the *South-western* Company of such Charge only as shall be proportioned to the Use of the same Station, Railway, and Works by the respective Companies, and not subject to any Toll or Charge: Provided always, that it shall not be lawful for the *South-western* Railway Company to take, for the Construction of the said Station, or for any other Purpose in relation to the said Railway, any Part of the Land in the Parish of *Godalming* belonging to *John Muskett* Esquire which may be situate more than One hundred and thirty Feet to the North of the Centre Line of Railway as delineated on the deposited Plan; and that the said Company shall not obstruct the private Roadway from the Entrance Lodge of *Westbrook Place* to the *Leather Mill*, otherwise than by the crossing of the Railway over the same, and that such Crossing

shall be made by an Archway of not less than Seventeen Feet in Width, in which the Headway for a Space of Nine Feet shall not be less than Fourteen Feet from the Level of the present Surface of the Road under it.

As to the Formation of such Station.

XXIV. And be it enacted, That the said *South-western* Company shall so form and maintain the said Line of Railway, at and South of the said Point of Junction, as to permit of the convenient Junction therewith and Extension therefrom Southwards of the *Direct London and Portsmouth* Railway; and the said *South-western* Company shall also, at the reasonable Request of the said *Portsmouth* Company in Writing under their Common Seal, and on Payment by them of any Excess of Costs which may be occasioned thereby, so form and maintain, or, at the like Request and Expense, so alter and maintain, their said intended Station, Railway, and Works at *Godalming*, as to permit the convenient Passage along the same Railway, and to and through the same Station, of the Trains of the *Portsmouth* Company, their Successors or Assigns, and particularly of those Trains not requiring to stop at or in the said Station; and the Amount of any extra Expense which may become payable by the said *Portsmouth* Company to the said *South-western* Company in consequence of any such Request, and also the Extent and Propriety of such Works to be done in consequence of such Request, shall be settled and determined by the Engineers of the respective Companies, or, in case of Difference between them, by the Commissioners of Railways, or an Engineer to be appointed by them.

Nothing in Act to impede the Direct London and Portsmouth Company in Formation of their Junction.

XXV. Provided always, and be it enacted, That nothing in this Act contained shall prevent or impede the Purchase of any Land by the *Direct London and Portsmouth* Railway Company which may be necessary for the Purpose of constructing their Railway, so as to effect such Junctions and Extension as aforesaid with the Railway and Works to be formed by the *London and South-western* Railway Company at *Godalming* aforesaid.

Saving the Rights of the said Company.

XXVI. Provided always, and be it enacted, That nothing in this Act contained shall, further or otherwise than is herein expressly enacted, extend to prejudice, diminish, alter, or take away any of the Rights Privileges, Powers, or Authorities vested in the *Direct London and Portsmouth* Railway Company in and by the several Acts relating to such Railway.

Limiting Period for purchasing Lands of J. Muskett.

XXVII. And be it enacted, That if the *South-western* Railway Company shall within Nine Months after the passing of this Act have purchased and paid for the Land required for the Formation of the Railway authorized to be made by them at *Godalming*, and such good and sufficient Station as aforesaid, and shall within Two Years from the passing of this Act have constructed such Railway and Station, it shall not be lawful for the *Direct London and Portsmouth* Railway Company to take and purchase by Compulsion, any other Portion of the said Property of the said *John Muskett* called the *Westbrook* Estate, except for the Purpose of effecting such Junctions and Extension as aforesaid of the *Direct London and Portsmouth*

Railway with and from the Railway to be formed by the *South-western* Railway Company at *Godalming* aforesaid; provided also, that if the *South-western* Railway Company shall not have purchased such Land within the said Period of Nine Months their Power so to do shall cease and determine.

Period for constructing Station at Godalming limited.

XXVIII. And be it enacted, That if at the Expiration of Nine Months from the passing of this Act the *London and South-western* Railway Company shall not have purchased the Lands required for the Formation of the Railway and Station authorized to be made by them at *Godalming* aforesaid, or shall not within Two Years from the passing of this Act have completed such Extension Line and Station, nothing in this Act contained shall prevent or impede the Purchase of any Land by the *Direct London and Portsmouth* Railway Company for the Purpose of constructing their Railway and Station and Works at *Godalming* aforesaid.

Company to abandon Line rendered unnecessary by Cosham Deviations.

XXIX. And be it enacted, That the *South-western* Company shall abandon so much of the original Line authorized by the *Guildford Extension and Portsmouth and Fareham* Railway Act, 1845, as may be rendered unnecesssary by reason of the making of such Deviations near *Cosham*, and after the Construction of the Branch at *Southampton* hereby authorized to be constructed across the *Dock Road* may abandon the present Branch Line of Railway crossing the same Road.

As to Construction of Works at Cosham.

XXX. And be it enacted, That the Lines and Levels of the Curves of the proposed Works at *Cosham* aforesaid, shall be respectively constructed in the Direction delineated upon and in all respects according to the Plan and Section of the said intended Works signed by Mr. *Joseph Locke*, the Chief Engineer of the said Company, and deposited with the Board of Ordnance; and that it shall not be lawful for the said *South-western* Company to make any Deviation from the Line or Levels respectively laid down on such Plan and Section without the Consent in Writing of the said Board of Ordnance first had and obtained: Provided always, that with such Consent any Deviation from the said Lines and Levels may at any Time be made.

As to crossing Portsbridge Creek.

XXXI. And be it enacted, That the Soffit of the Viaduct for carrying the said Railway across *Portsbridge Creek* shall not be less than Four Feet above the Level of High Water of ordinary Spring Tides; and the said Company are hereby required to make an Opening or Swing Bridge according to such Plan and with such Width of Span as the said Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral, shall approve of and direct, such Approval and Direction to be signified in Writing under the Hand of the Secretary of the Admiralty.

Works at Portsbridge Creek not to be deviated

XXXII. And be it enacted, That the centre Line of Way of the said Railway across *Portsbridge Creek* shall not be deviated from the Lines shown on the Plans deposited at the Admiralty, unless such Deviations

Deviations shall be approved of by the said Lord High Admiral or the said Commissioners, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty.

from without Consent of Admiralty.

XXXIII. And be it enacted, That during the Construction of the said Viaduct and Bridge, and Works connected therewith, the *London and South-western* Railway Company shall cause to be hung out or exhibited, every Night from Sunset to Sunrise, a Light, to be kept burning by and at the Expense of the said Company, for the Navigation and safe Guidance of Vessels and for ever after the Completion of the said Viaduct and Bridge the said Company shall, unless otherwise directed by the said Lord High Admiral or the said Commissioners, cause to be hung out or exhibited upon or near to the Centre of the said Viaduct or Bridge, every Night from Sunset to Sunrise, a good and sufficient Light, to be kept burning by and at the Expense of the Company, for the Navigation and safe Guidance of Vessels, and which Light shall be from Time to Time altered by the said Company in such Manner and be of such Description and be so used as the Lord High, or the Commissioners for executing the Office of Lord High, Admiral, shall by Writing under the Hand of the Secretary of the Admiralty, approve of; and in case the said Company shall neglect to exhibit and keep either of such Lights burning as aforesaid they shall forfeit and pay for every such Neglect the Sum of Ten Pounds.

Light to be exhibited from Sunset to Sunrise during Construction of the Works.

XXXIV. And be it enacted, That it shall not be lawful for the Company, or any Person or Persons acting under them, to detain any Vessel, Barge, or Boat navigating *Portsbridge Creek* for a longer Space of Time than may be sufficient to admit of any Carriages or Trains regularly traversing the said Railway, and approaching the said Bridge, to cross the said Creek, and for opening the said Bridge to admit such Vessel, Barge, or Boat to pass; and in case the Company, or any Person or Persons acting under them, shall detain any such Vessel, Barge, or Boat contrary to the Provisions of this Act, or demand, take, or receive any Toll for the Passage of any Person or Persons, Vessel, Barge, or Boat, the said Company, or every Person so offending, shall in every such Case forfeit and pay the Sum of Ten Pounds; but nothing in this Act shall prevent any Remedy for Damages which any Party may sustain in respect of any such Detention as aforesaid: Provided always, that if any Person shall, in navigating any Vessel through such Opening or Swing Bridge, wilfully impede or delay the said Company or Traffic on the said Railway, he shall in each and every such Case forfeit and pay to the said Company the Sum of Ten Pounds.

As to Opening of Swing Bridge.

XXXV. And be it enacted, That nothing in this Act contained shall authorize or enable the *South-western* Railway Company to embank any Part of the Soil and Bed of the River *Thames*, or to interfere in any Manner with the Parapet of *London Bridge*, or Arch over the public Stairs at the South-west Abutment of the said Bridge, without the Consent in Writing of the Mayor and Commonalty and Citizens of the City of *London*, under the Hand of their Town Clerk, first had and obtained: Provided always, that nothing in this Clause contained

Works authorized by this Act not to interfere with River Thames.

contained shall repeal or affect, or be construed to repeal or affect, any of the Powers or Provisions of the said *London and South-western* Railway Company's *London Bridge* Extension Act, 1846.

As to Construction of Works at Poole.

XXXVI. And be it enacted, That in constructing the said Railway or Wharfs, or Works connected therewith, at *Poole*, no Encroachment or Extension shall be made on the Waterway, except on an average Line of Shore delineated on the Plan signed by *James Robertson*, the Engineer of the said Company, as deposited with and sanctioned by the said Commissioners; and that previously to the Commencement of the said Railway, Wharfs, or other Works at *Poole*, the Company shall deposit at the Admiralty Office, *Whitehall*, Plans and working Drawings thereof; and no such Work shall be commenced until the same shall be approved of by the said Lord High Admiral or the said Commissioners, signified by Writing under the Hand of the Secretary of the Admiralty, nor shall the same be constructed except in accordance with such Approval: Provided always, that it shall be lawful for the Company, with the Consent in Writing of the Lord High Admiral or the said Commissioners, and the Corporation of *Poole*, to deviate from the Line of Shore laid down as aforesaid.

Power to Admiralty to order a local Survey, if they think fit.

XXXVII. And be it enacted, That if, after working Drawings of the Works hereby authorized shall have been submitted to the Lord High Admiral of the United Kingdom, or to the Commissioners for executing the Office of Lord High Admiral, it shall be deemed expedient by him or them to order a local Survey and Examination of such Works or of the intended Site thereof, the *London and South-western* Railway Company shall defray the Costs of such local Survey and Examination; and the Amount thereof shall be a Debt due to Her Majesty from the same Company, and if not paid, upon Demand, may be recovered as a Debt due to the Crown, with the Costs of Suit, or may be recovered, with Costs, as a Penalty is or may be recoverable from the Company.

If Works across tidal Waters are abandoned they may be removed by the Admiralty at Expense of the Company.

XXXVIII. And be it enacted, That if any Work to be constructed by the Company in or across any tidal Water or navigable River, or if any Portion of the Railway which affects any such Water or River, or Access thereto, shall be abandoned or suffered to fall into Disuse or Decay by the Company, it shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company; and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly, with Costs of Suit.

Exemption of certain Vessels from Rates, &c.

XXXIX. And be it enacted, That nothing in this Act contained shall extend to charge with Rates or Duties, or to regulate or subject to any Control, any Vessel belonging to or employed in the Service of Her Majesty, Her Heirs and Successors, or any Member of the Royal Family, or in the Service of the Customs or Excise, or of the

the Corporation of *Trinity House of Deptford Strond*, or the Commissioners of Northern Lights, using the Wharfs, Landing Places, and Approaches at *Poole* by this Act authorized, and not conveying Goods for Hire, or any Packet Boat or Post Office Packet, being a Packet Boat or Post Office Packet as defined under the Provisions of any Act relating to the Post Office, or any Post Office Bag of Letters conveyed by any such Packet Boat or Packet, or by any other Vessel whatsoever, or any of the Officers or Persons employed in the Service of the Admiralty, Ordnance, Customs, Excise, or Post Office, or their Baggage, or any Vessel or Goods being under Seizure by the Officers of the Revenue, or any Naval, Victualling, or Ordnance Stores, or other Stores or Goods for the Service of or being the Property of Her Majesty, or any Troops landed upon or delivered or disembarked from any of the Quays of the said Wharfs, Landing Places, and Approaches, or their Baggage, but all such Vessels, Officers, or Persons as aforesaid shall have the free Use of the said Wharfs, Landing Places, and Approaches, without any Charge or Rate being made by the said Company for using the same: Provided always, that if any Person claim and take the Benefit of any such Exemption as aforesaid without being entitled thereto he shall for every such Offence be liable to a Penalty not exceeding Ten Pounds.

Company prohibited from taking any Part of Wellington Street, &c.

XL. And be it enacted, That the said *South-western* Railway Company shall not be authorized or empowered to take or use, for the Purpose of the said *London Bridge* Extension and Works, any Part of the open Space or Way numbered on the deposited Plan of the *London Bridge* Station Enlargement 1010, or any Part of the Ground lying on the North Side of the Parish Church of *Saint Saviour*, and numbered on the said deposited Plan 1021, or to take or use for the Purposes of the said *London Bridge* Extension and Works any Part of the Street or Way called *Wellington Street*, or the Arches under the same, or the Ground or Soil whereon the same Arches have been erected, or any Part of the Street or Way called *Tooley Street*, further than as it shall be necessary to remove and take down the Parapet on the West Side of *Wellington Street*, and to take up or remove the Pavement in *Wellington Street* for forming a sufficient and convenient Road of Approach and Entrance into and of Departure from the said *London Bridge* Station, without the Consent of Writing of the Commissioners appointed for putting in execution the several Acts of Parliament for paving, cleansing, and lighting the several Streets and Lanes within the Town and Borough of *Southwark* and certain Parts adjacent, so far as the same relate to the Western Division in such Acts mentioned; and all necessary and proper Plans of the Mode in which the said Company shall propose to execute the Works for forming any such Road of Approach and Entrance into and Departure from the said Station shall previously to the Execution thereof be submitted to the said Commissioners for their Approval; and if any Difference as to the Mode of executing such Works shall arise, the same shall be referred to and determined by the Commissioners of Railways; and any Pavement or other Matter which shall be taken up or removed by the the said Company in the Execution of any such Works shall with all convenient Speed

be relayed and made good by and at the Costs and Charges of the said Company; and in case the said Company shall neglect or refuse for Twenty-one Days after any Pavement shall have been taken up or removed to relay and make good the same, it shall be lawful for the said Commissioners so to do, and recover the Costs and Expenses incident thereto from the said Company, either by Action, or by such other Means as are provided by the Railways Clauses Consolidation Act, 1845, for the Recovery of Damages not otherwise provided for.

Deficiency of Paving Rates to be made good by Company.

XLI. And be it enacted, That if the said Company shall by virtue of this Act become possessed of any Lands liable to be assessed to the Paving, Lighting, and Cleansing Rates, they shall from Time to Time, until the Works shall be completed and assessed to such Rates, be liable to make good a Deficiency in the several Assessments for the Paving, Lighting, and Cleansing Rates by reason of such Lands having been taken or used for the Purposes of the Works, and such Deficiency shall be computed according to the Rental at which such Lands, with any Building thereon, were valued or rated at the Time of the passing of this Act, and on Demand of such Deficiency the said Company or their Treasurer shall pay all such Deficiencies to the Collector of the said Assessments respectively.

Land for extraordinary Purposes.

XLII. And be it enacted, That the further Quantity of Land to be taken by the *South-western* Company for extraordinary Purposes shall not exceed Twenty-five Acres.

Limiting Time for compulsory Purchase of Land.

XLIII. And be it enacted, That the Powers of the Company for compulsory Purchase of Land for the Purposes of this Act shall not, as to any such Land situated within the Town and County of the Town of *Southampton*, be exercised after the Expiration of One Year from the passing of this Act, and as to any other Lands shall not be exercised after the Expiration of Three Years from the passing of this Act.

Period for Completion of Works.

XLIV. And be it enacted, That after the Expiration of Five Years from the passing of this Act all the Powers hereby granted to the Company for executing the Works hereby authorized, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the same as shall then be completed.

Saving the Rights of the Town of Poole.

XLV. And be it enacted, That nothing in this Act contained shall be construed to alter, impeach, diminish, change, or affect the Dues, Duties, Harbour Duties, Quayage, Wharfage, Boomage, and Ballast Duties, Rates, Customs, and Payments of the Mayor, Aldermen, and Burgesses of *Poole*, or granted to the Corporation under the Name or Title of the Mayor, Bailiffs, Burgesses, and Commonalty of the Town and County of the Town of *Poole*, or now vested in the Body Corporate, or in the Town Council, or in any Commissioners acting or authorized to act along with them, by Charter, Act of Parliament, Right, Usage, Prescription, or in any other Manner whatever; and previously to the Commencement of the said Railway, Quay, or other

Works

Works at *Poole* aforesaid the Company shall deposit at the Office of the Town Clerk of *Poole* Plans and working Drawings thereof.

Tolls.

XLVI. And be it enacted, That the *South-western* Company may, subject to the Provisions of the *London and South-western* Railway Company's Amendment Act, 1846, demand and receive, in respect of the Works hereby authorized, for the Tonnage of all Articles conveyed upon such Works or any Part thereof respectively, and in respect of Passengers and Animals conveyed in Carriages, and for Carriages conveyed on the same Works or any Part thereof respectively, and of locomotive Engines or other Power for drawing or propelling supplied by the same Company, and for the Conveyance in Carriages belonging to the Company of any Passengers, Animals, and Articles, and for Wharfage, Warehousing, and Carriage, such Amount of Tolls, Rates, and other Charges as by the Acts relating to the *South-western* Company or any of them the same Company are authorized to demand and receive in respect of the same several Particulars respectively on or in respect of the Main Line of the *London and South-western* Railway, or the Works connected therewith, or any Part thereof.

Power to Company to maintain Steam Vessels.

XLVII. And be it enacted, That the *South-western* Company may, at any Time within Fourteen Years after the passing of this Act, build or buy or hire any Steam Vessels, and may, within the like Period, but not afterwards, maintain and work such Steam Vessels for navigating between the Ports of *Southampton*, *Portsmouth*, *Gosport*, *Lymington*, *Poole*, and *Weymouth*, or any of them, and the *French* Port of *Havre*, the *Channel Islands* and adjacent Ports on the Coast of *France*, or any of them, and may demand and take any Tolls for the Use of such Steam Vessels.

Limit of Charges for Steam Vessels.

XLVIII. Provided always, and be it enacted, That the Charges to be made by the *South-western* Company for the Conveyance of Passengers in such Steam Vessels between the Points of Embarkation and Disembarkation in any Harbour on the *English* Coast, and in any Harbour of the *Channel Islands* or on the *French* Coast respectively, including all the Charges of loading and unloading and other incidental Expenses, shall not exceed the Charges following; that is to say,

In respect of Passengers provided with the First Class or Rate of Accommodation on board the said Steam Vessels, Three-pence *per* Mile:

In respect of Passengers provided with the Second Class or Rate of Accommodation on board the said Steam Vessels, Two-pence Farthing *per* Mile:

In respect of Passengers provided with the Third Class or Rate of Accommodation on board the said Steam Vessels, One Penny Halfpenny *per* Mile.

For securing Equality of Treatment of Passengers.

XLIX. And be it enacted, That the Tolls, Rates, or Sums to be taken or charged for such Steam Boats shall be at all Times charged to all Persons equally and after the same Rate *per* Mile in respect of all Passengers conveyed in a like Vessel passing between any of the Ports

Ports aforesaid, under the like Circumstances; and no Reduction or Advance in any such Rate shall be made in favour of or against any Person using the said Steam Boats in consequence of such Person having travelled over the whole or any Part of the Railway, or not having travelled on any Part thereof.

Woking and Guildford and other Lines to be deemed Part of the original Undertaking of the South-western Company.

L. And for obviating the Necessity of averring or proving in legal Proceedings the Conveyance to the *South-western* Company of the Railway between *Woking* and *Guildford*, and the *Richmond* Railway, and the *Guildford Extension and Portsmouth and Fareham* Railways respectively, be it enacted, That the same several Railways and the Works and Conveniences thereof respectively shall be deemed, without further Evidence than this Act, to be Part of the Undertaking of the *South-western* Company.

Meaning of Expression "London and South-western Railway."

LI. And for avoiding Inconvenience, be it enacted, That, except so far as such Meaning is not excluded by the Context or by the Nature of the Subject Matter, the Expression "*London and South-western* Railway," whenever employed in any Act of Parliament, legal Proceedings, Instrument, or otherwise, shall be construed to include any and every Railway, Extension Railway, and Branch Railway for the Time being vested or under the Management of the *South-western* Company, and the Works and Conveniences thereof.

Election of Auditors.

LII. And be it enacted, That the Company shall at the first half-yearly General Meeting after the passing of this Act elect Two Auditors, in like Manner as is by the said recited Acts provided for the Election of Directors; and at the half-yearly General Meeting of the Company to be held in *February* in each Year thereafter, or at some Adjournment thereof, the Company shall in like Manner elect an Auditor to supply the Place of the Auditor then retiring from Office, according to the Provision herein-after contained; and every Auditor elected as herein-before provided, being neither removed or disqualified nor having resigned, shall continue to be an Auditor until another be elected in his Stead.

Qualification of Auditors.

LIII. And be it enacted, That every Auditor shall, at and for Twelve Months previous to the Time of his Election, and during all such Time as he shall continue an Auditor, possess in his own Right at least One thousand Pounds of the Consolidated Stock of the Company, or Shares in the Undertaking on which that full Amount shall have been paid up, and he shall not hold any Office in the Company, nor be in any other Manner interested in its Concerns, except as a Shareholder.

Rotation of Auditors.

LIV. And be it enacted, That One of such Auditors (to be determined in the first instance by Ballot between themselves, unless they shall otherwise agree, and afterwards by Seniority,) shall go out of Office at the first half-yearly General Meeting in each Year, but the Auditor so going out, being otherwise duly qualified, shall be immediately re-eligible, and after any such Re-election shall, with respect to the going out of Office by Rotation, be deemed a new Auditor.

LV. And

Vacancies in Office of Auditors.

LV. And be it enacted, That if any Vacancy takes place among the Auditors in the course of any current Year, then at any General Meeting or Special General Meeting of the Company the Vacancy may, if the Company think fit, be supplied by the Election of a Shareholder, duly qualified as herein-before mentioned to fill the same.

Failure of Meeting to elect Auditors.

LVI. And be it enacted, That the Provisions of the said recited Acts respecting the Failure of a Meeting at which Directors ought to be chosen shall apply, *mutatis mutandis*, to any Meeting at which an Auditor ought to be appointed.

Powers of Auditors.

LVII. And be it enacted, That it shall be lawful for such Auditors to employ such Accountants and other Persons as they may think proper, at the Expense of the Company, and they shall either make a special Report on the said Accounts, or simply confirm the same; and such Report or Confirmation shall be read together with the Report of the Directors at the said ensuing Meeting.

Delivery of Balance Sheet, &c. by Directors to Auditors.

LVIII. And be it enacted, That the Directors shall deliver to such Auditors the half-yearly Accounts and Balance Sheets Seven Days at the least before the ensuing Meeting at which the same are by the said recited Act of His said late Majesty King *William* the Fourth required to be produced to the Shareholders, and it shall be the Duty of such Auditors to receive from the Directors such half-yearly Accounts and Balance Sheet, and to examine the same.

Period for closing Books before half-yearly Meetings.

LIX. And be it enacted, That the Period during which the *South-western* Company may close their Books for registering the Transfer of Shares shall, after the passing of this Act, be Fourteen Days before every half-yearly Meeting of such Company, and a like Period before every Special General Meeting of such Company.

Provisions of certain Acts inconsistent with this Act repealed.

LX. And be it enacted, That the several Acts of Parliament relating to the *South-western* Company, the *Guildford* Extension Company, the *Portsmouth* Company, the *Dorchester* Company, and the recited Act for improving the Town of *Godalming*, so far as the Provisions of such Acts respectively are repugnant to or inconsistent with the Provisions or Purposes of this Act, and as is necessary for giving full Effect to the same Provisions and Purposes respectively, shall, so far as the same are inapplicable for the Purposes of this Act only, be and the same are hereby repealed.

Saving the Right of the Crown.

LXI. And be it enacted, That nothing contained in this Act, or in the Acts herein recited or referred to, shall extend to authorize the Company to purchase, take, or use any Land or Soil, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or any Two of them, first had and obtained for that Purpose, and which such Commissioners, or any Two of them, are hereby authorized and empowered to give, or to preju-

dice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by Her Majesty, Her Heirs or Successors.

Saving the Rights of the City of London.

LXII. And be it enacted, That nothing in this Act contained shall prejudice or derogate from the Estates, Rights, Interests, Privileges, Franchises, Jurisdiction, or Authority of the Mayor and Commonalty and Citizens of the City of *London*, or their Successors, or the Lord Mayor of the said City for the Time being, nor prohibit, defeat, alter, or diminish any Power, Authority, or Jurisdiction which at the Time of passing this Act the said Mayor and Commonalty and Citizens, or the said Lord Mayor for the Time being, as Conservator of the River *Thames*, or otherwise, did or might lawfully claim, use, or exercise.

Company not to enter Land under Charge of Board of Ordnance without Consent.

LXIII. And whereas it is indispensably necessary that the Fortifications and other public Property belonging to Her Majesty, and under the Charge of the Board of Ordnance, should be preserved from Injury or Obstruction in consequence of the said Railway: Be it therefore enacted, That nothing in this Act contained shall authorize the said Company to construct or carry the said Line of Railway, or the Line of Deviation thereof, across the Fortifications, or the Buildings or Land appertaining thereto, situate and being in the Parishes of *Widley*, *Wymering*, and *Portsea*, or any or either of them, or to enter upon or possess or occupy any other Buildings or Lands belonging to Her Majesty, and under the Control or Management of the Board of Ordnance, in the Parishes of *Widley*, *Wymering*, and *Portsea*, or any or either of them, or elsewhere, for the Purposes of the said Railway, without the Consent of the Principal Officers of Her Majesty's Ordnance in Writing under their Hands first had and obtained for that Purpose.

Railways and Company 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. cc. 57. 105.

LXIV. 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 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 Two other Acts passed in the Ninth and Tenth Years of the Reign of Her said Majesty, respectively intituled *An Act for constituting Commissioners of Railways*, and *An Act for regulating the Gauge of Railways*: Be it enacted, That nothing in this Act contained shall be held to exempt the Railways and Works by this Act authorized, or the said Company, from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railways and Works and Company, so far as the same shall be applicable thereto.

LXV. And

LXV. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the said Railways and Works 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. Railways and Works not exempt from Provisions of future general Acts.

LXVI. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such. Public Act.

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