ANNO DUODECIMO & DECIMO TERTIO

# VICTORIÆ REGINÆ.

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## *Cap.* xxviii.

**An Act for making a short Railway to connect the Line of the *Reading, Guildford, and Reigate* Railway with the Line of the *London and South-western* Railway; and for other Purposes.**

[26th *June* 1849.]

WHEREAS an Act was passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her present Majesty, called "The *Reading, Guildford, and Reigate* Railway Act, 1846," whereby "The *Reading, Guildford, and Reigate* Railway Company" were incorporated and authorized to make the *Reading, Guildford, and Reigate* Railway from near the Line of the *Great Western* Railway and *Berks and Hants* Railway at *Reading* through *Guildford* to *Reigate*, and crossing the Line of the *London and South-western* Railway at or near *Farnborough* in the County of *Southampton*: And whereas an Act was passed in the Session of Parliament held in the Tenth and Eleventh Years of the Reign of Her present Majesty, called "The *Reading, Guildford, and Reigate* Railway Amendment Act, 1847:" And whereas it is expedient that a Railway should be made to connect the Line of the said *Reading, Guildford, and Reigate* Railway with the Line of the *London and South-western* Railway, and that further Power

9 & 10 Vict. c. 171.

10 & 11 Vict. c. 241.

should be given for facilitating the Construction of the Line of the said *Reading*, *Guildford, and Reigate* Railway, but the same cannot be done 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,

Provisions of recited Acts extended to this Act.

That all the Provisions in the said recited Acts contained, so far as the same are applicable and now unrepealed and in force, and are not inconsistent with or altered by the Provisions of this Act, or of the "Lands Clauses Consolidation Act, 1845," or of the "Railways Clauses Consolidation Act, 1845," as extended to this Act, shall extend to this Act, and to the several Objects and Purposes thereof, as fully and effectually as if the same Provisions were re-enacted in this Act with reference to such Objects and Purposes.

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

II. And be it enacted, That the Provisions of "The Lands Clauses Consolidation Act, 1845," and of the "Railways Clauses Consolidation Act, 1845," in so far as the same may be applicable and are not inconsistent with the Provisions herein-after contained, shall be incorporated with and form Part of this Act.

Short Title.

III. And be it enacted, That in citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use the Expression "The *Reading*, *Guildford, and Reigate* Railway (Connexion with *London and South-western* Railway) Act, 1849."

Power to make Branch Railway.

IV. And be it enacted, That it shall be lawful for the *Reading*, *Guildford, and Reigate* Railway Company, with and out of any Monies which they are authorized to raise by the said recited Acts or either of them, and which will not be required for the Purposes of such Acts or either of them, to make the Railway herein-after mentioned, with all proper Works and Conveniences connected therewith; (that is to say,)

A Railway commencing by a Junction with the Line of the said *Reading*, *Guildford, and Reigate* Railway as at present authorized to be made in the Parish of *Farnborough* and County of *Southampton*, and terminating in the Chapelry of *Frimley* in the Parish of *Ash* in the County of *Surrey* by a Junction with the Line of the *London and South-western* Railway.

Railway to be made according to deposited Plans.

V. And whereas Plans and Sections of the said proposed Railway showing the Lines and Levels thereof respectively, and also Books of Reference to such Plans containing the Names of the Owners and Lessees, or reputed Owners, Lessees, and of the Occupiers of the Lands which may be required to be taken for the Purpose thereof, have been deposited with the respective Clerks of the Peace for the Counties of *Surrey* and *Southampton*: Be it enacted, That, subject to the Provisions and Powers of Deviation contained in this and the said "Railways Clauses Consolidation Act," the said Railway shall be made in the Line or Course and upon the Lands delineated on the said Plans, and described in the said Books of Reference, and according to the Levels defined on the said Sections, and it shall be lawful for

for the said Company to enter upon, take, and use such of the said Lands as shall be necessary for the respective Purposes thereof.

Land for extraordinary Purposes.

VI. And be it enacted, That it shall be lawful for the said Company to purchase and take any Quantity of Land not exceeding Five Acres for extraordinary Purposes connected with the Railway and Works by this Act authorized to be made.

Period within which Lands are to be taken.

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

Period for the Completion of Works.

VIII. And be it enacted, That the Railway by this Act authorized to be made shall be completed within Two Years from the passing of this Act, and on the Expiration of such Period the Powers by this and the said recited Acts granted to the Company for executing the said Railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the said Railway as shall then be completed.

To form Part of the Undertaking of the Reading, Guildford, &c. Railway Company.

IX. And be it enacted, That the Railway by this Act authorized shall form Part of the Undertaking of the *Reading, Guildford, and Reigate* Railway Company, and as such shall be subject to the Provisions of the said recited Acts relating thereto, so far as the same may be applicable.

Tolls.

X. And be it enacted, That it shall be lawful for the said Company to demand and receive in respect of the Use of the Railway by this Act authorized to be made, and of the Engines and Carriages employed thereon, any Tolls and Charges not exceeding the maximum Rate of Tolls and Charges which they are authorized to demand and receive in respect of the Use of the said *Reading, Guildford, and Reigate* Railway, and of the Engines and Carriages employed thereon, under and by virtue of the said *Reading, Guildford, and Reigate* Railway Act, 1846.

Passengers Luggage.

XI. And be it enacted, That every Passenger travelling upon the said Railway may take with him his ordinary Luggage, not exceeding One hundred Pounds in Weight for each First-class Passenger, Sixty Pounds in Weight for each Second-class Passenger, and Sixty Pounds in Weight for each Third-class Passenger, without any Charge being made for the Carriage thereof.

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

XII. 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.

XIII. And

Company not to interfere with London and South-western Railway, except for the Purposes of Junction.

XIII. And be it enacted, That notwithstanding anything in this Act contained it shall not be lawful for the Company, without the Consent of the *London and South-western* Railway Company under their Common Seal first had and obtained, to acquire any Right or Property in any of the Lands of the same Company, but only the Right, subject to the Provisions of this Act, of forming and maintaining upon the Lands of the same Company such Works as shall be necessary and proper for effecting a Junction by means of the Railway hereby authorized to be made with the Line of the said *London and South-western* Railway; and all such Works shall be formed and from Time to Time repaired and maintained, and all such Openings in the Ledges and Flanches of the same Railway as may be convenient for effecting such Junction shall be made at the Expense of the said *Reading, Guildford, and Reigate* Railway Company, under the Superintendence and Direction and to the Satisfaction of the principal Engineer for the Time being of the said *London and South-western* Railway Company.

Saving Rights of London and South-western Company.

XIV. And be it enacted, That, save as herein is expressly enacted, nothing in this Act contained shall extend to prejudice, alter, or take away any Rights, Powers, Privileges, or Authorities vested in the said *London and South-western* Railway Company.

Powers to carry Line of Railway across certain Roads on the Level.

XV. And whereas in the Construction of the *Reading, Guildford, and Reigate* Railway it has been found expedient to carry the said Railway across the several Highways numbered on the Plans referred to in the *Reading, Guildford, and Reigate* Railway Act, 1846, as follows; that is to say, 46 in the Parish of *Buckland*, 37 in the Parish of *Betchworth*, 87 and 113 in the Parish of *Dorking*, 39 in the Parish of *Abinger*, 40, 65, 66, and 68 in the Parish of *Shiere*, 28 and 57 in the Parish of *Albury*, 21 in the Parish of *Saint Martha*, 1, 9, 30, 31, and 47 in the Parish of *Shalford*, 38, 68, and 100 in the Parish of *Ash*, all in the County of *Surrey*, on the Level with such Highways: Be it enacted, That, subject to the Provisions contained in the said Railways Clauses Consolidation Act in reference to the crossing of Roads on the Level, it shall be lawful for the *Reading, Guildford, and Reigate* Railway Company to carry the Railway by the first-recited Act authorized to be made across and on the Level of the said Highways respectively.

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

XVI. 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

continue after such Penalty of Twenty Pounds shall have been incurred.

Commissioners of Railways may require a Bridge to be erected in lieu of level Crossing.

XVII. Provided always, and be it enacted, That it shall be lawful for the Commissioners of Railways, if it shall appear to them to be necessary for the public Safety, at any Time, either before or after the Railway hereby authorized to be carried across the said Roads on the Level shall have been completed and opened for public Traffic, to require the Company within such Time as the said Commissioners shall direct, and at the Expense of the Company, to carry any or either of the herein-before mentioned Roads either under or over the Railway by means of a Bridge or Arch in lieu of crossing the same on the Level, or to execute such other Works as under the Circumstances of the Case shall appear to the said Commissioners best adapted for removing or diminishing the Danger arising from any such level Crossing.

Power to stop up certain Roads.

XVIII. And be it enacted, That it shall be lawful for the said Company permanently to stop up the several Roads numbered on the Plans referred to in the said "*Reading, Guildford, and Reigate* Act, 1846," as follows; that is to say, 31 in the Parish of *Albury* in the County of *Surrey*, and 15, 20, and 26 in the Parish of *Sandhurst* in the County of *Berks*.

Railway Company to be subject to Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., 9 & 10 Vict. cc. 57. 105., and 11 & 12 Vict. c. 3.

XIX. 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 by any Act of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways;* and Two other Acts were passed in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled respectively *An Act for regulating the Gauge of Railways*, and *An Act for constituting Commissioners of Railways;* and another Act was passed in the Session of Parliament held in the Eleventh and Twelfth Years of the Reign of Her present Majesty, intituled *An Act to give further Time for making certain Railways:* Be it enacted, That nothing in this Act contained shall be held to exempt the Railway by this and the said recited Acts authorized to be made, or the said Company, from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect of the said Railway and Company so far as the same shall be applicable thereto.

Railways to be subject to Provisions of future general Acts.

XX. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railways by this or the said recited Acts authorized to be made from the Provisions of any general Act relating to Railways now in force, or which may hereafter pass during

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.

Expenses of Act.

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

Public Act.

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

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1849.