ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

****

Cap. cxxi.

An Act to enable the *South-eastern* Railway Company to extend the *Reading, Guildford, and Reigate* Railway to the *Great Western* Railway at *Reading;* and for other Purposes.

[4th *August* 1853.]

WHEREAS an Act was passed in the last Session of Parliament, called "The *South-eastern* and *Reading, Guildford, and Reigate* Railways Amalgamation Act, 1852:" And whereas by virtue of that Act the *Reading, Guildford, and Reigate* Railway now forms Part of the Undertaking of the *South-eastern* Railway Company: And whereas it is expedient that the *South-eastern* Railway Company should be enabled to extend the said *Reading, Guildford, and Reigate* Railway from the present *Reading* Terminus thereof to the *Great Western* Railway at *Reading;* but for such Purpose the Authority of Parliament is necessary: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with

the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

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

I. That the Clauses and Provisions of "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act, except so far as the same may be expressly varied thereby.

Power to make Railway and Station.

II. That it shall be lawful for the *South-eastern* Railway Company to make a Railway, with a Station and all proper Works and Conveniences connected therewith, commencing from and out of the *Reading, Guildford, and Reigate* Railway in the Parish of *Saint Lawrence, Reading*, in the County of *Berks*, and terminating at or near the existing Station of the *Great Western* Railway Company in the same Parish.

Railway and Station to be made according to deposited Plans.

III. Whereas a Plan and Section showing the Line or Situation and Levels of the said Railway and Station by this Act authorized to be made, and also a Book of Reference to the said Plan, containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and of the Occupiers of the Lands which may be required for the Purposes of the same, were, in the Month of *November* in the Year One thousand eight hundred and fifty-two, deposited with the Clerk of the Peace for the County of *Berks*: Be it enacted, That, subject to the Provisions and Powers of Deviation in this Act and in the "Railways Clauses Consolidation Act, 1845," contained, the said Railway and Station shall be made in the Line or Situation and upon the Lands delineated upon the said Plans and described in the said Books of Reference, and according to the Levels defined on the said Sections; and, subject to the Provisions in this and the Acts incorporated herewith contained, it shall be lawful for the Company to enter upon, take, and use such of the said Lands as may be necessary for the Purposes thereof.

Railway to be constructed according to Plans to be approved by the Board of Trade.

IV. And whereas it is desirable that the Railway should be so constructed as not to interfere with the Safety of the Traffic on the *Great Western* Railway or with the *Reading* Station of the last-mentioned Railway, or with any Alteration or Enlargement thereof which the *Great Western* Railway Company may deem necessary, and which may be approved by the Board of Trade, for the Purpose of affording sufficient public Accommodation to the said Traffic: Be it therefore enacted, That it shall be referred to the Board of Trade, or to an Arbitrator to be appointed by that Board, to consider the several Matters aforesaid, and to hear both the said Companies

in

in relation thereto, and thereupon, at the Cost of the Company, to decide the Point at which the Railway shall terminate, and the Line or Course (within the Limits of Deviation marked on the said Plans) according to which the same shall be constructed; and the Company shall not construct any Work under the Authority of this Act except according to such Plans as shall have been considered and approved by the Board of Trade, or Arbitrator, as the Case may be.

Company not to purchase, &c. certain Lands, &c. without Consent of Great Western Railway Company.

V. That it shall not be lawful for the Company to purchase or take any Portion of the Lands numbered 17 and 20 on the Plans deposited as aforesaid, without the Consent of the *Great Western* Railway Company: Provided nevertheless, that the Company may use the Approach Road on the said Lands numbered 17 and 20 for the Purposes of Traffic passing to or from any Station constructed under the Authority of this Act near the Station of the *Great Western* Railway Company at *Reading*, upon such Terms and Conditions as may in case of Difference between the said Companies be prescribed by the Board of Trade, or by an Arbitrator to be appointed by that Board at the Cost of the Company.

Land for extraordinary Purposes.

VI. That it shall be lawful for the Company to purchase for extraordinary Purposes connected with the Railway any Quantity of Land not exceeding in the whole Five Acres.

Limiting the Period for compulsory Purchase of Lands.

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

Limiting Time for Completion of Works.

VIII. That the Railway and other Works by this Act authorized shall be completed within Two Years from the passing of this Act, and on the Expiration of that Period the Powers by this Act granted to the Company for making the same shall cease.

Works constructed on Lands of the Great Western Railway Company to be executed to Satisfaction of their Engineer.

As to Settlement of Disputes.

IX. That all Works by this Act authorized to be made upon any Land now belonging to the *Great Western* Railway Company shall be made and constructed by the Company to the reasonable Satisfaction of the Engineer for the Time being of the *Great Western* Railway Company; and if any Dispute shall arise between the said Companies or their Engineers, as to the Mode of constructing any such Work, or the taking any Lands of the *Great Western* Railway Company, such Dispute shall be referred to and shall be settled by the Board of Trade, or by an Arbitrator to be appointed by that Board, at

at the Cost of the Company, and the Decision of the said Board or Arbitrator, as the Case may be, shall be final and binding on all Parties.

Railways, &c. to form Part of the Undertaking of the South-eastern Railway Company.

X. That the Railway and Station by this Act authorized shall form Part of the Undertaking of the Company, and shall be constructed out of the Capital which the Company is authorized to borrow by Section Sixteen of the "*South-eastern* and *Reading*, *Guildford*, *and Reigate* Railways Amalgamation Act, 1852."

Limitation of Payment of Dividends until Railway opened for Traffic.

XI. That after the Expiration of Two Years from the passing of this Act it shall not be lawful for the Company to pay any Dividend on any Shares in the Capital of the Company (not being Shares upon which any fixed or guaranteed Dividend may be payable) unless and until the Railway, or so much thereof as may be approved by the Board of Trade, shall be opened for the Purposes of public Traffic.

Tolls.

XII. Whereas the Railway is of inconsiderable Length, and it is expedient to provide, as after mentioned, with respect to the levying of Tolls thereon: Be it enacted, That the Company may demand and receive such Tolls and Charges for the Use of the Railway as they would have been entitled to demand and receive if the same had originally formed Part of the *Reading*, *Guildford*, *and Reigate* Railway, and the Railway shall form Part of the *Reigate*, *Guildford*, *and Reigate* Railway; and the Provisions of the "*South-eastern* and *Reading*, *Guildford*, *and Reigate* Railways Amalgamation Act, 1852," with respect to Tolls, to wit, Sections Eighteen, Nineteen, Twenty, Twenty-one, Twenty-two, Twenty-three, Twenty-four, Twenty-five, and Twenty-six of that Act, shall be incorporated with and form Part of this Act, and shall be applicable to the Railway.

Interest on Calls not to be paid out of Capital.

XIII. That the Company shall not, out of any Money by any Act relating to the Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, pay to any Shareholder Interest or Dividend on the Amount of Calls made in respect of the Shares held by him: Provided always, that the Company may pay to any Shareholder such Interest on Money advanced by him beyond the Amount of Calls actually made as may be in conformity with the Provisions of the "Companies Clauses Consolidation Act, 1845."

Deposits not to be paid out of Capital.

XIV. That the Company shall not, out of any Money by any Act relating to the Company authorized to be raised, pay or deposit

deposit any Sum of Money which by any Standing Order of either House of Parliament for the Time being in force may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the Company to construct any other Railway or to execute any other Work or Undertaking.

Railway 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. c. 57., and 14 & 15 Vict. c. 64.

XV. 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 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 another Act was passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act for regulating the Gauge of Railways;* and another Act was passed in the Session of Parliament held in the Fourteenth and Fifteenth Years of the Reign of Her present Majesty, intituled *An Act to repeal the Act for constituting Commissioners of Railways:* Be it enacted, That nothing in this Act contained shall be held to exempt the Railway or the Company from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect of the Railway and Company, so far as the same shall be applicable thereto.

Railway not exempt from Provisions of future General Acts.

XVI. That nothing in this Act contained shall be deemed or construed to exempt the Railway from the Provisions of any General Act relating to this Act, or of any General Act relating to Railways, or to the better or more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during the present or any future Session of Parliament, or from any future Revision or Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges and of the Rates for small Parcels authorized to be taken by the recited Act or this Act.

Short Title.

XVII. That in citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "The *South-eastern* Railway (*Reading* Extension) Act, 1853."

Expenses of Act.

XVIII. That all the Costs, Charges, and Expenses of and incidental to the passing of this Act shall be paid by the *South-eastern* Railway Company.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1853.