CHAPTER ccxlvii.

An Act for authorising the London and South Western Railway Company to construct additional works and to purchase additional lands and for conferring other powers upon them; for the widening of the Somerset and Dorset Railway; for authorising agreements between the Company and the Wimbledon and West Metropolitan Junction Railway Company; and for other purposes. A.D. 1884.

[7th August 1884.]

WHEREAS it is expedient that the London and South Western Railway Company (in this Act called "the Company") should be authorised—

To widen the railways of the Company hereinafter in that behalf mentioned in the counties of Surrey and Southampton;

To construct the junction railways hereinafter described in the county of Surrey;

To construct the other works in this Act described and to exercise the powers by this Act conferred with respect to roads footpaths and footbridges:

And whereas it is expedient that the Company should be authorised to purchase and acquire additional lands and buildings for the general purposes of their undertaking:

And whereas it is expedient that the Company and the Midland Railway Company (in this Act called "the Midland Company") be empowered to widen and lay additional rails upon part of the Somerset and Dorset Railway vested in them jointly by way of lease:

And whereas it is expedient that the Company and the Wimbledon and West Metropolitan Junction Railway Company (in this Act called "the Wimbledon Company") be empowered to enter into and carry into effect agreements as hereinafter provided:

And whereas it is expedient that for the purposes of this Act relating to them respectively the Company and the Midland

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Company be respectively authorised to apply their corporate funds and revenues and that the Company be authorised to raise further money:

And whereas plans and sections of the works authorised by this Act the plans showing also the lands required for the purposes of the said works and plans of the other or additional lands which may be compulsorily taken under the powers of this Act and books of reference to such plans respectively containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of those lands respectively were duly deposited with the respective clerks of the peace for the counties of Southampton Middlesex Surrey Devon Berks and Somerset and are hereinafter referred to as the deposited plans sections and books of reference:

And whereas the purposes of this Act 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 as follows (that is to say):—

Short title.

1. This Act may be cited as the South Western Railway Act 1884.

Incorporation of general Acts.

2. The provisions of the Companies Clauses Consolidation Act 1845:—

With respect to the distribution of the capital of the Company into shares;

With respect to the transfer or transmission of shares;

With respect to the payment of subscriptions and the means of enforcing the payment of calls;

With respect to the forfeiture of shares for non-payment of calls;

With respect to the remedies of creditors of the Company against the shareholders;

With respect to the borrowing of money upon mortgage or bond;

With respect to the conversion of the borrowed money into capital;

With respect to the consolidation of the shares into stock; and

With respect to the provision to be made for affording access to the special Act by all parties interested;

The Lands Clauses Consolidation Acts 1845 1860 and 1869 as the same are amended by the Lands Clauses (Umpire) Act 1883 the Railways Clauses Consolidation Act 1845 and Part I. (relating to the construction of a railway) and Part III. (relating to working agreements) of the Railways Clauses Act 1863 as amended by the

Regulation of Railways Act 1873 are (except where expressly varied by this Act) incorporated with and form part of this Act.

Interpretation.

3. The several words and expressions to which by the Acts in whole or in part incorporated with this Act meanings are assigned have in this Act the same respective meanings unless there be something in the subject or context repugnant to such construction The expression "the metropolis" means the metropolis as defined by the Metropolis Management Act 1855 the expression "the constructing Company or Companies" means the Company or Companies respectively constructing the railways and works by this Act authorised or exercising the powers herein contained and the expression "superior courts" or "court of competent jurisdiction" or any other like expression in this Act or any Act in whole or in part incorporated with this Act shall for the purposes of this Act be read and have effect as if the debt or demand with respect to which the expression is used were a common simple contract debt and not a debt or demand created by statute.

Interpretation of "parish clerks", &c.

4. The expressions "parish clerks" and "clerks of the several parishes" in sections 7 8 and 9 of the Railways Clauses Consolidation Act 1845 shall with reference to the Company and as regards those parishes or extra-parochial places in which by the standing orders of either House of Parliament plans sections and other documents are required to be deposited with the clerk of the vestry of the parish or with the clerk of the district board in which the parish or extra-parochial place is included mean in the first case the vestry clerks of those parishes and in the second case the clerks of those district boards acting under the Metropolis Management Act 1855 respectively.

Power to make railways and works.

5. Subject to the provisions of this Act the Company may make and maintain the widenings new railways deviation and other works described or mentioned in this section in the lines and in accordance with the levels shown on the deposited plans and sections relating thereto with all proper bridges viaducts rails junctions sidings stations approaches banks sluices drains dams groynes walls roads and all other incidental works and conveniences connected with those railways and works and all incidental works and conveniences and may enter upon take and use such of the lands shown on the deposited plans and described in the deposited books of reference as may be required for those purposes. The works hereinbefore referred to and authorised by this section are:—

(A) Widening of railway in Lambeth—

(1) A widening (No. 1) of the Company's railway on its north-western side between a point about 4 chains south-

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westward from the western side of Wandsworth Road and a point at or near the northern side of Archer Street;

(2) A widening (No. 2) of the Company's railway on its south-eastern side between a point about 4 chains south-westward from the western side of Wandsworth Road and a point about 1 chain northward from the eastern side of South Lambeth Road;

(3) A widening (No. 3) of the Company's railway on its western side between the southern side of Upper Kennington Lane and a point about 3 chains north of Anderson's Walk;

(4) A widening (No. 4) of the Company's railway on its eastern side between a point about 2 chains southward from the southern side of Upper Kennington Lane and a point about $3\frac{1}{2}$ chains south-westward from the south-western side of Paradise Street;

(5) A widening (No. 5) of the Company's railway on its western side between the northern side of Broad Street and a point about 1 chain north-eastward of the north-eastern side of Mill Street;

The above-mentioned widenings will be wholly situate in the parish of Saint Mary Lambeth in the county of Surrey;

(B) Junctions at Wimbledon—

(1) A junction railway (No. 2) 2 furlongs 2 chains in length (wholly in the parish of Wimbledon aforesaid) commencing by a junction with the Company's main line and terminating by a junction with the said Railway No. 2 authorised by the Wimbledon Act of 1882;

(2) A junction railway (No. 3) 3 furlongs 8·60 chains in length (wholly in the parish of Wimbledon aforesaid) commencing by a junction with the Railway No. 4 authorised by the South Western Railway (Kingston Further Extension) Act 1865 (hereinafter referred to as "the Act of 1865") and terminating by a junction with the Railway No. 2 authorised by the Wimbledon Act of 1882;

(D) Widening at Walton—

The widening (in the parish of Walton-on-Thames in the county of Surrey) of the Company's main line of railway on its northern side between two points respectively about 17 chains westward and 10 chains eastward from the centre of the station offices at Walton and Hersham Station;

(E) Widening at Winchester—

The widening (in the parishes of Weeke and Saint Bartholomew Hyde in the county of Southampton or one of them) of the Company's main line on its western side between a point

at or near the southern side of the Lower Stockbridge Road and a point at or near the southern side of the Andover Road;

(F) Works at Basingstoke—

A bridge over Bunnian Place (in the parish of Basingstoke and county of Southampton) together with an additional line or additional lines of rails over the said bridge;

(G) Works at Bishopstoke—

The lengthening eastward of the bridge carrying the public road from Bishopstoke Station to Barton Mill and Bishopstoke over the Company's railway in the parish of South Stoneham and county of Southampton the laying down of additional lines of rails under the said road and an alteration of the levels of the said road for the distance of about 240 yards eastward from the point at which it is now crossed by the Company's railway;

(H) Works at Hound—

The laying down (in the parish of Hound and county of Southampton) of an additional line or additional lines of rails under the road leading from Netley Hospital to Hound and the alteration of the levels of the said road;

(I) New road near Feltham—

A new road (wholly in the parish of Feltham in the county of Middlesex) on the northern side of the Company's Richmond and Windsor line commencing in Chapel Lane immediately to the northward of the level crossing of that lane by the Company's Windsor line and terminating in the roadway to the glebe land on the north-eastern side of the Queen's or Cardinal's River;

(J) Tangley foot crossing near Wokingham—

The stopping up of and extinguishing of all rights over so much as lies between the Company's fences on the Staines and Wokingham Railway of the road and path known as Tangley or Langboro' Crossing leading from Tangley to Langboro' Lane and Gipsy Lane and situated in the parish of Wokingham in the county of Berks about 48 chains distant south-eastward from Wokingham Junction and the deviation of the said road and path and construction of a foot-bridge in lieu thereof.

Company not to interfere with the Longford river the property of the Crown

6. It shall not be lawful for the Company to enter upon take use or interfere with any part of the Longford river or its bed or banks of which Her Majesty in right of Her Crown is or claims to be seised without the consent in writing of the Commissioners or First Commissioner for the time being of Her Majesty's Works

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without consent.

and Public Buildings on behalf of Her Majesty under their or his hands or hand for that purpose first had and obtained and all works which may on behalf of Her Majesty be permitted to be done by the Company upon or connected with the said river or the bed and banks thereof shall be executed by the Company at their own costs and charges within such time and according to such plans and designs as the said Commissioners or First Commissioner for the time being shall in writing approve of and under the superintendence and direction and to the satisfaction in all respects of the engineer or surveyor for the time being of the said Commissioners or First Commissioner and that no alteration shall be made at any time either during the execution of the works or subsequently without the permission in writing of the said Commissioners or First Commissioner for that purpose first had and obtained.

Works connected with Longford river to be executed to the satisfaction of the Commissioners of Works.

7. All the works done and executed by the Company upon or about the Longford river or its bed or banks shall at all times be repaired upheld and maintained in good sound and substantial repair and condition in all respects by and at the costs and charges of the Company and to the satisfaction of the engineer or surveyor for the time being of the said Commissioners or First Commissioner or other the proper officers or officer for the time being of Her Majesty Her heirs and successors and all the costs charges and expenses of such engineer or surveyor in relation to such works and repairs shall be borne and paid by the Company.

Provision as to Company failing to repair works connected with the Longford river.

8. If and so often as the Company shall fail to repair and keep in good sound and complete repair and to the satisfaction of the Commissioners or First Commissioner or other the proper officers or officer for the time being of Her Majesty the several works matters and things which may be done by them upon to or in connection with the Longford river and the bed and banks thereof and if after notice thereof given to the Company by or on behalf of the said Commissioners the Company shall not for the space of three days commence such repair and proceed therewith with all reasonable expedition until the same shall be completed it shall be lawful for the Commissioners or First Commissioner or other proper officers or officer for the time being of Her Majesty Her heirs and successors to proceed to repair and make good the same causing as little obstruction to the new road by this Act authorised in the progress of such repairs as may be and all the costs charges and expenses incurred by the said Commissioners or First Commissioner or officers for the time being of Her Majesty shall be paid on demand by the Company or on failure of payment for twenty-one days after such demand the same may be recovered by the same or the like ways and means as a debt due and owing to Her

Majesty Her heirs and successors is or may be by law recoverable and recovered.

Power to stop up certain road.

9. The Company may stop up and discontinue for public and other traffic so much of the existing road in the said parish of Feltham as lies between the termination of the new road (I) by this Act authorised and High Street Feltham when and so soon as but not sooner or before they shall have constructed and opened for traffic a new road from the point marked A on a plan (copies of which have been deposited in the office of the Clerk of the Parliaments and in the Private Bill Office of the House of Commons) signed by Sir John Ramsden the Chairman of the Committee of the House of Commons to whom the Bill for this Act was in its passage through that House referred to the point marked D on the same plan and in the course of the red colour shown on that plan such new road to be of a width not less than twenty feet as between the points marked A and B and not less than the width of thirty feet as between the points marked B and D thereon.

For the protection of the Reverend J. F. Jemmett.

Roads and path not to be stopped up until substitution completed.

10. The Company shall not stop up and discontinue for public traffic the roads and footpath or portions of roads and footpath which they are by this Act authorised to stop up and discontinue until the work (if any) by this Act authorised to be made in substitution therefor has been completed.

Vesting sites of roads footpaths &c. stopped up and extinguishing rights over same.

11. The sites and soil of so much as under the powers of this Act the Company shall stop up and discontinue for public traffic of any public road or footpath are by this Act vested (as to so much thereof as is bounded on both sides by land of the Company) in the Company and (as to so much thereof as is bounded on both sides by land of any other person) in such other person and (as to so much thereof as is bounded on opposite sides by lands belonging to different persons) in such owners respectively to the centre of the respective roads or footpaths in proportion to the respective frontages of their lands thereto and all public and private rights of way or passage and all other rights across over or along the same shall be by this Act extinguished. The provisions of the Railways Clauses Consolidation Act 1845 with respect to mines lying under or near the railway shall apply to the lands so vested as if such lands had been purchased by the Company but the mines had not been expressly purchased.

Compensation to be made in respect of private rights extinguished.

12. The Company shall make full compensation to all parties interested in respect of all private rights of way or other private rights (if any) which by the last preceding section are extinguished or interfered with and such compensation shall be settled in manner provided by the Lands Clauses Consolidation Act 1845 with respect

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to the purchase and taking of lands otherwise than by agreement and for that purpose any and every right so extinguished or interfered with shall be deemed to be an interest in land.

Power to divert and stop up certain roads.

13. The Company may divert all roads shown upon the deposited plans (so far as those plans relate to works by this Act authorised) as intended to be diverted and when and as in each case the diversion is made and open for use the Company may stop up so much of the existing road as will be rendered unnecessary by such diversion and all rights over such portion of the existing road shall be extinguished.

New road or footpath to be vested in road authority.

14. Notwithstanding anything in this Act when any new road or road diversion or footpath authorised by this Act is completed it shall be deemed to be a public highway and shall thenceforth be maintained as other highways are maintained in the district within which the new road diversion or footpath is situate.

For protection of sewers in the metropolis.

15. Where any of the intended works to be done under or by virtue of this Act shall or may pass over under or by the side of or so as to interfere with any sewer drain watercourse defence or work under the jurisdiction or control of the Metropolitan Board of Works or of any vestry or district board of works constituted under the Metropolis Management Act 1855 or any Act or Acts amending the same or extending the powers thereof or with any sewers or works to be made or executed by the said boards or vestries or any of them or shall or may in any way affect the sewerage or drainage of the districts under their or either of their control the Company shall not commence such works until they shall have given to the said Metropolitan Board or to the district board or vestry as the case may be twenty-eight days' previous notice in writing of their intention to commence the same by leaving such notice at the principal office of such board or vestry as the case may be for the time being with a plan and section showing the course and inclination thereof and other necessary particulars relating thereto and until such board or vestry respectively shall have signified their approval of the same unless such board or vestry as the case may be do not signify their approval disapproval or other directions within twenty-eight days after service of the said plan section and particulars as aforesaid and the Company shall comply with and conform to all orders directions and regulations of the said Metropolitan Board and of the respective district board or vestry as the case may be in the execution of the said works and shall provide by new altered or substituted works in such manner as such boards or vestries respectively shall reasonably require for the proper protection of and for preventing injury or impediment to the sewers and works hereinbefore referred to by

reason of the said intended works or any part thereof and shall save harmless the said boards and vestries respectively against all and every the expense to be occasioned thereby and all such works shall be done by or under the direction superintendence and control of the engineer or other officer or officers of the said Metropolitan Board district board or vestry as the case may be at the costs charges and expenses in all respects of the Company and all reasonable costs charges and expenses which the said Metropolitan Board or any district board or vestry may be put to by reason of such works of the Company whether in the execution of works the preparation or examination of plans or designs superintendence or otherwise shall be paid to such board or vestry by the Company on demand and when any new altered or substituted works as aforesaid or any works or defence connected therewith shall be completed by or at the costs charges or expenses of the Company under the provisions of this Act the same shall thereafter be as fully and completely under the direction jurisdiction and control of the said Metropolitan Board district board or vestry as the case may be respectively as any sewers or works now or hereafter may be. And nothing in this Act shall extend to prejudice diminish alter or take away any of the rights powers or authorities vested or to be vested in the said respective boards or vestries or any or either of them or of their successors but all such rights powers and authorities shall be as valid and effectual as if this Act had not been passed.

Bridges over roads in the metropolis.

16. In the construction of the bridges or works to be constructed under the powers of this Act over the several streets or roads mentioned in the following schedule there shall be left clear spans and headways in the centre of the arches not less than is in the schedule mentioned except in the case of the South Lambeth Road where the span and headway shall not be less than the span and headway afforded by the existing bridge but such span may be sub-divided by the introduction of iron columns on the kerb at each side of the roadway in line of the present piers.

The Schedule referred to:—

Name of Road.	Span on Square.	Height in Centre above Road Level.
	Ft. in.	Ft. in.
Wandsworth Road - - - -	58 9	17 7
Miles Street - - - -	40 0	15 2
Archer Street - - - -	40 0	16 0
Upper Kennington Lane - - -	55 0	18 0
Spring Garden Walk - - -	25 0	15 0
Vauxhall Walk - - - -	30 0	15 0

Name of Road.	Span on Square.	Height in Centre above Road Level.
	Ft. in.	Ft. in.
Vauxhall Square - - -	25 0	13 9
Glasshouse Street - - - -	30 0	15 6
Gloucester Street - - -	30 0	16 0
Anderson's Walk - - - -	25 0	15 0
Salamanca Street - - -	25 0	15 10
Broad Street - - - -	36 6	15 10
William Street - - - -	25 0	14 9
Paradise Street - - - -	25 0	15 0
Mill Street - - - -	30 0	16 0

Construction of bridges and works.

17. All bridges and works constructed as aforesaid shall be of a reasonably ornamental character and design and shall be made and maintained so as to prevent the dripping of water therefrom on any part of such street or road footway area or forecourt and so as to deaden so far as is practicable the sound of engines carriages and traffic passing over them and the parapets of such bridges and works shall be carried up to a height sufficient effectually to hide from view of the street or road trains passing over such bridges or works.

As to stopping up of roads.

18. The Company shall not stop up or alter any part of Bond Street or of the road between Anderson's Walk and Salamanca Street as shown on the deposited plans until they shall have provided and completed instead thereof to the reasonable satisfaction of the Metropolitan Board of Works and of the vestry or district board of works for the parish or district within which such roads will be respectively situate new roads in substitution for the road or part of road altered or stopped up which shall be made according to a plan previously approved by the engineer of the said Metropolitan Board and shall be of a clear width throughout of not less than forty feet in the case of Bond Street and twenty-five feet in the case of the substituted road between Anderson's Walk and Salamanca Street.

Plans &c. of bridges to be submitted to the Metropolitan Board.

19. The Company shall not execute or commence the erection of any such bridge or works as aforesaid until they shall have given to the Metropolitan Board of Works twenty-one days' notice in writing of their intention to commence the same by leaving such notice at the office of the said Board with plans elevations sections and other necessary particulars of the construction of the said bridge and works and until that Board shall have signified their approval of the same unless that Board fail to signify such approval or their disapproval or other directions within twenty-one days after service

of the said notice and delivery of the said plans elevations sections and other particulars as aforesaid and the Company shall comply with and conform to all reasonable directions and regulations of the said Board in the execution and subsequent maintenance of every such bridge and the works connected therewith and shall save harmless the said Board against all and every expense to be occasioned thereby and all such works shall be done to the reasonable satisfaction of the engineer or other officer of the said Board at the costs charges and expenses in all respects of the Company and all costs charges and expenses which the said Board may be put to by reason of the works of the Company whether in the execution of the works the preparation or examination of plans or designs superintendence or otherwise shall be paid to the said Board by the Company on demand.

Exhibition of placards.

20. The Company shall not affix or exhibit or permit to be affixed or exhibited upon any part of the works authorised by this Act within view of any public street within the metropolis any placards or advertisements except such as shall have been approved in writing by the clerk or other officer of the Metropolitan Board of Works but this provision shall not prevent the exhibition of placards at or adjoining the entrance to any station giving information to the public of the train service.

Company to make good parochial rates until works are assessed.

21. If and while the Company are possessed under this Act of any lands assessed or liable to be assessed to any sewers rate main drainage rate or general purposes rate they shall from time to time until the railway or the works thereof are completed and assessed or liable to be assessed to the respective rates be liable to make good the deficiency in the assessment for the respective rate by reason of those lands being taken or used for the purposes of the railway or works and the deficiency shall be computed according to the rental at which those lands with any buildings thereon are now rated and on demand the Company shall pay the deficiency to the collector of the respective rate.

Company and Midland Company or either of them may widen Somerset and Dorset Railway.

22. The Company and the Midland Company or either of them may in the lines and according to the levels shown in the deposited plans and sections so far as the same are shown thereon widen and lay down and maintain an additional line or additional lines of rails upon the Somerset and Dorset Railway (Bath Extension) between a point (in the parish of Binegar in the county of Somerset) about 22 yards north-east from the north-eastern end of Binegar Station offices and a point (in the parish of Radstock in the county of Somerset) on the western side of the public road level-crossing on the western side of Radstock Station and may enter upon take and

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use such of the lands shown on the deposited plans and described in the deposited books of reference as may be required for that purpose.

For the protection of the Midsomer Norton Local Board.

23. In the widening of the Somerset and Dorset Railway the abutments of the bridge over the road No. 29 in the parish of Midsomer Norton shall be in the direction shown by the red lines A B C and D on a plan signed by George Pearson on behalf of the Midsomer Norton Local Board and by Samuel Bircham on behalf of the Company and the Midland Company and shall be constructed so that the skew of the existing bridge when altered be of dimensions not less than those now existing: Provided that the Company and the Midland Company or either of them shall not be compelled to alter any existing structure until they have completed and opened for traffic a second line of railway over the bridge the construction of such second line to be completed in a reasonable time. The widened portion of the said bridge shall give a clear headway over the surface of the road of fifteen feet throughout.

For the protection of the Radstock Local Board.

24.—(1) In constructing the widening of the bridge carrying the additional line or additional lines of rails over the subway adjoining and on the east side of the level crossing at Radstock the headway of nine feet measured in a plumb line from the underside of the widened portion of the bridge shall be preserved.

(2) No part of the road at the market place adjoining the Waldegrave Arms Inn vested in the Radstock Local Board shall be interfered with.

(3) The culvert under the proposed widening of the Somerset and Dorset Railway shall be constructed of a width and height equal to the existing culvert under the Somerset and Dorset Railway but shall be constructed in a south-easterly direction so as to lead the brook from Combe End into the brook from Midsomer Norton in the direction of the stream as shown by the dotted red lines on a plan signed by George Pearson on behalf of the Radstock Local Board and by Samuel Bircham on behalf of the Company and the Midland Company.

(4) The width and height of the culvert and the width and depth of the waterway of the Welton Lane brook when diverted shall not be reduced and shall be constructed in a north-easterly direction along or near to the south-eastern limit of deviation shown on the deposited plan passing through No. 6 in the parish of Radstock.

(5) In the construction of the widening of the Somerset and Dorset Railway over the public road numbered 4 in the parish of Radstock leading from Midsomer Norton to Radstock the existing arch shall not be extended in length except that the north-west wing

wall of the bridge shall be set back so as to give an easier approach to the bridge from the direction of Midsomer Norton.

For protection of the Bristol and North Somerset and Great Western Railway Companies.

25. For the protection of the Bristol and North Somerset Railway Company (hereinafter called "the North Somerset Company") and the Great Western Railway Company (hereinafter called "the Great Western Company") the following provisions shall have effect:—

(1) The constructing Company or Companies shall not enter upon or interfere with the railway of the North Somerset Company or any of the lands or works of that Company or execute any works under over or affecting the same until the constructing Company or Companies shall have delivered to the Great Western Company who work manage and maintain the railway of the North Somerset Company plans drawings and specifications of such intended works and those plans drawings and specifications shall have been reasonably approved in writing by the engineer for the time being of the Great Western Company or in the event of his failure for one calendar month after the delivery of the plans drawings and specifications to approve the same until the same shall have been approved by an engineer to be appointed on the application of the constructing Company or Companies by the president for the time being of the Institution of Civil Engineers in London and all the intended works shall be executed by the constructing Company or Companies at their sole expense in all things according to such approved plans drawings and specifications and to the reasonable satisfaction of the engineer for the time being of the Great Western Company;

(2) In constructing the said additional line or additional lines of rails by this Act authorised upon the Somerset and Dorset Railway (Bath Extension) where the same crosses over the railway of the North Somerset Company the constructing Company or Companies shall not deviate from the centre line shown on the deposited plans without the previous consent in writing of the Great Western Company under their common seal;

(3) The bridge for carrying the said additional line or lines of rails over the railway of the North Somerset Company shall be carried over the same with an opening or openings not less than the openings of the existing bridge over the said railway of the North Somerset Company at that place;

(4) The constructing Company or Companies shall bear and on demand pay to the Great Western Company the expense of the employment by them during the construction of the works for

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the said additional line or lines of rails and the laying of the same over and adjacent to the railway of the North Somerset Company of such inspectors or watchmen as may be necessary to be appointed by them for watching the railway of the North Somerset Company and works with reference to and during the execution of the intended works and for preventing as far as may be all interference obstruction danger and accident from any of the operations or from the acts or defaults of any person or persons in the employ of the constructing Company or Companies with reference thereto or otherwise;

(5) In constructing the said works for the said additional line or lines of rails by this Act authorised the constructing Company or Companies shall not in any way obstruct or interfere with the traffic passing along the railway of the North Somerset Company and if by reason of any works or proceedings of the constructing Company or Companies there shall be any obstruction or interference with the said railways so as to impede or prevent the convenient passage of engines and carriages along the same the constructing Company or Companies shall pay to the Great Western Company the sum of five pounds per hour by way of ascertained damages for every hour during which that obstruction or interference shall continue;

(6) Notwithstanding anything in this Act contained the constructing Company or Companies shall from time to time be responsible for and make good to the Great Western Company all losses costs damages and expenses which may be occasioned to them or to any of the works or property or to the traffic on the railway of the North Somerset Company or to any company or persons using the same or otherwise during the execution or by reason of the failure of any of the intended works or any act or omission of the constructing Company or Companies or of any person or persons in their employ or of their contractors or otherwise and the constructing Company or Companies shall effectually indemnify and hold harmless the Great Western Company from all claims and demands upon or against them by reason of such execution or failure and of any such act or omission;

(7) The constructing Company or Companies shall at their sole expense at all times maintain the bridge and other works by which the said additional line or lines of rails shall be carried over the railway of the North Somerset Company in substantial repair and good order and condition to the reasonable satisfaction in all respects of the engineer for the time being of the Great Western Company and if and whenever the constructing

Company or Companies fail to do so the Great Western Company may make and do in and upon as well the lands of the Company and the Midland Company or either of them as the lands of the North Somerset Company all such works and things as the Great Western Company shall think requisite in that behalf and the sum from time to time certified by the engineer of the Great Western Company to be the amount of expenditure in that behalf shall be repaid to them by the constructing Company or Companies and in default of full repayment the amount due may be recovered with full costs by the Great Western Company from the constructing Company or Companies in any court of competent jurisdiction;

(8) Nothing in this Act contained shall extend or be deemed or construed to extend to authorise or enable the constructing Company or Companies to take enter upon or use either temporarily or permanently any of the lands belonging to the North Somerset Company or to alter vary or interfere with the railway of that Company or any of the works of that railway further or otherwise than is necessary for the construction of the said additional line or lines of rails without the consent in writing in every instance for that purpose first had and obtained of the Great Western Company under their common seal and with respect to any lands of the North Somerset Company which the constructing Company or Companies are by this Act from time to time authorised to use enter upon or interfere with the constructing Company or Companies may purchase and take and the North Somerset Company shall sell and grant accordingly an easement or right of using the same in perpetuity for the purpose for which but for this enactment the constructing Company or Companies might purchase and take the same and the provisions of this Act and of the Acts incorporated with this Act shall be construed and apply accordingly and the provisions of the Lands Clauses Consolidation Act 1845 with respect to lands shall extend and apply to such easement or right of using so far as such provisions are not inconsistent with this enactment: Provided always that the constructing Company or Companies shall not take or acquire the property numbered on the deposited plans 21 in the parish of Radstock beyond a distance of twelve feet from the present fence of the Somerset and Dorset Railway or any easement or rights over the same except for the purpose of constructing a diversion of the culvert which runs into the stream adjoining the property numbered on the deposited plans 21 in the parish of Radstock and which culvert shall be constructed under the level of the surface of

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the said lands without the consent of the North Somerset and Great Western Companies in writing under their respective common seals first had and obtained;

(9) The constructing Company or Companies shall pay to the North Somerset Company or the Great Western Company whichever is entitled to the same by way of purchase and compensation for the rights and easements to be acquired under the provisions of this Act such an amount as may be agreed upon or in the event of difference as may be determined by arbitration under the provisions of the Lands Clauses Consolidation Act 1845 relating to the purchase of lands otherwise than by agreement.

For protection of the Wimbledon Company.

26. For the protection of the Wimbledon Company the following provisions shall in the event of the Company constructing the Junction Railways Nos. 2 and 3 by this Act authorised apply—

(A) The Junction Railways Nos. 2 and 3 by this Act authorised with Railway No. 2 authorised by the Wimbledon Act 1882 shall not without the consent in writing of the Wimbledon Company under their common seal be commenced until the railways authorised by the Wimbledon Act 1882 including the junction of Railway No. 3 by the Wimbledon Act 1882 authorised with the Tooting Merton and Wimbledon Railway shall have been completed and the said junction railways shall so far as they affect any railway or work of the Wimbledon Company be constructed according to plans to be reasonably approved by the engineer of the Wimbledon Company;

(B) All openings in the rails of the authorised railway of the Wimbledon Company shall be made only at such points thereon within the powers of the Company and the Wimbledon Company or either of them as the respective engineers of the Company and of the Wimbledon Company may agree upon and all such communications and openings and works at or in connection with such openings or any of them and the physical junctions by this Act authorised with the authorised railway of the Wimbledon Company shall be made by the Wimbledon Company at the sole expense of the Company and (except only so far as the Company and the Wimbledon Company otherwise agree or according to the terms and conditions from time to time agreed on between them) the same shall for ever thereafter be maintained and kept in good repair by the Wimbledon Company at the reasonable expense of the Company and all such communications openings and works shall be made and maintained in such manner and by such means only as shall not in anyway injure or unduly interfere with or prejudice the lines

of railway and property of the Wimbledon Company or prevent obstruct or in anyway interfere with the working of the Wimbledon Company's traffic upon and over so much of the railway of the Company and of the Tooting Merton and Wimbledon Railway of the Company and of the Brighton Company together with the Wimbledon stations of those Companies as are mentioned and referred to in section 66 of the Wimbledon Act 1882;

(c) The Company shall pay to the Wimbledon Company all the reasonable costs charges and expenses which may be incurred by them in consequence of or incidental to the construction and maintenance of the said Junction Railways Nos. 2 and 3 by this Act authorised so far as the same affect the Wimbledon Company;

(d) The Company shall bear and on demand pay to the Wimbledon Company the expenses of the employment by them of a reasonable and sufficient number of inspectors and watchmen to be appointed by the Wimbledon Company for watching their railway with reference to and during the construction of so much of the Junction Railways Nos. 2 and 3 as shall be on land over which the Wimbledon Company have power and the subsequent maintenance and repair of the same and for preventing so far as may be all interference obstruction danger and accident to the railways and works of the Wimbledon Company or the traffic thereon from any of the operations or from the acts or defaults of any person or persons in the employ of the Company with reference thereto;

(e) The Company shall from time to time be responsible for and make good to the Wimbledon Company all costs losses damages and expenses from time to time occasioned to their line or any works or property thereof or traffic thereon or to any person or persons using the same or otherwise by reason of the execution or failure of any of the works of or incidental to the said junction railways or by reason of any act or omission of the Company or any of the persons in their employ or of any contractor or contractors with them and the Company shall effectually indemnify and hold harmless the Wimbledon Company from all claims or demands upon or against the Wimbledon Company by reason of any such execution or failure and of any such act or omission;

(f) If by reason of any of the works or proceedings of the Company there should be any obstruction of or interference with the railway of the Wimbledon Company so as to prevent or impede the convenient passage of engines and carriages along

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the same the Company shall from time to time and as often as such obstruction or interference shall happen pay to the Wimbledon Company the sum of fifteen pounds for every hour during which the obstruction or interference continues;

(G) No land belonging to the Wimbledon Company or which under the powers of the Wimbledon Act 1882 the Wimbledon Company are authorised to purchase by compulsion for the purposes of their railway other than such lands as the Company has already acquired shall be taken by the Company without the consent in writing of the Wimbledon Company under their common seal first had and obtained: Provided always that the Company may purchase and take from the Wimbledon Company and the Wimbledon Company shall if so required by the Company grant in perpetuity to the Company an easement over and upon or right of using for the purposes of the intended junctions of the said Junction Railways Nos. 2 and 3 with the railway of the Wimbledon Company such parts of the lands of the Wimbledon Company as are necessary for the purposes of such junction lines and junctions;

(H) The Company in constructing the said Junction Railways Nos. 2 and 3 shall deviate horizontally and laterally from the levels thereof as shown on the deposited plans and sections to such extent as the Wimbledon Company may within the powers of the Company and the Wimbledon Company or either of them require for the purpose of securing the proper and safe working of the traffic to and from their railway to from and over and upon the Tooting Merton and Wimbledon Railway and the plans of the works for carrying out the said junction railways shall within one month from the date of notice from the Company to the Wimbledon Company of their intention to commence the construction of the said junction railways respectively be agreed between the engineer of the Company and the engineer of the Wimbledon Company or in default of such agreement shall be referred to the arbitration of a competent and independent engineer to be appointed by the president for the time being of the Institute of Civil Engineers;

(I) Nothing in this Act contained shall take away lessen alter or prejudice any of the rights privileges powers or authorities of the Wimbledon Company;

(J) All disputes and differences not hereinbefore expressly provided for that may arise between the Company and the Wimbledon Company as to the amount to be paid for the acquisition of an easement in and upon the lands works and property of the Wimbledon Company including the compensation (if any) for

damage or injury to the railways works and lands belonging to or used by the Wimbledon Company shall from time to time be settled by an independent person to be agreed upon between the Company and the Wimbledon Company or failing agreement within one month from notice by the one Company to the other to agree upon the appointment of an arbitrator in manner provided by the Railway Companies Arbitration Act 1859.

For the protection of the Wimbledon Local Board.

27. In the event of the Company executing any work (hereinafter called "a railway work") on any land to be acquired under the powers of this Act and in upon or under which land there shall be any main pipe sewer drain or culvert belonging to the Wimbledon Local Board (hereinafter called "the board") the Company shall at their own cost and expense in all things do all such acts works and things as may be necessary (hereinafter called "protective works") for the due protection of the works of the board which may be laid in upon or under any land of the Company and under the supervision and to the reasonable satisfaction of the board.

Before executing any protective works or railway work on the land to be acquired as aforesaid the Company shall give to the board twenty-one days notice of their intention to commence the same and shall deposit at the office of the board a plan of the protective work and railway work proposed to be constructed and if at the expiration of twenty-one days from the deposit of such plan the board have not made any objection in writing to the Company the board shall be deemed to have approved the plan and the Company shall be at liberty to commence the protective work and the railway work and the Company shall be bound to maintain the protective work and shall save and hold harmless the board against all damage and injury caused to such protective work by any railway work which the Company may at any time execute.

The protective work shall be and remain the property of the board but the Company shall have power from time to time to alter or strengthen that work if in the execution of any railway work from time to time necessary it should be found requisite to do so.

In case of any difference arising between the board and the Company as to any of the matters hereinbefore referred to the same shall be referred on the application of either party to an engineer to be appointed by the president of the Institution of Civil Engineers for the time being whose decision shall be final and the fees and expenses of such engineer shall be paid by the Company.

In the construction of the Junction Railway No. 3 in the parish of Wimbledon any bridges under the Gap Road shall be not less between the parapets than forty feet and such parapets shall in no

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case overhang the footpaths by the side of the roads on such bridges nor shall be of a less height than five feet above the footpaths.

For the protection of the Kingston Highway Board.

28. The following provisions for the protection and benefit of the Kingston Highway Board shall have effect (that is to say):—

(1) With regard to the diversion of the road at Walton Station the Company shall make the diverted road forty feet wide between the fences including the watercourse on the north side thereof and the footpaths;

(2) The Company shall if and when required so to do make a properly asphalted and kerbed footpath seven feet wide on the south side of the said diverted road and a properly kerbed footpath six feet wide on the north side thereof;

(3) The said road shall be properly made formed and drained to the reasonable satisfaction of the surveyor of the Kingston Highway Board;

(4) The distance between the most northerly rail of the railway when widened and the footpath when altered shall be not less than the distance between the existing most northerly rail and footpath and a suitable fence shall be erected and a belt of trees shall be planted as a screen between such fence and the railway for the whole extent of such diversion by the Company.

Owners may be required to sell part only of certain lands and buildings.

29. And whereas in the construction of the railways and works which by this Act the constructing Company or Companies are authorised to construct portions only of certain of the houses buildings or manufactories shown on the deposited plans may be sufficient for the purposes of the same and it may happen that such portions may be severed from the remainder of the property without any material detriment thereto: Therefore notwithstanding section ninety-two of the Lands Clauses Consolidation Act 1845 the owners of and persons interested in the houses buildings or manufactories mentioned in the First Schedule to this Act annexed whereof parts only are required for the purposes of this Act may (if such portions can in the judgment of the jury or arbitrator or other authority assessing or determining the compensation therefor be severed from the remainder of the said property without material detriment thereto) be required to sell and convey to the constructing Company or Companies the portions only of the premises so required without the constructing Company or Companies being obliged or compelled to purchase the whole or any greater portion thereof the constructing Company or Companies paying for the portions required by them and making compensation for any damage sustained by the owners thereof or other parties interested therein by severance or otherwise.

Provision as to Albert Buildings.

30. Before taking any portion of the buildings known as the Albert Buildings belonging or reputed to belong to the Lambeth

Association for providing Improved Dwellings for the Labouring Classes (Limited) situate in the parish of Saint Mary Lambeth in the county of Surrey the Company shall provide within reasonable distance of the said buildings and in any case within one mile an amount of labouring class accommodation at least equal in extent to that destroyed or made unavailable by reason of their taking any portion of the said Albert Buildings and the Company may in addition to the other powers conferred by this Act purchase by agreement and hold let or otherwise dispose of lands for the purpose of providing such accommodation.

Notice to be given of taking houses of labouring classes.

31. The Company shall not less than eight weeks before they take in any one city town or parish fifteen houses or more occupied either wholly or partly by persons belonging to the labouring classes as tenants or lodgers make known their intention to take the same by placards handbills or other general notice placed in public view upon or within a reasonable distance from such houses and the Company shall not take any such houses until they have obtained the certificate of a justice that it has been proved to his satisfaction that they have so made known their intention.

Power for Company to appropriate lands for the erection of dwelling-houses for labouring classes.

32. The Company may from time to time if and when they think fit appropriate any lands acquired by them under the powers of this Act and which may not be required for the railways and works for the purpose of the erection of dwelling-houses or buildings for persons belonging to the labouring classes whose dwellings may be required for the works by this Act authorised and before displacing any person or persons belonging to the labouring classes who may for the time being be the occupier or occupiers of any house or part of any house which the Company are by this Act authorised to acquire the Company shall procure sufficient accommodation elsewhere for such person or persons unless the Company and such person or persons otherwise agree.

Easements &c. may be granted by incapacitated persons.

33. Persons empowered by the Lands Clauses Consolidation Act 1845 to sell and convey or release lands may if they think fit subject to the provisions of that Act and of the Lands Clauses Consolidation Acts Amendment Act 1860 and of this Act grant to the constructing Company or Companies any easement (not being an easement of water) right or privilege required for any of the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

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Inclination of roads.

34. In altering for the purposes of this Act the roads next hereinafter mentioned the constructing Company or Companies may make the same of any inclinations not steeper than the inclinations hereinafter mentioned in connection therewith respectively (that is to say):—

Work.	Number on deposited Plan.	Parish.	Description of Road.	Intended Inclination.
Widening of Somerset and Dorset Railway.	5	Chilcompton -	Public -	1 in 18.
Widening of Somerset and Dorset Railway.	29	Midsomer Norton	Public -	1 in 12.

Height and span of bridges.

35. The constructing Company or Companies may make the arches of the bridges for carrying the railway over the roads next hereinafter mentioned of any heights and spans not less than the heights and spans hereinafter mentioned in connection therewith respectively (that is to say):—

Work.	Number on deposited Plan.	Parish.	Description of Road.	Height.	Span.
				ft. in.	ft. in.
Widening at Winchester -	2	Weeke -	Public -	15 0	25 0
Bridge over Bunnian Place Basingstoke	2	Basingstoke	Public -	14 0	25 0
Widening of Somerset and Dorset Railway.	2A	Binegar -	Public -	14 6	25 0
Widening of Somerset and Dorset Railway.	18	Binegar -	Public -	14 0	25 0
Widening of Somerset and Dorset Railway.	5	Chilcompton	Public -	14 0	20 0

Widths of certain roadways.

36. The constructing Company or Companies may make the roadway over the bridges by which the following roads will be carried over the railway of such width between the fences thereof as the constructing Company or Companies think fit not being less than the respective widths hereinafter mentioned in connection therewith respectively (that is to say):—

Work.	Number on Plan.	Parish.	Description of Roadway.	Width of Roadway.
				ft. in.
Junctions at Wimbledon Junction No. 1.	5	Wimbledon -	Public -	17 0
Junctions at Wimbledon Junction No. 3.	6	Wimbledon -	Public -	17 0

Work.	Number on Plan.	Parish.	Description of Roadway.	Width of Roadway.
				ft. in.
Lengthening of public road bridge at Bishopstoke.	11	South Stoneham	Public -	16 0
Additional lines of rails at Netley.	3	Hound - -	Roadway	20 0
Widening of Somerset and Dorset Railway.	23	Binegar - -	Public -	20 0
Widening of Somerset and Dorset Railway.	2	Midsomer Norton	Public -	30 0
Widening of Somerset and Dorset Railway.	20	Chilcompton -	Public -	20 0
	17	Midsomer Norton		

Lands for extraordinary purposes.

37. The constructing Company or Companies by agreement from time to time may purchase land for any of the extraordinary purposes specified in the Railways Clauses Consolidation Act 1845 but the quantity of land so purchased by them under this Act for those purposes shall not exceed in the case of the Company alone five acres and in the case of the Company and the Midland Company or of the Midland Company alone two acres.

Period for completion of works.

38. The railways and works connected therewith by this Act authorised shall be respectively completed within five years from the passing of this Act and on the expiration of that period the powers by this Act granted to the constructing Company or Companies for making those respective railways and works or otherwise in relation thereto shall cease to be exercised except as to so much thereof respectively as shall then be completed.

Penalty for non-completion of railways &c. within time limited.

39. If the constructing Company or Companies fail to complete any railway by this Act authorised to be made by them within the period limited by this Act in that behalf the said Company or Companies shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until the respective railway is completed and opened for public traffic or until the sum received in respect of such penalty shall amount to five per centum on the estimated cost of the respective railway and the said penalty may be applied for by any landowner or other person claiming to be compensated in accordance with the provisions of the next following section of this Act or by the solicitor of Her Majesty's Treasury and in the same manner as the penalty provided in section 3 of the Railway and Canal Traffic Act 1854 and every sum of money recovered by way of such penalty as aforesaid shall be paid under the warrant or order of such court or judge as is specified in that section to an account opened or to be opened in the name and with the privity of Her Majesty's Paymaster-General on behalf

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of the Chancery Division of the High Court of Justice in England in the bank and to the account named in such order and shall not be paid thereout except as hereinafter provided but no penalty shall accrue in respect of any time during which it shall appear by a certificate to be obtained from the Board of Trade that the constructing Company or Companies was or were prevented from completing or opening the respective railway by unforeseen accident or circumstances beyond their control: Provided that the want of sufficient funds shall not be held to be a circumstance beyond their control.

Application of penalty.

40. Every sum of money so recovered by way of penalty as aforesaid shall be applicable and after due notice in the London Gazette shall be applied towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the respective railway or any portion thereof or who have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the constructing Company or Companies by this Act and for which injury or loss no compensation or inadequate compensation has been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Chancery Division of the High Court of Justice in England may seem fit and if no such compensation is payable or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid has been found sufficient to satisfy all just claims in respect of such compensation then the said sum or sums of money recovered by way of penalty or such portion thereof as may not be required as aforesaid shall either be forfeited to Her Majesty and accordingly be paid or transferred to or for the account of Her Majesty's Exchequer in such manner as the Chancery Division thinks fit to order on the application of the solicitor of Her Majesty's Treasury and shall be carried to and form part of the Consolidated Fund of the United Kingdom or in the discretion of the said Division if the constructing Company or Companies is or are insolvent and has or have been ordered to be wound up or a receiver or receivers has or have been appointed shall wholly or in part be paid or transferred to the receiver or to the liquidator or liquidators of the constructing Company or Companies or be otherwise applied as part of the assets of the said Company or Companies for the benefit of the creditors thereof.

Power to take additional lands for general purposes.

41. Subject to the provisions of this Act the Company may for all or any of the purposes of their undertaking enter upon take hold and use the whole or any part or parts of the lands and all or any of the buildings and works in the parishes next hereinafter men-

tioned shown on the deposited plans and described in the deposited books of reference (that is to say) :—

(1) Lands in the parish of Wandsworth on the south side of the Company's Richmond line between Wandsworth Lane and Point Pleasant;

(2) A piece of land containing 3 roods and 11 perches or thereabouts in the parish of Barnes on the south side of and adjoining the Company's Richmond line and lying between the Company's approach road on the south side of their railway to the Barnes passenger station and the level crossing over the said Richmond line immediately to the west of that passenger station;

(3) Lands in the parish of Chertsey on the south-western side of and adjoining the Company's Weybridge and Chertsey line at the north-western end of Addlestone Station;

(4) Lands in the parish of Woking between the Company's main line and their line from Woking to Guildford and to the south-west of the Company's gasworks in the said parish;

(5) Lands in the parish of Farnham on the north-west side of and adjoining the Company's Farnham and Alton Branch and between the public road leading from Wrecclesham to Farnham and the Company's ballast land in the said parish;

All the above lands (1 to 5) are situate in the county of Surrey.

(8) Lands in the parish of Eling and county of Southampton on the south side of and adjoining the Company's Southampton and Dorchester line and between Totton station and Junction Road;

(9) Lands in the parish of South Stoneham and county of Southampton on the east side of and adjoining the Company's main line and their lands at Bishopstoke Station and on the north-east side of the Company's Portsmouth and Gosport branch and extending from the Winchester and Southampton Canal (otherwise known as the Itchen Navigation Canal) on the north to the road leading from the Bishopstoke Station to Barton Mill and Bishopstoke on the south and also extending from the last-mentioned road on the north to the junction between the Company's goods lines and the Portsmouth branch on the south;

(10) Lands in the parish of Axminster and county of Devon abutting upon and on the south-east side of the Company's Axminster Station.

Extinguishing rights of way over

42. Upon the purchase or aquisition by the Company of the land described in the sub-paragraph (10) of the last preceding

goods yard and premises at Axminster Station.

section all public and other rights of way and other rights if any over within or across the Company's goods yard and premises at Axminster Station are by this Act extinguished.

Confirming agreement in Second Schedule.

43. The agreement made the twenty-eighth day of April one thousand eight hundred and eighty-four between Ebenezer Cobb Morley on behalf of the Conservators of Barnes Common (hereinafter called the Conservators) and Frederic Julius Macaulay on behalf of the Company a copy of which is set forth in the Second Schedule to this Act is hereby confirmed and made binding on the Conservators and the Company and shall be as valid and effectual in all respects as if the provisions thereof had been embodied in and formed part of this Act and the several pieces of land coloured pink on the plan referred to in the said agreement and marked with the letters X Y Z shall vest absolutely and the same are hereby vested for all the estate and interest of the Company therein in the Conservators and their successors and shall be subject to the provisions of the Metropolitan Commons Act 1866 the Metropolitan Commons Amendment Act 1869 the Metropolitan Commons Supplemental Act 1876 and the scheme confirmed by the last-mentioned Act and the byelaws rules and regulations made or to be made under the said Acts and scheme respectively except as to the reservations contained in the thirty-seventh article of the scheme confirmed by the said Metropolitan Commons Supplemental Act 1876.

Period for compulsory purchase of lands.

44. The powers of the constructing Company or Companies under this Act for the compulsory purchase of lands shall not be exercised after the expiration of three years from the passing of this Act.

Tolls &c.

45. For the purposes of tolls rates and charges and for all other purposes the railways and works by this Act authorised shall respectively be deemed part of the railways hereinafter mentioned in connection with the same respectively (that is to say) :—

The widening of and additional rails upon the Somerset and Dorset Railway (Bath Extension) shall be deemed to be part of that railway ;

The other railway works by this Act authorised shall respectively be deemed part of the Company's railway in connection with which they are respectively to be executed.

Power to enter into traffic arrangements.

46. The Company on the one hand and the Wimbledon Company on the other hand may subject to the provisions of Part III. of the Railways Clauses Act 1863 as amended or varied by the Regulation of Railways Act 1873 from time to time enter into and carry into effect and rescind contracts agreements and arrangements with

respect to the following purposes or any of them (that is to say) :—

The working use management and maintenance by the contracting Companies or either of them of their respective railways undertakings and works or any part or parts thereof respectively;

The management regulation interchange collection transmission and delivery of traffic upon or coming from or destined for the railways of the contracting Companies or either of them;

The supply and maintenance under any agreement for the railways of the contracting Companies or either of them being worked and used by the other contracting Company of engines stock and plant necessary for the purposes of such agreement;

The fixing collection payment appropriation apportionment and distribution of the tolls rates charges income and profits arising from the respective railways and works of the contracting Companies or either of them or any part thereof;

The payments allowances drawbacks or rebates to be made by either of the contracting Companies to the other of them;

The employment of officers and servants and the appointment of joint committees for carrying into effect any objects or provisions of any such contracts agreements or arrangements or of this Act.

Tolls on traffic conveyed partly on the railways and partly on other railways.

47. During the continuance of any agreement to be entered into under the provisions of this Act by the Company and the Wimbledon Company for the working or use of their respective railways or any parts thereof respectively the railways of the Company and of the Wimbledon Company shall for the purposes of short distance tolls and charges be considered as one railway and in estimating the amount of tolls and charges in respect of traffic conveyed partly on the railways of the Company and partly on the railways of the Wimbledon Company for a less distance than four miles tolls and charges may only be charged as for four miles and in respect of passengers for every mile or fraction of a mile beyond four miles tolls and charges as for one mile only and in respect of animals and goods for every quarter of a mile or fraction of a quarter of a mile beyond four miles tolls and charges as for a quarter of a mile only and no other short distance charge shall be made for the conveyance of passengers animals or goods partly on the railways of the Company and partly on the railways of the Wimbledon Company.

Power to apply funds.

48. The Company and the Midland Company respectively may apply for any of the purposes of this Act relating to them respectively to which capital is properly applicable any moneys

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which by any previous Act or Acts they are respectively authorised to raise by shares stock debenture stock or borrowing and which are not by the Act or Acts under which they are authorised to be raised made applicable to any special purposes or which being so made applicable are not required for such special purposes.

Power to raise further money for purposes of this Act.

49. The Company from time to time may for all or any purposes of this Act and for the general purposes of the Company (being purposes to which capital is properly applicable) raise by new shares or new stock (whether ordinary or preferential or both) any sum or sums not exceeding five hundred thousand pounds.

Shares not to be issued until one-fifth paid.

50. The Company shall not issue any share created under the authority of this Act nor shall any such share vest in the person accepting the same unless and until a sum not being less than one-fifth of the amount of such share is paid in respect thereof.

Calls.

51. One-fifth of the amount of a share shall be the greatest amount of a call and three months at least shall be the interval between successive calls and three-fifths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share.

Receipts in case of persons not sui juris.

52. If any money be payable to a holder of shares or stock in the Company being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Provisions of Company's Act of 1862 to extend to Company's shares and stock under this Act.

53. The provisions of sections 47 to 70 (both inclusive) of the South Western Railway (Additional Powers) Act 1862 with respect to preferential shares and stock and the cancellation of shares and stock and the issue of new shares or stock instead of cancelled shares or stock and with respect to voting for shares or stock and otherwise respecting shares and stock shall extend to this Act with respect to the Company and the shares and stock which by this Act they are authorised to create and issue.

Further borrowing powers to the Company.

54. The Company may from time to time (in addition to any sums which they are for the time being authorised to borrow) borrow on mortgage of their undertaking in respect of their additional capital of five hundred thousand pounds which they are by this Act authorised to raise any sum or sums not exceeding in the whole one hundred and sixty-six thousand six hundred and sixty-six pounds and of the last-mentioned sum they may borrow thirty-three thousand three hundred and thirty-three pounds in respect of every one hundred thousand pounds of the said capital of five hundred thousand pounds.

Restrictions on borrowing.

55. Provided always that no part of any such sum of money shall be borrowed by the Company under the powers of this Act unless and until the additional capital or as the case may be the portion of additional capital by this Act authorised in respect of which it is to be borrowed is issued and accepted and one-half thereof is paid up and the Company have proved to the justice who is to certify under section 40 of the Companies Clauses Consolidation Act 1845 (before he so certifies) that the whole of such additional capital or portion of additional capital as the case may be has been issued and accepted and that one-half thereof has been paid up and not less than one-fifth part of the amount of each separate share in so much of such capital or portion of capital as is to be raised by means of shares has been paid on account of such shares before or at the time of the issue or acceptance thereof and that stock for one-half of so much of such capital or portion of capital as is to be raised by means of stock is fully paid up and the Company have proved to such justice as aforesaid (before he so certifies) that such shares or stock as the case may be were issued and accepted and paid up bonâ fide and are held by the persons or corporations to whom the same were issued or their executors administrators successors or assigns and also if any part of such capital or portion of capital is raised by shares that such persons or corporations their executors administrators successors or assigns are legally liable for the same and upon production to such justice of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence thereof.

Existing mortgages to have priority.

56. All mortgages granted by the Company in pursuance of any Act passed before the passing of this Act and subsisting at the time of the passing of this Act shall during the continuance thereof respectively have priority over any mortgages to be granted by virtue of this Act: Provided that this section does not apply to any mortgage from time to time granted by the Company in accordance with section 21 of the South Western Railway (General) Act 1865 or section 60 of the South Western Railway (General) Act 1867.

Provisions as to appointment of receiver repealed.

57. Section 76 of the South Western Railway (Various Powers) Act 1883 for appointment of a receiver is by this Act repealed but without prejudice to any appointment heretofore made or proceedings now pending under the provisions of that section or any of them.

For appointment of a receiver.

58. The Company's mortgagees may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver and in order to

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authorise the appointment of a receiver in respect of arrears of principal the amount of principal owing to the mortgagees by whom the application for a receiver is made shall not be less in the whole than ten thousand pounds.

Debenture stock.

59. The Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 but notwithstanding anything therein contained the interest of all debenture stock at any time after the passing of this Act created and issued by the Company shall rank pari passu with the interest of all mortgages at anytime after the passing of this Act granted by the Company and shall have priority over all principal moneys secured by such mortgages.

Application of moneys.

60. All moneys raised by the Company under this Act whether by shares stock debenture stock or borrowing shall be applied only for purposes to which capital is properly applicable.

Saving rights of Her Majesty's Principal Secretary of State for the War Department.

61. And whereas it is necessary that the lands hereditaments and works belonging to Her Majesty or vested in Her Majesty's Principal Secretary of State for the War Department for the public service should be preserved intact and free from all intrusion or obstruction: Be it therefore enacted that nothing in this Act contained shall authorise the Company to enter upon use or interfere with any land soil or water or any right in respect thereof vested in or exercised by the said Principal Secretary for the time being or to take away lessen prejudice or alter any of the rights privileges or powers vested in or exercised by the said Principal Secretary for the time being without his previous consent signified in writing under his hand and which consent the said Principal Secretary for the time being is hereby authorised to give subject to such special or other conditions as he shall see fit to impose on the said Company.

Saving the rights of the Duchy of Cornwall.

62. Nothing contained in this Act or in any Act or Acts incorporated herewith shall extend to authorise the Company to take use enter upon or interfere with any land soil or water or any rights in respect thereof belonging to Her Majesty Her heirs or successors in right of the Duchy of Cornwall without the consent in writing of some two or more of such of the regular officers of the said Duchy or of such other persons as may be duly authorised under the provisions of the Duchy of Cornwall Management Act 1863 section 39 to exercise all or any of the rights powers privileges and authorities by the said Act made exerciseable or otherwise for the time being exerciseable in relation to the said Duchy or belonging to the Duke of Cornwall for the time being without the consent of such Duke testified in writing under the seal of the Duchy

of Cornwall first had and obtained for that purpose or to take away diminish alter prejudice or affect any property rights profits privileges powers or authorities vested in or enjoyed by Her Majesty Her heirs or successors in right of the Duchy of Cornwall or in or by the Duke of Cornwall for the time being.

Interest not to be paid on calls paid up.

63. No interest or dividend shall be paid out of any share or loan capital which the Company are by this Act or any other Act authorised to raise to any shareholder on the amount of the calls made in respect of the shares held by him: Provided that this Act shall not prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the Companies Clauses Consolidation Act 1845.

Deposit for future Bills not to be paid out of capital.

64. The Company shall not out of any money by this Act authorised to be raised pay or deposit any sum which by any standing orders of either House of Parliament now or hereafter in force is required to be deposited in respect of an application to Parliament for the purpose of obtaining an Act authorising the Company to construct any other railway or to execute any other work or undertaking.

Provision as to general Railway Acts.

65. Nothing in this Act contained shall exempt the railways of any railway company from the provisions of any general Act relating to railways or the better and more impartial audit of the accounts of railway companies now or hereafter in force or from any future revision or alteration under the authority of Parliament of the maximum rates of fares and charges or of the rates for small parcels authorised to be taken by any railway company.

Costs of Act.

66. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

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The SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

Describing Houses Buildings and Manufactories of which portions only are required by the Company.

Parish.	Number on deposited Plans.
	Widenings in Lambeth.
	Widening No. 1.
Saint Mary Lambeth -	- | 26 48 and 65.
	Widening No. 2.
Saint Mary Lambeth -	- | 4A 26 27 28 29 30 31 32 33 34 35 and 36.
	Widening No. 3.
Saint Mary Lambeth -	- | 28 32 32A 32B 32C 32D 37 68 and 90.
	Widening No. 4.
Saint Mary Lambeth -	- | 75 78 79 80 81 and 94.
	Widening No. 5.
Saint Mary Lambeth -	- | 2 18 19 and 44
	Junctions at Wimbledon.
	Junction Railway No. 3
Wimbledon - -	- | 8 9 10 11 and 12.
	Widening at Winchester.
Saint Bartholomew Hyde	- | 1.
	Widening of Somerset and Dorset Railway.
Radstock - - -	- | 17 18 and 19.

THE SECOND SCHEDULE.

Memorandum of Agreement dated the twenty-eighth day of April one thousand eight hundred and eighty-four made between Ebenezer Cobb Morley of Gresham House Old Broad Street in the city of London as clerk to and agent for and on behalf of the Conservators of Barnes Common (hereinafter referred to as the Conservators) of the one part and Frederic Julius Macaulay of the Waterloo Station secretary to and on behalf the London and South Western Railway Company (hereinafter referred to as the Company) of the other part.

Whereas the Company have introduced a Bill into Parliament in the present session among other things to acquire powers over certain portions of Barnes Common and the Conservators have lodged a petition against the same but are willing to withdraw their opposition to the said Bill on the terms and conditions hereinafter appearing:

Now therefore it is agreed by and between the Conservators and the Company as follows (that is to say):—

1. The Conservators shall on the passing of the said Bill with such provisions therein as are in Article 2 hereinafter mentioned at the cost of the Company do all such acts as they may be required by the Company to do and as they are empowered by virtue of their office as such Conservators to do as may be necessary to secure to the Company free of purchase-money the pieces of land coloured blue on the plan hereto annexed and thereon marked with the letters A B E F and O containing as to B three roods and eleven perches as to E nine and a quarter perches and as to F two and a half perches or thereabouts as to O three and a half perches respectively and as to A such an area as is contained in a strip not exceeding six feet in width from the present fence of the Company's boundary on the northern side of the railway and in length three hundred feet from the foot of the embankment of the Hammersmith Bridge Road.

2. The Company shall use their best endeavours at their own expense to procure clauses to be introduced into the said Bill enabling the said Conservators to hold the three pieces of land coloured pink on the plan hereto annexed and marked with the letters X Y and Z containing as regards the piece of land marked X three and a half perches as regards the piece of land marked Y one acre two roods and twenty-six perches or thereabouts and as regards the piece of land marked Z one rood and seventeen perches or thereabouts and the Company shall at their own cost do all such acts as they may be required by the Conservators to do as may be necessary to secure to the Conservators the said pieces of land marked X Y and Z.

2A. The Company shall construct a gravelled footpath of the width of six feet from the point marked C to the point marked D in the direction of the dotted blue line as a means of access from the point marked D to their station and the Company shall erect and keep in repair a suitable open fence along the northern and western side of the said footpath if required by the Conservators

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and shall make suitable and convenient steps from the bridge carrying the Queen's Road over the railway at or near the point W to the said footpath for the use of the public and the Company shall have a right of way over and along the same for foot passengers but the said footpath shall continue and be part of Barnes Common and the piece of land marked A shall be used only for the purpose of widening and extending the passengers platform and no building shall be erected thereon except any necessary covering of the platform of the station which shall not be more than one storey in height.

3. The Company shall on the passing of the Bill pay to the Conservators the sum of twenty-five pounds towards the cost of planting between the points marked on the plan G and H and between the points I and K and K and L and of protecting by fences or otherwise such planting from destruction or injury by cattle or otherwise and the Conservators shall at all times have access to the piece of land coloured green between the points K and L on the plan abutting on Queen's Road for the purpose of planting and maintaining trees thereon.

4. The Company shall immediately after the Royal Assent being obtained to their Bill and their acquiring right to possess and occupy the pieces of land marked A B E and F give notice to Messieurs Stratton Gentry and Company to remove the building now used by them as a coal office at the point marked N on the plan and shall within six months after the said Royal Assent is obtained cause the said coal office to be pulled down and removed.

5. The Company shall within three months after the passing of the Act and the acquisition by them of right to possess the pieces of land marked A B E F and O above referred to cause the advertisement boards now erected on the land marked M on the plan used by them or their assigns or lessees as a goods or coal yard to be removed and will not in future permit any advertisement boards to be erected upon the said piece of ground and will not erect or do or cause or permit to be erected upon the said piece of ground any shed or building whatsoever other than boards not exceeding four feet in height containing only the names of the occupants of the said land marked M or parts thereof.

The Company shall not build or cause or permit any buildings to be erected on any of the road embankments adjoining land occupied by them.

6. The Company shall on the Royal Assent being obtained to their Bill and on their acquiring the right to possess the lands marked A B E F and O fill up a part or the whole of the pond or disused gravel pit in the land marked Y with suitable earth.

7. The Company shall use the pieces of land marked B E and F only for the bonâ fide purpose of widening their railway and shall use the piece of land marked O only for the purpose of garden ground and will erect on the south side of the line a station or waiting rooms with conveniences to conform in design generally with the station and buildings on the up side of their railway and will not use the said pieces of land for the purposes of coal wharves goods sheds or goods sidings nor erect any building or exhibit any advertisements thereon or on the south or exterior walls of any station waiting rooms and conveniences which may be erected as hereinbefore mentioned other than

the bonâ fide advertisements of the Company's service of trains or other conveyances and notices without the consent of the Conservators. A.D. 1884.

8. On exchange of parts (and the terms of this memorandum being carried into effect) the Conservators shall withdraw their opposition to the said Bill provided the clauses hereinbefore mentioned are inserted therein.

9. The Company shall pay the sum of one hundred pounds towards legal expenses incurred by the Conservators in consequence of the introduction of their said Bill into Parliament.

EB^R. C. MORLEY.
FRED. J. MACAULAY.

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