ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

***

hundred and seventy-five, Two hundred and fifty-two, Three hundred and fifty-five, Three hundred and seventy, and Three hundred and ninety-one; of the Session of the Tenth and Eleventh Years of *Victoria*, Chapters Fifty-seven, Fifty-eight, Eighty-eight, Ninety-six, Ninety-seven, One hundred and fifteen, One hundred and forty-five, One hundred and sixty-seven, Two hundred and forty-three, Two hundred and forty-four, Two hundred and forty-nine, Two hundred and seventy-three, and Two hundred and ninety-seven; of the Session of the Eleventh and Twelfth Years of *Victoria*, Chapters Seventy-five, Eighty-five, Eighty-seven, Eighty-nine, One hundred and twenty-five, and One hundred and fifty-seven; of the Fifty-first Year of *George* the Third, Chapter One hundred and ninety-six; of the Session of the Twelfth and Thirteenth Years of *Victoria*, Chapters Thirty-three and Thirty-four; of the Session of the Thirteenth and Fourteenth Years of *Victoria*, Chapter Twenty-four; of the Session of the Fourteenth and Fifteenth Years of *Victoria*, Chapter Eighty-three; of the Session of the Sixteenth and Seventeenth Years of *Victoria*, Chapter One hundred and sixty-four; "The *West London and Crystal Palace* Railway Act, 1853," and "The *Westminster Terminus* Railway Act, 1854:" And whereas by that Act of the Session of the Fourth and Fifth Years of *William* the Fourth, Chapter Eighty-eight, intituled *An Act for making a Railway from* London *to* Southampton, the Company originally incorporated by the Name of the *London and Southampton* Railway Company, but now having the Name of the *London and South-western* Railway Company, (in this Act called the Company,) were established: And whereas the Company have from Time to Time been authorized to extend their Lines of Railway, and to acquire the Undertakings of other Railway Companies, and have done so: And whereas by "The *London and South-western* Railway Company's *Basingstoke and Salisbury* Extension Act, 1846," the Company were authorized to make the *Basingstoke and Salisbury* Branch Railway as a Branch from their Main Line, and their Powers for the compulsory Purchase of Lands for the Purposes of that Act were limited (by Section Ten) to Three Years after the passing thereof, and their Powers for the Execution of that Branch Railway were limited (by Section Eleven) to Five Years after the passing thereof: And whereas by Section Three of "The *London and South-western* Extension of Powers Act, 1849," the Company's Powers for the compulsory Purchase of such Lands were extended to Two Years after the passing of that Act, and their Powers for the Execution of that Branch Railway were limited to those Two Years: And whereas by "The *London and South-western* Railway (*Basingstoke and Salisbury*) Act, 1853," the Company's Powers for the Execution of that Branch Railway were (Section Three) extended, as to the Part thereof from *Basingstoke* to *Andover*, to Twelve Months, and as to the Remainder thereof from *Andover* to *Salisbury* to Three Years after the

the passing of that Act, and the Company were (Section Five) authorized to purchase by Agreement Lands for that Branch Railway: And whereas that Branch Railway is completed and opened for public Traffic from *Basingstoke* to *Andover*, and is executing between *Andover* and *Salisbury*, but the Company have not acquired some Lands in the Parishes of *Milford* and *Fisherton Anger* in the County of *Wilts*, or One of them, which are requisite for that Branch Railway, and it is expedient that they be authorized to acquire those Lands, and that their Powers for the Execution of such Part of that Branch Railway as is not yet completed be extended: And whereas it is expedient that the Company be authorized to deviate from and alter the Level of Part of that Branch Railway near *Salisbury*: And whereas Plans of those Lands, with Books of Reference thereto, and Sections showing such intended Alteration of Level, have been deposited with the Clerk of the Peace for the County of *Wilts*: And whereas it is expedient that the Company be authorized to make a Railway from their *Nine Elms* Goods Station to their Goods Yard near thereto and adjoining the *Thames*, and to make a Quay, Wharf, or Embankment on the Shore of the *Thames* near to that Goods Yard: And whereas the Lands and Works of the Company at and near their *Waterloo Bridge* Terminal Station and their *Nine Elms* Goods Station respectively are insufficient for the convenient Accommodation of the Traffic on their Railway, and it is expedient that they be authorized to acquire such Lands in the Parishes of *Saint Mary Lambeth* and *Battersea* in the County of *Surrey* respectively as are requisite for increasing that Accommodation: And whereas Plans and Sections of that Railway, and of that Quay, Wharf, or Embankment, showing the Direction, Lines, and Levels thereof respectively, and showing also the Lands requisite for such Improvement of that Approach and of that Goods Station respectively, and for that Railway and that Quay, Wharf, or Embankment respectively, and Books of Reference to those Plans, have been deposited with the Clerk of the Peace for the County of *Surrey*: And whereas by the following Acts, passed with direct Reference to their Undertaking, the Company were authorized to raise by Shares and by borrowing the following Sums; (to wit,)

Short Title of Act.	Amount to be raised by Shares.	Amount to be raised by borrowing..
	£	£
The London and South-western Railway Act, 1834 - - - - -	1,000,000	330,000
The London and South-western Railway Deviations Act, 1837 - - - -	800,000	130,000
The Portsmouth Branch Railway Act, 1839 -	300,000	100,000
The London and South-western Railway Company's Amendment Act, 1841 - -	210,000	70,000
The Salisbury Branch Railway Act, 1844 -	240,000	80,000

South-western Railway Capital and Works Act, 1855.

Short Title of Act.	Amount to be raised by Shares.	Amount to be raised by borrowing.
	£	£
The London and South-western Railway Company's Amendment Act, 1844 - -	12,500	4,150
The London and South-western Railway Company's Amendment Act, 1845 - -	2,565,000	855,000
The London and South-western Railway Company's Widening and York Road Station Enlargement Act, 1847 - - -	150,000	50,000
The London and South-western Railway Company's Andover and Southampton Junction Railway Act, 1847 - - - -	300,000	100,000
The London and South-western Railway Company's Portsmouth Extension and Godalming Deviations Act, 1847 - - -	50,000	16,000
The London and South-western Railway Company's Amendment Act, 1847 - -	200,000	—
The London and South-western and Southampton and Dorchester Railways Amalgamation Act, 1848 - - - -	31,350	—
£	5,858,850	1,735,150

And whereas, under the Provisions of "The *Portsmouth* Branch Railway Act, 1849," Fourteen thousand four hundred Pounds, Part of the Capital of Three hundred thousand Pounds thereby authorized, is Preferential Share Capital, bearing a fixed preferential Dividend at the Rate of Five Pounds *per Centum per Annum*, and Two hundred and eighty-five thousand six hundred Pounds, the Residue thereof, is ordinary Capital, and that Sum of Five millions eight hundred and fifty-eight thousand eight hundred and fifty Pounds therefore consists of—

Ordinary Capital - - -	£5,844,450
Preferential Capital - -	14,400
	£5,858,850

And whereas by the following Acts, passed with direct Reference to other Undertakings, the Company were authorized to raise by Shares the following Sums; (to wit,)

Short Title of Act.	Amount to be raised by Shares.
	£
The Windsor, Staines, and South-western Railway Act (No. 2), 1847 - - - - - - -	195,000
The Exeter and Exmouth Railway Act, 1847 - -	60,000
The Sutton Harbour Act, 1847 - - - -	15,200
	£270,200

And

South-western Railway Capital and Works Act, 1855.

And whereas the following Acts respectively authorized the raising by Shares and by borrowing of the following Sums; (to wit,)

Short Title of Act.	Amount to be raised by Shares.	Amount to be raised by borrowing.
	£	£
The Guildford Extension and Portsmouth and Fareham Railway Act, 1845 - -	500,000	166,000
The Richmond Railway Act, 1845 - -	- -	86,000
The Southampton and Dorchester Railway Act, 1845 - - - - - -	- -	166,666
The Southampton and Dorchester Railway (Lymington and Eling Branches) Act, 1847 -	60,000	20,000
The Southampton and Dorchester Railway (Weymouth Branch) Act, 1847 - -	180,000	60,000
The Windsor and Staines and South-western Railway Act (No. 1), 1847 - - -	500,000	166,600
	£1,240,000	£665,266

And whereas the several Powers of those Acts for raising those Sums were respectively transferred to the Company as follows; (to wit,)

The Powers of the *Guildford* Extension and *Portsmouth and Fareham* Railway Act, 1845, by a Transfer authorized by and made under that Act of the Undertaking and Powers of the *Guildford* Extension and *Portsmouth and Fareham* Railway Company to the Company:

The Powers of "The *Richmond* Railway Act, 1845," by a Transfer authorized by and made under "The *London and South-western* Railway Company's Amendment Act, 1846," of the Undertaking and Powers of the *Richmond* Railway Company to the Company:

The Powers of "The *Southampton and Dorchester* Railway Act, 1845," of "The *Southampton and Dorchester* Railway (*Lymington* and *Eling* Branches) Act, 1847," and "The *Southampton and Dorchester* Railway (*Weymouth* Branch) Act, 1847," respectively, by a Transfer authorized by and made under "The *London and South-western* and *Southampton and Dorchester* Railways Amalgamation Act, 1848," of the Undertaking and Powers of the *Southampton and Dorchester* Railway Company to the Company:

The Powers of "The *Windsor and Staines and South-western* Railway Act (No. 1), 1847," by a Transfer authorized by and made under that Act of the Undertaking and Powers of the *Windsor, Staines, and South-western* (*Richmond* to *Windsor*) Railway Company to the Company:

South-western Railway Capital and Works Act, 1855.

SUMMARY.

Amounts to be raised by Shares.	Amounts to be raised by borrowing.
£	£
5,844,450	1,735,150
14,400	—
270,200	—
1,240,000	665,266
£7,369,050	£2,400,416

And whereas by "The *Windsor, Staines, and South-western* Railway Act (No. 2), 1847," a further Amount of Share Capital was authorized, but only contingently, and in the Events which happened the Power to raise that Sum did not come into operation: And whereas the ordinary Capital of the Company amounts to Seven millions three hundred and fifty-four thousand six hundred and fifty Pounds, consisting as herein-before appearing of the following Items; (to wit,)

£5,844,450
270,200
1,240,000

£7,354,650

And whereas by the following Acts the Company were authorized to raise by Preferential Shares and by borrowing the following Sums; (to wit,)

Short Title of Act.	Amount to be raised by Preferential Shares.	Amount to be raised by borrowing.
	£	£
The London and South-western Railway Company's Salisbury and Yeovil Extension Act, 1848 -	875,000	291,666
The Exeter, Yeovil, and Dorchester Railway Act, 1848	900,000	—
The London and South-western Railway Company's Amendment Act, 1848 - - -	240,000	80,000
The South-western Windsor Extension Act, 1849 -	80,000	—
	£2,095,000	£371,666

And whereas the Preferential Share Capital of the Company amounts to Two million one hundred and nine thousand Pounds, consisting as herein-before appearing of the following Items; (to wit,)

£14,400
2,095,000

£2,109,400

And whereas the Two million ninety-five thousand Pounds Preferential Share Capital of the Company was, in pursuance of the several Acts by which it was authorized, originally divided or intended to be divided into One hundred and twenty-five thousand seven hundred

Shares

Shares of Sixteen Pounds Thirteen Shillings and Fourpence each, on each of which the First Instalment of One Pound Thirteen Shillings and Fourpence, being One Tenth of the nominal Amount of the Share, was to bear a fixed preferential Dividend at the Rate of Seven Pounds *per Centum per Annum*, and the further Instalments of Fifteen Pounds in the whole, being the remaining Nine Tenths of that nominal Amount, was to bear a fixed preferential Dividend at the Rate of Five Pounds *per Centum per Annum*: And whereas of those One hundred and twenty-five thousand seven hundred Shares only One hundred and two thousand seven hundred and sixty-six have been issued, and on each of those One hundred and two thousand seven hundred and sixty-six Shares only that First Instalment of One Pound Thirteen Shillings and Fourpence has been paid: And whereas, under the Powers of "The *London and South-western* Railway Company's Amendment Act, 1848," the Company consolidated One hundred and two thousand five hundred and ninety-four of those Shares of Sixteen Pounds Thirteen Shillings and Fourpence each into Thirty-four thousand one hundred and ninety-eight Shares of Fifty Pounds each, (being after the Rate of One Share of Fifty Pounds for Three Shares of Sixteen Pounds Thirteen Shillings and Fourpence each,) to bear as to the First Five Pounds paid up, or credited as paid up, on every Fifty Pounds Share such fixed Seven Pounds *per Centum* preferential Dividend, and as to the remaining Forty-five Pounds to be paid up thereon such fixed Five Pounds *per Centum* preferential Dividend, but the other One hundred and seventy-two Shares of Sixteen Pounds Thirteen Shillings and Fourpence each remain unconverted: And whereas no further Sum has been paid or credited as paid on any of those Thirty-four thousand one hundred and ninety-eight Shares, or on any of those One hundred and seventy-two Shares: And whereas the whole of the Shares in the ordinary Capital of the Company have been issued, and Part of those Shares have been fully paid up and converted into Consolidated Stock, but some of the existing Shares in the ordinary Capital are not yet fully paid up: And whereas the Capital of the Company consisted on the Thirty-first Day of *December* One thousand eight hundred and fifty-four of the following Particulars; (to wit,)

NOMINAL AMOUNTS.—*Preferential.*

	£	s.	d.		£	s.	d.
288	50	0	0	Shares issued -	14,400	0	0
34,198	50	0	0	Shares issued -	1,709,900	0	0
172	16	13	4	Shares issued -	2,866	13	4
22,934	16	13	4	Shares unissued	382,233	6	8
					£2,109,400	0	0

Ordinary.

Consolidated Stock - - -	£5,737,879	13	4
Shares - - - -	£1,616,770	6	8
	£7,354,650	0	0

TOTAL

South-western Railway Capital and Works Act, 1855.

TOTAL CAPITAL.—*Nominal Amount.*

	£
Preferential - -	2,109,400
Ordinary - -	7,354,650
	£9,464,050

PREFERENTIAL SHARE CAPITAL.—*Amount credited as paid up and bearing preferential Dividend*—

	£	s.	d.
Under the Act of 1839 - - -	14,400	0	0
Under the Acts of 1848 - - -	171,276	13	4
	£185,676	13	4

ORDINARY STOCK AND SHARE CAPITAL.—*Amount credited as paid up and bearing ordinary Dividend*, £6,768,474 0s. 0*d.*

TOTAL PAID-UP CAPITAL BEARING DIVIDEND.

	£	s.	d.
Preferential - - -	185,676	13	4
Ordinary - - -	6,768,474	0	0
	£6,954,150	13	4

CAPITAL NOT BEARING DIVIDEND.

	£	s.	d.
Preferential not paid up - -	1,923,723	6	8
Ordinary not paid up - - -	586,176	0	0
Total - -	£2,509,899	6	8

And whereas the Amount which the Company were authorized to raise by borrowing was the Sum of Two million seven hundred and seventy-two thousand and eighty-two Pounds, consisting as hereinbefore appearing of the following Items; (to wit,)

£
2,400,416
371,666
£2,772,082

And whereas the Mortgage and Bond Debt of the Company amounted, on the Thirty-first Day of *December* One thousand eight hundred and fifty-four, to the Sum of Two million three hundred and thirty-six thousand four hundred and forty-nine Pounds One Shilling and Elevenpence: And whereas, under some of the recited Acts, the Company were empowered to raise larger Sums than were requisite for the specific Purposes of those Acts, and by some of the recited Acts the Company were authorized to execute Works to a large Extent in the whole, but were not thereby authorized to raise any Money for the Purposes of those Acts, and the Company have regarded the several Amounts which they were authorized to raise by Shares and by borrowing as being authorized to be raised and applied generally for the Purposes of their Undertaking: And whereas it is expedient that the existing Powers of the Company to raise further Preferential Share Capital, and in proportion their Powers of borrowing, be repealed, and

and that Provision be made for the Conversion of the Amounts respectively credited as paid up on the Thirty-four thousand one hundred and ninety-eight Fifty Pounds Preferential Shares, and paid up on the One hundred and seventy-two Sixteen Pounds Thirteen Shillings and Fourpence Preferential Shares, into fully paid-up Consolidated Preferential Stock: And whereas it is expedient that the Company be authorized to raise further Preferential Shares for the Redemption of their Mortgage or Bond Debt: And whereas it is expedient that the Capital and borrowing Powers of the Company be declared and defined, and that such Provisions as in this Act contained be made with respect to the same, and the Application of the Moneys from Time to Time raised by the Company: And whereas the Objects of this Act cannot be attained 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.

I. This Act may be cited for any Purpose as "*South-western* Railway Capital and Works Act, 1855."

Recited Acts and this Act as One Act.

II. The recited Acts, so far as the same respectively are from Time to Time in force, and this Act shall be construed and have effect as if they were One Act.

8 & 9 Vict. cc. 18. and 20. incorporated.

III. "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," save so far as the Clauses and Provisions thereof respectively are expressly varied or excepted by this Act, are incorporated with this Act.

Same Meanings to Words, &c. in incorporated Acts and in this Act.

IV. The several Words and Expressions to which by the Acts incorporated with this Act Meanings are assigned have in this Act the same respective Meanings, unless there be in the Subject or Context something repugnant to or inconsistent with such Construction: Provided always, that the Expression "Superior Courts" in those Acts includes, for the Purposes of this Act, all Courts of competent Jurisdiction.

Power to use and take Lands for Works authorized by this Act.

V. For the Purposes of the several Works by this Act authorized and shown on the Plans deposited for the Purposes of this Act, and of completing the Works authorized by the recited Acts relating to the *Basingstoke and Salisbury* Extension Railway as altered by this Act, and for the general Purpose of carrying this Act into effect, the Company from Time to Time may use such of their Lands as they think

think fit, and, subject to the Provisions of this Act, may enter upon, take, and use such of the Lands shown on the several Plans and specified in the several Books of Reference thereto respectively deposited for the Purposes of this Act as they think requisite.

Works authorized by Act.

VI. The several Works by this Act authorized, and shown on the Plans deposited for the Purposes of this Act, comprise the following; (to wit,)

First, the deviating from and altering of the Level of the *Basingstoke and Salisbury* Extension Railway as authorized, between the Field numbered 6 in the Parish of *Laverstock* in the County of *Wilts*, on the original Plan of that Railway deposited with the Clerk of the Peace for the County of *Wilts* for the Purposes of the *London and South-western* Railway Company's *Basingstoke and Salisbury* Extension Act, 1846, and the Field numbered 81 in the Parish of *Fisherton Anger* on that Plan, such Deviation and Alteration to commence at or near a Point marked on the Section deposited with that Plan Twenty-nine Miles Six Furlongs, and to terminate at or near a Point marked thereon Thirty-two Miles:

Secondly, the making and maintaining in the Parishes of *Saint Mary Lambeth* and *Battersea*, or One of them, of a Railway, with all proper Works and Conveniences connected therewith, to commence in those Parishes or One of them by a Junction with the *London and South-western* Railway in Lands occupied as Part of the *Nine Elms* Station, South of the *Nine Elms Lane* there, and to terminate in those Parishes or One of them, in the Goods Yard of the Company, situate on the North Side of that Lane, and to cross that Lane on the Level:

Thirdly, the making and maintaining in the Parishes of *Saint Mary Lambeth* and *Battersea*, or One of them, and in the Bed or Shore of the River *Thames*, of a Quay, Wharf, or Embankment along and in front of the Bank of the *Thames*, to the Length and Extent of the Lands and Property now held and occupied by the Company there, and which the Company are by this Act authorized to acquire, hold, and occupy; and such Quay, Wharf, or Embankment to commence at or near the North-west Corner of the Company's Goods Yard there where it abuts on the *Thames* and on the Lands and Buildings occupied by Messrs. *Francis* and Sons, and to terminate at or near the North-east Corner of that Goods Yard where it abuts on the *Thames* and on Land delonging to the Dean and Chapter of the Cathedral and Metropolitan Church of *Christ Canterbury*, and now in the Occupation of *Robert Forest*.

VII. Within

Company to purchase Lands of Dean and Chapter of Canterbury within Six Months, and before commencing Works.

VII. Within Six Months from the passing of this Act, and before commencing the Works thirdly herein described, the Company shall purchase the Land delineated on the Plans deposited for the Purposes of this Act, and therein numbered 1 in the Parish of *Saint Mary Lambeth*, and belonging to the Dean and Chapter of the Cathedral and Metropolitan Church of *Christ Canterbury*, and shall pay or deposit the Purchase and Compensation Money agreed or awarded to be paid in respect thereof; and if the Company and the Owners differ as to the Amount of such Purchase Money and Compensation the same shall be settled by Arbitration in the Manner provided by the Lands Clauses Consolidation Act, 1845, for Cases of disputed Compensation, and the Arbitrators or Umpire shall, in settling the Amount of such Purchase Money and Compensation, also have regard to the Damage and Injury (if any) which will in their or his Judgment be occasioned to the Lands and Property of the same Owners adjoining their Lands to be so purchased by the Company as herein mentioned, by the Execution and Construction of any Works by this Act authorized upon the last-mentioned Lands, or upon the Shore of the River *Thames*, numbered 1a in the same Parish on the said deposited Plans.

As to the Railway crossing the Nine Elms Lane on the Level.

VIII. The Company shall not, in respect of the crossing of the public Highway called the *Nine Elms Lane* by their Railway on the Level, be liable to conform to the Provisions in that Behalf of the Forty-seventh Section of the "Railways Clauses Consolidation Act, 1845:" Provided always, that no locomotive Steam Engine or Carriage propelled by Steam or by atmospheric Agency, or by Ropes in connexion with a Stationary Steam Engine, shall be at any Time used upon that Part of the Railway by this Act authorized which is intended to be formed upon and across that public Highway.

Height and Span of Arches.

IX. The Company shall not, in respect of the following Turnpike and public Carriage Roads which will be respectively crossed by that Part of the *Basingstoke and Salisbury* Extension Railway whereof the Level is by this Act authorized to be altered, be required to construct the Arches for carrying that Extension Railway over the same of a greater Height or Span than is next herein-after prescribed with relation to such Roads respectively:

Parish.	Number on original deposited Plan.	Description of Road.	Height of Arch.	Span of Arch.
Laverstock -	7	Public Highway	14 Feet	20 Feet.
Laverstock -	3 and 3a	Turnpike Road -	16 Feet	25 Feet.
Milford - -	71	Turnpike Road -	16 Feet	25 Feet.

X. And

Regulations as to the crossing of the Fisherton Turnpike Road.

X. And whereas the *Wilts, Somerset, and Weymouth* Railway, which is now vested in the *Great Western* Railway Company, will terminate on the Western Side of *Fisherton Street* in or near the City of *Salisbury*: And whereas the *Basingstoke and Salisbury* Extension Railway is intended to be carried across the said Street upon the Level thereof, at a Point closely adjoining the intended *Salisbury* Station of the said *Wilts, Somerset, and Weymouth* Railway: Be it therefore enacted, That proper Rules and Regulations shall be from Time to Time made and entered into by and between the *London and South-western* Railway Company and the said *Great Western* Railway Company with reference to the Times at which their respective Trains shall arrive and depart, and otherwise with reference to the crossing of the said Road by the Engines and Carriages of the said *London and South-western* Railway Company, so as to prevent as far as may be any Interruption of Traffic resorting to the said Station of the *Wilts, Somerset, and Weymouth* Railway, and particularly at the Times appointed for the Arrival and Departure of Trains at and from the same; and if any Dispute shall arise between the said Companies as to the Rules and Regulations to be made with reference to the Matters aforesaid, such Rules and Regulations, together with proper Security for enforcing Conformity thereto, shall be from Time to Time settled by the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations, and shall be binding upon both the said Companies.

Time limited for compulsory Purchase for Works now first authorized.

XI. The Powers of the Company for the compulsory Purchase of Lands for the Purposes of the Works by this Act authorized and shown on the Plans deposited for the Purposes of this Act shall not be exercised after the Expiration of the following Periods from the passing of this Act; *videlicet*, as respects the Work first herein described, One Year, and as respects the Works secondly and thirdly herein described, Two Years.

Period for Completion of those Works.

XII. Those Works shall be completed within Two Years after the passing of this Act, and on the Expiration of that Period the Powers by this Act granted to the Company for executing those Works or otherwise in relation thereto shall cease to be exercised, except as to so much thereof as is then completed.

Dividends suspended if Railway not opened within Period limited.

XIII. If the Railway secondly in this Act described, and by this Act authorized to be constructed, shall not be completed and opened for public Traffic within the Period by this Act limited for the Completion thereof, no Dividend or Interest shall be paid on any Stock or Shares in the Capital of the Company (other than and except Stock and Shares on which Interest or Dividend may have been guaranteed, or to which any Preference or Priority in Payment of

Interest

Interest or Dividend or other Privileges may have been attached) from the Expiration of that Period until that Railway shall have been completed and opened for public Traffic.

Powers for compulsory Purchases for Basingstoke and Salisbury Extension limited.

XIV. The Powers of the Company for the compulsory Purchase of Lands in the Parishes of *Milford* and *Fisherton Anger* in the County of *Wilts*, for the Purposes of the Works authorized in those respective Parishes by the recited Acts relating to the *Basingstoke and Salisbury* Extension Railway as altered by this Act, shall not be exercised after the Expiration of One Year after the passing of this Act.

Period for Completion of Works in Milford and Fisherton Anger.

XV. The Railway authorized by the recited Acts relating to the *Basingstoke and Salisbury* Railway to be constructed in those Parishes shall be completed, as altered by this Act, within Two Years after the passing of this Act, and on the Expiration of that Period the Powers granted to the Company for executing that Railway in those Parishes, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall be then completed.

Dividend suspended if Railway authorized by Basingstoke and Salisbury Acts be not opened within Period limited.

XVI. If the Railway authorized by the recited Acts relating to the *Basingstoke and Salisbury* Extension Railway to be constructed shall not be completed as altered by this Act and opened for public Traffic within Two Years after the passing of this Act, no Dividend or Interest shall be paid on any Stock or Shares in the Capital of the Company (other than and except Stock and Shares on which Interest or Dividend may have been guaranteed, or to which any Preference or Priority in Payment of Interest or Dividend or other Privileges may have been attached) from the Expiration of that Period until that Railway shall have been so completed and opened for public Traffic.

Parties aggrieved by Extension of Time may have Compensation for additional Damage.

XVII. Provided always, That the Justices, Arbitrators, Umpires, or Juries respectively, as the Case may be, who under the Provisions of the recited Acts relating to the *Basingstoke and Salisbury* Extension Railway, or this Act, shall award or assess the Compensation to be made by the Company to the Owners or Occupiers of or other Persons interested in any of the Lands, the Time limited for the compulsory Purchase whereof is by this Act extended, which shall be taken or used for the Purposes of the *Basingstoke and Salisbury* Extension Railway, or which may be injuriously affected by the Construction thereof, shall, in estimating the Amount of such Compensation, have regard to and assess Compensation for the additional Damage (if any) sustained by such Owners, Occupiers, or other Persons by reason of the Extension of Time hereby granted.

Saving existing Contracts and Notices to take Lands.

XVIII. Provided also, That nothing herein contained shall in anywise prejudice or affect any Contract entered into or Notice given by

by the Company before the passing of this Act for purchasing, taking, or using any Lands which under the recited Acts relating to the *Basingstoke and Salisbury* Extension Railway the Company is entitled to purchase, take, or use, but every such Contract and Notice respectively shall be construed and take effect, and the same Proceedings may be had thereunder, and all Parties thereto shall be entitled to the same Rights and Remedies in respect thereof, both at Law and in Equity, as if this Act had not been passed.

Power to make incidental Works.

XIX. The Company from Time to Time may (but subject to the Provisions of the recited Acts and this Act) make, place, and maintain in such of the Lands delineated on the Plans deposited for the Purposes of this Act as shall be acquired by them under this Act all such Sidings, Wharfs, Slips, Openings, Buoys, Moorings, Posts, Platforms, Landing Places, Cranes, Warehouses, Sheds, Stations, Buildings, Approaches, and other Works and Conveniences as they think fit, and for the Purposes of the Works by this Act authorized and of carrying this Act into effect may (but subject as aforesaid) cross, alter, divert, either temporarily or permanently, upon or within the Lands so delineated, all such Roads, Railways, Tramways, Streams, Waters, Sewers, Aqueducts, Drains, Pipes, Bridges, and other Works within the several Parishes of *Milford* and *Fisherton Anger* in the County of *Wilts*, and *Saint Mary Lambeth* and *Battersea* in the County of *Surrey* respectively, and the Bed or Shore of the River *Thames*, as it may be necessary to cross, alter, or divert.

Works on Shore of the Thames not to be constructed without Authority of Commissioners of Woods, &c. the Admiralty, and the Lord Mayor.

XX. The Company shall not construct the Quay, Wharf, or Embankment thirdly herein described without the previous Consent of Her Majesty, Her Heirs and Successors, to be signified in Writing under the Hands of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or One of them, and of the Lords of the Admiralty, to be signified in Writing under the Hand of the Secretary to the Admiralty, and of the Mayor and Commonalty and Citizens of the City of *London* or their Successors, or the Lord Mayor of the said City for the Time being as Conservator of the River *Thames* and Waters of the *Medway*, to be signified in Writing under the Hand of the Town Clerk of the said City, and then only according to such Plans and under such Restrictions and Regulations as the said Commissioners of Her Majesty's Woods, Forests, and Land Revenues, and the said Lords of the Admiralty, and the said Mayor, Commonalty, and Citizens, or the said Lord Mayor, approve of, such Approval being signified as last aforesaid; and when such Quay, Wharf, or Embankment shall have been constructed with such Consent as aforesaid the Company shall not at any Time alter or extend the same without obtaining previously to making any such Alteration or Extension the like Consent or Approvals; and if such Quay, Wharf, or

Embankment

Embankment shall be commenced or completed without such Consent and Approval the said Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or the said Lords of the Admiralty, or the said Mayor and Commonalty and Citizens, or their Successors, or the said Lord Mayor, may abate and remove the same, and restore the Site thereof to its former Condition, at the Costs of the Company, and the Amount of such Costs, as respects the said Commissioners and the Lords of the Admiralty, shall be a Debt due to the Crown, and the Amount of such Costs, as respects the said Mayor, Commonalty, and Citizens, shall be a Debt due to them and recoverable against the Company accordingly.

Plans, &c. to be deposited at the Admiralty for their Approval.

XXI. Previous to commencing the Construction of the Quay, Wharf, or Embankment thirdly herein described, the Company shall deposit at the Admiralty Office Plans, Sections, and Working Drawings of the said Quay, Wharf, or Embankment, for the Approval of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral aforesaid, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty; and such Quay, Wharf, or Embankment shall be extended and constructed only in accordance with such Approval.

Admiralty may order a local Survey at Expense of Company.

XXII. If at any Time or Times it shall be deemed expedient by the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral, to order a local Survey and Examination of any Works of the Company in or affecting the River *Thames*, or of the intended Site thereof, the Company shall defray the Costs of every such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the Company, and, if not paid upon Demand, may be recovered as a Debt due to the Crown with the Costs of Suit, or may be recovered with Costs as a Penalty is or may be recoverable from the Company.

For Protection of Metropolitan Commissioners of Sewers.

XXIII. Where any Part 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 in any Manner so as to interfere with any Sewer, Drain, Watercourse, Defence, or Work under the Jurisdiction, Management, Survey, or Control of the Metropolitan Commissioners of Sewers, the Company shall not commence such respective Part of the intended Works until they shall have given to the said Commissioners Fourteen Days previous Notice in Writing of their Intention to commence the same, by leaving such Notice at the principal Office of the said Commissioners for the Time being, with a Plan and Section showing the Course and Inclination thereof, so far as the same will in any Manner interfere with any such Sewer, Drain, Watercourse, Defence, or Work

as aforesaid, together with all necessary Particulars relating thereto, and until the said Commissioners shall have signified their Approval of the same, unless the said Commissioners do not signify their Approval, Disapproval, or other Directions within Fourteen Days after Service of the said Plan, Section, and Particulars as aforesaid, and the said Company shall comply with and conform to all Directions and Regulations of the Commissioners in the Execution of such Part of the intended Works, and shall provide within the Lands by this Act authorized to be acquired by the Company by new or altered Works in substitution for Parts of any such existing Sewer, Drain, Watercourse, Defence, or Work as aforesaid, within the same Lands in such Manner as the said Commissioners may deem necessary, so as properly to protect and prevent all Injury or Impediment within the same Lands to any such Sewer, Drain, Watercourse, Defence, or Work as aforesaid by or by reason of the Execution of the intended Works by this Act authorized, or any Part thereof, and shall save harmless the said Commissioners against all and every Expense to be occasioned thereby, and all such new or altered Works as may be so required shall be done by or under the Direction, Superintendence, and Control of the said Commissioners or their Engineer, or other Officer or Officers, at the Costs, Charges, and Expenses in all respects of the said Company; and when any such new or altered Work in substitution as aforesaid shall be completed by or at the Costs, Charges, and 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 Commissioners as any Sewer or Drain, Watercourse or Work in respect of which it may have been substituted now is 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 Commissioners or their Successors, but all such Rights, Powers, and Authorities shall be as good, valid, and effectual as if this Act had not been passed.

Tolls.

XXIV. The Company may demand and take, on and in respect of the Railways by this Act authorized to be made, such Tolls as they are from Time to Time authorized to take on and in respect of their Main Line of Railway from *London* to *Southampton*: Provided always, that in all other respects this Act shall not alter any of the Powers or Liabilities of the Company with respect to Tolls.

Description of Undertaking of the Company.

XXV. The Undertaking of the Company shall comprise the Lands and Works from Time to Time vested in the Company under the Authority of the recited Acts or any of them and this Act respectively, and the several Railways, Buildings, Works, and Conveniences which by the recited Acts and this Act respectively the Company are now

now authorized to make or maintain, and all other the Property from Time to Time of the Company.

Powers of raising Money under recited Acts extinguished.

XXVI. From and after the passing of this Act the several Powers of the Company under the recited Acts, or any of them, of raising Money by Shares or by borrowing, shall be extinguished, and the several Preferential and Ordinary Shares and the ordinary Stock by this Act declared to constitute together the Capital of the Company shall, without respect to the original Creation or Issue thereof, constitute the present Capital of the Company.

Present Capital.

XXVII. The Capital of the Company, as existing on the Thirty-first Day of *December* One thousand eight hundred and fifty-four, shall be and is by this Act declared to have been and to be the Sum of Nine millions four hundred and sixty-four thousand and fifty Pounds, consisting of the Preferential Shares of the Company, amounting to Two millions one hundred and nine thousand four hundred Pounds, the ordinary Stock of the Company amounting to Five millions seven hundred and thirty-seven thousand eight hundred and seventy-nine Pounds Thirteen Shillings and Fourpence, and the Ordinary Shares of the Company amounting to One million six hundred and sixteen thousand seven hundred and seventy Pounds Six Shillings and Eightpence.

New Capital to be Part of general Capital.

XXVIII. The new Capital from Time to Time raised by the Company under this Act by Shares and Stock respectively shall be Part of the general Capital of the Company; and, except as by this Act otherwise provided, all such Rights, Privileges, Liabilities, and Incidents shall attach to and be conferred by the Capital so raised, and the Shares and Portions of Stock therein, as to and by the Company's present Capital and the Shares and Portions of Stock therein.

Conversion of present Preferential Shares into Stock.

XXIX. The aggregate Sum of One hundred and seventy-one thousand two hundred and seventy-six Pounds Thirteen Shillings and Fourpence, paid up and credited as paid up on the Thirty-four thousand one hundred and ninety-eight Preferential Shares of Fifty Pounds each and the One hundred and seventy-two Preferential Shares of Sixteen Pounds Thirteen Shillings and Fourpence each, is by this Act converted into the Sum of One hundred and seventy-one thousand two hundred and seventy-six Pounds Thirteen Shillings and Fourpence fully paid-up Consolidated Preferential Stock, bearing the like preferential Dividend as that aggregate Sum, and is by this Act vested in the several Holders of those Preferential Shares according to their respective Interests therein.

Converted Shares to be represented by fully paid-up Shares.

XXX. That Preferential Stock is by this Act substituted for and shall represent those Thirty-four thousand one hundred and ninety-eight and One hundred and seventy-two Preferential Shares respectively, and so as to be subject to all such Trusts and Provisions, and to pass by Will or otherwise, as if it were those Shares respectively, and the Holders of that Stock shall in respect thereof be Stockholders of the Company accordingly.

Preferential Shares extinguished.

XXXI. In consideration of that Conversion into Stock, those Thirty-four thousand one hundred and ninety-eight and One hundred and seventy-two Preferential Shares, and the Twenty-two thousand nine hundred and thirty-four unissued Preferential Shares, and all Rights and Liabilities in respect thereof, are by this Act extinguished.

Power to raise 9,000*l.* for certain new Works.

XXXII. For the Purposes of the several Works in the Parishes of *Saint Mary Lambeth* and *Battersea*, and the Bed or Shore of the River *Thames*, respectively shown on the Plans deposited for the Purposes of this Act, and secondly and thirdly herein described, the Company from Time to Time may raise by new Shares any Sums not exceeding Nine thousand Pounds: Provided always, that the Money so raised shall be applied only for the Purposes of those Works.

Conversion of ordinary Shares not fully paid up.

XXXIII. The Company, with the Sanction of a General Meeting, from Time to Time may convert any of the present ordinary Shares of the Company from Time to Time not fully paid up into so many fully paid-up ordinary Shares of Fifty Pounds each as shall represent the Amount from Time to Time paid up on such present ordinary Shares, and the aggregate Amount of such fully paid-up ordinary Shares shall be Part of the general Capital of the Company.

Converted Shares to be represented by fully paid-up Shares.

XXXIV. Every such fully paid-up ordinary Share shall be substituted for and represent the present ordinary Shares so converted into such fully paid-up ordinary Shares, and so as to be subject to all such Trusts and Provisions, and to pass by Will and otherwise, as if it were those converted Shares, and the Holders of such fully paid-up ordinary Shares shall in respect thereof be Shareholders of the Company accordingly.

Extinction of Rights and Liabilities as to ordinary Shares converted.

XXXV. To the Extent of the nominal Amount of the present ordinary Shares so from Time to Time converted, and not represented by the nominal Amount of such fully paid-up ordinary Shares so created, all Rights and Liabilities in respect of the present ordinary Shares so from Time to Time converted shall on the Conversion thereof be extinguished.

XXXVI. The

New Shares in lieu of present ordinary Shares.

XXXVI. The Company, with the Sanction of a General Meeting from Time to Time after they have so converted any of the present ordinary Shares into fully paid-up ordinary Shares, may create and issue new Shares, not exceeding in the whole the Difference between the aggregate nominal Amount of the fully paid-up ordinary Shares so created and the aggregate nominal Amount of the present ordinary Shares so converted.

Power to create new Shares of different Classes.

XXXVII. The new Shares which the Company may issue under this Act may be issued by the Company, with the Sanction of a Meeting of which Three Fifths of the Shareholders then present in Person or by Proxy shall assent, as the Company from Time to Time think fit, either of One Class and with like Privileges, or of several Classes and with different Privileges, and of the same or different Amounts, and respectively with any fixed, fluctuating, contingent, guaranteed, preferential, perpetual, terminable, or other Dividend; and the Company may, as they from Time to Time think fit, fix the Amounts and Times of Payments of the Calls on such Shares: Provided always, that no new Share issued under this Act shall have any fixed and guaranteed or preferential Dividend beyond the Rate of Five Pounds *per Centum per Annum* on the Amount for the Time being paid up thereon: Provided also, that all the Shares of the same Class shall be of the same Amount, and all the Shares of the same Class shall bear the same Dividend and confer like Privileges.

Saving existing Preference Shares.

XXXVIII. Provided always, That any Preference or Priority in the Payment of Interest or Dividend which may be granted in respect of any new Shares or Stock in pursuance hereof (other than Debenture Stock) shall not prejudice or affect any Preference or Priority in the Payment of Interest or Dividend on any other Shares or Stock which may have been granted by the Company by or in pursuance of or which may have been confirmed by any Act of Parliament passed prior to the passing of this Act, or which may otherwise be lawfully subsisting.

If old ordinary Shares at a Premium, new Shares to be offered to existing Shareholders.

XXXIX. If at the Time of issuing any new Shares the then ordinary Stock or ordinary Shares be at a Premium, the new Shares to be then issued shall be of such Amount as will conveniently allow the same to be apportioned among the then Holders of the ordinary Shares and ordinary Stock, in proportion to the ordinary Shares and the Number of the Portions of Fifty Pounds each of the ordinary Stock held by them respectively, and shall be offered to them at Par in such Proportion, and such Offer shall be made by Letter, under the Hand of the Treasurer of the Company, given to every such Holder, or sent by Post addressed to him according to his Address in the Share or Stock Register Book, or left for him at his usual or last known Place

of

of Abode in *England*; and every such Offer made by Letter sent by Post shall be considered so made on the Day on which such Letter in due Course of Delivery ought to reach the Place to which it is addressed.

New Shares to vest in accepting Shareholders.

XL. The new Shares so offered shall vest in and belong to the Holders who accept the same.

Disposal of new Shares to others.

XLI. If any such Holder fail for One Month after such Offer of new Shares to accept the same, the Company may dispose of such new Shares to any other Persons.

Power to enlarge Time for accepting new Shares.

XLII. Provided always, That the Directors, if they think proper, but not otherwise, may permit any such Holder who, from Absence abroad or other Cause satisfactory to the Directors, omits to signify within the Time limited by this Act his Acceptance of the Shares offered to him, to accept such Shares notwithstanding such Time have elapsed.

General Power to dispose of new Shares.

XLIII. Except as by this Act provided with respect to offering new Shares to existing Holders of Stock and Shares, the Company may from Time to Time dispose of the new Shares to such Persons and on such Terms and Conditions as the Company think fit.

Power to cancel unissued new Shares.

XLIV. If after having created any Class of new Shares the Company determine not to issue the whole of the Shares of that Class, they may cancel the unissued Shares, and may from Time to Time thereafter create and issue in lieu thereof other new Shares of an aggregate Amount not exceeding that of the new Shares so cancelled.

Power to create Debenture Stock.

XLV. The Company from Time to Time, with the Sanction of a General Meeting, of which Three Fifths of the Shareholders then present in Person or by Proxy shall assent, may create a Stock, to be called their Debenture Stock, of an Amount not exceeding the total Amount which, inclusive of the Amount from Time to Time of their Mortgage and Bond Debt, they are at the Time of such Creation of Stock authorized to borrow, and may create the Debenture Stock as they from Time to Time think fit, either of One Class and with like Privileges, or of several Classes and with different Privileges, and respectively with any fixed, fluctuating, contingent, guaranteed, preferential, perpetual, terminable, or other Dividend, and, subject to the Provisions of this Act, may dispose of the Debenture Stock to such Persons, at such Times, and on such Terms and Conditions as the Directors think fit: Provided always, that no Part of such Debenture Stock shall bear any fixed and guaranteed or preferential Dividend beyond the Rate of Five Pounds *per Centum per Annum*, and that all the Stock of the same Class shall bear the same Rate of Dividend,

Dividend, and, according to the Amounts thereof holden by the several Holders thereof, confer like Privileges or like proportionate Privileges.

Debenture Stock to be applied in Reduction of Mortgage and Bond Debt, &c.

XLVI. Provided always, That the Debenture Stock, and the Moneys raised by the Disposal thereof, shall be respectively applied exclusively for paying off or satisfying the Mortgage or Bond Debt of the Company, or for raising Money by means of that Stock instead of by borrowing; and, to the Extent of the nominal Amount of that Stock from Time to Time disposed of, the Powers of the Company to borrow and reborrow shall be extinguished.

Restrictions as to Application of Debenture Stock.

XLVII. Provided always, That the Debenture Stock shall be issued or disposed of only as fully paid-up Stock, and the nominal Amount thereof issued in satisfaction of any Mortgage or Bond shall not exceed the Amount of the Principal Money thereby secured.

Account of Application of Debenture Stock.

XLVIII. In order that due Application according to this Act of the Debenture Stock, and the Moneys raised by the Disposal thereof, may appear, the Company shall keep separate and accurate Accounts of the Amount of that Stock from Time to Time created and disposed of, and of the Application of that Stock, and the Money raised by the Disposal thereof.

Preferential Dividends on Debenture Stock.

XLIX. Inasmuch as the Debenture Stock, and the Moneys raised by the Disposal thereof, will be substituted for Mortgage and Bond Debt, therefore the Dividends on the Amount of that Stock from Time to Time disposed of shall, except so far as the Company at the Time of the Creation thereof otherwise determine, have the like Preference and Priority as the Preference and Priority of the Interest on the Mortgage or Bond Debt of the Company for which that Stock is substituted.

Dividends on present Preferential Stock and Shares.

L. Subject to the Provisions of this Act, the Preferential Stock by this Act created, and amounting to One hundred and seventy-one thousand two hundred and seventy-six Pounds Thirteen Shillings and Fourpence, shall bear a fixed perpetual preferential Dividend at the Rate of Seven Pounds *per Centum per Annum*, and the present fully paid-up Preferential Shares, to the Amount of Fourteen thousand four hundred Pounds, shall, with respect to that Amount, bear a fixed perpetual preferential Dividend at the Rate of Five Pounds *per Centum per Annum*, and those preferential Dividends respectively shall from Time to Time be paid rateably out of the Profits of the Company applicable to the Payment of Dividends before any Payment thereout of any Dividend on the ordinary Stock or ordinary Shares.

Dividends on new Shares.

LI. Every Person who becomes entitled to any new Share of any Class shall in respect of the same be a Shareholder, and, unless the Rate of Dividend thereon be before the Time of the Issue thereof otherwise resolved by the Company, be entitled to a Dividend with the other Holders of the ordinary Capital of the Company proportioned to the whole Amount for the Time being paid on such new Shares.

Regulations as to voting.

LII. For the Purposes of voting, and except as is by this Act otherwise provided with respect to Preferential Debenture Stock, the Amount of Capital in the Company represented by all the Shares or by all the Stock, or by all the Shares and all the Stock held by any Proprietor, shall be considered as divided into so many Fifty Pound Shares as that Amount will admit of, and the Right of voting of such Proprietor in respect of such Shares or of such Stock, or of such Shares and Stock, shall be determined by the Number of Fifty Pound Shares into which the Amount of Capital represented by such Shares or by such Stock, or by such Shares and Stock, held by him, is from Time to Time capable of being divided.

Votes and Qualification.

LIII. All the ordinary Shares and ordinary Stock from Time to Time forming Part of the Capital of the Company shall confer like Rights of voting, and of Qualification and Privileges in all other respects.

Debenture Stock not to confer Votes or Qualification.

LIV. Any Debenture Stock created under this Act, with any fixed or preferential Dividend, shall not confer any Right to vote or any Qualification.

Votes of several Persons joint Holders of Shares or Stock.

LV. If several Persons be jointly entitled to a Share or a Portion of Stock, then, if more than One of them be present personally or by Proxy at any General Meeting, the One of those Persons so present whose Name stands first in the Register as One of the Holders of such Share or Portion of Stock shall, for the Purpose of voting at the Meeting, be deemed the sole Holder thereof, or if only One of such joint Holders be present personally or by Proxy at any such Meeting, then the Person so present shall for the Purpose of voting at the Meeting, be deemed the sole Holder thereof, and on all Occasions the Vote of such first-named Holder, or, as the Case may be, of such solely present Holder, shall be allowed as the Vote in respect of such Share or Portion of Stock, without Proof of the Concurrence of the other Holders thereof, or notwithstanding their Dissent.

Power to borrow on Mortgage.

LVI. The Company from Time to Time may borrow on Mortgage or Bond any Sums not exceeding, inclusive of their present Mortgage

Mortgage or Bond Debt, the Sum of Two millions four hundred thousand four hundred and sixteen Pounds.

Receipt for Mortgagees.

LVII. The Mortgagees of the Company may enforce the Payment of the Arrears of Principal and Interest due on their Mortgages by the Appointment of a Receiver, and the Amount to authorize a Requisition for a Receiver shall be Fifty thousand Pounds.

Priority of existing Mortgages.

LVIII. All Mortgages granted under the recited Acts or any of them, and now in force, shall during the Continuance thereof have Priority over all Mortgages granted under this Act.

Limit of Amount to be raised by Shares, Stock, and borrowing.

LIX. Provided always, That irrespective of the Sum of One million Pounds which may be raised for the Purposes of the *Exeter* Extension Railway herein-after mentioned, the total Amount which the Company may from Time to Time raise by Shares and by Stock respectively shall be the Sum of Seven millions five hundred and forty-nine thousand three hundred and twenty-six Pounds Thirteen Shillings and Fourpence, being the aggregate Amount of the following Sums of Preferential and Ordinary Shares and Stock; (to wit,)

	£	s.	d.
Preferential Shares under the Act of 1839	14,400	0	0
Preferential Stock created by this Act -	171,276	13	4
Ordinary Stock - - - -	5,737,879	13	4
Ordinary Shares - - - -	1,616,770	6	8
New Share Capital for Works under this Act - - - - -	9,000	0	0
	£7,549,326	13	4

And the further Sum of Two millions four hundred and three thousand four hundred and sixteen Pounds by borrowing, making a Total of Nine millions nine hundred and fifty-two thousand seven hundred and forty-two Pounds Thirteen Shillings and Fourpence.

Application of Money.

LX. Subject to the Provisions of this Act, the Money from Time to Time already or hereafter raised by the Company by Shares and by borrowing shall be applicable for the general Purposes of the Undertaking of the Company.

Restriction on Application of Money

LXI. Provided always, That all and every Part of the Sum of Nine thousand Pounds authorized to be raised in Shares, and of the Sum of Three thousand Pounds authorized to be raised by borrowing under this Act, shall be applied only for Purposes of the new Works firstly, secondly, and thirdly herein-before described.

Company to promote a Bill in the Session of

LXII. And whereas in the Session of One thousand eight hundred and fifty-three a Bill was introduced into Parliament by the *Great Western* and the *Bristol and Exeter* Railway Companies for authorizing

1856 for a Railway called in this Act "The Exeter Extension Railway."

rizing them to construct and maintain a Railway on the Wide Gauge of Seven Feet from the *Bristol and Exeter* Railway at *Stoke Canon* in the County of *Devon* to the *Wilts, Somerset, and Weymouth* Railway at *Maiden Newton* in the County of *Dorset*, to be called the *Devon and Dorset* Railway: And whereas the Company, with Owners of Land who would have been injuriously affected by the making of that proposed Railway, were Opponents of that Bill before the Select Committee of the Honourable the House of Commons to whom the Consideration of that Bill was referred: And whereas in the course of that Opposition the Company by their then Chairman, as such Chairman, and as their Representative acting under the Authority of a Resolution of Shareholders in the Company at a Special General Meeting of the Company held on the Nineteenth Day of *May* One thousand eight hundred and fifty-three, gave to that Committee a Pledge that, if the then pending Bill should be rejected, the Company would in the then next Session of Parliament introduce and use their best Endeavours to carry a Bill authorizing an Extension of their Railway from *Dorchester* to *Exeter*, on the Gauge of the *London and South-western* Railway, themselves finding the necessary Capital and taking all the proper preliminary Measures, and afterwards executing the Works with all Despatch: And whereas that Committee being of opinion that the Construction and Maintenance in the District under their Consideration of a Railway on the same Gauge as the Gauge of the *London and South-western* Railway, and in Extension thereof, would be of greater public Advantage than a Railway there on the Wide Gauge in connexion with the *Wilts, Somerset, and Weymouth* and the *Bristol and Exeter* Railways, and relying that the Pledge so given on behalf of the Company would be faithfully fulfilled, resolved that the proposed *Devon and Dorset* Railway ought not to receive the Sanction of Parliament, and accordingly rejected the Bill relating thereto, and reported to the Honourable the House of Commons that they had so determined and the Grounds of their Determination: And whereas, notwithstanding the Pledge so given, the Company have not brought into Parliament any Bill for authorizing the Construction of any Railway to *Exeter* in Extension of their existing Line at *Dorchester* or otherwise, and the Bill for this Act when introduced into Parliament during the present Session contained no Provision in that Behalf, and on Notice thereof and of the Premises the Honourable the House of Commons was pleased to refer the Bill for this Act to the Consideration of the same Committee which sat in the Session of One thousand eight hundred and fifty-three upon the *Devon and Dorset* Railway Bill, and then received and acted upon the Pledge: And whereas the Committee, upon Consideration of the Premises, resolved and informed the Agents of the Company that in the Absence of any satisfactory Proposal being made upon this Point they would insert in the Bill for this Act a Clause binding the Company

Company to carry out fully the Terms of their Pledge on pain, in case of Failure, that Payment of any Dividend on their Capital should be suspended: And whereas the Directors of the Company, on receipt of that Decision of the Committee, came to a Resolution (in this Act called the "Directors Resolution") not to withdraw in its then Stage the Bill for this Act, but that instead of the Provision which the Committee had expressed their Intention to insert therein the Company should consent to the Insertion of Provisions giving them the Option of redeeming the Pledge by bringing into Parliament a Bill for authorizing the Construction (within as long a Period as Parliament would sanction) of a Railway in Extension of the Narrow Gauge Railway authorized by "The *Salisbury and Yeovil* Railway Act, 1854," from *Yeovil*, or in Extension of the *Southampton and Dorchester* Railway from *Dorchester* (in the Option of the Company) to *Exeter*, and either on their own Account solely or in conjunction with any other Company or Party; and the Resolution of the Committee and the Directors Resolution were immediately afterwards made known and circulated in the usual Manner amongst the Shareholders in the Company: And whereas, at a Special General Meeting of the Company held on the Twenty-eighth Day of *April* One thousand eight hundred and fifty-five, the Shareholders present, after a general Discussion on the Subject, came to a Resolution (in this Act called "the Shareholders Resolution") that, having considered the Recommendations of their Directors and the Circumstances of the Company, and having Confidence that the Directors would subject the Company to no greater Obligations than they found to be absolutely necessary, the Meeting delegated to the Directors full Power to act in the Matter on the Company's Behalf as they might think necessary and expedient: And whereas, on the Third Day of *May* One thousand eight hundred and fifty-five, the Company by their Counsel again appeared before the Committee on the Bill for this Act, and after stating the Effect of the Directors Resolution and of the Shareholders Resolution, it was prayed by the Directors on the Company's Behalf that instead of the Provision referred to in the Resolution of the Committee as intended to be inserted by the Committee, there might be inserted in the Bill for this Act Provisions giving to the Company the Alternatives mentioned in the Directors Resolution, and a Period of Seven Years from the passing of the Act to authorize the making of the intended Extension Railway for making it, and Provisions for enabling the Company to raise specially for the Purpose One million Pounds by borrowing or by Preferential Shares, or in part by each of those Means: Therefore the Company, either solely or in conjunction with any other Company or Persons, shall in due Time before the Session of Parliament to be held in the Year One thousand eight hundred and fifty-six give the Notices and take the other preliminary Measures in that Behalf required by the

Standing Orders of the Two Houses of Parliament respectively, and deposit in the Private Bill Office of the Honourable the House of Commons a Bill for authorizing the making and maintaining of a Railway (in this Act called the *Exeter* Extension Railway) on the same Gauge as the Gauge of the *London and South-western* Railway, to commence near *Yeovil* from and out of the *Salisbury and Yeovil* Railway, authorized by "The *Salisbury and Yeovil* Railway Act, 1854," or (at the Option of the Company) to commence near *Dorchester* from and out of the *Southampton and Dorchester* Railway, and to proceed from One or other of those Points of Commencement to or near to *Axminster* and thence to *Exeter*, and shall in good Faith prosecute in that Session the Bill so deposited, and use their best Endeavours to obtain the passing thereof in that Session.

Provisions to be contained in the said Bill.

LXIII. The Bill shall contain all proper and sufficient Provisions for the following Purposes:

First, for the making and maintaining of the *Exeter* Extension Railway on the same Gauge as the Gauge of the *London and South-western* Railway:

Secondly, for authorizing and requiring the Undertakers to purchase within Three Years after the passing of the Bill all the Lands proper and sufficient for the making and working of the *Exeter* Extension Railway, such Lands to be in Quantity sufficient for the laying down of a double Line of Rails, and the compulsory Powers of purchasing Lands to be in force throughout the Three Years:

Thirdly, for authorizing and requiring the Undertakers to make all the Bridges and Tunnels of the *Exeter* Extension Railway, and connected therewith, proper and sufficient for a double Line of Rails:

Fourthly, for ensuring the Opening of the *Exeter* Extension Railway, with a single Line of Rails, for public Use at the Expiration of Five Years from the Thirty-first Day of *December* next following the passing of the Bill:

Fifthly, for enabling the Company to demand and take on that Railway the same or not greater Rates of Toll and other Charges (*mutatis mutandis*) as they are authorized to take on their Main Line of Railway from *London* to *Southampton*.

As to Application in 1857.

LXIV. If the Bill be not passed in any Session of Parliament held in the Year One thousand eight hundred and fifty-six, then (except as by this Act otherwise provided) the Company, either solely or in conjunction with any other Company or Persons, shall in due Time before the Session of Parliament to be held in the Year One thousand eight hundred and fifty-seven give such requisite Notices and take such other preliminary Measures, and deposit a Bill containing such Provisions,

Provisions, and shall in good Faith prosecute in that Session the Bill so deposited, and use their best Endeavours to obtain the passing thereof.

As to Application by Company to the Board of Trade.

LXV. If the Bill be not passed in any Session of Parliament held in the Year One thousand eight hundred and fifty-six the Company may apply to the President of the Board of Trade for his Certificate for the Purposes of this Act, and so from Time to Time in the event of the Bill not passing in any Session of Parliament held in the Year One thousand eight hundred and fifty-seven.

Certificate of President of Board of Trade.

LXVI. On any such Application the President of the Board of Trade may make such Inquiries thereon as he thinks fit, and after such Inquiry as he thinks sufficient he may by Writing under his Hand certify to the Company that in his Judgment the Company had used proper Endeavours during the last Twelve Months to obtain the passing of the Bill, and that the Failure to obtain the passing thereof during that Period was not owing to any wilful Default of the Company.

Cesser of Obligation on Company to apply to Parliament.

LXVII. Provided always, That if the President of the Board of Trade so certify, then the Obligation of the Company under this Act to make any further Application in that Behalf, and the penal Consequences under this Act of their Failure to make such Application, and their Obligation under this Act and under the Pledge to make the *Exeter* Extension Railway, shall thereupon wholly cease.

As to Suspension of Payment of Dividends in certain Events.

LXVIII. If the Company fail to obtain in some Session of Parliament held in the Year One thousand eight hundred and fifty-six an Act for the making of the *Exeter* Extension Railway, and do not obtain from the President of the Board of Trade his Certificate that they were not in default in that Behalf, and fail to obtain such an Act in some Session of Parliament held in the Year One thousand eight hundred and fifty-seven, and do not obtain from the President of the Board of Trade his Certificate that they were not in default in that Behalf, the Payment by the Company of Dividends on their ordinary Stock and Shares shall be wholly suspended from the End of the latest Session of Parliament in the Year One thousand eight hundred and fifty-seven until the Company shall have obtained such an Act, or until they shall have obtained such a Certificate from the President of the Board of Trade as next herein mentioned, whichever Event shall first happen; and if an Act for the making of the *Exeter* Extension Railway be obtained according to the Provisions of this Act, and the *Exeter* Extension Railway be not opened for public Use at the Expiration of Five Years next following the Thirty-first Day of *December* after the passing of that Act, then the Payment by the Company of Dividends on their ordinary Stock and Shares shall be wholly suspended at the Expiration of Five Years next following the Thirty-first Day of *December* after the passing of that Act until the Opening of the *Exeter* Extension

Extension Railway for public Use, or until they shall have obtained such a Certificate from the President of the Board of Trade as next herein mentioned, whichever Event shall first happen.

Cesser of such Suspension.

LXIX. Provided always, That if there be any such Suspension of Payment of Dividends the Company may at any Time thereafter apply to the President of the Board of Trade to certify that in his Judgment the Company ought under the Circumstances to be relieved therefrom, and he may make such Inquiries in that Behalf as he thinks fit, and, if he so think fit, may grant such Certificate in Writing under his Hand to the Company, and thereupon such Suspension of Payment of Dividends shall cease.

Power to raise 1,000,000*l.* for Exeter Extension Railway.

LXX. And whereas the ordinary Stock and Share Capital of the Company, as appearing by this Act (exclusive of the Sum of Nine thousand Pounds authorized to be raised by new Shares for the Works by this Act authorized), amounts to Seven millions three hundred and fifty-four thousand six hundred and fifty pounds, whereof the Sum of Six millions seven hundred and sixty-eight thousand four hundred and seventy-four Pounds was, on the Thirty-first Day of *December* One thousand eight hundred and fifty-four, paid up: And whereas the Preferential Stock and Share Capital of the Company, as appearing by this Act, will, from and after the passing of this Act (exclusive of any new Preferential Stock or Shares by this Act authorized to be created for Payment of Debentures, or for the special Purpose of the intended Extension Railway), amount to One hundred and eighty-five thousand six hundred and seventy-six Pounds Thirteen Shillings and Fourpence, and that Amount is fully paid up: And whereas the borrowing Powers of the Company, as appearing by this Act (exclusive of the Sum of Three thousand Pounds authorized to be borrowed for the Works by this Act authorized, and of the Sum authorized to be borrowed for the special Purpose of the intended Extension Railway), are for the Amount of Two million four hundred thousand four hundred and sixteen Pounds, whereof, on the Thirty-first Day of *December* One thousand eight hundred and fifty-four, there had been borrowed, and remained unpaid, Two millions three hundred and thirty-six thousand four hundred and forty-nine Pounds One Shilling and Elevenpence: And whereas the following Sums were in the following Years distributed and paid by the Company as Dividends upon their ordinary Stock and Share Capital from Time to Time paid up; (*videlicet*,)

	£	*s.*	*d*
1850 - - -	231,957	12	5
1851 - - -	292,552	10	5
1852 - - -	244,382	17	6
1853 - - -	287,232	17	6
1854 - - -	313,037	13	8

And

And whereas it is under the Circumstances expedient to give the Company Facilities for raising Money for the making of the *Exeter* Extension Railway: Therefore, if an Act authorizing the Company to make the *Exeter* Extension Railway be passed, they may, after the passing thereof, but subject and without Prejudice to their then Mortgages, borrow on the Security of their Undertaking not exceeding One million Pounds: Provided always, that they may, without Prejudice to their then existing Preferential Stock or Shares, raise all or any Part of that Sum by Preferential or Ordinary Shares, instead of by borrowing: Provided also, that that Sum of One million Pounds, whether represented by Mortgages or by Shares, or by both, shall be in addition to the other Sums which the Company are by this Act authorized to raise by Shares and by borrowing respectively, and shall be applied wholly and exclusively towards the Expenses of obtaining the Act for the *Exeter* Extension Railway, and the making and Maintenance thereof.

Act to apply to Persons joining Company.

LXXI. The several Provisions of this Act with respect to the *Exeter* Extension Railway shall be applicable whether the Application to Parliament in respect of the *Exeter* Extension Railway or whether that Railway be made by the Company solely, or by the Company in conjunction with any other Company or Persons.

Interest not to be paid on Calls paid up.

LXXII. The Company shall not, out of any Money by this Act authorized to be raised by Calls or by borrowing, pay Interest or Dividend to any Shareholder on the Amount of the Calls made in respect of the Shares held by him: Provided always, 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 shall be in conformity with the Provisions of "The Companies Clauses Consolidation Act, 1845."

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

LXXIII. The Company shall not, out of any Money by this Act or any other Act relating to the Company authorized to be raised, pay or 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 Railway or execute any other Work or Undertaking.

Saving Rights of Her Majesty and the Corporation of London.

LXXIV. Nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from the Estates, Rights, Interests, Privileges, Franchises, or Authority of the Queen's Majesty, Her Heirs or Successors, or of the Mayor and Commonalty and Citizens of the City of *London* or their Successors, or the Lord Mayor of the said City for the Time being, or to prohibit, defeat, alter, or diminish

diminish any Power, Authority, Jurisdiction, Rights, or Privileges which at the Time of the passing of this Act Her Majesty or the Mayor and Commonalty and Citizens of the City of *London*, or the Lord Mayor of the said City for the Time being, as Conservator of the River *Thames* and Waters of the *Medway*, did or might lawfully claim, use, or exercise.

Railway not exempt from Provisions of General Acts.

LXXV. This Act or anything therein shall not exempt the Railway from the Provisions of any General Act relating to the 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 this or any future Session of Parliament, or from any future Revision and Alteration under the Authority of Parliament of the Tolls for small Parcels, and of the maximum Rates of Fares and Charges by the recited Acts or any of them authorized, or of the Rates for small Parcels thereby authorized.

Expenses of Act.

LXXVI. All the Costs, Charges, and Expenses of and incident to the obtaining and passing of this Act shall be borne and paid by the Company.

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