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Cap. lxix.

An Act to extend the Time for completing certain of the authorized Works of the *London and South-western* Railway Company; and for other Purposes. [25th *June* 1868.]

WHEREAS it is expedient that the Time limited by existing Acts for the Completion of certain of the authorized Works of the *London and South-western* Railway Company (in this Act called "the Company") in this Act in that Behalf mentioned should be extended: And whereas the Construction of the public Carriage Road in the Parish of *Woking* and County of *Surrey* by this Act authorized would afford better Access than now exists to the *Brookwood* Station of the Company, and it is expedient that they should be authorized to construct the said public Carriage Road: And whereas the Construction of that Road would render useless a Portion of the existing public Road now forming a Means of Access to the said *Brookwood* Station, and it is expedient that that Portion of the last-mentioned Road should be stopped up, and the Site and Soil thereof vested in the Owners of the adjoining Land: And whereas by the *Ilfracombe* Railway Act, 1865, (in this Act called the *Ilfracombe* Act,) it was provided (Section 24) that the whole of the Capital (amounting to 210,000*l.*) of the *Ilfracombe* Railway Company (in this Act called "the *Ilfracombe* Company") might and should be taken and held in equal Proportions by the Company

28 & 29 Vict. c. lxxi.

Company and the *Devon and Somerset* Railway Company respectively, and (Section 37) the Company were authorized for the Purposes relating to them of that Act to raise Monies by the Creation and Issue of new Shares or Stock, whether ordinary or preferential, or both, of their Capital, but no Powers of borrowing Money were by the *Ilfracombe* Act conferred upon the Company: And whereas the Company have under the Powers of the *Ilfracombe* Act created in manner herein-after more particularly recited preferential Stock, including the whole of the 105,000*l.* which by that Act they were authorized to raise: And whereas a Bill (in this Act referred to as "The *Ilfracombe* Abandonment Bill") is now pending in Parliament for the Abandonment of the Undertaking of the *Ilfracombe* Railway Company: And whereas it is expedient, if the *Ilfracombe* Abandonment Bill pass into a Law, that the Company's Powers of raising Money under the several Acts of Parliament relating to the Company should be reduced in manner by this Act appearing by the Excess of the 105,000*l.* which they were authorized to raise under the *Ilfracombe* Act over the Amount to which their actual Expenditure in relation to the *Ilfracombe* Undertaking will eventually amount: And whereas by the *South-western* Railway (General) Act, 1867, (in this Act called the Act of 1867,) the Capital of the Company was declared to be 12,807,558*l.* 13*s.* 4*d.*, consisting on the Thirty-first Day of *December* One thousand eight hundred and sixty-six of the Particulars set forth in the 45th Section of that Act, which included,—

30 & 31 Vict. c. clvi.

(F.) The Company's Third-class preferential Stock, bearing 4*l.* 10*s.* *per Centum per Annum* preferential Dividend -	£1,000,000	0	0
(G.) The Company's new preferential Stock, bearing 5*l.* *per Centum per Annum* preferential Dividend - - -	1,500,000	0	0
(I.) The Company's Stock not issued or created - - - -	394,900	2	0

And whereas (as recited in the Act of 1867) the 1,000,000*l.* preferential Stock aforesaid was created under the aggregate Powers of several Acts of Parliament, including the *Ilfracombe* Act, but the whole of the Company's Powers under the last-mentioned Act were not thereby exhausted: And whereas (as also recited in the Act of 1867) the 1,500,000*l.* preferential Stock aforesaid was created in like Manner under the aggregate Powers of several Acts of Parliament, including the Company's remaining Powers under the *Ilfracombe* Act not exhausted by the raising of the 1,000,000*l.* preferential Stock, and also including the Company's Powers under the *South-western* (*North Devon*) Railway Act, 1865, (in this Act called "the *North Devon* Act,") but the whole of the Company's Powers under the last-mentioned Act were not thereby exhausted, and their remaining and unexhausted Powers under the *North Devon* Act were

were included in the said Sum of 394,900*l.* 2*s.*, which represented the Company's Stock not created or issued previously to the 31st Day of *December* 1866: And whereas of the 394,900*l.* 2*s.* upwards of 385,000*l.* has not been created or raised: And whereas it is expedient that the Reduction under this Act of the Company's Capital consequent upon the Abandonment of the *Ilfracombe* Undertaking (if the *Ilfracombe* Abandonment Bill pass) should be effected by the Reduction to that Extent of the Company's Powers for raising the unraised Portion of the 394,900*l.* 2*s.*: And whereas it is expedient that subject to such Reduction the several Sums of 1,000,000*l.* Stock, 1,500,000*l.* Stock, and 394,900*l.* 2*s.* Stock aforesaid should be deemed to have been raised or to be raiseable under One general Power for raising by Stock the Sum of 2,894,900*l.* 2*s.* (the aggregate of the Three several Sums aforesaid), and that each and every Part of the said Three several Sums should be deemed to have been and to be (subject to the Provisions of this Act) applicable for the Purposes of each of the Acts by which any Part of the said Three several Sums was authorized to be raised: And whereas it is expedient that the Company should be authorized to acquire by Agreement additional Lands for extraordinary Purposes connected with their Undertaking: And whereas it is expedient that the Powers in this Act in that Behalf contained should be conferred upon the Company with reference to Lands purchased or to be purchased by them, and not required for the Purposes of the Company: And whereas Plans and Sections showing the Line and Levels of the Works by this Act authorized, the Plans also showing the Lands proposed to be taken and used for Purposes of this Act, and a Book of Reference to the Plans containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of those Lands, have been deposited with the Clerk of the Peace for the County of *Surrey*, and those Plans, Sections, and Book of Reference are in this Act referred to as the deposited Plans, Sections, and Book of Reference: 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:

Short Title.

1. This Act may be cited for all Purposes as "*South-western* Railway (General) Act, 1868."

8 & 9 Vict. cc. 18. & 20., 23 & 24 Vict. c. 106., and 26 & 27 Vict. c. 92. incorporated.

2. "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," and "The Railways Clauses Consolidation Act, 1845," and Part II. (relating to Extension of Time) of "The Railways Clauses Act, 1863," are (except where expressly varied by this Act) incorporated with and are Part of this Act.

3. The

Interpretation of Terms.

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 excluded by the Subject or Context; and the Expression "Superior Courts," "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; and in this Act the Expression "the Company" means the *London and South-western* Railway Company; and the Acts following are in this Act referred to as follows:

Ilfracombe Railway Act, 1865, as -	The *Ilfracombe* Act.
South-western (*Kensington and Richmond*) Railway Act, 1865, as -	The *Kensington and Richmond* Act, 1865.
South-western Railway (*Kingston further Extension*) Act, 1865, as -	The *Kingston further Extension* Act.
South-western (*Aldershot* Railway) Act, 1865, as - - -	The *Aldershot* Act.
South-western Railway (General) Act, 1867, as - - - -	The Act of 1867.

Extending Time for Completion of certain authorized Works.

4. The several Periods by the Acts following respectively limited for the Completion of the Works following are by this Act extended as follows, and those Works respectively shall be completed within the respective Periods following, and on the Expiration of those Periods respectively the Powers granted to the Company for executing those Works respectively, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof respectively as is then completed; that is to say,

(A.) The Works by the *Kensington and Richmond* Act, 1865, authorized	31st *December* 1868.
(B.) The Works by the *Aldershot* Act authorized - - -	31st *July* 1870.

Repealing Provisions of former Acts imposing Penalties for Non-completion of those Works.

5. The Section numbered 22 of the *Kensington and Richmond* Act, 1865, and so much of the Section numbered 11 of the Act of 1867 as imposes a Penalty upon the Company for the Non-completion within the Period limited by the Act of 1867 of the Works authorized by the *Aldershot* Act, are by this Act repealed.

Penalty for Non-completion of the Works within the extended Periods limited.

6. If the Company fail within the extended Periods respectively limited by this Act to complete the Railways authorized by the *Kensington and Richmond* Act, 1865, and the *Aldershot* Act respectively, the Company 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

or until the Sum received in respect of such Penalty shall amount to Five *per Cent.* on the estimated Cost of the Works, 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, and in the same Manner as the Penalty provided in the Third Section 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 the said Third Section of "The Railway and Canal Traffic Act, 1854," to an Account opened or to be opened in the Name and with the Privity of the Accountant General of the Court of Chancery in *England* in the Bank named in such Order, and shall not be paid thereout, except as herein-after 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 Company were prevented from completing or opening any 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 such Penalty.

7. 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 may have been interfered with or otherwise rendered less valuable by the Commencement, Construction, or Abandonment of the respective Railway in respect of the Non-completion of which the Penalty accrues, or any Portion of such Railway, or who may have been subjected to Injury or Loss in consequence of the compulsory Powers of taking Property conferred upon the Company, and for which Injury or Loss no Compensation or inadequate Compensation shall have been paid, and shall be distributed in satisfaction of such Compensation as aforesaid in such Manner and in such Proportions as to the Court of Chancery in *England* may seem fit; and if no such Compensation shall be payable, or if a Portion of the Sum or Sums of Money so recovered by way of Penalty as aforesaid shall have 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 be paid to or on the Application of the Company.

Power to make public Carriage Road near Brookwood Station.

8. Subject to the Provisions of this Act, the Company may make and maintain in the Line, according to the Levels, shown on the deposited Plans and Sections, a public Carriage Road wholly in the Parish of *Woking* and County of *Surrey*, to commence at or near the South Side of the Bridge called or known as *Brookwood Bridge*, otherwise *Brookwood Stumps Bridge*, over the *Basingstoke* Canal, and to terminate at or near the South Side of the Bridge

called or known as *Hermitage Bridge* over the said Canal, with all proper Works and Conveniences connected therewith, and the Company may enter upon, take, and use such of the Lands shown on the deposited Plans and specified in the deposited Book of Reference as are required for that Purpose.

Interpretation of "Railway" in 8 & 9 Vict. c. 20.

9. In construing in connexion with this Act, and with reference to the Construction of the public Carriage Road by this Act authorized, "The Railways Clauses Consolidation Act, 1845," incorporated herewith, the Expression "the Railway" shall mean the said public Carriage Road: Provided always, that nothing in this Act or in "The Railways Clauses Consolidation Act, 1845," shall authorize the Company to take any Toll in respect of the Use of the said public Carriage Road.

New Road to be dedicated to Public and to be Toll free.

10. The said public Carriage Road when completed is by this Act dedicated to the Use of the Public, free from all Toll or Charge for the Use of the same, and shall be a public Highway, and repairable accordingly.

Part of an existing Road to be stopped up.

11. When and so soon as the said public Carriage Road shall have been completed and opened for public Traffic the following Portion of Road (in this Act called the superseded Road) shall be stopped up, and the Use thereof discontinued; that is to say,

So much of the public Road situate between the County Lunatic Asylum on the North and the *Basingstoke* Canal on the South as lies between the Road leading from *Hermitage Bridge* to *Knap Hill*, and the Road leading from *Brookwood Stumps Bridge* to *Bagshot*.

Site of Road to be stopped up vested in Owners of adjoining Land.

12. The Site and Soil of the superseded Road is from the Time when it shall be so stopped up, and the User thereof discontinued by this Act, vested in the Owners of the Lands adjoining and on either Side of the superseded Road, in proportion to the Frontage to the Road of their respective adjoining Lands, and shall be held by such adjoining Owners for the same Estate, and in the same Manner, and upon the same Trusts (if any) as they now hold the Lands adjoining and on either Side of the same Road.

Powers for compulsory Purchases limited.

13. The Powers of the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of One Year after the passing of this Act.

Period for Completion of Works.

14. The public Carriage Road by this Act authorized shall be completed within the Period of Two Years after the passing of this Act, and on the Expiration of that Period the Powers granted to the Company for executing the said public Carriage Road, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as is then completed.

15. The

Certain Amounts of Stock raised under Powers to be deemed to have been raised under One general Power.

15. The One million Pounds Third-class preferential Stock, and the One million five hundred thousand Pounds new preferential Stock, and the Three hundred and ninety-four thousand nine hundred Pounds Two Shillings Stock not issued or created, which respectively are Part of the Company's total Capital of Twelve millions eight hundred and seven thousand five hundred and fifty-eight Pounds Thirteen Shillings and Fourpence as declared by the Act of 1867 (Section 45), shall, although raised under the Powers of or authorized to be raised by various Acts of Parliament, be deemed to have been respectively raised or authorized to be raised (but as regards the Three hundred and ninety-four thousand nine hundred Pounds Two Shillings Stock, subject to Reduction of the Amount of that Stock as by this Act provided,) under One general Power for raising by Stock the Sum of Two millions eight hundred and ninety-four thousand nine hundred Pounds Two Shillings, being the aggregate of the said Three Sums of One million Pounds, One million five hundred thousand Pounds, and Three hundred and ninety-four thousand nine hundred Pounds Two Shillings.

Saving Preferences and Priorities of the several Stocks.

16. Provided always, that nothing in this Act shall prejudice or affect the Preferences and Priorities amongst themselves as declared by the Forty-seventh Section of the Act of 1867 of the said several Sums of Stock, or of any other the Stock or Shares of the Company's Capital, or shall affect the Rate of Interest on the said several Sums of Stock.

Application of Stocks.

17. For the Purposes of this Act and of the several Acts under the Powers of which the said Sums of One million Pounds Stock, One million five hundred thousand Pounds Stock, and Three hundred and ninety-four thousand nine hundred Pounds Two Shillings have been or may be raised, each and every Portion of those Three Sums shall be deemed to have been and (subject to the Provisions of this Act) to be applicable for the Purposes of each of the several Acts under the Powers of which any Portion of the said Three said several Sums, or either of them, have been or may be raised: Provided always, that nothing in this Section contained shall be taken as confirming or as authorizing the Application for the Purposes of any one of such Acts of a greater Sum in the whole than the Sum authorized by the respective Act.

Company's Capital reduced by Amount of Ilfracombe Capital not eventually required.

18. If the *Ilfracombe* Abandonment Bill pass into a Law the Company's Powers for raising by Stock or Shares the Sum of Three hundred and ninety-four thousand nine hundred Pounds Two Shillings, mentioned in the Forty-fifth Section of the Act of 1867, shall from Time to Time be reduced by the Excess of the Sum of One hundred and five thousand Pounds (which by the *Ilfracombe* Act the Company were authorized to raise by Stock) over the Sum which, if the *Ilfracombe* Abandonment Bill pass into a Law, shall upon

upon the Dissolution of the *Ilfracombe* Company remain as the actual eventual Expenditure of the Company in relation to or in connexion with the Undertaking of the *Ilfracombe* Company, and the Company's total Capital as declared by the Act of 1867 (Section 45) is from Time to Time by this Act reduced to the like Extent.

Company not to issue certain Stock until Expenditure for Ilfracombe Purposes ascertained.

19. If the *Ilfracombe* Abandonment Bill pass into a Law the Company shall not raise nor shall they create or issue Stock or Shares for the Entirety of the said Sum of Three hundred and ninety-four thousand nine hundred Pounds Two Shillings, but of that Sum they shall reserve, and they shall not create Stock or Shares representing, the Amount of Seventy thousand Pounds until the actual eventual Expenditure of the Company in relation to or in connexion with the Undertaking of the *Ilfracombe* Company shall have been finally ascertained.

Saving existing Stock of the Company.

20. Nothing in this Act contained shall invalidate or prejudice any Stock or Shares which before the passing of this Act the Company have issued under the Powers or Authority of any Act of Parliament.

Section 46 of 30 & 31 Vict. c. clvi. to be read as herein stated.

21. Section 46 of the Act of 1867 shall be read and have Effect as if the same Section had been enacted in the following Words; that is to say,

" The Company's total Capital of Twelve millions eight hundred " and seven thousand five hundred and fifty-eight Pounds Thirteen " Shillings and Fourpence shall from Time to Time be increased by " the Amounts following; that is to say,

(A.) " The Amount of the Shares or Stock from Time to Time " after the passing of this Act created by the Company " under their several Powers which by this Act are not " extinguished, but are continued in force, other than " Stock or Shares included in or represented by the Sum " of Three hundred and ninety-four thousand nine hun- " dred Pounds Two Shillings (the Company's Stock not " issued or created) mentioned in the last preceding " Section of this Act:

(B.) " The Amount of the Shares or Stock from Time to Time " after the passing of this Act created by the Company " under any of their Powers under this Act with " reference to the *Salisbury* Amalgamation:

(C.) " The Amount of the Shares or Stock from Time to Time " after the passing of this Act created by them for the " Conversion of Loan into Capital:

(D.) " The Amounts of the other Shares or Stock from Time " to Time created by or under any Act or Acts of the " present or any future Session of Parliament by way " of additional Capital of the Company."

22. All

Repeal of existing Powers for purchasing Lands for extraordinary Purposes, &c.

22. All the Powers of the Company under any of the Acts relating to the Company, and passed before the present Session of Parliament, for the purchasing by them by Agreement of any Lands for any of the extraordinary Purposes expressed in "The Railways Clauses Consolidation Act, 1845," are by this Act repealed; and all Lands heretofore purchased by and now belonging to the Company may be held by them, subject to the Condition that such of the same as were purchased compulsorily, and now or from Time to Time hereafter are within the Meaning of "The Lands Clauses Consolidation Act, 1845," superfluous Lands, be sold within Ten Years after the passing of this Act.

Lands for extraordinary Purposes.

23. For any of the Purposes of the Company, being Purposes expressed in the Forty-fifth Section of "The Railways Clauses Consolidation Act, 1845," the Company from Time to Time may purchase by Agreement, in addition to any Lands which by this or any other Act they are authorized to take compulsorily, any Quantity of Land adjoining or near to any of their Railways, not exceeding in the whole Fifty Acres.

Company may grant Building Leases of superfluous Lands.

24. Where the Company shall be in possession of any Lands and Hereditaments which have been or shall be purchased or otherwise acquired under the Provisions of this or any other Act, and which shall not be required for the Purposes of the Company, it shall be lawful for the Company when and as they shall think fit, but subject to the Provisions of this Act, to demise and lease all or any Part or Parts of such Lands and Hereditaments, either with or without any Easements, Rights, or Privileges which the Company may have Power to grant to be exercised or enjoyed in, over, or upon any Lands not included in such Lease, to any Person or Persons who shall be willing to erect thereon any House or Building, or to rebuild or repair any House or Building then standing thereon, or otherwise to improve the Property comprised in such Lease, for such Term of Years and under such Conditions as the Company may think fit, and either at a Rent or without any Rent, but so that in every such Demise or Lease there be contained a Covenant for Payment of the Rent (if any) thereby reserved, and also such other Covenants on the Part of the Tenant or Lessee therein to be named as the Company shall reasonably require, and also, if the Company so think fit, a Clause requiring the Tenant or Lessee before commencing any permanent Erection or Building on any such Land to submit Plans and Elevations and Specifications of such Erection or Building to the Company, or to any local or other Authority, or to any Person or Persons, and to obtain the Sanction and Approval of the Company, or of such Authority or Person or Persons thereto: Provided always, that a Demise or Lease by the Company under this Section of any Land (not situate within a Town or built upon or used for

Building Purposes) shall be deemed to be a disposing of such Land within the Meaning of Section 128 of "The Lands Clauses Consolidation Act, 1845."

Power to enter into Agreements for granting Leases.

25. Previously to the granting of any such Lease or Leases the Company may enter into any Agreement for the granting of the same on such Terms and Conditions as they may think fit, and in the granting of the Leases to which such Agreements relate may alter the Amount of the Rents specified in such Agreements, and may apportion the same, and grant separate Leases of any Part of the Premises by such Agreements agreed to be leased, as they may think fit, and may also, as they may think fit, alter or rescind any such Agreements as aforesaid, and may accept a Surrender of any Lease actually granted for the Purpose of granting separate Leases of the same Premises or otherwise at apportioned Rents or under different Covenants, and may, if they think fit, accept any Fine or Sum in gross as a Consideration for such Lease or Agreement for a Lease.

Power to Company to sell the Ground Rents and Reversions comprised in such Lease.

26. Within the Period within which the Company are or but for this Act would be bound to sell and dispose of the Land and Hereditaments so demised or leased, or so agreed to be demised or leased, and whether such Period shall expire before or after the Houses, Erections, and Buildings to be erected and built thereon, or any of them, shall be finished and completed, and either before or after such Leases shall have been granted, or Agreements entered into, the Company shall and they are hereby authorized and required to sell and dispose of the Fee Simple and Inheritance of the Land so leased or demised, or agreed to be leased or demised, and of the Houses and other Buildings thereon, either altogether or in Parcels, by Public Auction or Private Contract, for such Prices or Sums of Money as the Company shall think fit, and subject to such Covenants, Restrictions, Stipulations, Rights, Easements, Conveniences, and other Provisions as to the Enjoyment thereof, and as to the Nature of the Buildings which are to be erected and built or maintained thereon, and also subject to such Stipulations as to the Title to be deduced to the Hereditaments to be sold, as the Company shall think fit; and the Company shall, at the Costs and Charges of every Purchaser of the same Premises respectively, or, if so agreed, upon Payment of the Sum or Sums of Money agreed to be given for the same respectively to the Company, convey and assure the Land and Hereditaments so purchased by such Purchaser, together with the Houses, Erections, and Buildings then erected and built or to be erected and built thereon respectively, and the Fee Simple and Inheritance thereof, with the Appurtenances, to such Purchaser, his Heirs and Assigns, or as he or they shall in that Behalf direct, free from all Incumbrances, except the Building Lease or Leases or

Agreement

Agreement or Agreements to be granted or entered into by virtue of this Act; and all Leases, Agreements, and Conveyances which shall be made pursuant to the Authority by this Act vested in the Company shall be adjudged sufficient to vest such Estate and Interest in the Lessee or Purchaser as shall have been agreed for, or as shall be expressed or intended to be granted, created, or conveyed by the Lease, Agreement, or Conveyance.

Sale under this Act to be deemed a Sale of the Land leased as superfluous Land.

27. Every Sale by the Company under the Provisions of the last preceding Section of any Land or Hereditaments shall be deemed to be a Sale of superfluous Land within the Meaning of "The Lands Clauses Consolidation Act, 1845."

Power to appropriate superfluous Lands for open Spaces and otherwise to improve the same.

28. It shall be lawful for the Company with a view to any intended Sale or Sales of their superfluous Lands under the Authority of this Act, or of "The Lands Clauses Consolidation Act, 1845," by means and out of the Revenues of the Company to set out, allot, and appropriate any Part or Parts of such last-mentioned Lands as and for open Spaces, Ways, Roads, Passages, Drains, Sewers, Watercourses, or other Works of Accommodation and Convenience, either to be dedicated to the Public or not, and to divide such Lands into such Lots and in such Manner as the Company shall deem most conducive to the general Benefit of the Property, and also to fence and inclose all or any of the Lots into which the said Lands shall be so divided as aforesaid, and also to grub up, cut, and take down all or any of the Hedges, Fences, Timber, and other Trees and Underwood growing and standing on the said Lands, or on any Part or Parts thereof, and also to take down and remove any of the Houses, Buildings, and Erections which may be standing on the said Lands, and to sell and dispose of either together or in Parcels, and either by Public Auction or Private Contract, all or any of the Materials of all or any of the Houses, Buildings, Hedges, Fences, and Erections which shall be so taken down and removed, and also all or any of the said Timber and other Trees and Underwood which shall be so cut down, and also to level all or any Part of the said Lands, and remove and fill up, arch over, cover in, stop, and divert any Mounds, Pits, Dykes, Ditches, Ponds, Drains, or Watercourses in or upon the said Lands, and generally from Time to Time with such view as aforesaid to manage, alter, and improve the said Lands or any of them, or any Part thereof, in such Manner as the Company shall think fit.

Application of Monies arising from Sale of Lands.

29. The Company shall apply all the Monies arising by any such Sale or Disposition respectively as aforesaid, after paying all Expenses incident to such Sales or Dispositions, and satisfying all lawful Demands to which the Lands and Premises so respectively sold or disposed of shall be liable, in like Manner as the Company would have

have been bound to apply Monies received upon the Sale of the Lands and Hereditaments included in any such Lease or Agreement if the same had been sold as superfluous Land under the Provisions of "The Lands Clauses Consolidation Act, 1845."

No Interest or Dividend to be paid on Calls paid up.

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

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

31. The Company shall not, out of any Money by any Act relating to the Company authorized to be raised for the Purpose of such Act, 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 to execute any other Work or Undertaking.

Company, &c. not exempt from Provisions of present and future General Acts.

32. Nothing in this Act shall exempt the Company or their Railways from the Provisions of any General Act relating to Railways, or to the better or more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during the present or any future Session of Parliament, nor from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of the Fares and Charges, or of the Tolls for small Parcels, authorized by this Act or the recited Acts.

Expenses of Act.

33. All Costs, Charges, and Expenses of and incident to the preparing and applying for and the obtaining and passing of this Act shall be paid by the Company.

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