ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

***

Places: And whereas the Persons herein-after named, with others, are willing at their own Expense to carry such Undertaking into execution, but the same cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

8 & 9 Vict. cc. 16. 18. and 20. incorporated with this Act.

I. That the several Acts of Parliament following, (that is to say,) "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act.

As to Meanings to certain Words in incorporated Acts and this Act.

II. That the several Words and Expressions to which by the Acts incorporated with this Act Meanings are respectively assigned shall have in this Act the same Meanings, unless there be in the Subject or Context something repugnant to or inconsistent with such Construction.

Short Title.

III. That in citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use the Expression "The *West London and Crystal Palace* Railway Act, 1853."

Subscribers incorporated.

IV. That *Beriah Drew*, *Francis Fuller*, *Charles Geach*, Sir *Joseph Paxton*, *Charles Henry John Rich*, *William Henry Thomas*, *Richard Till*, *John Tredwell*, *Charles William Tyndall*, *Charles Locock Webb*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Railways herein-after mentioned, and for such Purpose shall be incorporated by the Name of "The *West End of London and Crystal Palace* Railway Company," and by that Name shall be a Body Corporate with perpetual Succession, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, within the Restrictions herein and in the said Acts contained.

Capital.

V. That the Capital of the Company shall be Three hundred and sixty thousand Pounds, and shall be applied solely to the Purposes of this Act.

Number and Amount of Shares.

VI. That the Number of Shares into which the said Capital shall be divided shall be Thirty-six thousand, and the Amount of each Share shall be Ten Pounds.

VII. That

Calls.

VII. That Three Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and Three Months at the least shall be the Interval between successive Calls: Provided always, that the whole Amount to be called up in any One Year shall not exceed Four Fifths of the Capital.

Interest not to be paid on Calls.

VIII. That it shall not be lawful for the Company, out of any Money by this Act authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest or Dividend to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein-before contained shall be deemed to prevent the Company from paying to any Shareholder such Interest or Money advanced by him beyond the Amount of the 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 the Company's Capital.

IX. That it shall not be lawful for the Company, out of any Money by this Act authorized to be raised for the Purposes of such Act, to pay or deposit any Sum of Money which by any Standing Order of either House of Parliament, now in force or hereafter to be in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining any Act authorizing the Company to construct any other Railway or execute any other Work or Undertaking.

Power to borrow Money on Mortgage.

X. That it shall be lawful for the Company to borrow on Mortgage or Bond any Sum not exceeding in the whole the Sum of One hundred thousand Pounds; but no Part of such Sum shall be borrowed until the whole of the said Capital or Sum of Three hundred and sixty thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up; and all and every Part of the Monies so to be borrowed on Mortgage or Bond shall be applied only in carrying into execution the Objects and Purposes of this Act.

Number and Qualification of Directors.

XI. That the Number of Directors shall be Ten, and the Qualification of a Director shall be the Possession in his own Right of Fifty Shares in the Undertaking.

Power to vary the Number of Directors.

XII. That it shall be lawful for the Company from Time to Time to increase or reduce the Number of Directors, provided that the Number be not less than Seven nor more than Twelve.

First Directors.

XIII. That *Beriah Drew*, *Francis Fuller*, *Charles Geach*, Sir *Joseph Paxton*, *Charles Henry John Rich*, *William Henry Thomas*, *Richard*

Richard Till, *John Tredwell*, *Charles William Tyndall*, and *Charles Locock Webb* shall be the First Directors of the Company.

Election of Directors at First Ordinary Meeting.

XIV. That the Directors appointed by this Act shall continue in Office until the First Ordinary Meeting to be held after the passing of this Act, and at such Meeting the Shareholders present, personally or by Proxy, may either continue in Office the Directors appointed by this Act, or any Number of them, or may elect a new Body of Directors, or Directors to supply the Places of those not continued in Office, the Directors appointed by this Act being eligible as Members of such new Body.

Subsequent Election of Directors.

XV. That at the First Ordinary Meeting to be held in the Year next after the Year in which such last-mentioned Directors shall have been appointed or elected the Shareholders present, personally or by Proxy, shall elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions in "The Companies Clauses Consolidation Act, 1845," contained; and the several Persons elected at any such Meeting, being neither removed nor disqualified, nor having resigned, shall continue to be Directors until others are elected in their Stead, in manner provided by the said last-mentioned Act.

Quorum.

XVI. That the Quorum of a Meeting of Directors shall be Three.

Committees of Directors.

XVII. That the Number of Directors of which Committees appointed by the Directors shall consist shall be not more than Three, and the Quorum of any such Committee shall be Two.

Newspapers for Advertisements.

XVIII. That the Newspapers in which Advertisements relating to the Affairs of the Company are to be inserted shall be some Newspapers published in the Cities of *London* and *Westminster*.

Power to make Railways according to deposited Plans.

XIX. And whereas a Plan and Section of the intended Railways and Wharf and Landing Place showing the Lines and Levels thereof, and also a Book of Reference containing the Names of the Owners, Lessees, and Occupiers of the Lands through which the same are intended to pass or which may be required for the Purposes of the Undertaking, were deposited in the Month of *November* One thousand eight hundred and fifty-two with the Clerk of the Peace for the County of *Surrey*: And whereas since the Deposit of the said Plan and Section and Book of Reference an Alteration in the Line or Course of the proposed Branch Line leading from the *Crystal Palace Park* to the *London, Brighton, and South Coast* Railway has been deemed expedient, which Alteration is intended to commence in a Field numbered 1 upon the amended Plan herein-after mentioned in the

the Hamlet of *Norwood* and Parish of *Croydon* in the County of *Surrey*, and to terminate at the *London, Brighton, and South Coast* Railway in the Hamlet and Parish aforesaid, as shown upon the said last-mentioned Plan: And whereas an amended Plan and Section, describing the proposed Works upon the said Branch according to the altered Line or Course and Levels thereof, with an amended Book of Reference thereto, were in the Month of *May* One thousand eight hundred and fifty-three deposited for public Inspection with the said Clerk of the Peace: Be it enacted, That it shall be lawful for the Company, subject to the Provisions in this and the said Acts incorporated herewith contained, to make and maintain the said Railways and Wharf and Landing Place and Works on the Lines and upon the Lands delineated on the said Plans and described in the said Books of Reference, and according to the Levels defined on the said Sections so deposited as aforesaid, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purposes: Provided always, that such Part of the Branch Railway from the *Crystal Palace Park* to the *London, Brighton, and South Coast* Railway shown on the first-mentioned Plan as is situate between the Property numbered 1 on the said Plan in the Hamlet of *Norwood* in the Parish of *Croydon* and the Junction shown by such Plan with the *London, Brighton, and South Coast* Railway shall not be made, but in lieu thereof the Company may make the said Alteration, and the Works and Conveniences connected therewith respectively, and the same shall accordingly be a Part of the Railway and Branch Railway and Works, and the Company shall not enter upon, take, or use any Land for such superseded Part of the said Branch Railway; provided also, that at the Point of crossing of the *London, Brighton, and South Coast* Railway there shall be a clear Headway of Fifteen Feet above the Rails.

Describing Railways and Works.

XX. That the Railways and Works to be constructed under the Authority of this Act shall be the following; (that is to say,)

A Railway commencing at a Point on the *London and South-western* Railway near its Junction with the *Windsor, Staines, and Richmond* Railway in the Parish of *Saint Mary Battersea* in the County of *Surrey*, passing thence from, in, through, or into the several Parishes, Townships, and extra-parochial or other Places following, (that is to say,) *Saint Mary Battersea, Saint Leonard Streatham, Holy Trinity Clapham, Saint Mary Lambeth, Dulwich, Saint Giles Camberwell, Norwood, Saint John the Baptist Croydon*, and *Penge*, or some of them, all in the County of *Surrey*, and terminating in the *Crystal Palace Park* in the Hamlet of *Penge* in the said Parish of *Saint Mary Battersea* in the said County of *Surrey*:

A Railway commencing from and out of the first-mentioned Line of Railway in the *Crystal Palace Park* in the Hamlet of *Penge*

in the said Parish of *Saint Mary Battersea*, and passing from, in, through, or into the Parishes, Townships, and extra-parochial or other Places following, (that is to say,) *Penge*, *Norwood*, *Saint John the Baptist Croydon*, and terminating by Two Junctions with the *London, Brighton, and South Coast* Railway, one on either Side of such Railway, the up Line of Rails of such Railway joining the *London, Brighton, and South Coast* Railway on the Western Side thereof, and the down Line of Rails of such Railway being carried over the *London, Brighton, and South Coast* Railway by means of a Bridge, and joining that Railway on the Eastern Side thereof at or near the *Norwood* Station on the said Railway in the Parish of *Saint John the Baptist Croydon*, all in the County of *Surrey*:

A Railway commencing at a Point on the Main Line near to the Point of Junction of the *London and South-western* Railway with the *Windsor, Staines, and Richmond* Railway in the said Parish of *Saint Mary Battersea*, and terminating near the South End of the Bridge now in the Course of Erection across the River *Thames* to lead from *Chelsea* to *Battersea Park*, and which Railway will be situate wholly in the Parish of *Saint Mary Battersea* aforesaid:

A Wharf and Landing Place near to or adjoining the South End of the Bridge aforesaid.

Not to interfere with Lands, &c. belonging to Southwark and Vauxhall Water Company without Consent.

XXI. Provided always, That it shall not be lawful for the Company to enter upon, take, or use, either permanently or temporarily, or in any Manner to interfere with, any Lands, Property, Works, or Conveniences of or belonging to or used or occupied by the *Southwark and Vauxhall* Water Company, or in which they are now in any Manner interested, or to divert or interfere with the Supply of Water to the same Works, except with the Consent in Writing of the said Water Company under their Common Seal first obtained for that Purpose.

For Protection of Royal Freemasons School for Female Children.

XXII. That if the said Railway and Works hereby authorized shall be constructed through the Land of the Royal Freemasons School for Female Children at *Battersea*, the same shall be executed and completed under the Superintendence and to the Satisfaction of *Philip Hardwicke* Esquire, the Architect of the School, and *John Robertson Maclean* Esquire, Civil Engineer, or other the Architect and Civil Engineer of the School for the Time being, and that no Building shall be erected on the Ground in Front of the School extending to the Road numbered 24 in the Parish of *Battersea* on the deposited Plan; and in case the said Railway should not be constructed through the said Land of the Royal Freemasons School, the Company shall, before making any Part of their Railway between the

the Roads in the said Parish marked respectively Number 16 and Number 24 on the deposited Plan, make and complete, under the Superintendence and to the Satisfaction of the said *Philip Hardwicke*, or other the Architect of the School, and on the Land immediately adjoining the School Land, a Retaining Wall according to such Plan, Elevation, and Sections, and of such Materials, Form, Size, and Construction, and with such Footings, Concrete Foundation, Buttresses, Ties, and other Works for the Stability thereof, and with such Drains and other Conveniences for the Security thereof, as he may think proper, for the permanent Support of the School Land, and shall to his Satisfaction slope, sod, and make good the Ground between the Top of the Retaining Wall and the Fences of the School Land; and the Company at all Times shall repair and maintain the retaining Wall, and the Works and Conveniences thereof, and do and maintain all such other Works and Things as are from Time to Time proper and sufficient for effectually preventing all sinking or giving way of the said School Land or any Part thereof, and any other Injury thereto by reason of any Exercise of the Powers of the Company.

Works on Bed and Shores of the Thames not to be executed without the Consent of the Commissioners of Woods, &c.

XXIII. That, notwithstanding anything herein-before contained, the Company shall not execute any of the Works herein-before mentioned upon or otherwise interfere with any Part of the Bed or Shores of the River *Thames*, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or one of them, first had and obtained for that Purpose, and which such Commissioners or Commissioner are and is hereby empowered to give.

Wharf and Landing Place to be constructed according to Plan to be approved of by Corporation of London.

XXIV. That the said Wharf and Landing Place and other Works to be executed or placed under the Authority of this Act in or connected with the River *Thames* shall be constructed according to a Plan to be approved by the Mayor, Aldermen, and Commons of the City of *London* in Common Council assembled, and to be deposited at the Office of the Town Clerk of the said City, and that such Works shall be executed and performed to the Satisfaction of the Engineer for the Time being employed in the *Thames* Navigation.

Saving Rights of the Battersea Park Commissioners.

XXV. That it shall not be lawful for the Company to construct the said Wharf or Landing Place, or to purchase, take, use, enter upon, or otherwise interfere with any Lands, Tenements, or Hereditaments vested in the *Battersea Park* Commissioners, or in the Commissioners for the Time being of Her Majesty's Works and Public Buildings, or acquired or authorized to be acquired by the said Commissioners under the Authority of the Acts of the Ninth and Tenth *Victoria*, Chapter Thirty-eight, and the Fourteenth and Fifteenth *Victoria*, Chapter Seventy-seven, or either of such Acts, or otherwise howsoever,

ever, without the Consent in Writing of the said Commissioners, or of the Chief Commissioner for the Time being of Her Majesty's Works and Public Buildings, first had and obtained for that Purpose, anything in this Act or in any of the Acts herein referred to or incorporated herewith to the contrary notwithstanding: Provided always, that it shall be lawful for the *Battersea Park* Commissioners to demise and lease to the Company, and for the Company to take and hold, for such Term or Number of Years and at such annual Rent or on such other Terms as may have been or may hereafter be agreed upon between the said Commissioners and the Company, such of the Lands, Tenements, and Hereditaments so vested in the said Commissioners, or acquired or authorized to be acquired by them for the Purposes and under the Authority aforesáid, as may be required by the said Company for the Purpose of their Works.

Power to Commissioners to grant, and the Company to hold, Land on Lease.

As to Communications with the London, Brighton, and South Coast Railway.

XXVI. That the Railway hereby authorized to communicate with the *London, Brighton, and South Coast* Railway shall communicate therewith at the Point where, according to the Plans deposited as in this Act mentioned, such Railway appears to communicate therewith, and at no other Point, without the Consent in Writing of the said *London, Brighton, and South Coast* Railway Company under their Common Seal; and that all Communications between the said Railway hereby authorized and the said *London, Brighton, and South Coast* Railway shall be effected in a substantial and workmanlike Manner by means of Connexion Rails and Points of the Construction and made in the Manner approved of from Time to Time and to the entire Satisfaction of the Engineer for the Time being of the said *London, Brighton, and South Coast* Railway Company.

Company to pay all Expenses of Communications with the London, Brighton, and South Coast Railway.

XXVII. That the Expense of the Communications hereby authorized with the *London, Brighton, and South Coast* Railway, and of all necessary Openings in the Rails thereof, and of all other Works which may from Time to Time be requisite for effecting, altering, amending, repairing, and maintaining such Rails and Points, and of regulating and adjusting the same, shall be borne and paid by the *West London and Crystal Palace* Railway Company; and all such Communications, Openings, and Works shall not only be in the first instance made and done, but shall also from Time to Time, at the Expense of the *West End of London and Crystal Palace* Railway Company, be altered, amended, repaired, and maintained to the Satisfaction of the Engineer for the Time being of the said *London, Brighton, and South Coast* Railway Company on each Occasion, and in such Manner and Form and by such Ways and Means as shall not in anywise prejudice or injure the said *London, Brighton, and South Coast* Railway, or impede, obstruct, or interfere with the free, uninterrupted, and safe passing along the same.

XXVIII. That

Company not to take Property of the London, Brighton, &c. Railway Company, or interfere with their Railway or Works.

XXVIII. That, notwithstanding anything in this Act contained, it shall not be lawful for the *West End of London and Crystal Palace* Railway Company, or for any other Company, or for any Person under or in execution of this Act, or for any other Purpose, either permanently or temporarily, to enter upon, take, or use any of the Land or Property of the said *London, Brighton, and South Coast* Railway Company, or which they have Power to take under any of their Acts of Parliament, or to construct any Railways or Branch Railways across the same, either on the Level or otherwise, or in any Manner to alter, vary, or interfere with the said *London, Brighton, and South Coast* Railway, or any of the Works appertaining thereto, save only for the Purpose of effecting the Junction hereby authorized in manner aforesaid.

Saving the Rights of the London, Brighton, &c. Railway Company.

XXIX. That nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, or Powers of the *London, Brighton, and South Coast* Railway Company otherwise than is herein expressly provided.

Communications with South-western Railway, to be made under the Direction of their Engineer.

XXX. The Communications between the Railways hereby authorized to be made and the *London and South-western* Railway, and all such Openings in the Ledges or Flanches of that Railway as may be necessary or convenient for effecting such Communications, shall be made under the Direction and Superintendence of the Engineer for the Time being of the *London and South-western* Railway Company; and in case of any Difference arising between the Engineer of the Company and the Engineer of the *London and South-western* Railway Company as to the Mode of effecting such Communications, then the same shall be determined by a Referee, to be appointed on the Application of either Company by the Board of Trade.

Not to take Lands, &c. of the South-western Railway Company, without Consent.

XXXI. That nothing in this Act contained shall extend or be deemed or construed to extend to authorize or enable the Company to take or enter upon any of the Lands belonging to the *London and South-western* Railway Company, or to alter, vary, or interfere with the said *London and South-western* Railway, or any of the Works thereof, further or otherwise than is necessary for the Construction of the Line and the convenient Junction and Intercommunication between the *London and South-western* Railway and the Railways hereby authorized, without the Consent in Writing of the *London and South-western* Railway Company in every Instance for that Purpose first had and obtained.

Space to be left between the Line and the London and South-western Railway.

XXXII. That it shall not be lawful for the Company to make the Railway by this Act authorized nearer to the Line of the *London and South-western* Railway than will allow of the laying down of an additional Line of Rails by the *London and South-western* Railway Company

That, notwithstanding anything contained in the said recited Act, the said Sum of Twenty-seven thousand Pounds so deposited as aforesaid in respect of the Application for this Act, or the Interest or Dividends of such Sum of Money, shall not, except upon the Execution and Deposit of such Bond as herein-after mentioned, be paid or transferred to or on the Application of the Person or Persons or the Majority of the Persons named in the Warrant or Order issued in pursuance of the said Act, or the Survivors or Survivor of them, unless the said Company shall previously to the Expiration of the Period limited by this Act for Completion of the Railway hereby authorized to be made either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the said Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if the said Period shall expire before the said Company shall either have opened the said Railway for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the said Sum of Money deposited as aforesaid, and the Interest and Dividends thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*; provided that at any Time after the passing of this Act, if a Bond in twice the Amount of the Sum of Twenty-seven thousand Pounds shall have been executed by the said Company, with One or more Sureties, (such Bond to be prepared to the Satisfaction of and such Surety or Sureties to be approved by the Solicitor to the Lords Commissioners of Her Majesty's Treasury,) conditioned for Payment to Her Majesty, Her Heirs or Successors, of the said Sum of Twenty-seven thousand Pounds, if the said Company shall not within the Time limited for the Completion of the said Railway either open the said Railway for the public Conveyance of Passengers or prove to the Satisfaction of the Lords of the said Committee that the said Company have paid up One Half of the Amount of the said Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital, and if such Bond shall have been deposited with the said Solicitor to the said Lords Commissioners, then such Sum of Money and the Interest or Dividends thereof shall be paid or transferred to or on the Application of the Person or Persons or the Majority of the Persons named in such Warrant or Order as aforesaid,

said, or the Survivors or Survivor of them, or the Executors or the Administrators of such Survivor, and it shall not be necessary to produce any Certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding; and the Monies to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Money, and the Interest or Dividends thereof, would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitor to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Lords of the said Committee that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

Railway not to cross Surrey and Sussex Turnpike Roads on a Level.

XLII. That when the Railway shall cross any Turnpike Road or public Highway under the Charge of the Trustees of the *Surrey* and *Sussex* Roads, either such Turnpike Road or public Highway shall be carried over the Railway, or the Railway shall be carried over the Turnpike Road or public Highway, at the Expense of the said Company, by means of a Bridge of such Construction and Dimensions as herein-after mentioned.

In the event of the Abandonment of the Railway, the Turnpike Roads to be reinstated.

XLIII. That in the event of the said Railway being at any Time abandoned or disused by the Company for the Space of Three Months, either before or after the same shall have been completed, it shall be lawful for the Trustees for the Time being of the Roads under or over which the Railway shall pass to require the Company to reinstate the Roads respectively in the same Condition, as nearly as may be, as the said Roads were at the Time or immediately before the Railway was carried under or over the same Roads; and the Company shall not be discharged from their Liabilities to the said Trustees until such full Reinstatement of the said Roads respectively shall have taken place.

Regulating the Crossings under the Surrey and Sussex Turnpike Roads.

XLIV. That where any Bridge or Viaduct shall be erected by the Company for the Purpose of carrying the Railway under any Road in the Charge of the said Trustees of the *Surrey* and *Sussex* Roads, every One of such Bridges shall have Parapet Walls on each Side thereof of not less than Six Feet and Six Inches in Height from the Surface of the Centre of the Roads over such Bridges respectively, and that from the Ends of the said Two Parapet Walls of every One of such Bridges the said Company shall make Four Return Walls, each Fifty Feet in Length, along the Sides of the said Railway, and shall carry such Return Walls to the same Height with the said Parapet Walls from the Ends of which the said Return Walls are to be made, (that is to say,) Six Feet and Six Inches above the Centre of the

Roads over the said Bridges respectively, and that at least the present Width of the Carriageways and Footpaths where the same are crossed shall be preserved between the Parapet Walls of the Bridges under the same respectively, and that the upper Surface of the Centre of the Arch of every One of the said Bridges shall be not less than Eighteen Inches below the Surface of every Part of the Road over such Bridge, and that the Ascent or Inclination of the Approaches to every such Bridge shall not exceed in Steepness One Foot in Forty Feet.

Regulating the Crossings over the Surrey and Sussex Turnpike Roads.

XLV. That where any Bridge or Viaduct shall be erected by the Company for the Purpose of carrying the Railway over any Road in the Charge of the said Trustees the same respectively shall have a clear Height under such Bridges of not less than Sixteen Feet from every Part of the respective Roads over which such Bridges are carried, and that proper Curb Stones shall be placed at the Edges of the Footpaths under such Bridges, and that all such Bridges shall be of such a Span as shall leave clear and untouched the present Width at least of the Roads and Footpaths over which the same are respectively carried, and that the Level or Inclination of the Road under any such Bridge shall not exceed One Foot in Forty Feet, and that all such Bridges shall have Parapet Walls on each Side thereof of not less than Six Feet and Six Inches in Height above the Surface of the said Railway; and that from the Ends of the said Two Parapet Walls of each of such Bridges there shall be Four Screen Walls or Close Fences each One hundred Feet in Length at the least, and that such Screen Walls or Fences shall be carried to the same Height with the said Parapet Walls respectively (that is to say,) Six Feet and Six Inches above the Surface of the said Railway.

Company to take precautionary Measures during the Performance of Works on the Roads.

XLVI. That during the Progress of the Works by this Act authorized, the said Company shall at their own Expense do all such Things in the way of watching, lighting, and fencing, and all such other precautionary Measures as shall be requisite for the public Safety and Convenience, and the Protection of the said *Surrey* and *Sussex* Roads, and of the Travellers thereon; and the Company shall be answerable and amenable for all Accidents and Damage happening by reason or in consequence of any of the Works and Proceedings of the Company.

All Works connected with the Surrey and SussexRoads to be constructed

XLVII. That the said Bridges, Parapets, and Return Walls, and all other Works connected with the crossing of the said *Surrey* and *Sussex* Turnpike Roads, and all or any temporary Roads or Road that may be required, and also all Repairs and Renewals of the Bridges, Walls, and Works respectively which shall hereafter be made

made by the Company on or about the same Roads, shall be constructed and made and formed under the Direction and Superintendence and to the entire Satisfaction and Approval from Time to Time of the Trustees or Surveyor of the same Roads for the Time being, and that the Plans and Designs for the said Bridges and the Works connected therewith, and the Materials whereof the same shall be constructed, shall be such as shall be approved of by the said Trustees or Surveyor of the same Roads for the Time being; and in case in the Construction of the said Bridges and Works, or temporary Road or Roads, or any of them, the Company shall do or cause any Injury or Damage to the said Turnpike Roads or any of them, or any Part thereof, and shall not forthwith proceed to repair and make good such Injury or Damage to the Satisfaction of the said Trustees or Surveyor thereof for the Time being, or if by reason of the Construction of any of the Works hereby authorized or required to be constructed by the Company any Alteration of the said Turnpike Roads or any of them, or of the Drains and Sewers from or passing under the same, shall in the Judgment of the said Trustees or Surveyor of the same Roads for the Time being be rendered necessary, then and in any of such Cases it shall be lawful for the said Trustees or Surveyor for the Time being to cause all such Repairs and Alterations to be made as they or he in their or his Discretion shall think fit, and all Costs and Expenses of such Repairs and Alterations shall be paid, on Demand, by the Company, or in default of Payment for Twenty-one Days after such Demand may be recovered by the said Trustees of the *Surrey* and *Sussex* Roads from the Company, with full Costs of Suit, in any Court of competent Jurisdiction.

under the Superintendence of the Surveyor of the Trustees.

XLVIII. That, subject to the Provisions in the said "Railways Clauses Consolidation Act, 1845," contained in reference to the crossing of Roads on a Level, it shall be lawful for the Company, in the Construction of the Railways by this Act authorized to be made, to carry the same across and on the Level of the several Roads numbered on the Plans deposited as herein-before mentioned as follows, (that is to say,) the Roads numbered 49 and 138[a] respectively in the Parish of *Saint Mary Lambeth*.

Power to cross certain Highways on a Level.

XLIX. That for the greater Convenience and Security of the Public the Company shall erect and permanently maintain either a Station or Lodge at the several Points where the said Railways cross the before-mentioned Roads on the Level, and the Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Roads on the Level, or with regard to the Speed at which Trains shall pass such Roads, as may from Time to Time be made by the Board of Trade; and if the said Company shall fail to erect or at all Times maintain any such Station or Lodge,

Company to erect a Station or Lodge at Points of crossing, and to abide by Rules, &c. of Board of Trade.

or

or appoint a proper Person to watch or superintend the crossing at any such Point or Station, or to observe or abide by any such Rule or Regulation as aforesaid, they shall for every such Offence be liable to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day such Offence shall continue after such Penalty of Twenty Pounds shall have been imposed.

Board of Trade may require a Bridge to be erected in lieu of level Crossing.

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

Power to alter the Rates of Inclination of certain Roads.

LI. That at or near the Points at which any of the Railways by this Act authorized are intended to cross the Roads which are numbered as set forth in the following Schedule on the deposited Plans of the said Railways the Rates of Inclination of such Roads may be altered so that the same when altered shall not exceed the respective Rates of Inclination set forth in the said Schedule; (that is to say,)

Number on Plans.	Description of Road.	Parish or Place.	Rate of Inclination.
		MAIN LINE.	
49	Highway	Lambeth	1 in 10.
		BRANCH, No. 1. (BRIGHTON).	
4	Highway	Hamlet of Penge	1 in 14.

Provided always, that with respect to such Road numbered 49 a Gatekeeper with stationary Signals shall be constantly present at the said Points of crossing.

Tolls.

LII. That it shall be lawful for the Company to demand any Tolls for the Use of the Railways, not exceeding the following; (that is to say,)

In respect of Passengers and Animals conveyed in Carriages upon the Railways, as follows:

For

For every Passenger conveyed in or upon any such Carriage, the Sum of Twopence Halfpenny *per* Mile; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding One Halfpenny *per* Mile:

For every Horse, Mule, and other Beast of Draught or Burden, Threepence *per* Mile; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding One Penny *per* Mile:

For Cattle, the Sum of One Penny Halfpenny *per* Head *per* Mile; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding One Halfpenny *per* Mile:

For Calves, Pigs, Sheep, and small Animals, One Penny each *per* Mile; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding One Farthing *per* Mile:

For every Carriage, of whatever Description, not being a Carriage adapted and used for travelling on Railways, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per* Mile not exceeding Fourpence, and a like Sum of Twopence *per* Mile for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh; and if conveyed on a Truck or Platform belonging to the Company, an additional Sum *per* Mile not exceeding One Penny:

For all Dung, Compost, and all Sorts of Manure, Lime, Limestone, and all undressed Materials for the Repair of public Roads, Charcoal, Pig Iron, Stones for building, pitching, and paving, Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, and Salt, and for all Coal, Slack, Cannel, Coke, Culm, and Cinders, the Sum of One Penny Halfpenny *per* Ton *per* Mile; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Farthing:

For Sheet Iron, Hoop Iron, Bar Iron, and all other similar Descriptions of Wrought Iron, Twopence *per* Ton *per* Mile; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

For Sugar, Corn, and other Grain, Malt, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, Deals, Nails, Anvils, Vices, and Chains, the Sum of Twopence Halfpenny *per* Ton *per* Mile; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

For Cotton and other Wools, Drugs, manufactured Goods, Manchester Packs, and Metals (except Iron), the Sum of Threepence *per* Ton *per* Mile; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

For Fish, Feathers, Canes, Cochineal, Household Furniture, Hats, Shoes, Toys, and all other Articles, Matters, and Things, the Sum of Fourpence *per* Ton *per* Mile; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton not exceeding One Halfpenny:

Provided always, that with respect to all the Matters aforesaid passed over the Railways for a less Distance than Four Miles the Company may demand Toll as for Four Miles.

Tolls for propelling Power.

LIII. That, subject to the other Provisions in this Act contained, the Tolls which the Company may demand for the Use of Engines for propelling Carriages on the Railways shall not exceed One Halfpenny *per* Mile for each Passenger or Animal, or for each Ton of Goods or other Articles, in addition to the several other Tolls or Sums by this Act authorized to be taken.

Maximum Rates of Charges for Passengers.

LIV. That the maximum Rate of Charge to be made by the Company for the Conveyance of Passengers along the said Railways, including the Tolls for the Use of the Railways, and of Carriages, and for locomotive Power, and every other Expense incidental to such Conveyance as aforesaid, shall not exceed the following Sums, which the Company are hereby empowered to demand and receive; (that is to say,)

For every Passenger conveyed in a First-class Carriage, the Sum of Twopence Halfpenny *per* Mile:

For every Passenger conveyed in a Second-class Carriage, the Sum of Twopence *per* Mile:

For every Passenger conveyed in a Third-class Carriage, the Sum of One Penny Halfpenny *per* Mile.

For Cattle and Goods.

LV. And with respect to the Conveyance of Horses, Cattle, Carriages, and Goods, the maximum Rates of Charge to be made by the Company for the Conveyance thereof along the Railways, including the Tolls for the Use of the Railways, and Waggons or Trucks, and locomotive Power, and every Expense incidental to such Conveyance, except a reasonable Sum for loading, covering, and unloading of Goods, and for Delivery and Collection, and any other Services incidental to the Business or Duty of a Carrier, when such Services or any of them are or is performed by the Company, shall not exceed the following Sums, which the said Company are hereby empowered to demand and receive; (that is to say,)

For every Horse, Mule, and other Beast of Draught or Burden, Fourpence *per* Mile:

For Cattle, the Sum of Twopence Farthing *per* Head *per* Mile:

For Calves, Pigs, Sheep, and small Animals, One Penny Halfpenny each *per* Mile:

For every Carriage, of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, Fivepence *per* Mile, and a like Sum of Twopence Halfpenny *per* Mile for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh:

For all Dung, Compost, and all Sorts of Manure, Lime, Limestone, and all undressed Materials for the Repair of public Roads, Charcoal, Pig Iron, Stones for building, pitching, and paving, Bricks, Tiles, Slates, Clay, Sand, Ironstone, Iron Ore, and Salt, and for all Coal, Slack, Cannel, Coke, Culm, and Cinders, the Sum of Twopence *per* Ton *per* Mile:

For Sheet Iron, Hoop Iron, Bar Iron, and all other similar Descriptions of Wrought Iron, Twopence Three Farthings *per* Ton *per* Mile:

For Sugar, Corn, and other Grain, Malt, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, Deals, Nails, Anvils, Vices, and Chains, the Sum of Threepence *per* Ton *per* Mile:

For Cotton and other Wools, Drugs, manufactured Goods, Manchester Packs, and Metals (except Iron), the Sum of Threepence Halfpenny *per* Ton *per* Mile:

For Fish, Feathers, Canes, Cochineal, Household Furniture, Hats, Shoes, and Toys, the Sum of Fourpence Halfpenny *per* Ton *per* Mile:

For all Articles, Matters, and Things not herein-before specified, the Sum of Fourpence Halfpenny *per* Ton *per* Mile:

And the following Regulations shall apply to such maximum Rates and Charges:

The Company shall not be compellable to provide Waggons or Carriages for the Conveyance of Coal, Cannel, Slack, Culm, Coke, or Cinders; but where such Waggons or Carriages are not provided by the Company a Deduction of One Eighth of a Penny *per* Ton *per* Mile shall be made from the above Rates of Carriage for as many Miles as the Company shall charge the said Rates.

Regulation as to Tolls.

LVI. For a Fraction of a Mile the Company may demand Tolls on Merchandise, Articles, Matters, or Things for such Fraction in proportion to the Number of Quarters of a Mile contained therein, and if there be a Fraction of a Quarter of a Mile such Fraction shall be deemed a Quarter of a Mile; and in respect of Passengers every Fraction of a Mile beyond an integral Number of Miles shall be deemed a Mile:

For a Fraction of a Ton the Company may demand Toll according to the Number of Quarters of a Ton in such Fraction, and if there be a Fraction of a Quarter of a Ton such Fraction shall be deemed a Quarter of a Ton:

And with respect to all Articles, except Stone and Timber, the Weight shall be determined according to the Avoirdupois Weight:

With respect to Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Teak, Beech, or Ash, and Fifty Cubic Feet of any other Timber, shall be deemed One Ton Weight, and so in proportion for any smaller Quantity:

Tolls for small Parcels and Articles of great Weights.

That with respect to small Packages and single Articles of great Weight, notwithstanding the Rate of Tolls herein prescribed, the Company may lawfully demand the Tolls following; (that is to say,)

For the Carriage of small Parcels on the Railways or any Part thereof, as follows:

For any Parcel not exceeding Seven Pounds in Weight, Fourpence:

For any Parcel not exceeding Fourteen Pounds in Weight, Eightpence:

For any Parcel not exceeding Twenty-eight Pounds in Weight, One Shilling and Fourpence:

For any Parcel not exceeding Fifty-six Pounds in Weight, Two Shillings:

For any Parcel exceeding Fifty-six Pounds in Weight but not exceeding Five hundred Pounds in Weight the Company may demand any Sum which they think fit:

Provided always, that Articles sent in large aggregate Quantities, although made up as separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages:

For the Carriage of any One Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Carriage, shall exceed Four Tons but shall not exceed Six Tons, the Company may demand such Sum as they think fit, not exceeding One Shilling *per* Ton *per* Mile:

For the Carriage of any single Piece of Timber, Stone, Machinery, or other single Article, the Weight of which, with the Carriage, shall exceed Six Tons, the Company may demand such Sum as they think fit.

Restriction as to Charges not to apply to special Trains.

LVII. Provided always, That the Restriction as to the Charges to be made for Passengers shall not extend to any special Trains that may be required to be run upon the said Railways, but shall apply only to the ordinary Trains appointed or to be appointed from Time to Time by the Company for the Conveyance of Passengers and Goods upon the said Railways.

Company may take increased Charges by Agreement.

LVIII. That nothing herein contained shall be held to prevent the Company from taking any increased Charge over and above the Charges herein-before limited for the Conveyance of Goods of any Description,

Description, other than small Parcels, by Agreement with the Owners of or Persons in charge of such Goods, either in respect of the Conveyance thereof by Passenger or other Trains, or by reason of any other special Service performed by the Company in relation thereto.

Passengers Luggage.

LIX. That every Passenger travelling upon the Railways may take with him his ordinary Luggage, not exceeding One hundred Pounds in Weight for First-class Passengers, Sixty Pounds in Weight for Second-class Passengers, and Forty Pounds in Weight for Third-class Passengers, without any Charge being made for the Carriage thereof.

Power to agree with Crystal Palace Company for the Collection in One Sum of the Fare by Railway and Charge for Admission.

LX. And whereas the Railways by this Act authorized are intended partly for the Conveyance of Passengers to and from the *Crystal Palace* at *Sydenham* erected by the *Crystal Palace* Company, and it would be beneficial to the Public that Arrangements should be made for the Collection in One Sum of the Fare taken by the Company hereby incorporated for Conveyance to and from the *Crystal Palace*, and that the same Sum should be apportioned and divided between the Companies in such Manner and upon such Terms as may have been or as may be arranged between the said respective Companies: Be it enacted, That the Company by this Act authorized and the *Crystal Palace* Company may from Time to Time agree for the Receipt by the Company hereby incorporated for the Conveyance of Passengers by the Railway to and from the *Crystal Palace* and of the Charge for Admission to the *Crystal Palace*, and the Sum of Money, including such Fare and Charge, may be received, collected, and recovered in the same Manner as Rates, Tolls, and Charges are by this Act authorized to be received, collected, and recovered, and the Sums of Money so received shall be applied or shall be apportioned and divided in such Manner as may from Time to Time be agreed upon, or as may have been agreed upon, by and between the said Companies: Provided always, that no such Agreement shall be valid unless the same shall have been or shall hereafter be approved of at a General Meeting of the Company hereby incorporated specially convened for such Purpose; provided also, that no such Agreement shall apply to any Traffic carried upon the said Railways upon *Sundays*, nor shall anything herein contained extend to give any Authority for the opening of the *Crystal Palace* on *Sundays*.

Saving the Rights of the Crown.

LXI. That nothing whatsoever contained in this Act shall extend to divest, prejudice, diminish, alter, or take away any of the Estates, Rights, Privileges, Powers, or Authorities which now are or hereafter may be vested in or enjoyed by Her Majesty, Her Heirs or Successors.

Act not to affect Rights of Corporation of London as Conservators of the River Thames.

LXII. That nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from the Estates, Rights, Interests, Liberties, Privileges, or Franchises 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 any Power, Authority, or Jurisdiction which at the Time of passing this Act the said Mayor and Commonalty and Citizens, or the said Lord Mayor for the Time bei ng as Conservator of the River *Thames*, or otherwise, did or might lawfully claim, use, or exercise.

Saving Rights of the Metropolitan Commissioners of Sewers.

LXIII. That nothing in this Act contained shall take away, lessen, alter, or affect any of the Jurisdictions, Rights, Powers, or Authorities vested in or belonging to the Metropolitan Commissioners of Sewers, but that all such Jurisdictions, Rights, Powers, and Authorities shall be as good, valid, and effectual as if this Act had not been passed.

Railways to be subject to Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., 9 & 10 Vict. c. 57., and 14 & 15 Vict. c. 64

LXIV. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railways;* and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways;* and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops;* and another Act was passed in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways;* and another Act was passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her said Majesty, intituled *An Act for regulating the Gauge of Railways;* and another Act was passed in the Session of Parliament held in the Fourteenth and Fifteenth Years of the Reign of Her said Majesty, intituled *An Act to repeal the Act for constituting Commissioners of Railways:* Be it enacted, That nothing in this Act contained shall be held to exempt the said Railways and Works or the Company from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railways and Works and Company, so far as the same are applicable.

Railways not exempt from Provisions of future General Acts.

LXV. That nothing herein contained shall be deemed or construed to exempt the Railways by this Act authorized to be made, or the Company, from the Provisions of any General Act relating to such Act, or of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, now in force

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 Rates for small Parcels or of the maximum Rates of Fares and Charges authorized by this Act.

Expenses of Act.

LXVI. That all the Costs, Charges, and Expenses of and incidental to the obtaining of this Act and preparatory thereto shall be paid by the Company.

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