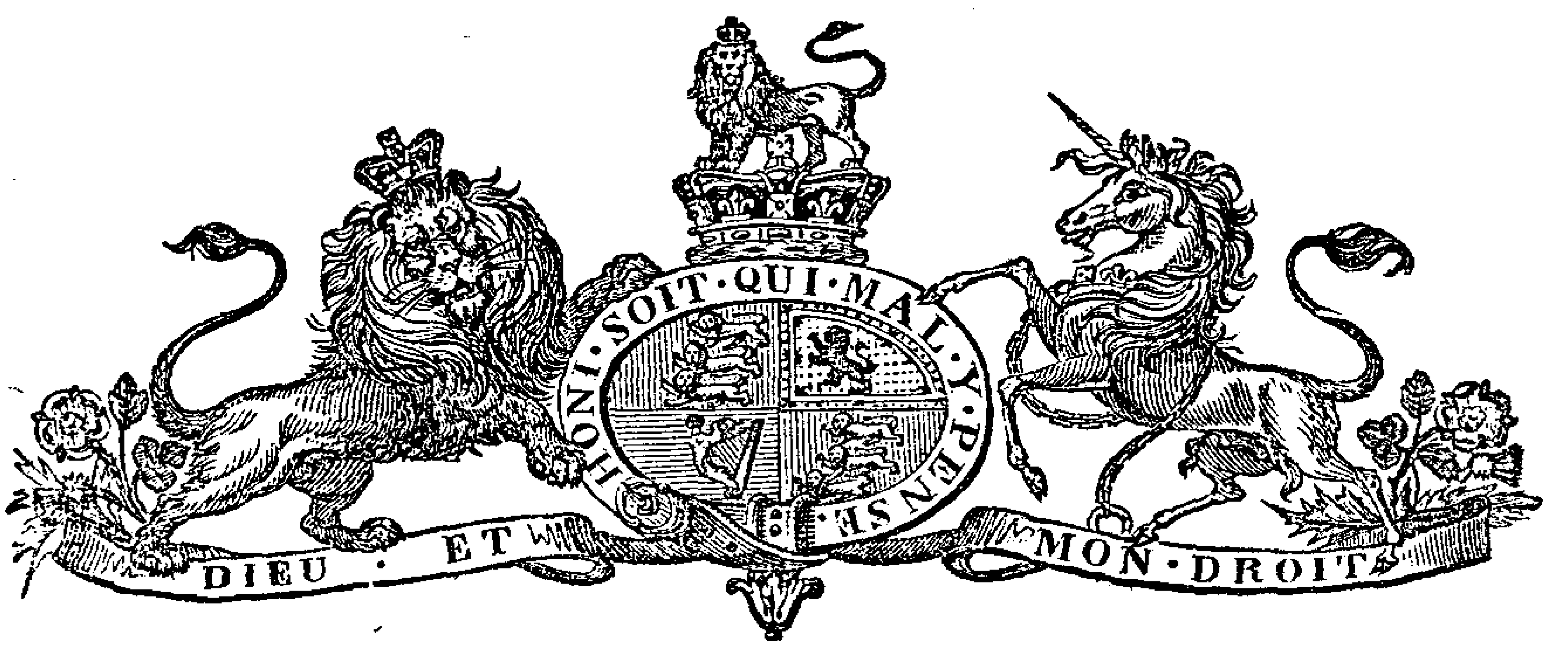


ANNO DECIMO NONO & VICESIMO

VICTORIÆ REGINÆ.

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Cap. cv.

An Act for authorizing a Lease of the *Wimbledon and Croydon* Railway, and for authorizing the Purchase of additional Lands and the raising of additional Capital by the *Wimbledon and Croydon* Railway Company; and for other Purposes.

[21st *July* 1856.]

WHEREAS by an Act (Local) of the Session of the Sixteenth and Seventeenth Years of Her present Majesty, Chapter Eighty-six, the *Wimbledon and Croydon* Railway Company (in this Act called the Company) were incorporated, and were authorized to make and maintain a Railway (in this Act called the Railway) from *Wimbledon* to *Croydon*, commencing by a Junction with the Main Line of the *London and South-western* Railway, and terminating by a Junction with the *Epsom* Branch Line of the *London, Brighton, and South Coast* Railway; and the Company were authorized to raise a Capital of Forty-five thousand five hundred Pounds by Shares, and to borrow not exceeding Eight thousand Pounds: And whereas the whole of the Capital of the Company has been raised, and upwards of One Half thereof paid up, and there are no preferential or guaranteed Shares in the Capital of the Company: And whereas the

16 & 17 Vict. c. lxxxvi.

Railway is completed with a single Line of Railway, and is open for Traffic: And whereas the Company have bought Land and have executed thereon a Portion of the Works required for a double Line of Railway: And whereas it is expedient that the Company be authorized to lay down a Second Line of Railway thereon: And whereas it is also expedient that the Company be authorized, for the Purpose of providing additional Works and Conveniences, and for the better Accommodation of the Traffic on the Railway, to purchase additional Land in the Parishes of *Merton and Croydon* respectively: And whereas a Plan of the Lands so proposed to be purchased, and a Book of Reference thereto containing the Names of the Owners or reputed Owners and Occupiers of those Lands, have been deposited for the Purposes of this Act with the Clerk of the Peace for the County of *Surrey*: And whereas it is expedient that the Company be authorized to raise additional Money by Shares and by borrowing: And whereas it is expedient that the Company be authorized to lease their Undertaking: And whereas the Purposes 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.

I. This Act may be cited for all Purposes as "The *Wimbledon and Croydon* Railway Act, 1856."

8 & 9 Vict. cc. 16. 18. & 20. incorporated.

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

Same Meanings to Words in incorporated Acts and this Act.

III. 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.

Power to take further Lands.

IV. Subject to the Provisions of this Act, the Company may enter upon and take the Lands delineated on the Plan and described in the Book of Reference thereto respectively deposited, as in this Act recited, for the Purposes of this Act, and may use those Lands for such Purposes of their Undertaking as the Company think fit.

Power to lease the Railway.

V. The Company, with the Sanction of at least Three Fifths of the Votes of the Shareholders present, personally or by Proxy, at a General Meeting of the Company specially convened for the Purpose, may demise

demise and lease to the *London, Brighton, and South Coast* Railway Company, and the said *London, Brighton, and South Coast* Railway Company may, with the like Sanction, accept a Lease of all or such Parts as are or may be agreed on of the Railway and the Works and Conveniences thereof, and the Lands and other Property of the Company; and such Lease may be for such Term, not exceeding Twenty-one Years, from the First Day of *July* One thousand eight hundred and fifty-six, and subject to such yearly or other Rents or Payments, and with, under, and subject to such Covenants, Conditions, Provisoes, and Stipulations, as the Company and the said *London, Brighton, and South Coast* Railway Company mutually agree on.

"The Lessee."

VI. The Expression "the Lessee" in this Act shall mean the *London, Brighton, and South Coast* Railway Company.

Lessee may work and manage Railway, and take Tolls.

VII. During the Continuance of such Lease the Lessee may maintain, use, work, regulate, and manage the Railway or the Part thereof demised, and other the demised Property, and the Traffic thereon, and may demand and take Tolls, Rates, and Charges for the User of the Railway, and for the Passage and Conveyance of Traffic thereon, and for Services performed with respect to such Traffic, and otherwise in like Manner in all respects as the Company might do if the Lease were not made.

Rights and Duties of Company as to Railway to be had and performed by Lessee.

VIII. During the Continuance of such Lease all the Powers, Authorities, Duties, Liabilities, Obligations, and Indemnities of the Company, and the Directors, Officers, and Servants of the Company respectively, with respect to the Maintenance, User, Working, Regulation, and Management of the demised Premises and the Traffic thereon, shall apply to and may and shall be had, exercised, performed, observed, and enjoyed by the Lessee, and the Officers and Servants of the Lessee, in like Manner and to the like Extent as the same might be had, exercised, performed, observed, and enjoyed by the Company, and the Directors, Officers, and Servants of the Company respectively, if the Lease were not made; and all the Clauses, Provisions, Restrictions, and Penalties of the recited Act with respect to such Matters shall extend and apply accordingly to the Lessee and the Officers and Servants of the Lessee.

Lessee to indemnify Company against such Duties.

IX. The Lessee shall indemnify the Company from the Performance and Observance, during the Continuance of such Lease, of all such Duties, Liabilities, and Obligations, and all Claims and Demands with respect to the same, and all Costs, Losses, Damages, Expenses, Claims, and Demands arising from any Default in the Performance or Observance, during the Continuance of such Lease, of any such Duty, Liability, or Obligation.

X. No

Lease not to affect Rights of Corporations, &c. against Railway.

X. No Lease of the Railway or any Part thereof shall take away, alter, or in anywise affect any of the Duties, Obligations, Restrictions, or Liabilities to which the Companies, but for the making of such Lease, might by any Law or Statute be subject, but all Persons and Corporations, other than the Lessee of the Railway, shall have the same Rights, Privileges, Powers, and Remedies against the Companies after the making of and notwithstanding such Lease as they might have had if such Lease had not been made.

Power to raise further Sums by new Shares.

XI. The Company may from Time to Time raise, by the Creation and Issue of new Shares in their Undertaking, any Sum not exceeding in the whole Fifteen thousand Pounds.

Company may create the new Shares on such Terms as fixed by General Meeting.

XII. The new Shares which the Company may issue under this Act may be issued by the Company with the Sanction of at least Three Fifths of the Votes of the Shareholders present in Person or by Proxy at a General Meeting of the Company specially convened for the Purpose, which Meeting shall also have the Power to fix the Terms and Conditions upon which such Shares may be issued, and the Company may, as they from Time to Time think fit, fix the Amount and Times of Payment of the Calls on such Shares: Provided always, that no Preference or Priority of Dividend shall be given to or attached to any such Shares.

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

XIII. If at the Time of issuing new Shares under this Act the then ordinary Shares of the Company 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 in proportion to the ordinary Shares 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 Secretary of the Company given to every such Holder, or sent by Post addressed to him according to his Address in the Shareholders Address Book, or left for him at his usual or last known Place of Abode in *England*; and every such Offer made by Letter sent by Post shall be considered as made on the Day on which the Letter in due Course of Delivery ought to reach the Place to which it is addressed.

New Shares to vest in Shareholders accepting.

XIV. The new Shares so offered shall vest in and belong to the Shareholders who accept them.

Directors may enlarge Time for accepting new Shares.

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

XVI. If

Disposal of unaccepted new Shares to them.

XVI. If any Shareholder fail for One Month after such Offer of new Shares to accept them, the Company may dispose of such unaccepted new Shares to any other Persons.

General Disposal by Company of new Shares.

XVII. Except as is by this Act provided with respect to offering new Shares to existing Holders of ordinary 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.

Dividends on new Shares.

XVIII. Every Person who becomes entitled to any new Share issued under this Act shall, in respect of the same, be a Shareholder, and shall be entitled to a Dividend with the Holders of the other ordinary Shares of the Company.

Power to borrow on Mortgage.

XIX. The Company may borrow on Mortgage or Bond any Sum not exceeding in the whole, inclusive of the Money authorized to be borrowed by the recited Act, the Sum of Thirteen thousand Pounds, but no further Sum than the Sum of Eight thousand Pounds shall be borrowed until the whole of the new Shares are subscribed for, and One Half thereof paid up.

Priority for existing Mortgages.

XX. Provided, That all Mortgages or Bonds granted by the Company, and in force at the Commencement of this Act, shall, during the Continuance thereof, have Priority over all the Mortgages and Bonds granted under this Act.

Company not to pay Dividend out of Capital.

XXI. 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."

Restriction on Application of Monies.

XXII. Provided always, That all and every Part of the Money from Time to Time raised by the Company under this Act by new Shares or by borrowing shall be applied only to Purposes by the recited Act and this Act respectively authorized.

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

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

Saving Rights of Companies.

XXIV. Except as is by this Act otherwise expressly provided, nothing in this Act shall take away, lessen, alter, or prejudice any of the Estates, Rights, Powers, or Privileges of the Company, or of the *London, Brighton, and South Coast* Railway Company.

Railway not exempt from Provisions of present and future General Acts.

XXV. This Act or anything therein shall not exempt the Railway 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 this or any future Session of Parliament, or from any future Revision or Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges by the recited Act authorized, or of the Rates for small Parcels.

Expenses of Act.

XXVI. All the Costs, Charges, and Expenses of and incident to the obtaining and passing of this Act, or otherwise in relation thereto, shall be paid by the Company.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1856.