



ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

Cap. cxv.

An Act to enable the *London and South-western Railway Company* to make Railways from *Andover* to join their *Salisbury Branch Railway* at *Michaelmarsh*, and from the same Branch at *Romsey* to join the *Southampton and Dorchester Railway* at *Redbridge*, all in the County of *Southampton*, to be called “*The Andover and Southampton Junction Railway.*” [2d July 1847.]

WHEREAS an Act was passed in the Fifth Year of the Reign of His late Majesty King *William the Fourth*, intituled *An Act for making a Railway from London to Southampton*, and by the said Act several Persons were incorporated by the Name and Style of “*The London and Southampton Railway Company,*” for carrying into execution the said Undertaking: And whereas by other Acts passed respectively in the First, Second, Fourth, Fifth, Eighth, and Ninth Years of the Reign of Her present Majesty Queen *Victoria* further Powers have been conferred upon the Company, and the Name and Style of the Company has been changed to “*The London and South-western Railway Company,*” and by virtue of such Powers the said Undertaking has been extended to *Portsmouth* and

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to

to *Guildford*, and also by the *Salisbury* Branch Railway from *Bishopstoke* by *Romsey* to *Salisbury*: And whereas, in exercise of further Powers granted to the Company by other Acts passed in the Ninth Year of the Reign of Her said Majesty and in the last Session of Parliament, various other Branches and Extensions of the *London and South-western* Railway are now in course of Execution, and in particular Extensions to *York Road*, *Lambeth*, and to *London Bridge*, and from *Basingstoke* by *Whitchurch* and *Andover* to *Salisbury*: And whereas the making of Railways from the said *Basingstoke and Salisbury* Extension of the *London and South-western* Railway at *Andover* to join the said *Bishopstoke and Salisbury* Branch of the same Railway in the Parish of *Michaelmarsh* in the said County of *Southampton*, and from the said last-mentioned Branch near *Romsey* to join the *Southampton and Dorchester* Railway at *Redbridge* in the same County, would be of great public Advantage, by opening an additional, certain, and expeditious Means of Communication between *Andover* and *Southampton*, and also by facilitating Communication between intermediate and more distant Towns and Places: And whereas the *London and South-western* Railway Company are willing to make the said Railways: And whereas it is expedient that the Company of Proprietors of the *Andover* Canal Navigation should be enabled to sell the Canal, and the Works connected therewith, to the *London and South-western* Railway Company, and that Powers should be granted to the said last-mentioned Company for effecting the several Objects aforesaid, and for raising further Sums of Money, and that for the same and other Purposes some of the Powers and Provisions of the several Acts herein-before referred to relating to the *London and South-western* Railway Company should be amended and enlarged; but the same cannot be effected without the Authority of Parliament: And whereas an Act was passed in the Eighth Year of the Reign of Her said present Majesty Queen *Victoria*, called "The Lands Clauses Consolidation Act, 1845:" And whereas another Act was passed in the said Eighth Year of the Reign of Her said Majesty, called "The Railways Clauses Consolidation Act, 1845:" 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, That all Provisions, Matters, and Things contained in the said herein-before referred to Acts relating to the *London and South-western* Railway, or any of them, so far as the same are now unrepealed, and except such of them or such Parts thereof as are by this Act repealed, altered, or otherwise provided for, shall extend to the several Purposes and Things hereby authorized to be done, as fully and effectually as if the same several Provisions, Matters, and Things were repeated and re-enacted in this Act with reference to such Purposes and Things.

Provisions of Acts herein-before referred to extended to this Act.

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

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

III. And be it enacted, That in citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use the Expression "The *London and South-western Railway Company's Andover and Southampton Junction Railway Act, 1847.*" Short Title.

IV. And whereas the estimated Expence of making the said Railways and Works connected therewith is Three hundred thousand Pounds: Be it therefore enacted, That it shall be lawful for the Company to raise by the Issue of new Shares in the Undertaking of the Company, of such Amount, and respectively in such Classes, on such Terms, with such Condition, whether the Dividends thereon shall be fixed or rateable, and otherwise with such Privileges and subject to such Restrictions, except as herein-after mentioned, as the Company shall think fit, the further Sum of Three hundred thousand Pounds: Provided always, that the nominal Amount of any such Share shall be such a Sum not exceeding Fifty Pounds as the Directors of the Company shall determine. Capital.

V. And be it enacted, That the Directors of the Company are hereby required, within Six Calendar Months after the passing of this Act, to fix and determine the Number of such Shares, and the nominal Amount of each of them, and the Classes, if any, into which such Shares shall be divided; and thereupon the said several Shares shall be duly numbered in regular Order of arithmetical Progression, and every such Share shall always be distinguished by the Number to be originally applied to the same; and the said Sum hereby authorized to be raised in Shares shall be exclusive of and in addition to the Sums which the Company shall be authorized to raise in Shares by any other Act or Acts passed in the present Session of Parliament, except the *London and South-western Railway Company's "Additional Capital Act, 1847,"* and shall be included in, and not be in addition to, the Sum authorized to be raised in Shares by the last-mentioned Act. Directors to fix Number and Amount of Shares.

VI. And be it enacted, That it shall not be lawful for the Company, out of any Money by this Act or any other Act relating to the Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest 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 on 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. Interest not to be paid on Calls paid up.

VII. And be it enacted, That it shall not be lawful for the Company, out of any Money by this Act or any other Act relating to the Company authorized to be raised for the Purposes of such Act or Acts, 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 Deposits for future Bills not to be paid out of the Company's Capital.

cation to Parliament for the Purpose of obtaining an Act authorizing the Company to construct any other Railway or execute any other Work or Undertaking.

As to voting
in respect of
new Shares.

VIII. Provided also, and be it enacted, That no Proprietor of any new Share the total nominal Amount whereof shall be fixed at less than Fifty Pounds shall be entitled to vote in respect of the Number of such Shares held by him, but for the Purpose of voting the Amount of Capital in the Company represented by all such new Shares held by him shall be considered as divided into as many Fifty Pound Shares as such Amount of Capital will admit of, and the Right of voting of such Proprietor in respect of such new Shares of less nominal Amount than Fifty Pounds each shall be determined by the Number of Fifty Pound Shares into which the Amount of Capital represented by such new Shares held by him shall be capable of being divided.

Power to
make Calls
on new
Shares.

IX. And be it enacted, That, subject to the Provisions of this Act, the Directors of the Company shall have Power from Time to Time, and at any Time after the passing of this Act, to make, at their Discretion, such Call or Calls of Money from the Subscribers to and Proprietors of the said new Shares by this Act authorized to be created as the Directors shall from Time to Time find necessary for the Purposes of the Company, so that no such Share shall exceed Ten *per Cent.* of the total nominal Value of such new Share, and so that there shall be an Interval of Three Calendar Months at least between the Days of making every Two successive Calls.

Notice to be
given when
Call made.

X. And be it enacted, That the several Sums of Money so to be called for shall be paid into such Banks, or to such Persons, and (subject to the Restrictions herein contained) at such Time and Place and in such Manner as the Directors shall from Time to Time direct and appoint, of which Time and Place Twenty-one Days Notice at least shall be previously given by Advertisement under the Hand of the Secretary of the Company, inserted in One or more of the daily *London* Newspapers, and in One or more Newspaper or Newspapers usually circulated in each of the Counties of *Surrey, Southampton, Wilts,* and *Dorset*; and all the Powers, Provisions, Remedies, Penalties, Forfeitures, Matters, and Things created or imposed by the said Act of the First Year of Her present Majesty, and the said Act of the Fifth Year of His said late Majesty as altered and amended by the said first-mentioned Act, for compelling the Payment of Calls, and for forfeiting the Shares of such Proprietors as shall be in default, and for Payment of Subscriptions in advance, in case the Directors shall think proper to accept the same, shall extend and be applicable to the new Shares by this Act authorized to be created, as fully and effectually, to all Intents and Purposes, as if the same had been repeated and re-enacted in this Act in respect of the said new Shares hereby authorized to be created: Provided always, that no Proprietor or Owner of any new Share hereby authorized to be created shall in any Case be liable to pay any greater Sum in the whole than the total nominal Amount at which each such new Share shall be

be fixed and determined by the Directors of the Company, in pursuance of the Power herein contained.

XI. And be it enacted, That it shall be lawful for the Company, when and as soon as the whole of the total Amount of the Capital of the Company authorized by the said Acts and this Act to be raised by Subscription shall have been subscribed or taken up, and One Half thereof paid up, by an Order of any General or Special General Meeting of the Company from Time to Time to borrow and take up at Interest any further or additional Sum of Money, not exceeding (besides and exclusive of the Sums of Money authorized to be borrowed by the said Acts or any of them and exclusive of and in addition to any Sum or Sums which the said Company may be authorized to borrow by the passing of any Act or Acts in this present Session of Parliament, except the *London and South-western Railway Company's Additional Capital Act, 1847*, and to be included in and not to be in addition to the Sum authorized to be borrowed by the last-mentioned Act,) the Sum of One hundred thousand Pounds, on the Credit of the said *London and South-western Railway*, including the Branches and Extensions thereof, as to them shall seem proper, and thereupon to secure Repayment thereof, with Interest, to such Persons as shall be found willing to lend the same, by such Mortgages, Assignments, or Bonds as are authorized by the said Acts, or some of them, in respect of the Sum thereby authorized to be borrowed.

Power to borrow extended to 100,000*l.* beyond the Amount already authorized.

XII. And be it enacted, That all the Powers, Authorities, and Provisions, Directions, Remedies, Regulations, Matters, and Things in the said Acts contained, relating to or in any wise affecting the borrowing of Money, and the Augmentation of Capital Stock instead of borrowing, or by the Conversion of Money borrowed into Capital Stock, and relating to or in anywise affecting Mortgages and Assignments, and Transfers of Mortgages and Assignments, and Mortgagees and Assignees, and Transferees of Mortgagees and Assignees, shall extend and be applicable to the said additional Sum of One hundred thousand Pounds hereby authorized to be raised as aforesaid, in the same Manner as the same extend and are applicable by the said recited Acts to the Sum thereby authorized to be borrowed as aforesaid.

Provisions of said Acts relative to the borrowing of Money to be applicable to this Act.

XIII. Provided always, and be it enacted, That any Mortgage, Bond, or other Security for Money, and every Transfer of any Share, Mortgage, Bond, or other Security for Money, to be granted or made by virtue of this Act, shall be by Deed duly stamped, wherein the Consideration for the same shall be duly stated, any thing herein or in the said Acts contained to the contrary notwithstanding.

Mortgages, &c. to be stamped.

XV. And whereas a Plan and Section of the intended Railways, showing the Lines and Levels thereof, and also Books of Reference thereto, containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers, of the Lands through which the same are intended to pass, have been deposited with the Clerk of the Peace for the County of *Southampton*; be it enacted,

Railway to be made according to deposited Plan.

[*Local.*]

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That,

That, subject to the Provisions in this and the said Acts, and the Acts consolidated therewith, contained, it shall be lawful for the said Company to make and maintain the said Railways and Works in 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, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose.

Description
of Lines of
Railway.

XV. And be it enacted, That One of the said Railways shall commence by a Junction with the *Basingstoke and Salisbury* Extension of the *London and South-western* Railway in the Parish of *Andover* in the said County of *Southampton*, and terminate by a Junction with the said *Bishopstoke and Salisbury* Branch of the same Railway in the said Parish of *Michaelmarsh* in the same County; and the other of the said Lines shall commence by a Junction with the said *Salisbury and Bishopstoke* Branch of the said *London and South-western* Railway in the Parish of *Romsey Extra* in the said County, and shall terminate by a Junction with the said *Southampton and Dorchester* Railway in the Parish of *Milbrook* in the same County.

Power to the
South-west-
ern Railway
Company to
purchase the
Andover
Canal. -
29 G. 3. c. 72.

XVI. And whereas by virtue of an Act passed in the Twenty-ninth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for making and maintaining a navigable Canal from or near the Borough of Andover in the County of Southampton to or near Redbridge in the Parish of Milbrook in the said County*, certain Persons were incorporated by the Name of "The Company of Proprietors of the *Andover Canal Navigation*," with Authority to make and maintain a navigable Canal from the said Town of *Andover* to or near *Redbridge* aforesaid in the same County, there to communicate with the *Southampton Water*, with various other Powers and Authorities, and which Canal has been accordingly constructed: And whereas the Line of Railway herein-before authorized is laid down so that the same might as to Part thereof be conveniently constructed upon or over the Land now occupied by the said Canal and the Works thereof, and if so constructed the Remainder of the said Canal and the Lands and Property belonging to the said Canal Company would be rendered of comparatively small Value for the Purposes of the same Company, and the Construction of the said Railway would also make the Continuance of the said Canal unnecessary for the public Convenience; be it therefore enacted, That if such Canal Company shall, by the Resolution of a Majority of Three Fifths of the Votes of the Proprietors of the same Company present, either personally or by Proxy, at a Special Assembly of the Proprietors of the same Company convened for that Purpose, agree to sell the said Canal and the Property of the said Canal Company to the *London and South-western* Railway Company, then and in such Case it shall be lawful for such Canal Company to sell and dispose of to the *London and South-western* Railway Company, and the said *London and South-western* Railway Company may and they are hereby required, before they shall be permitted to execute any of the Works hereby authorized to be done, to purchase the Entirety of the said Canal and the Works thereof, and all other the Lands, Works, Tolls, Rights, Easements,

Powers, Privileges, Hereditaments, and Effects whatsoever of such Canal Company, but subject to the existing Liabilities affecting the same or such Canal Company in respect thereof, and which may not be agreed to be and shall not accordingly be discharged or satisfied out of the Consideration for such Purchase, and such Sale and Purchase may be made for such Considerations and upon such Conditions and in such Manner as shall be agreed upon between or on behalf of the said Two Companies; and after the Completion of such Purchase (whereof a Conveyance duly stamped for denoting the Payment of the proper Stamp Duty payable in respect of the Purchase Money, and under the Common Seal of such Canal Company, shall be sufficient Evidence,) the Premises purchased shall be thenceforth vested in the *London and South-western* Railway Company, their Successors and Assigns, subject to such Liabilities and to the Terms of such Purchase; and all Acts, Deeds, Contracts, and Instruments, Powers, Privileges, Immunities, Matters, and Things, relating to or entered into with or conferred upon such Canal Company, with respect to the same Premises or any of them, shall thenceforth relate and apply to, and may be enforced, exercised, and enjoyed respectively by, the *London and South-western* Railway Company, with respect to the same, or such Part thereof as for the Time being shall not have been converted into or form any Part of the Railways and other Works hereby authorized, instead of such Canal Company, as fully and effectually to all Intents and Purposes as if the *London and South-western* Railway Company had been originally named or referred to in every such Act or Instrument in lieu of such Canal Company.

XVII. And be it enacted, That every Receipt or Acknowledgment of Payment or Satisfaction given by such Canal Company under their Common Seal for such Consideration or any Part thereof shall be an absolute Discharge to the *London and South-western* Railway Company for so much of such Consideration as shall be therein acknowledged to have been received, paid, or satisfied.

Receipts of Canal Company for Consideration to be a Discharge.

XVIII. And be it enacted, That the Monies paid to such Canal Company as or in respect of such Consideration, and all other (if any) the Funds and Property of the same Company, shall (subject to and after the Payment or Satisfaction of all incidental Costs and Expenses) be from Time to Time applied, under the Control and Superintendence of the Committee of Management of the same Company, in or towards the Discharge of such of the Liabilities of the same Company as shall not have been adopted by the *London and South-western* Railway Company, and any Surplus thereof shall be paid and distributed, under the like Control and Superintendence, amongst the Proprietors for the Time being of Shares in such Canal Company, and in proportion to their respective Rights and Interests in such Shares; and after the Completion of such Purchase the same Company shall be dissolved and cease to exist, save only as respects and for the Purposes of the Satisfaction of any existing Liabilities of the same Company, and the Distribution of such Surplus, and the general Settlement of the Affairs of the same Company.

Distribution of such Consideration and other Funds of Canal Company.

XIX. And

Shareholders of Canal may accept Shares of the London and South-western Railway.

XIX. And be it enacted, That all Executors, Administrators, and all Committees of the Estates of Idiots or Lunatics, in whose respective Names any Share in the Capital of such Canal Company are or shall be standing, or who in such respective Capacities are or shall be entitled to the Receipt of the Dividends or other Profits of any Shares, may agree to accept, in lieu of such Shares or any of them, any Shares in the Capital of the *London and South-western Railway Company* which may be allotted in pursuance of any Agreement between the said Companies, and are hereby authorized, upon or with reference to the Distribution or Division of the Property and Funds of such Canal Company, to give absolute Receipts and Discharges for all Monies payable in respect of such Shares in the Capital of the same Company.

Investment of Monies payable on Shares of the Canal Company to absent and incapacitated Persons.

XX. And be it enacted, That, as concerning any Shares in the Capital of the said Canal Company, the Owners whereof shall not be known or cannot be found, or cannot give effectual Discharges for the Monies payable thereon, or in respect whereof no Claim shall be made and supported by proper Evidence within Twelve Months next after the Completion of such Purchase, such Canal Company may deposit, invest, and pay all or any Monies payable in respect of such Shares respectively, according to the Provisions of the "Lands Clauses Consolidation Act, 1845," with respect to the Purchase Money or Compensation coming to Parties having limited Interests, or prevented from treating, or not making Title; and the Monies so deposited, invested, and paid shall be applied according to such Provisions, but at the exclusive Expence in all things of the Persons being or claiming to be entitled thereto: Provided nevertheless, that any Investment of such Monies, or of the annual Income of the same, or the Accumulations thereto, may be made upon the Petition of such Canal Company, or any Two of the Committee of Management thereof, and at the Expence of the Trust Fund; and in any Case in which any such Monies may be lawfully paid to Two Trustees, such Trustees may be appointed by the same Company, or by or pursuant to a Resolution of such Committee, with such Provisions for the Appointment of new Trustees from Time to Time as may be expedient; and every such Deposit, Investment, or Payment shall be as conclusive a Discharge for the Monies so deposited, invested, or paid as if the said Monies had been duly paid to a Person absolutely entitled thereto.

Provision in the Canal Act for Sale of superfluous Lands repealed.

XXI. And whereas it was by the said Canal Act enacted, that if the said Canal should be made, and afterwards disused for Seven Years, then after such Seven Years such Canal Company should convey the Lands or Grounds which they should under the Authority of the same Act have acquired to the Persons or Corporations, or their Heirs, Successors, or Assigns, who were the Owners thereof immediately before the same Company became seised of the same, in case they should think fit to become Purchasers thereof, and to pay such Considerations as therein expressed: Be it enacted, That such Provision of the same Act shall be and the same is hereby repealed.

XXII. And

XXII. And be it enacted, That the Persons who would be entitled to purchase such Lands or Grounds under the Provisions of "The Lands Clauses Consolidation Act, 1845," (with respect to Lands acquired by the Promoters of the Undertaking under the Provisions of that or the special Act, or any Act incorporated therewith, but which shall not be required for the Purposes thereof,) shall be entitled to purchase such of the Lands or Grounds now belonging to the said Canal Company as shall not be required for the Purposes of this Act; and the Sale and Purchase respectively of the same Lands or Grounds shall be made according to the Provisions of the Lands Clauses Consolidation Act, 1845, in that Behalf contained.

Sale of Lands not wanted to be according to 8 & 9 Vict. c. 18.

XXIII. And be it enacted, That the *London and South-western Railway Company* may at any Time or Times after they shall have completed such Purchase discontinue the Use of the said Canal or any Part thereof for the Purposes of a Canal, and fill up the same, or otherwise convert the same to and for the Purposes of this Act, and thereupon all Rates, Charges, and Penalties given or authorized by the said Canal Act with reference to and all Rights of using the said Canal, or such Part thereof as shall be so discontinued, shall cease: Provided nevertheless, that before any such Discontinuance the same Company shall give Two Months Notice thereof by Advertisement in some Newspaper usually circulated in the County of *Southampton*; provided also, that after the Completion of such Purchase, and as to such Parts of the said Canal as shall not for the Time being have been so discontinued, the same Company shall have and may exercise all the Powers and Authorities by the said Canal Act granted unto and authorized to be exercised by such Canal Company, subject nevertheless to the Provisions of this Act.

Power to discontinue Use of Canal.

XXIV. And be it enacted, That the *London and South-western Railway Company* and such Canal Company may respectively enter into, make, and carry out any such Contracts between themselves respectively, or for any of the Purposes of this Act, or otherwise in connexion therewith, as they respectively may deem advisable; and every such Contract may contain such Covenants, Provisoes, Conditions, and Clauses as they respectively may mutually agree on.

Enabling Contracts to be made between the Companies.

XXV. And be it enacted, That in making the said Railways it shall be lawful for the Company to construct the same across and on the Level of the following Roads shown on the said Plans; that is to say,

Power to cross certain Roads on the Level.

In the Parish of *Stockbridge* in the said County of *Southampton*, the Road numbered 57;

In the Parish of *Michaelmarsh* in the same County, the Road numbered 52;

In the Parish of *Langstock* in the same County, the Road numbered 34; and

In the Parish of *Houghton* in the same County, the Road numbered 24.

[*Local.*]

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XXVI. And

Company to erect a Station or Lodge at Points of crossing, and to abide by the Regulations of the Commissioners of Railways.

XXVI. And be it enacted, That for the greater Convenience and Security of the Public the Company shall erect and permanently maintain either a Station or Lodge at the Points where the said Railway crosses the before-mentioned Roads on the Level; and the said 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 Commissioners of Railways; and if the said Company shall fail to erect or at all Times maintain any such Station or Lodge, 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 incurred.

Land for extraordinary Purposes.

XXVII. And be it enacted, That the Quantity of Land to be taken by the Company for extraordinary Purposes shall not exceed Thirty Acres.

Period within which Lands are to be purchased.

XXVIII. And be it enacted, That the Powers of the Company for compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing of this Act.

Period for Completion of Railways, &c.

XXIX. And be it enacted, That after the Expiration of Five Years from the passing of this Act all the Powers hereby granted to the Company for making the Railways hereby authorized, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the same as shall then be completed.

Company to take same Tolls as on existing Line and South-western Railway.

XXX. And be it enacted, That the Company may, subject to the Provisions in the said recited Acts contained, lawfully demand and receive, in respect of the Railways and Works hereby authorized to be made, for the Tonnage of all Articles, Matters, and Things conveyed upon the same or any Part thereof respectively, and in respect of Passengers, Beasts, Cattle, and Animals conveyed in Carriages, and for Carriages conveyed on the same or any Part thereof respectively, and for and in respect of Locomotive Engines or other Power for drawing or propelling supplied by the Company, and for the Conveyance upon the same Railways or any Part thereof respectively, in Waggons or Carriages belonging to the Company, of any Passengers, Cattle or other Animals, Goods, Wares, Merchandize, Articles, Matters, and Things, and for Wharfage, warehousing, and Cranage, such Amount of Rates, Tolls, and other Charges as by the said recited Acts the Company are authorized to demand and receive in respect of the same several Matters and Things, Privileges and Duties respectively, on or in respect of the Main Line of the said *London and South-western* Railway, or the Works connected therewith, or any Part thereof.

XXXI. Pro-

XXXI. Provided always, and be it enacted, That the maximum Charges to be made by the Company in respect of all the Tolls and Charges for the Use of the Railways hereby authorized to be made, and of Carriages, Waggon, or Trucks, and for locomotive Power, and every Expence incidental to such Conveyance (except the loading and unloading of Goods, where such Service is performed by the Company), shall not exceed the Sums in that Behalf limited by "The *London and South-western Railway Company's Amendment Act, 1846*;" and the said maximum Charges shall not extend to Articles, Matters, or Things, Passengers, Beasts, Cattle, and Animals, conveyed by or in any Express or Special Train; and that in all Cases where any such Articles, Matters, or Things, Passengers, Beasts, Cattle, and Animals, shall be conveyed on the Railway for a less Distance than Six Miles, the Company may demand and receive the before-mentioned maximum Charges for Six Miles.

Maximum Charges.

XXXII. And be it enacted, That the several Acts of Parliament respectively in any way relating to or affecting the *London and South-western Railway Company* and such Canal Company, or either of the same several Companies, so far as the Provisions of such Acts respectively shall be repugnant to or inconsistent with the Provisions or Purposes of this Act, and as shall be necessary for giving full Effect to the same Provisions and Purposes respectively, shall be and the same are hereby repealed.

Repeal of Acts inconsistent with this Act.

XXXIII. Provided always, and be it enacted, That, except so far as shall be necessary for giving full Effect to the several Provisions and Purposes of this Act respectively, nothing in this Act contained shall extend to take away, diminish, prejudice, or alter, further or otherwise than is hereby expressly enacted or authorized, any of the Rights, Privileges, Powers, or Authorities vested in the *London and South-western Railway Company* and such Canal Company, or either of the same Companies.

Saving the Rights of the Railway Company and the Canal Company.

XXXIV. 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 Railway*; 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 regulating 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 Two other Acts passed in the Ninth and Tenth Years of the Reign of Her said Majesty, respectively intituled *An Act for regulating the Gauge of Railways*, and *An Act for constituting Commissioners of Railways*; be it enacted, That nothing in this Act contained shall be held to exempt the said Railways hereby authorized to be made, or the said *London and South-western Railway Company*, from the Provisions of the said several Acts respectively, but that such Provisions shall

Railway Company 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., and 9 & 10 Vict. cc. 57. & 105.

shall be in force in respect to the same Railways and Company so far as the same shall be applicable thereto.

Railways to
be subject to
Provisions of
any future
general Act.

XXXV. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railways by this or the said recited Acts authorized to be made from the Provisions of any general Act relating to such Acts, or of any general Act relating to Railways, now in force, or which may hereafter pass during this or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act.

Public Act.

XXXVI. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

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