



ANNO DECIMO SEPTIMO & DECIMO OCTAVO

# VICTORIÆ REGINÆ.

\*\*\*\*\*

## *Cap. ccviii.*

An Act to authorize Agreements between the *Direct London and Portsmouth Railway Company* and the *Portsmouth Railway Company*, and for winding up the Affairs of the *Direct London and Portsmouth Railway Company*. [31st July 1854.]

**W**HEREAS by the Act of the Session of the Ninth and Tenth Years of Her present Majesty, intituled *An Act for the making a Railway from the Croydon and Epsom Railway at Epsom to the Town of Portsmouth, to be called "The Direct London and Portsmouth Railway,"* and "*The Direct London and Portsmouth Railway Act, 1847,*" the *Direct London and Portsmouth Railway Company* (in this Act called the Company) were incorporated, and were empowered to make a Railway from *Epsom to Godalming*, and thence to *Portsmouth*: And whereas the Line of Railway by "*The Portsmouth Railway Act, 1853,*" authorized, will pass between *Godalming* and *Havant*, through the same District of Country as that through which the *Direct London and Portsmouth Railway* was authorized to be made, and the authorized Lines of those Two Railways are in some Parts identical, and they could not both be made and maintained as distinct Railways: And whereas the

[*Local.*]

39 K

Company

*The Direct London and Portsmouth Railway Act, 1854.*

Company have not carried out any of the Objects of their Acts, and the Times limited for the Exercise of their Powers of purchasing Lands and executing Works have expired, and it is expedient that Provision be made for the winding up of the Affairs and the Dissolution of the Company; but that Object 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,

Empowering  
the Company  
and the  
Portsmouth  
Railway  
Company to  
enter into  
Agreements.

I. That in order to the winding up of the Affairs of the Company, the Company and the *Portsmouth* Railway Company, with the Sanction as to each of those Companies of Three Fifths of the Votes of the Shareholders of the same respective Company, present personally or by Proxy at an Extraordinary General Meeting of the same respective Company, may make such Contracts and Arrangements for and with respect to such winding up, and the respective Interests of those Companies in relation thereto, as they think fit; and by such Contracts and Arrangements those Companies may make such Provisions as they think reasonable for the Discharge by the *Portsmouth* Railway Company of any then existing or any contingent future or unascertained Liabilities of the Company, and for the Appropriation or Investment of the rateable Proportions of such clear Surplus as hereinafter mentioned, to be paid to any Shareholders of the Company being abroad, or whose Places of Residence are unknown to the *Portsmouth* Railway Company, or to whom from any other Cause immediate Payment thereof cannot be made, and such other Provisions for enabling the Affairs of the Company to be the more speedily wound up as those Companies think expedient; and the Contracts and Arrangements so from Time to Time made may and shall be carried into effect according to the Intent thereof, and any such Contract or Arrangement made between those Companies with such Sanction before the passing of this Act shall be as valid and effectual as if it were made after the passing thereof.

Upon Execution of  
Agreement,  
Company's  
Acts  
repealed.

II. That upon the Execution of any such Agreement, and Publication of a Notice in the *London Gazette* stating that such Agreement has been executed, but subject to the Provisions of this Act, the Two recited Acts relating to the Company shall be repealed: Provided always, that so long and so far as is necessary for the winding up of the Affairs of the Company, that Company shall remain incorporated, and the Powers and Provisions of those Acts respectively shall remain in force accordingly.

III. That,

*The Direct London and Portsmouth Railway Act, 1854.*

III. That, subject to the Terms and Conditions of such Agreement, and upon Execution thereof and Publication of Notice as aforesaid, the Property, Credits, Choses in Actions, and Effects of the Company shall be vested in the *Portsmouth* Railway Company, subject nevertheless to all Securities, Liabilities, Claims, and Demands affecting the Company or the Property thereof.

Property of  
Company  
vested in  
Portsmouth  
Railway  
Company  
subject to  
Liabilities.

IV. That, notwithstanding such Repeal, and except only as is by this Act otherwise expressly provided, everything before the Publication of such Notice as aforesaid done and suffered respectively under the repealed Acts respectively shall be as valid as if this Act were not passed; and such Repeal and this Act respectively shall accordingly be subject and without Prejudice to everything so done and suffered respectively, and to all Rights, Liabilities, Claims, and Demands, both present and future, which, if such Repeal had not happened and this Act were not passed, would be incident to or consequent on any and every thing so done and suffered respectively; and with respect to all such Things so done and suffered respectively, and all such Rights, Liabilities, Claims, and Demands, the *Portsmouth* Railway Company shall, to all Intents and Purposes, represent the Company.

Present and  
future Rights  
and Liabilities  
under  
repealed  
Acts saved.

V. That so soon as can be after the Execution of the said Agreement and Publication of such Notice as aforesaid, the Assets of the Company vested in the *Portsmouth* Railway Company shall be realized by that Company, and that Company shall discharge or make adequate Provision for the Discharge of such of the Liabilities of the Company as may not have been otherwise provided for, and for the Application, according to the Terms of any such Agreement, of the clear Surplus of the Proceeds of those Assets; and the Affairs of the Company shall in all other respects be wound up, and the Company shall be wholly dissolved.

Affairs of  
Company to  
be wound up,  
and Company  
dissolved.

VI. That it shall not be lawful for the Company, out of any Money by any Act relating to the Company 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 an Act authorizing the Company to construct any other Railway, or to execute any other Work or Undertaking.

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

VII. 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

Railways to  
be subject to  
Provisions of  
1 & 2 Vict.  
c. 98.,  
in

*The Direct London and Portsmouth Railway Act, 1854.*

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.

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 Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act for regulating the Gauge of Railways*; and another Act was passed in the Fifteenth Year of the same Reign, 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 Company or their Railways from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect of the said Railways so far as the same shall be applicable thereto.

Railways not  
exempt from  
Provisions  
of future  
General  
Acts.

VIII. That nothing herein contained shall be deemed or construed to exempt the Railways by 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, or to the better and more impartial Audit of the Accounts of Railway Companies, now in force, or which may hereafter pass during this or any future Session of Parliament, or from any future Revision and Alteration under the Authority of Parliament of the maximum Rates of Fares and Charges authorized by this Act or the said recited Acts, and of the Rates for small Parcels.

Expenses of  
Act.

IX. That all the Costs, Charges, and Expenses of applying for, obtaining, and passing this Act, or preparatory or incident thereto, shall be paid and discharged by the Company.

Short Title.

X. That in citing this Act it shall be sufficient to describe it as "*The Direct London and Portsmouth Railway Act, 1854.*"

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,  
Printers to the Queen's most Excellent Majesty. 1854.