



ANNO VICESIMO & VICESIMO PRIMO

VICTORIÆ REGINÆ.

Cap. c.

An Act for the Abandonment of the *Westminster Terminus* Railway Extension, *Clapham* to *Norwood*, and for other Purposes. [27th July 1857.]

WHEREAS by "The *Westminster Terminus* Railway Extension Act, *Clapham* to *Norwood*, 1855," (in this Act called the Act of 1855,) a Company (in this Act called the Company) were incorporated, for the Purpose of making a Railway from *Clapham* to *Norwood*, in extension of the *Westminster Terminus* Railway, then authorized to be made from *Westminster* to *Clapham*, and so that the Two Railways would together form a continuous Line of Railway from *Westminster* to *Norwood*: And whereas the Company have not commenced the Construction of the Railway, or entered upon, taken, or used, or entered into any Contract or given any Notice for entering upon, taking, or using, any Land which by the Act of 1855 they were authorized to enter upon, take, or use: And whereas by the *West End of London and Clapham and Norwood Junction* Railway Act, 1856, (in this Act called the Act of 1856,) the making of the *Westminster Terminus* Railway from *Westminster* across the River *Thames*, and to the Boundary between

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Westminster Terminus Railway Extension, Clapham to Norwood, Abandonment.

the Parishes of *Saint Mary Battersea* and *Clapham*, was authorized to be abandoned, whereby the Character of the Undertaking is so greatly changed as to render the making of the authorized Extension from *Clapham* to *Norwood* inexpedient, and it is therefore expedient that the Company be authorized to abandon the making of it: And whereas the Objects of this Act cannot be attained without the Authority of Parliament: May it theretofore 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,)

Short Title. I. This Act may be cited for all Purposes as "*Westminster Terminus Railway Extension, Clapham to Norwood, Abandonment Act, 1857.*"

Construction of Railway abandoned. II. The Company may and shall abandon the making of the Railway by the Act of 1855 authorized.

Act not to prejudice Right of Owner of Lands to Compensation for Entry upon such Lands. III. Provided always, That the Authority by this Act given for abandoning the Railway shall not prejudice or affect the Right of the Owner or Occupier of any Lands which the Company were empowered to purchase to receive from them Compensation for any Damage occasioned by their Entry upon the Lands for the Purpose of surveying and taking Levels, and of probing or boring to ascertain the Nature of the Soil, or of setting out the Line of the Railway, pursuant to the Provisions in that Behalf of "*The Lands Clauses Consolidation Act, 1845.*"

Court of Chancery to order Transfer to Company of Consols. IV. And whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of Her present Majesty, Chapter Twenty, Consolidated Three Pounds *per Centum* Annuities to the Value of Eleven thousand seven hundred and sixty-five Pounds and Ten Shillings, being One Tenth of Three Fourths of the Amount of the Estimate of the Expense of the Railway by the Act of 1855 authorized, have been transferred into the Name of the Accountant General of the Court of Chancery: And whereas the Application to Parliament for the Act of 1855 and that Transfer of Stock were respectively made on the Faith that the Provisions of the Act authorizing the *Westminster Terminus* Railway would be carried into effect, and that the Company would thereby obtain the Benefit of a continuous Line of Railway from *Westminster* to *Norwood*; and accordingly, when the Bill for the Act of 1856 was pending in the House of Commons the Company opposed the passing thereof, and when the Bill was pending in the House of Lords they protested
against

*Westminster Terminus Railway Extension, Clapham to Norwood,
Abandonment.*

against the passing thereof: And whereas by reason that the Company have thus been deprived, by an Act of Parliament passed without their Consent, of the Benefit which had been secured to them by a former Act of Parliament, and on the Faith of which former Act they made the Transfer, and thus, under Circumstances beyond their Control, and not contemplated either by them or by Parliament when they made the Transfer, the Consideration for making the Transfer has failed, it is right that the Stock so transferred, and the Dividends thereon, be re-transferred and paid to the Company: Therefore, notwithstanding anything in that Act of Her present Majesty, or any other Act, the High Court of Chancery may and shall, on Application by the Company or on their Behalf, by Petition or Motion in a summary Way, order that the Stock so transferred, and the Dividends thereon, be transferred and paid to the Company or to such Persons as the Company appoint; and on such Order being made the Stock and the Dividends thereon shall be transferred and paid accordingly.

V. The Company shall apply all Monies from Time to Time in their Hands or under their Control, first in paying or providing for all the Debts, Liabilities, and Engagements of the Company, and subject thereto shall divide the Surplus (if any) thereof between the Shareholders of the Company, or their respective Executors, Administrators, or Assigns, in rateable Proportion to their Shares in the Capital of the Company, and thereupon the Company shall be dissolved.

Application
of Monies
in Hands of
Company,
and Dis-
solution of
Company.

VI. Nothing in this Act contained shall interfere with or prejudicially affect the Rights of *John Coope Haddan*, under an Agreement bearing Date the First Day of *August* One thousand eight hundred and fifty-five, and made between *William Roupell* Esquire of the one Part, and the said *John Coope Haddan* of the other Part, but such Agreement, and everything therein contained, shall be of the same Power and Effect as if this Act had not passed.

Saving
Rights of
John Coope
Haddan.

VII. All the Costs, Charges, and Expenses incurred by or on behalf of the Company, of applying for and obtaining this Act or incident thereto, shall be paid by the Company.

Expenses
of Act.

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