



ANNO VICESIMO & VICESIMO PRIMO

# VICTORIÆ REGINÆ.

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## *Cap. cxxv.*

An Act to extend the Time for the Purchase of certain Lands required for the *Metropolitan Railway*; and for other Purposes.

[10th *August* 1857.]

**W**HEREAS an Act was passed in the Seventeenth and Eighteenth Years of the Reign of Her present Majesty, intituled "The *Metropolitan Railway Act, 1854*," (in this Act called "the Act of 1854,") whereby the *Metropolitan Railway Company* (in this Act called "the Company") were incorporated, and were empowered to make a Railway from the *Great Western Railway* at *Paddington* to the General Post Office in *Saint Martin's-le-Grand*, with a Branch to the *Euston Station* of the *London and North-western Railway Company*: And whereas by "The *Metropolitan Railway (Deviation) Act, 1855*," (in this Act called "the Act of 1855,") and by "The *Metropolitan Railway (Great Northern Branch and Amendment) Act, 1856*," (in this Act called "the Act of 1856,") further Powers were granted to the Company, and they were authorized to make a Branch to the *Great Northern Railway*: And whereas the Company have hitherto, from the Exigencies of the Times and other Causes, been unable to commence their Works, and it is expedient to grant them further Time for the compulsory Purchase of Lands, and that the Period prescribed in the said Acts

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*The Metropolitan Railway (Amendment) Act, 1857.*

or any of them for the Commencement of certain of the Works should be extended: And whereas the Purposes aforesaid 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,)

“The Railway.”

I. In this Act the Expression “the Railway” shall be held to mean the Railways, Branch Railways, and Works authorized to be made by the Act of 1854, the Act of 1855, and the Act of 1856, unless there be something in the Subject or Context repugnant to such Construction.

Short Title.

II. In citing this Act for any Purpose it shall be sufficient to use the Expression “The *Metropolitan Railway (Amendment) Act, 1857.*”

Powers for compulsory Purchases extended.

III. The Powers for the compulsory Purchase or taking of Lands granted by the Act of 1854, the Act of 1855, and the Act of 1856, for the Purpose of making the Railway according to the Plans and Sections of the same, and Books of Reference thereto, deposited with the Clerk of the Peace for the County of *Middlesex*, shall continue in force in respect of the Lands authorized to be taken for such Railway, and the Time limited for the compulsory Purchase of such Lands shall be extended until the Expiration of One Year from the passing of this Act; and after the Expiration of such Period the Powers by the said recited Acts and by this Act granted for the compulsory Purchase of the Lands authorized to be taken for such Railway shall cease to be exercised.

Parties aggrieved by Extension of Time being granted, may have Compensation for additional Damage.

IV. The Justices, Arbitrators, Umpires, or Juries respectively, as the Case may be, who under the Provisions of the said recited Acts or this Act shall award or assess the Compensation to be made by the Company to the Owners or Occupiers of or other Persons interested in any of the Lands authorized to be taken for the Railway, and which may be taken and used for such Railway, or which may be injuriously affected by the Construction of such Railway, shall, in estimating the Amount of such Compensation, have regard to and make Compensation for the additional Damage, if any, sustained by such Owners, Occupiers, or other Persons by reason of the Extension of Time hereby authorized.

Period for Commencement of certain Works.

V. Any Period prescribed by either of the said Acts within which any of the Works are to be commenced shall be extended and enlarged, and such Works may be commenced within the Period of One Year from the passing of this Act.

VI. Nothing

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VI. Nothing herein contained shall in anywise prejudice or affect the several Clauses or Provisoes contained in the said Acts or either of them relating to the House of Correction at *Cold Bath Fields* in the County of *Middlesex*, or any Contracts entered into or Notices given by the Company, before the passing of this Act, for purchasing, taking, or using any Lands authorized to be taken for the said Railway; but all such Clauses and Provisions, and every such Contract and Notice respectively, shall be construed and shall take effect, and the same Proceedings shall be had thereunder, and all Parties thereto shall be entitled to the same Rights and Remedies in respect thereof respectively, both at Law and in Equity, as if this Act had not been passed.

Existing Contracts and Notices to take Lands not to be affected.

VII. Nothing in this Act contained shall take away, diminish, alter, prejudice, or affect any of the Powers, Provisions, and Regulations contained in the Act of 1854, and contained or referred to in the Act of 1856 respectively, relating to conveying the Railway authorized to be made by the Act of 1854, and to carrying the Branch Railway authorized to be made by the Act of 1856 under the *Old Saint Pancras Road* (being One of the Turnpike Roads under the Care of the Commissioners of the Metropolis Turnpike Roads North of the *Thames*), but such Powers, Provisions, and Regulations shall be as good, valid, and effectual as if this Act had not been passed.

Saving the Rights of the Commissioners of the Metropolis Turnpike Roads.

VIII. Nothing contained in this Act or the recited Acts shall empower the Company to take or purchase any of the Lands in the Parish of *Saint Botolph Without Aldersgate*, numbered 35, 36, 37, 41, and 42 respectively on the deposited Plans, without the Consent of the Owners thereof for the Time being; but it shall be lawful for the Company to construct their Railway and Works under such Lands, and to open so much of the Surface thereof as may be necessary for such Purpose; and the Company shall within a reasonable Period after the Commencement of the Work restore the Surface to its original Level, and rebuild any Houses or Buildings now erected, or which may previously to the Commencement of the Works have been erected, on the said Lands, and shall pay to the Owners of such Lands and Buildings full Compensation for any Damage occasioned to such Lands and Buildings by the Construction of the Railway and Works.

Lands in St. Botolph Without Aldersgate not to be taken without Consent.

IX. The Company shall not, out of any Money by this or the recited Acts authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, pay Interest or Dividend to any Shareholder on the Amount of the Calls on his Shares: Provided always, that this Act shall not prevent the Company

Interest not to be paid on Calls paid up.



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pany from paying to any Shareholder such Interest on Money advanced by him in anticipation of Calls as is in conformity with the Provisions in that Behalf of "The Companies Clauses Consolidation Act, 1845."

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

X. The Company shall not, out of any Money by this or the recited Acts authorized to be raised for the Purposes thereof, pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament from Time to Time in force, is required to be deposited in respect of any Application to Parliament for an Act authorizing the Company to construct any other Railway or execute any other Work or Undertaking.

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

XI. This Act or anything therein shall not exempt the Railway and Works from the Provisions of any General Act now in force or which may hereafter pass relating to Railways, or to the better or more impartial Audit of the Accounts of Railway Companies now in force, or from any future Revision and Alteration, under the Authority of Parliament, of the Tolls for small Parcels and the maximum Rates of Fares and Charges by this Act or the recited Acts authorized.

Saving Rights of the Crown.

XII. Nothing contained in this Act or in any of the Acts herein referred to shall authorize the said Company to take, use, or in any Manner interfere with any Land, Soil, Tenements, or Hereditaments, or any Rights in respect thereof, belonging to the Queen's most Excellent Majesty in right of Her Crown, 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, on behalf of Her Majesty, first had and obtained for that Purpose (which Consent such Commissioners are hereby respectively authorized to give), or to take away, prejudice, diminish, or alter any of the Estates, Rights, Privileges, Powers, or Authorities vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors.

Expenses of Act.

XIII. All the Costs, Charges, and Expenses of and incident to the obtaining and passing of this Act shall be paid by the Company.

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