



ANNO VICESIMO & VICESIMO PRIMO

VICTORIÆ REGINÆ.

Cap. clv.

An Act to enable the *South-eastern Railway Company* to make or complete a short Line of Railway at *Tunbridge*; and for other Purposes.

[17th August 1857.]

WHEREAS an Act was passed in the Session held in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for making a Railway from the London and Croydon Railway to Dover, to be called "the South-eastern Railway,"* by which the *South-eastern Railway Company* (in this Act called "the Company") was incorporated: And whereas further Powers have been granted to the Company by several Acts subsequently passed: And whereas an Act was passed in the Session held in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act to enable the South-eastern Railway Company to make or complete a Branch Railway from the South-eastern Railway at Tunbridge to Tunbridge Wells:* And whereas the said Railway to *Tunbridge Wells* has been for some Time completed and open for Traffic, and such Railway is in this Act called "the *Tunbridge Wells Railway*:" And whereas an Act was passed in the Third and Fourth Years of Her present Majesty, Chapter CXXVII., intituled *An Act to amend and enlarge the Powers and Provisions of the General Acts relating to the London and*

6 & 7 W. 4.
c. lxxv.

8 & 9 Vict.
c. clxvii.

3 & 4 Vict.
c. cxxvii.

The South-eastern Railway Act, 1857.

Greenwich Railway: And whereas the present Junction at *Tunbridge* between the *Tunbridge Wells* Railway and the Main Line of the *South-eastern* Railway has been found inconvenient, and it is expedient that the Company should be enabled to make or complete a more convenient Junction between those Railways: And whereas it is expedient that the Provisions of the recited Act of the Third and Fourth *Victoria*, Chapter CXXVII., with respect to the Use of the *London and Greenwich* Railway between certain Hours on *Sundays* and other Days therein mentioned, should be repealed: And whereas it is expedient to provide as herein-after mentioned with respect to the Appointment and Qualification of Directors in the said Company; but for the Purposes aforesaid the Authority of Parliament is necessary: 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,)

Short Title.

I. In citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "The *South-eastern* Railway Act, 1857."

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

II. The Clauses and Provisions of "The Railways Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act.

Power to
make Rail-
way herein
mentioned.

III. It shall be lawful for the Company to make, complete, and maintain the Railway herein-after mentioned, with all proper Works and Conveniences connected therewith; (that is to say,)

A Railway commencing by a Junction with the Main Line of the *South-eastern* Railway at or near the *Tunbridge* Station thereof in the Parish of *Tunbridge* in the County of *Kent*, and terminating by a Junction with the *Tunbridge Wells* Railway in the same Parish and County, near the *Primrose Hill* Tunnel thereon.

Railway to
be made ac-
cording to
deposited
Plans, &c.

IV. Whereas Plans and Sections of the Railway showing the Lines and Levels thereof, and also a Book of Reference containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and of the Occupiers of the Lands which may be required to be taken for the Purposes thereof, have been deposited for public Inspection with the Clerk of the Peace for the County within which the same is situate: Therefore, subject to the Provisions and Powers of Deviation in this and "The Railways Clauses Consolidation Act, 1845," contained, the Railway shall be made or completed in the Line or Course and upon the Lands delineated upon the said Plans and described in the said Book of Reference, and according to the Levels defined on the said Sections; and, subject to the Provisions in this and the recited Acts contained, it shall be lawful for the Company to enter upon, take, and use such of the said Lands as may be necessary for the Purposes thereof.

V. The

The South-eastern Railway Act, 1857.

- V. The Powers of the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of One Year from the passing of this Act. Powers for compulsory Purchase of Lands limited.
- VI. The said Railway at *Tunbridge* shall be completed within One Year from the passing of this Act, and on the Expiration of that Period the Powers by this Act granted to the Company for making the same shall cease. Limiting Time for Completion of Works.
- VII. After the Expiration of One Year from the passing of this Act it shall not be lawful for the Company to pay any Dividend on the ordinary or unguaranteed Capital of the Company, unless and until the Railway hereby authorized shall be open for public Traffic. Suspension of Payment of Dividend on ordinary Capital if Railway not opened in One Year.
- VIII. The Railway by this Act authorized to be made and completed shall form Part of the Undertaking of the Company. Railway to be Part of South-eastern Railway.
- IX. The Railway at *Tunbridge* in this Act described and authorized shall form Part of the *Tunbridge Wells* Railway; and it shall be lawful for the Company to demand and receive such Tolls and Charges in respect of each and every Description of Traffic upon that Railway as they would have been entitled to demand and receive if the same had originally formed Part of the *South-eastern* Railway; and the Sections of the recited Act of the Eighth and Ninth *Victoria*, Chapter One hundred and fifty-seven, numbered from Fifteen to Eighteen inclusive of both Numbers, shall apply to the Tolls and Charges to be levied or made by the Company upon that Railway. Tolls on the Tunbridge Junction Railway.
- X. The Company shall not, out of any Money by any Act relating to the Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, pay to any Shareholder Interest or Dividend on the Amount of Calls made in respect of the Shares held by him: Provided always, that the Company may pay to any Shareholder such Interest on Money advanced by him beyond the Amount of Calls actually made as may be in conformity with the Provisions of "The Companies Clauses Consolidation Act, 1845." Interest on Calls not to be paid out of Capital.
- XI. The Company shall not, out of any Money by any Act relating to the Company authorized to be raised, pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament for the Time being in force, may require 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 execute any other Work or Undertaking. Deposits for future Bills not to be paid out of Capital.
- XII. From and after the First Ordinary General Meeting of the Company next after the passing of this Act the Qualification of a Director of the Company shall be the Possession in his own Right of Two thousand Pounds of the Consolidated Stock of the Company, and no Person shall be eligible for Election as a Director unless he shall

The South-eastern Railway Act, 1857.

shall have possessed in his own Right Two thousand Pounds of the Consolidated Stock of the Company for a Period of not less than Three Months previous to such Election, anything in the first-recited Act to the contrary notwithstanding.

Notices to be given by Candidates for Office of a Director 21 Days at least prior to the Day of Election.

XIII. No Person shall after the passing of this Act be eligible for Election as a Director of the Company unless Notice in Writing of the Intention of such Person to offer himself as a Candidate for the Office of a Director shall, Twenty-one Days at least previously to the Day on which the Election is to take place, have been left at or sent by Post in a registered Letter to the principal Office of the Company; and every such Notice shall be addressed to the Secretary of the Company, and shall contain the Christian and Surname, Description, and Place of Abode of the Candidate, and shall be signed by him.

Section 18. of 3 & 4 Vict. c. cxxvii. repealed.

XIV. The Eighteenth Section of the recited Act of the Third and Fourth *Victoria*, Chapter One hundred and twenty-seven, shall be and is hereby repealed.

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

XV. Nothing in this Act shall be deemed or construed to exempt the Railway from the Provisions 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 the present or any future Session of Parliament, or from any future Revision and Alteration under the Authority of Parliament of the Rates for small Parcels, and the maximum Rates of Fares and Charges, authorized to be taken by the Acts relating to the Company.

Saving Rights of the Crown.

XVI. 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.

XVII. All the Costs, Charges, and Expenses of and incidental to the passing of this Act shall be paid by the Company.

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