



ANNO VICESIMO & VICESIMO PRIMO

VICTORIÆ REGINÆ.

Cap. clviii.

An Act to authorize the *Wycombe* Railway Company to extend their Railway to *Princes Risborough* and to *Thame*. [17th August 1857.]

WHEREAS the *Wycombe* Railway Company were incorporated by an Act passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her present Majesty, called "The *Wycombe* Railway Act, 1846," and were by that Act authorized to make a Railway to connect the Town of *Wycombe* with the *Great Western* Railway at *Maidenhead*: And whereas further Powers were conferred upon the Company by an Act of Parliament passed in the Session of Parliament held in the Fifteenth and Sixteenth Years of the same Reign, called "The *Wycombe* Railway Amendment Act, 1852:" And whereas the Company have completed and opened to the Public the Railway which they were by the above Acts empowered to construct, and it would be attended with public Advantage if they were empowered to extend their Railway through *Princes Risborough* in *Buckinghamshire* to *Thame* in *Oxfordshire*: And whereas Plans and Sections showing the Line and Levels of the said intended Railway, and a Book of Reference thereto

[*Local.*]

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containing

9 & 10 Vict.
c. ccxxxvi.

15 & 16 Vict.
c. cxlvii.

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containing the Names of the Owners, Lessees, and Occupiers of the Lands through which the said Railway will pass, have been deposited with the respective Clerks of the Peace for the said Counties: And whereas the said Company are willing to construct the said Railway, but they cannot do so 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:

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

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

Meaning of
"the Extension."

II. Where the Words "the Extension" are used the same shall mean the Railway hereby authorized to be made.

Power to
construct
Railway
according to
deposited
Plans.

III. The Company may, subject to the Provisions of this Act and of the Acts incorporated therewith, make and maintain the Extension (with all proper Works, Approaches, and Conveniences connected therewith) in the Line 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 the Company may enter upon, take, and use such of the said Lands as shall be necessary for such Purposes.

Describing
the Extension
hereby
authorized.

IV. The Extension shall commence by a Junction with the Line of the *Wycombe* Railway in the Parish of *Chepping Wycombe* in the County of *Buckingham*, pass through or into the following Parishes and Places, or some of them, that is to say, *High Wycombe* otherwise *Chepping Wycombe*, *West Wycombe*, *Bradenham*, *Bledlow*, *Saunderton*, *Horsenden*, *Princes Risborough*, and *Towersey* in the said County of *Buckingham*, *Chinnor*, *Henton* otherwise *Hempton*, *Winnal*, *Thame*, and *Old Thame*, in the County of *Oxford*, and terminate in the said Parish of *Thame* near the Turnpike Road leading from *Thame* to *Stokenchurch*.

Level
Crossings.

V. Subject to the Provisions in this Act and in "The Railways Clauses Consolidation Act, 1845," contained, it shall be lawful for the Company in the Construction of the Extension to carry the same across and upon the Level of the public Roads numbered on the deposited Plans as follows; Nos. 14 and 40, in the Parish of *Bledlow*; but no more than Two Lines of Railway shall be laid down at any such level Crossing.

VI. For

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VI. 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 before-mentioned Roads shall be crossed on the Level, and the 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 Board of Trade; and if the Company shall fail to erect and at all Times to maintain any such Station or Lodge, or to appoint a proper Person to watch or superintend the Crossing at any such Point or Station, or to observe or abide by any such Rules or Regulations 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 be continued after such Penalty of Twenty Pounds shall have been incurred.

Company to erect Station or Lodge at Point of Crossing, and abide by Rules, &c. of Board of Trade.

VII. It shall be lawful for the Board of Trade, if it shall appear to them necessary for the public Safety, at any Time, either before or after the Extension shall have been completed and open for public Traffic, to require the Company within such Time as the said Board of Trade shall direct, and at the Expense of the Company, to carry the herein-before mentioned Roads, or any or either of them, either under or over the Railway by means of a Bridge or Arch in lieu of crossing the same on the Level, or to execute such other Works as under the Circumstances of the Case shall appear to the said Board of Trade the best adapted for removing or diminishing the Danger arising from such level Crossings or any or either of them.

Board of Trade may require Bridges in lieu of level Crossings.

VIII. The Company may purchase by Agreement any Quantity of Land for the extraordinary Purposes mentioned in "The Railways Clauses Consolidation Act, 1845," not exceeding Five Acres, in addition to the Land which they are at present authorized to take for such Purposes.

Land for extraordinary Purposes.

IX. The Powers of the Company for the compulsory Purchase or taking of Lands for the Purposes of this Act shall not be exercised after the Expiration of Two Years from the passing of this Act.

Powers for compulsory Purchases limited.

X. The Extension shall be completed within Four Years from the passing of this Act, and on the Expiration of such Period the Powers by this Act granted to the Company for making the Extension, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

Period for the Completion of the Works.

XI. The Extension shall be constructed on the Gauge of Seven Feet.

Gauge of Railway.

XII. It

The Wycombe Railway (Extension) Act, 1857.

Application
of Moneys.

XII. It shall be lawful for the Company to apply towards the Purposes of this Act any of the Moneys which they are already authorized to raise, and which are not and will not be required for any of the Purposes of the said recited Acts.

If Extension
not com-
pleted and
opened for
public Traffic
within limit-
ed Period,
Payment of
certain Divi-
dends to be
suspended.

XIII. In case the Extension shall not be completed and opened for public Traffic within the Period of Four Years from the passing of this Act, then and from thenceforth it shall not be lawful for the Company or the Directors thereof to pay any Dividend to the Shareholders on the ordinary or unguaranteed Capital of the Company, until the Extension shall have been completed and opened for public Traffic.

Works to
form Part of
Company's
Under-
taking.

XIV. The Extension, together with the Approaches, Conveniences, and Works appertaining thereto, shall form Part of the Undertaking of the Company.

Tolls in
respect of
Extension.

XV. The Company may demand and receive for and in respect of the Extension the same Tolls and Charges as they are by "The Wycombe Railway Act, 1846," authorized to demand and receive for and in respect of the Railway by such Act authorized to be made, and the Extension shall for the Purposes of such Tolls and Charges be considered as Part of the *Wycombe Railway*.

Maximum
Charges.

XVI. Provided always, That the maximum Tolls and Charges to be demanded and received by the Company in respect of the Extension shall in no Case exceed the maximum Tolls and Charges authorized by the said last-mentioned Act.

Tolls for
small Par-
cels.

XVII. Provided always, That with respect to small Packages, notwithstanding the Rate of Tolls prescribed by the recited Act, the Company shall not demand, in respect of their existing Railway and of that by this Act authorized, any greater Tolls than the following; (that is to say,)

For the Carriage on their Railway, or any Part thereof, of any Parcel not exceeding Seven Pounds in Weight, Fourpence :

For the Carriage of any Parcel exceeding Seven Pounds but not exceeding Fourteen Pounds in Weight, Sixpence :

For the Carriage of any Parcel exceeding Fourteen Pounds but not exceeding Twenty-eight Pounds in Weight, Eightpence :

For the Carriage of any Parcel exceeding Twenty-eight Pounds but not exceeding Fifty-six Pounds in Weight, One Shilling :

And for the Carriage of any Parcel exceeding Fifty-six Pounds in Weight the Company may demand any Sum which they think fit.

XVIII. And

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XVIII. And whereas the estimated Cost of making the Extension is One hundred and eight thousand Pounds, and it is necessary for the Company to raise a further Capital of Sixty thousand Pounds: It shall be lawful for the Company to raise by creating new Shares, in addition to the Sums of Money which they are already authorized to raise, any further Sum of Money not exceeding in the whole the Sum of Sixty thousand Pounds.

Company may raise additional Capital by new Shares.

XIX. The Capital so to be raised by the Creation of new Shares shall be divided into Shares of such Amount as will conveniently allow the same to be apportioned according to the Order of any Ordinary or Extraordinary Meeting of the Company, and shall be considered as Part of the general Capital of the Company, and shall be subject to the same Provisions in all respects, whether with reference to the Payment of Calls, or the Forfeiture of Shares on Non-payment of Calls, or otherwise, as if it had been Part of the original Capital of the Company, except as to the Times of making Calls thereon and the Amount of such Calls, which respectively it shall be lawful for the Directors of the Company from Time to Time to fix as they shall think fit.

New Shares to be considered same as original Shares.

XX. Three Pounds *per* Share shall be the greatest Amount of any One Call which shall be made in respect of such new Shares, and Three Months at the least shall be the Interval between successive Calls, and not more than Two Thirds of the Amount of any Share shall be called in any One Year.

Limiting Calls.

XXI. The Dividends upon the Shares to be created under the Powers or to be issued for the Purposes of this Act shall be calculated upon the Amount of Calls paid thereon at the Time of the Declaration of such Dividend: Provided always, that no Dividend shall be declared or payable in respect of the Shares created or issued for the Purposes of this Act until the Extension shall have been opened for public Traffic Six Months.

Dividends on new Shares.

XXII. The Proprietors of any new Shares created under the Powers of this Act shall be entitled to such Number of Votes in respect thereof as the nominal Amount represented by such Shares would have entitled them to if they had been possessed of original Shares in the Company.

As to Votes of Proprietors of new Shares.

XXIII. It shall be lawful for the Company, with the Assent of Three Fifths of the Votes at any General Meeting, and upon such Terms as shall be by the Resolution of such Meeting defined, to attach a Preference or Priority of Dividend, not exceeding in any Case Five Pounds *per Centum per Annum*, to the Shares or any Part of the Shares which the Company are hereby authorized to issue.

Company may attach Preference Dividend to new Shares.

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XXIV. After

The Wycombe Railway (Extension) Act, 1857.

Power to
borrow on
Mortgage.

XXIV. After the whole of the Sums which the Company are by this or by any other Act authorized to raise by Shares shall have been subscribed for, and One Half thereof shall have been paid up, it shall be lawful for the Company to borrow on Mortgage or Bond such Sums of Money as shall from Time to Time be authorized to be borrowed by an Order of any Ordinary or Extraordinary Meeting of the Company, provided that such Sums of Money do not exceed in the whole Twenty thousand Pounds in addition to the Sums which they are already authorized to borrow.

Extending
Powers of
8 & 9 Vict.
c. 16. to
Money au-
thorized to
be borrowed.

XXV. The Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the borrowing of Money and the Conversion of borrowed Money into Capital, shall extend to the Money by this Act authorized to be borrowed.

Application
of Moneys
raised under
this Act.

XXVI. All and every Part of the Moneys by this Act authorized to be raised by Shares or borrowing shall be applied only in carrying into execution the Objects and Purposes of this Act.

Former
Mortgages
and Bonds to
have Pri-
ority.

XXVII. Provided always, That all Mortgages or Bonds granted by the Company before the passing of this Act, and which shall be in force at the Time of the passing of this Act, shall during the Continuance of such Mortgages or Bonds have Priority over any Mortgage or Bond to be created under the Powers of this Act.

Subscription
Contract to
be valid.

XXVIII. The Subscription Contract which, pursuant to the Standing Orders of Parliament, was entered into with respect to the Undertaking authorized by this Act previously to the Commencement of the last Session of Parliament, shall be as valid and shall be construed as if this Act had been passed in the said last Session.

Interest not
to be paid on
Calls paid up.

XXIX. 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 or Dividend 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.

Deposits for
future Bills
not to be
paid out of

XXX. 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 or Acts, to pay or deposit any Sum of Money which,

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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 execute any other Work or Undertaking. Company's Capital.

XXXI. Nothing herein contained shall be deemed or construed to exempt the Railways by this or the said recited Acts authorized to be made, or the Company, from the Provisions 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 or by "The *Wycombe Railway Act, 1846*," or of the Rates for small Parcels. Railways not exempt from Provisions of present and future General Acts.

XXXII. 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. Expenses of Act.

XXXIII. In citing this Act it shall be sufficient to describe it as "The *Wycombe Railway (Extension) Act, 1857*." Short Title.

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