ANNO UNDECIMO & DUODECIMO

VICTORIÆ REGINÆ.

****

Cap. lxxxv.

An Act for making a Railway from *Exeter* to *Yeovil*, with Branches and an Extension therefrom, to be called "The *Exeter*, *Yeovil*, and *Dorchester* Railway." [22d *July* 1848.]

WHEREAS the making of a Railway from *Exeter* to *Yeovil*, with the several Branches and an Extension therefrom herein-after described, would be of great public Advantage: And whereas it is expedient that the Company incorporated by this Act should be authorized to sell or lease the said Railway, Branches, and Extension to the *London and South-western* Railway Company, and that the *London and South-western* Railway Company should be authorized to subscribe towards or to accept a Transfer or Lease of the same: And whereas the Persons hereafter named, together with other Persons, are willing, at their own Expense, to carry such Undertaking into execution; but the same 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, That "The Companies

8 & 9 Vict. cc. 16. 18. & 20. incorporated with this Act.

Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act, save as to such Parts thereof as may be modified by or be inconsistent with the Provisions of this Act.

Short Title.

II. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use the Expression "The *Exeter, Yeovil, and Dorchester* Railway Act, 1848."

Subscribers incorporated.

III. And be it enacted, That *Edward Woolmer*, *Charles Gordon*, *William James Chaplin* M.P., *Matthew Uzielli*, Captain *John Lyon Hulme* R.E., *William Anning*, *Ralph Sanders*, *Daniel Bishop Davy*, and *Edward Gard*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking hereby authorized, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Railways and Branches herein-before mentioned and herein-after more particularly defined, with proper Works and Conveniences belonging thereto, according to the Provisions of the said Acts and of this Act, and for other the Purposes herein and in the said Acts contained; and for the Purposes aforesaid such Company shall be incorporated by the Name of "The *Exeter, Yeovil, and Dorchester* Railway Company," and by that Name shall be a Body Corporate, with perpetual Succession, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, within the Restrictions herein and in the said Acts contained.

Capital.

IV. And be it enacted, That the Capital of the said Company shall be One million four hundred thousand Pounds.

Directors to determine the Number and Amount of Shares.

V. And be it enacted, That the said Capital shall be divided into such a Number of Shares, and each Share shall be of such a nominal Amount, not exceeding Twenty-five Pounds, as the Directors of the said Company shall fix and determine.

Such Number and Amount to be fixed within Six Months.

VI. And be it enacted, That the Directors of the Company are hereby required, within Six Calendar Months after the passing of this Act, to fix and determine the Number of such Shares, and the nominal Amount of each of them; and thereupon the said several Shares shall be duly numbered in regular Order of arithmetical Progression; and every such Share shall always be distinguished by the Number to be originally applied to the same.

Power for London and South-western Railway Company to subscribe;

VII. And whereas the *London and South-western* Railway Company are willing to subscribe towards the Undertaking hereby authorized: Be it therefore enacted, That it shall be lawful for the said *London and South-western* Railway Company to subscribe towards and become Shareholders in the said Undertaking to any Extent not exceeding Nine hundred thousand Pounds.

VIII. And

and for that Purpose to raise the requisite Funds.

VIII. And be it enacted, That for such Purpose it shall be lawful for the said *London and South-western* Railway Company to raise all or any Part of the Money authorized to be subscribed by them as aforesaid by the Creation of new Shares or Stock in their Undertaking.

Appropriation of South-western new Shares, and Rights and Interests of Proprietors in respect thereof.

IX. And be it enacted, That the nominal Amount of each such new Share shall be such a Sum not exceeding the Sum of Sixteen Pounds Thirteen Shillings and Four-pence as the Directors of the said *London and South-western* Railway Company shall determine, and the said Directors are hereby required, within Six Calendar Months after the passing of this Act, to determine the Number of such new Shares and the nominal Amount of each; and the first Payment in respect of every such new Share shall be the Sum of One Pound Thirteen Shillings and Four-pence; and the Proprietors of such new Shares shall be Proprietors of Stock in the said *London and South-western* Railway Company to the same Extent and as beneficially to all Intents and Purposes whatsoever (except in respect of Dividends and otherwise as herein-after provided) as Proprietors of the like nominal Amount of the Capital of the Company by "The *London and South-western* Railway Act, 1834," authorized to be raised by Shares, and shall accordingly, in respect of such new Shares, be entitled to the Rights and Privileges, and be subject to the Powers, Provisions, Remedies, Indemnities, Penalties, Clauses, Matters, and Things, expressed in the several Acts relating to the said *London and South-western* Railway Company, or any of them, so far as the same are now unrepealed, and are not by this Act repealed, altered, or otherwise provided for.

As to Dividends on South-western new Shares.

X. And be it enacted, That Dividends on such new Shares shall be paid in respect of the Sums for the Time being paid up thereon respectively, and only from the respective Times appointed for the Payment of such Sums: Provided always, that the Dividends in respect of the Sums, not exceeding One Pound Thirteen Shillings and Four-pence a Share, paid on any such new Shares before the passing of this Act, shall be paid as from the First Day of *January* One thousand eight hundred and forty-eight inclusive.

Preferential Dividends on South-western new Shares.

XI. And be it enacted, That there shall be paid out of the general Revenues of the *London and South-western* Railway Company, and in Priority of all other Dividends whatsoever, the following Dividends in respect of such new Shares; that is to say, a Dividend at the Rate of Seven Pounds *per Centum per Annum* upon the First Payment of One Pound Thirteen Shillings and Four-pence in respect of any such new Share, and a Dividend at the Rate of Five Pounds *per Centum per Annum* upon all other Sums paid in respect thereof; and such fixed Dividends shall be paid half-yearly at the same Time as the ordinary Dividends of the same Company, and shall continue payable as aforesaid for ever: Provided always, that the Priority by this Act given to such Dividends shall be without Prejudice to any Priority or Guarantee of Dividend or Interest on any of the Shares or Capital Stock of the Company given by or under any Act passed before the present

present Session of Parliament; provided also, that the Proprietors of any such new Shares may, by Writing under their respective Hands, deliver on or before the First Day of *July* One thousand eight hundred and fifty-three at the Office of the Treasurer of the said *London and South-western* Railway Company, declare their respective Option to accept, from and after the First Day of *January* One thousand eight hundred and fifty-four, in respect of any of such new Shares, Dividends in common and rateably with the Proprietors of other Shares in the said *London and South-western* Railway Company, instead of such fixed Dividends; and from and for ever after the First Day of *January* One thousand eight hundred and fifty-four each fixed Dividend shall wholly cease to be payable in respect of those of such new Shares as to which such Option shall be so declared, and the Proprietors of the same Shares shall receive Dividends thereon in common rateably with the Proprietors of the Shares in the same Company in respect whereof such fixed Dividends shall not be payable.

As to voting in respect of South-western new Shares.

XII. And be it enacted, That for the Purpose of voting, the Amount of Capital in the *London and South-western* Railway Company represented by all such new Shares held by any Proprietor shall be considered as divided into as many Fifty Pound Shares as such Amount of Capital will admit of, and the Right of voting of such Proprietor in respect of such new Shares shall be determined by the Number of Fifty Pound Shares into which the Amount of Capital represented by such new Shares held by him shall be capable of being divided.

Power to South-western Company to make Calls on new Shares.

XIII. And be it enacted, That, subject to the Provisions of this Act and the other Acts for the Time being relating to the *London and South-western* Railway Company, the Directors of the said *London and South-western* Railway Company shall have Power, from Time to Time and at any Time after the passing of this Act, to make, at their Discretion, such Call or Calls of Money from the Subscribers to and Proprietors of the said new Shares by this Act authorized to be created as the Directors shall from Time to Time find necessary, so that no such Call shall be made before the First Day of *July* One thousand eight hundred and forty-nine, or shall exceed Ten Pounds *per Centum* of the total nominal Value of such new Share, and so that there shall be an Interval of Three Calendar Months at least between the Days of making every Two successive Calls, and so that the total Amount paid on any such new Share shall not exceed the Sum of Sixteen Pounds Thirteen Shillings and Four-pence.

Notice to be given by South-western Company when Calls made.

XIV. And be it enacted, That the several Sums of Money so to be called for shall be paid into such Banks or to such Persons and (subject to the Restrictions herein contained) at such Time and Place and in such Manner as the Directors of the said *London and South-western* Railway Company shall from Time to Time direct and appoint, of which Time and Place Twenty-one Days Notice at the least shall be previously given by Advertisement under the Hand of the Secretary of the same Company, inserted in One or more of the daily

daily *London* Newspapers, and in One or more Newspaper or Newspapers usually circulated in each of the Counties of *Surrey*, *Southampton*, *Wilts*, *Dorset*, and *Somerset*; and all the Powers, Provisions, Remedies, Penalties, Forfeitures, Matters, and Things created or imposed by "The *London and South-western* Railway Company's Deviations Act, 1837, and the said *London and South-western* Railway Act, 1834," as altered and amended by the said first-mentioned Act, for compelling the Payment of Calls, and for forfeiting the Shares of such Proprietors as shall be in default, and for Payment of Subscriptions in advance, in case the Directors of the same Company shall think proper to accept the same, shall extend and be applicable to the new Shares by this Act authorized to be created, as fully and effectually to all Intents and Purposes as if the same had been repeated and re-enacted in this Act in respect of the said new Shares hereby authorized to be created.

As to the Share Capital raised by the South-western Company in the present Session.

XV. Provided always, and be it enacted, That if the *London and South-western* Railway Company be by any other Act or Acts passed at any Time during the present Session of Parliament authorized to raise any other Sum as additional Capital, then (except only so far as may be by such other Act or Acts otherwise provided) such Company shall be deemed to be by this Act and such other Act or Acts authorized to raise as additional Capital one entire Sum of an Amount equal with that of the Aggregate of the several Sums which they shall be so authorized to raise, and the respective Sum which by each of this Act and such other Act or Acts such Company is so authorized to raise shall be deemed to be a proportionate Part of such entire Sum; and any Proprietor of any Share created for the Purpose of raising any one of such Sums shall not in respect of Dividend or other Privilege have any Priority or Preference to or over any Proprietor of any Share created for the Purpose of raising any other of such Sums.

Power to South-western Company to borrow on Mortgage Sums agreed to be subscribed.

XVI. And be it enacted, That it shall be lawful for the same Company, if they shall think fit, with the Consent of a General Meeting of the Proprietors thereof especially convened for the Purpose, to raise the Sums agreed to be subscribed by them, or any Portion thereof, by Mortgage of their Undertaking, in like Manner and under and subject to the same Provisions as the same Company by all or any of the Acts relating to their Undertaking is authorized to raise Money by Mortgage on the Credit thereof: Provided always, that the same Company shall not raise any Money by Mortgage until the whole of their then existing Capital shall have been subscribed for, and One Half thereof paid up, nor shall the same Company by such Means increase the Amount which may be owing at any One Time on Mortgage of their Undertaking beyond the Proportion of One Third of their then existing Capital.

Calls.

XVII. And be it enacted, That Two Pounds and Ten Shillings *per* Share shall be the greatest Amount of any One Call which the Company hereby incorporated may make on the Shareholders, and Fifteen Pounds of the Amount of a Share shall be the utmost aggregate Amount of Calls that may be made in any One Year upon any Share, and One Month at the least shall be the Interval between successive Calls.

Interest not to be paid on Calls paid up.

XVIII. And be it enacted, That it shall not be lawful for the *Exeter, Yeovil, and Dorchester* Railway Company, or the *London and South-western* Railway Company, out of any Money by this Act or any other Act relating to the said Railway Companies authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest to any Shareholder on the Amount of 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 either of the said Companies 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 the Company's Capital.

XIX. And be it enacted, That it shall not be lawful for the Company incorporated by this Act, out of any Money by this Act or any other 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 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.

Power to borrow Money.

XX. And be it enacted, That it shall be lawful for the Company to borrow on Mortgage or Bond any Sum not exceeding in the whole the Sum of Four hundred and sixty-six thousand Pounds, but no Part of such Sum shall be borrowed until the whole of the said Capital or Sum of One million four hundred thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up; provided that all and every Part of the Monies so to be borrowed on Mortgage or Bond shall be applied only in carrying into execution the Objects and Purposes of this Act.

Arrears to be enforced by Appointment of a Receiver.

XXI. And be it enacted, That it shall be lawful for the Mortgagees of the Company to enforce the Payment of the Arrears of Principal and Interest due on any such Mortgages by the Appointment of a Receiver; and in order to authorize the Appointment of such Receiver, in the event of the Principal Money due on such Mortgages not being duly paid, the Amount owing to the Mortgagees by whom Application for such Receiver shall be made shall not be less than One Tenth Part of the Money actually borrowed.

Number and Qualification of Directors.

XXII. And be it enacted, That the Number of Directors of the Company hereby incorporated shall be Sixteen, and the Qualification of a Director (except the Directors to be nominated by the Directors of the *London and South-western* Railway Company, as herein-after mentioned,) shall be the holding in his own Right of such a Number of Shares in the Undertaking as together shall amount in nominal Value to not less than One thousand Pounds.

XXIII. And

Power to vary the Number of Directors.

XXIII. And be it enacted, That it shall be lawful for the Company from Time to Time to increase or reduce the Number of Directors, provided that the Number of Directors when so increased do not exceed Twenty, and if reduced be not less than Twelve Directors.

First Directors.

XXIV. And be it enacted, That *Edward Woolmer*, Lieutenant Colonel Sir *Henry Bayly*, Lieutenant Colonel *Charles Archibald Macalester*, *Charles Gordon*, Captain *John Lyon Hulme*, *William Anning*, *Ralph Sanders*, *Daniel Bishop Davy*, *John Eyre Kingdon*, *Henry Charles Lacy*, *Samuel Davies*, *James Basleigh*, *William James Chaplin*, *George Henderson*, *John Lewis Eyre*, and *Matthew Uzielli* shall be the First Directors of the Company, of whom the said *William James Chaplin*, *George Henderson*, *John Lewis Eyre*, and *Matthew Uzielli* shall be considered Nominees of the *London and South-western* Railway Company.

Quorum of Directors.

XXV. And be it enacted, That the Quorum of a Meeting of Directors shall be Five.

Committee of Directors.

XXVI. And be it enacted, That the Number of Directors of which Committees appointed by the Directors shall consist shall be not less than Three nor more than Five, and the Quorum of such Committee shall be Three.

Committee not to make Calls.

XXVII. And be it enacted, That such Committee shall not be empowered to make Calls for Money on the Shareholders.

Remuneration of Directors and Auditors.

XXVIII. And be it enacted, That the Remuneration of the Directors and also of the Auditors to be appointed under the Provisions of "The Companies Clauses Consolidation Act, 1845," shall from Time to Time be fixed by a General Meeting of the Company, and be paid out of the Funds of such Company.

Power to make Railways according to deposited Plans.

XXIX. And whereas Plans and Sections of the intended Railways, Branches, and Extension, showing the Lines and Levels thereof, and also Books of Reference thereto, containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of the Lands through which the same are intended to pass, or which may be required to be taken for the Purposes of the Undertaking, have been deposited with the Clerk of the Peace of the City and County of the City of *Exeter*, with the Clerk of the Peace for the County of *Devon*, with the Clerk of the Peace for the County of *Dorset*, and with the Clerk of the Peace for the County of *Somerset*: Be it enacted, That, subject to the Provisions in this Act and the said Acts incorporated therewith contained, it shall be lawful for the said Company to make and maintain the said Railways, Branches, Extension, and Works in the Lines and upon the Lands delineated on the said Plans and described in the said Books of Reference, and according to the Levels defined on the said Sections, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose.

XXX. And

Main Line from Exeter to Yeovil.

XXX. And be it enacted, That the Main Line of Railway from *Exeter* to *Yeovil* shall commence in the Parish of *Saint David* in the County of the City of *Exeter* (Part of the said Parish being for certain Purposes in the County of *Devon*) at a Road called *Queen Street* or *Queen Street Road* near the *Exeter* City Gaol, and shall terminate in the Parish of *Yeovil* in the County of *Somerset* near the *Penstile* Turnpike Gate.

Extension to Bristol and Exeter Railway.

XXXI. And be it enacted, That the said Extension shall commence at the before-described Point of Commencement of the said Main Line in the said Parish of *Saint David*, and shall terminate in the said Parish of *Saint David* at the open Yard or Road on the Eastern Side of the *Exeter* Station of the *Bristol and Exeter* Railway.

Branch to Chard.

XXXII. And be it enacted, That one of such Branch Railways shall commence from the said Main Line of Railway in a Field called *Weir Mead* in the Parish of *Thorncombe* in the County of *Dorset*, and situate near *Westford Mills*, and shall terminate in a Field called *Basin Field* in the Parish of *Chard* in the County of *Somerset*.

Branch to Bridport, &c.

XXXIII. And be it enacted, That another of the said Branch Railways shall commence from the said first-described Main Line of Railway by Two Junctions, one of such Junctions being in a Field in the Parish of *Hawkchurch* in the County of *Dorset* called *Thorny Plot*, and situate at a Farm called *Wadbrook*, and the other of such Junctions being in a Field in the said Parish of *Thorncombe* in the County of *Dorset* called *Lower Lady Mead*, and shall thence respectively proceed to and unite in a Field in the said Parish of *Thorncombe* called *Great Broom Close*, and shall terminate in the Parish of *Burton Bradstock* or *Bothenhampton*, or one of them, in the County of *Dorset*, in a Road or Quay adjoining to and on the Northern Side of a certain Basin called the *Bridport* Harbour or Basin, and on the Eastern Side of the Sluice there.

Branch to the Junction of Wilts, Somerset, and Weymouth, and Bristol and Exeter Railways.

XXXIV. And be it enacted, That another of such Branch Railways shall commence from the first-described Main Line of Railway in a Field or Commonable Pasture called *Bradford Leaze*, situate in the Parish of *Bradford Abbas* in the County of *Dorset*, and shall terminate in the said Parish of *Yeovil* at or near to the Point where the *Durston* Branch of the *Bristol and Exeter* Railway is intended to join the *Wilts, Somerset, and Weymouth* Railway near *Pen Mill* in the said Parish of *Yeovil*.

Gauge of Railway.

XXXV. And be it enacted, That the Railway shall be formed of such Gauge and according to such Mode of Construction as will admit of the same being worked continuously with the *London and South-western* Railway.

Power to cross certain Roads on the Level.

XXXVI. And be it enacted, That in making the said Railway it shall be lawful for the Company to construct the said Railway across and on the Level of the following Roads; (that is to say,)

In

In the Parish of *Broadclyst*, the Road numbered 21 on the said Plans:
In the Parish of *Shute*, the Road numbered 28 on the said Plans:
In the Parish of *Wayford*, the Road numbered 59 on the said Plans:
In the Parish of *Chard*, the Road numbered 312 on the said Plans:
In the Parish of *Bradford Abbas*, the Road numbered 1 on the said Plans:
In the Parish of *Walditch*, the Roads numbered 5 and 7 on the said Plans:
In the Parish of *Bothenhampton*, the Roads numbered 51, 126, 91, and 57 on the said Plans.

Company to erect a Station or Lodge at Points of crossing, and to abide by Regulations of Commissioners of Railways as to Speed of Trains, &c.

XXXVII. And be it enacted, That 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 said Railway crosses the before-mentioned Roads on the Level; and the said 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 Commissioners of Railways; and if the said Company shall fail to erect or at all Times maintain any such Station or Lodge, or appoint a proper Person to watch or superintend the crossing at any such Point or Station, or to observe or abide by any such Rule or Regulation 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 continue after such Penalty of Twenty Pounds shall have been incurred.

Regulating the Inclination of certain Roads.

XXXVIII. And be it enacted, That it shall be lawful to make the Ascent or Descent of the Roads herein-after referred to of the Inclinations described on the said Sections deposited as aforesaid; that is to say,

Number on Plan.	Parish.	Description of Road.
	Main Line.	
32	Heavitree	Parish Road.
45	Ditto	Ditto.
48	Pinhoe	Turnpike Road.
101	Broadclyst	Parish Road.
19	Whimple	Parish Road, North Side.
30	Ditto	Parish Road.
51	Ditto	Parish Road.
96	Ditto	Parish Road.
97	Ditto	Parish Road.
41	Ottery St. Mary	Parish Road.
187	Ditto	Parish Road.
44	Gittisham	Parish Road.

Number on Plan.	Parish.	Description of Road.
11	Buckerell - - -	Turnpike Road.
14	Honiton - - - -	Turnpike Road.
119	Ditto - - - -	Turnpike Road.
254	Ditto - - - -	Turnpike Road.
34	Dalwood - - -	Parish Road.
38	Shute - - - -	Parish Road.
97	Axminster - - - -	Parish Road.
77	Thorncombe - - -	Turnpike Road.
59	Wayford - - - -	Parish Road.
28 and 31	Crewkerne - - -	Parish Road.
137	Ditto - - - -	Parish Road.
44	Hardington Mandeville - -	Parish Road.
44	Berwick - - -	Turnpike Road.
33	Ditto - - - -	Parish Road.
24	Ditto - - - -	Parish Road.
	Branch to Chard.	
101 and 106	Chard - - - -	Turnpike Road.
111	Ditto - - -	Parish Road.
220	Ditto - - - -	Turnpike Road.
222 and 186	Ditto - - - -	Parish Road.
	Branch to Bridport Harbour.	
167	Thorncombe - - -	Parish Road.
176 and 110	Hawkchurch - - -	Parish Road.
157	Thorncombe - - - -	Parish Road.
100 and 110	Hawkchurch - - -	Parish Road.
228	Axminster - - - -	Parish Road.
44 and 48	Hawkchurch - - -	Parish Road.
58	Marshwood - - -	Parish Road.
88 and 96	Ditto - - - -	Parish Road.
88 and 113	Ditto - - - -	Parish Road.
15	Whitchurch Canonicorum -	Parish Road.
130	Marshwood - - - -	Parish Road, North-west Side.
49	Symondsbury - - -	Parish Road.
7	Walditch - - - -	Turnpike Road.
126	Bothenhampton - - -	Parish Road.
57	Ditto - - - -	Parish Road.

Height and Span of Arches.

XXXIX. And be it enacted, That the Bridges for the Purpose of carrying the said Railway over any of the following Roads shall be built in conformity with the Regulations of the Railways Clauses Consolidation Act, 1845, except in the several Cases herein-after mentioned, in which Cases the Span of such Bridges may be of the Dimensions following; that is to say,

Parish.	Number on Plan.	Proposed Span, Feet.
Parish of Heavitree	32	20
	45	20
Ditto Pinhoe	48	25
	72	20
Ditto Broadclyst	101	20
Ditto Whimple	51	25
	61	20
	97	20
Ditto Ottery St. Mary	30	20
Ditto Gittisham	44	20
Ditto Buckerell	11	25
Ditto Honiton	38	20
Ditto Stockland	3	20
Ditto Shute	135	20
	143	20
	169	20
	236	30
Ditto Chardstock	59	20
Ditto Thorncombe	12	20
	40	20
Ditto Chard	65	20
Ditto Misterton	42	20
Ditto North Perrott	4	20
Ditto Sutton Bingham	12	20
Ditto East Coker	14	20
Ditto Barwick	3	20
Ditto Marshwood	58	20
Ditto Symondsbury	55	20
	49	20
Ditto Bradpole	54	20

Nothing herein to interfere with the Lands, &c. of the Bristol and Exeter Railway Company without Consent.

XL. And be it enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to authorize or enable the Company hereby incorporated to alter, vary, or interfere with the said *Bristol and Exeter* Railway, or any of the Branches or Works thereof, further or otherwise than is herein expressly provided, without the Consent in Writing of the said *Bristol and Exeter* Railway Company in every Instance for that Purpose first had and obtained; nor to take or enter upon any of the Lands or Grounds belonging to the said Company, or which they have Power under any Act of Parliament to purchase, and which may be necessary to be retained or purchased by the same Company for the Purposes of their Railway, or any Branch, Stations, or Works thereof respectively; and if any Difference shall arise as to the Lands or Grounds which it may be necessary for the said *Bristol and Exeter* Railway Company so to retain or purchase, such Difference shall be settled by the Commissioners

sioners of Railways, or an Arbitrator to be appointed by them, and the Company hereby incorporated shall be empowered to take and use, or shall be restrained from taking and using, such Lands and Grounds, according to the Decision of the said Commissioners or Arbitrator.

Dimensions of Arch over Bristol and Exeter Railway.

XLI. And be it enacted, That the Arches to be constructed for carrying the Railway over the *Yeovil* Branches of the *Bristol and Exeter* Railway shall be of the Dimensions following; the Height thereof shall be at least Fifteen Feet and Nine Inches from the Level of the Rails of each of the said *Yeovil* Branches to the under Side of the Arch over the Middle of each Line of Rails, and the Span of each such Arch shall not be less than Thirty Feet.

Works in connexion with the Bristol and Exeter Railway to be constructed to the Satisfaction of the Company's Engineer.

XLII. And be it enacted, That all Works in connexion with the *Bristol and Exeter* Railway or any Branch thereof shall be made, constructed, maintained, and repaired to the Satisfaction of the Engineer for the Time being of the *Bristol and Exeter* Railway; and the Company hereby incorporated shall make good all Damage sustained by the *Bristol and Exeter* Railway Company by reason of the construction or repairing of the Works across or contiguous to the *Bristol and Exeter* Railway or any Branch thereof, or by any Want of Repair of any such Works.

Station at Crewkerne to be constructed, if required by the Bristol and Exeter Railway Company.

XLIII. And be it enacted, That the Company hereby incorporated shall, if required by the *Bristol and Exeter* Railway Company, by Notice given within Twelve Months from the passing of this Act, construct an independent Station at *Crewkerne* for the Accommodation of the Traffic of the *Bristol and Exeter* Railway Company, and the *Bristol and Exeter* Railway Company shall be entitled to lay down independent Lines of Rails upon the Broad Gauge up to such Station from or near the Termination of the Line of their *Crewkerne* Branch as shown on the deposited Plans thereof, and to use the said independent Station and Lines, and the Works and Conveniences connected therewith, so nevertheless that the said independent Lines of Rails be laid down to the Satisfaction of the Engineer of the Company hereby incorporated, and that the same and the Works connected therewith shall not interfere with the convenient making, maintaining, and working of the Railway hereby authorized to be made; and the said independent Station and Line of Railway and other Works shall be made and maintained, used and worked, upon such Terms and Conditions as may be settled by Agreement between the said Companies, or by Arbitration, in case of Dispute.

Saving the Rights of the Bristol and Exeter Railway Company.

XLIV. Provided always, and be it enacted, That nothing in this Act contained shall, further or otherwise than is herein expressly enacted, extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in the *Bristol and Exeter* Railway Company in and by the several Acts relating to such Railway.

Powers of this Act relative to the Branch to

XLV. And whereas an Act was passed in the Eleventh Year of the Reign of Her present Majesty, intituled *An Act to enable the* Chard *Canal and Railway Company to extend their Railway from* Ilminster

Ilminster *to* Chard, *all in the County of* Somerset: Be it enacted, That none of the Powers and Provisions of this Act in relation to so much of the said Branch Railway commencing from the said Main Line of Railway in the said Field called *Weir Mead* in the said Parish of *Thorncombe*, and terminating in the said Field called *Basin Field* in the said Parish of *Chard*, and called the *Chard* Branch, as extends from a certain Turnpike Road in the said Parish of *Chard* which is numbered 304 in the said Plans deposited with the said several Clerks of the Peace as herein-before particularly mentioned, to and including the said Termination of the said *Chard* Branch Railway in the said Field called *Basin Field*, shall be exercised without the Consent of the *Chard* Railway Company under their Common Seal, or until after Three Years from the passing of this Act shall have expired, and the Company hereby incorporated shall after such Expiration have obtained from the Commissioners of Railways a Certificate that the *Chard* Railway Company have not made sufficient Progress in the Execution of such Company's Railway and Works between the said Turnpike Road and the said Field called *Basin Field*, anything herein contained to the contrary thereof in anywise notwithstanding.

Chard not to be exercised without Consent of Chard Railway Company, or until after Expiration of Three Years.

XLVI. Provided always, and be it enacted, That in the event of the said *Chard* Railway Company giving such Consent as aforesaid, or in the event of the Company hereby incorporated after the Expiration of the said Term of Three Years obtaining such Certificate as aforesaid, then and in either of such Events it shall be lawful for the Company hereby incorporated, within any Period not exceeding Five Years after the passing of this Act, to purchase and enter upon the Lands and construct and complete the Portion of the said *Chard* Branch Railway hereby authorized to be made between the said Turnpike Road in the said Parish of *Chard* numbered 304 on the said Plans to and including the said Termination of the said *Chard* Branch Railway in the said Field called *Basin Field*.

Provision in the event of Chard Railway Company not making Branch.

XLVII. And be it enacted, That all and every Junctions or Junction to be made by the Company hereby incorporated of any Branch Railway with the Canal, Railway, and Works of the *Chard* Railway Company, and all necessary Works for such Junctions or Junction, shall be made in an effectual and efficient Manner, and to the Satisfaction of the Engineer for the Time being of the *Chard* Railway Company.

Junctions with Chard Railway to be made to the Satisfaction of Company's Engineer.

XLVIII. And be it enacted, That the respective Lines and Works of the Company hereby incorporated and of the said *Chard* Railway Company, so far as they shall run or be constructed through or in the Lands which both the said Companies may have Power to purchase and hold, shall be laid out and constructed in such a Manner as may be mutually agreed upon between the said Two Companies, so as to secure the convenient Construction and Maintenance of both the said Lines and the Works thereof respectively; and if any Difference shall arise as to the Manner of laying out and constructing the same, or as to the Lands to be purchased or held by each of the said Companies for the Purposes of their respective Undertakings, such

As to Works upon Lands which both this Company and the Chard Railway Company are authorized to purchase.

such Difference shall be settled by the Commissioners of Railways on the Application of either of the said Companies.

Saving Rights of Chard Railway Company.

XLIX. And be it enacted, That nothing in this Act contained shall extend to prejudice, diminish, alter, take away, or affect any of the Rights, Privileges, Powers, or Authorities vested or to become vested in the said *Chard* Railway Company, further or otherwise than as by this Act is specifically and expressly authorized and provided; and that in particular nothing in this Act contained shall extend to authorize the Company hereby incorporated, without the Consent of the *Chard* Railway Company in Writing under their Common Seal, to alter the *Chard* Canal as to its Line or Level or in any other respect, or the Towing Path of the Canal or any Part thereof, or to take or use any of the Wharfs, Reservoirs, Buildings, Erections, or Works of the *Chard* Railway Company, or to obstruct the Navigation of the *Chard* Canal or any Part thereof, or to divert, contract, or obstruct any of the Waters therein, or any Brooks, Streams, waste Water, Cuts, Feeders, Reservoirs, Watercourses, or Works supplying the same with Water, or carrying therefrom the waste Water, or otherwise connected with the Canal.

Nothing herein to interfere with Lands, &c. of the Wilts, Somerset, and Weymouth Railway, Company without Consent.

L. And be it enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to authorize or enable the Company hereby incorporated to alter, vary, or interfere with the said *Wilts, Somerset, and Weymouth* Railway, or any of the Branches or Works thereof, further or otherwise than is herein expressly provided, without the Consent in Writing of the said *Wilts, Somerset, and Weymouth* Railway Company in every Instance for that Purpose first had and obtained; nor to take or enter upon any of the Lands or Grounds belonging to the said Company, or which they have Power under any Act of Parliament to purchase, and which may be necessary to be retained or purchased by the same Company for the Purposes of their Railway, or any Branch, Stations, or Works thereof respectively; and if any Difference shall arise as to the Lands or Grounds which it may be necessary for the said *Wilts, Somerset, and Weymouth* Railway Company so to retain or purchase, such Difference shall be settled by Arbitration in manner provided by the Railways Clauses Consolidation Act, 1845, and the Company hereby incorporated shall be empowered to take and use or shall be restrained from taking and using such Lands and Grounds according to the Decision of the said Arbitrator.

Communications with the Wilts, Somerset, and Weymouth Railway to be made to the Satisfaction of the Company's Engineer.

LI. And be it enacted, That all Communications between the said Railways by this Act authorized and the *Wilts, Somerset, and Weymouth* Railway, and all Works in or upon the said *Wilts, Somerset, and Weymouth* Railway, or upon the Property of the *Wilts, Somerset, and Weymouth* Railway Company, which may be necessary or convenient for effecting such Communications, shall be made under the Direction and Superintendence of the Engineer for the Time being of the said *Wilts, Somerset, and Weymouth* Railway Company; and in case of any Difference of opinion as to the Mode of effecting such Junction, or as to any such Works, then such Difference shall be referred to Arbitration in manner aforesaid.

Regulating Manner in which the Lines and Works of the Wilts, Somerset, and Weymouth Railway and of the Railway authorized by this Act shall be laid out.

LII. And be it enacted, That, subject to the Provisions herein contained, the respective Lines and Works of the said *Wilts, Somerset, and Weymouth* Railway, and of the Railway by this Act authorized, shall be laid out in such Manner, through the Lands which both the Company by this Act incorporated and the *Wilts, Somerset, and Weymouth* Railway Company may have Power to purchase and hold, as may be mutually agreed on between the said Two Companies; and if any Difference shall arise as to the Manner of laying out the said Railways through such Lands as aforesaid such Difference shall be settled by Arbitration in manner aforesaid, on the Application of either of the said Companies, and if any additional Expense shall be incurred by the said *Wilts, Somerset, and Weymouth* Railway Company, by the Construction of their Works in the Manner so agreed on or settled, such additional Expense shall, if the said Arbitrator shall so decide, be borne and paid by the said Company hereby incorporated, and the Amount thereof shall, in case of Dispute, be settled in manner aforesaid.

Penalty in case Interruption of Traffic on the Wilts, Somerset, and Weymouth Railway.

LIII. And be it enacted, That if by reason of any Works or Proceedings of the Company hereby incorporated there shall be any such Obstruction of or Interference with the *Wilts, Somerset, and Weymouth* Railway as to prevent or impede the convenient Passage of Engines and Carriages along the same, the Company hereby incorporated shall pay to the said *Wilts, Somerset, and Weymouth* Railway Company the Sum of Twenty Pounds *per* Hour by way of ascertained Damages for every Hour during which such Obstruction shall continue, and shall in addition thereto repay to the said *Wilts, Somerset, and Weymouth* Railway Company all Costs and Expenses to which they may be put by reason of such Obstruction, as well as full Compensation for the Inconvenience sustained by them by reason thereof.

Saving Rights of the Wilts, Somerset, and Weymouth Railway Company.

LIV. Provided always, and be it enacted, That nothing in this Act contained shall extend to prejudice, diminish, or take away, further or otherwise than as by this Act expressly authorized, any of the Rights, Privileges, Powers, or Authorities vested in the *Wilts, Somerset, and Weymouth* Railway Company.

Company to erect a Bridge over Railway at Howell Lane.

LV. And whereas the said Railway is intended to be carried under a certain Road or Lane called *Barrack* or *Howell Lane*, leading to the *Exeter* Cavalry Barracks, situate in the Parish of *Saint David* in the County of the City of *Exeter*, the Property of Her Majesty, and under the Control of the Principal Officers of Her Majesty's Ordnance, which Road or Lane is numbered 27 in the Book of Reference to the Plans of the said Railway for the said Parish of *Saint David*: Be it therefore enacted, That the said Railway Company shall and are hereby required to make, in the Construction of the said Railway, and hereafter to maintain, such a Bridge over the said Railway where the same is intended to pass under the said Lane, with such Parapet and other Walls thereto, and of such Height and Dimensions, as shall be required by the said Principal Officers, and the same shall be made under the Superintendence and to the Satisfaction of the Commanding Royal Engineer of the District for the Time being.

LVI. And

Company to erect a new Canteen at the Exeter Barracks.

LVI. And whereas the said Railway is also intended to be carried through or near to a certain House and Outhouses forming the Canteen of the said Barracks, and numbered 24 in the Book of Reference to the Plans of the said Railway as relates to the said Parish of *Saint David*: Be it therefore enacted, That the said Company shall, before interfering with the said Canteen, erect a new Canteen, in all respects corresponding with the present Canteen, on such a Part of the said Barrack Yard as the said Principal Officers shall direct, the said Company being entitled to the old Materials of the present Canteen.

New Canteen to be approved by the Commanding Royal Engineer of the District.

LVII. And be it enacted, That the said Company shall and are hereby required to erect and build the said Canteen, and to paint and finish the same, and make the proper Approaches thereto, under the Superintendence and to the Satisfaction of the Commanding Royal Engineer of the District for the Time being.

Lands for extraordinary Purposes.

LVIII. And be it enacted, That the Quantity of Land to be taken by the Company for extraordinary Purposes shall not exceed One hundred Acres.

Period within which Lands are to be purchased.

LIX. And be it enacted, That 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 Three Years from the passing of this Act.

Period for Completion of Railway, &c.

LX. And be it enacted, That after the Expiration of Five Years from the passing of this Act all the Powers hereby granted to the Company for making the Railways hereby authorized, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the same as shall then be completed,

Tolls.

LXI. And be it enacted, That it shall be lawful for the Company to demand any Tolls for the Use of the said Railways not exceeding the following; (that is to say,)

Tonnage on Articles of Merchandize.

In respect of the Tonnage of all Articles conveyed thereon or upon any Part thereof, and included within the following Classes:

Class 1. For all Compost, Dung, and all Sorts of Manure, Lime and Limestone, and all undressed Materials for the Repair of Roads or Highways, *per* Ton *per* Mile not exceeding One Penny; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny; and if propelled by an Engine belonging to the Company, a further Sum *per* Ton *per* Mile not exceeding One Halfpenny;

Class 2. For all Coals, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandize, *per* Ton *per* Mile, not exceeding One Penny Halfpenny, and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding

exceeding One Halfpenny; and if propelled by an Engine belonging the Company, a further Sum *per* Ton *per* Mile not exceeding One Halfpenny:

Class 3. For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per* Ton *per* Mile not exceeding Two-pence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny; and if propelled by an Engine belonging to the Company, a further Sum *per* Ton *per* Mile not exceeding One Halfpenny:

Class 4. For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandize, Fish, Articles, Matters, or Things, *per* Ton *per* Mile not exceeding Two-pence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny; and if propelled by an Engine belonging to the Company, a further Sum *per* Ton *per* Mile not exceeding One Penny: And,

Class 5. For every Carriage of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, *per* Mile not exceeding Four-pence; and if any such Carriage be conveyed on a Truck or Platform belonging to the Company, an additional Sum *per* Mile not exceeding One Penny Halfpenny; and if propelled by an Engine belonging to the Company, a further Sum *per* Mile not exceeding One Penny:

And the Sum of One Penny Halfpenny *per* Mile for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh; and if conveyed on a Truck or Platform belonging to the Company, an additional Sum not exceeding One Halfpenny *per* Mile for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton; and if propelled by an Engine belonging to the Company, a further Sum not exceeding One Halfpenny *per* Mile for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton:

Tolls for Animals, &c.

In respect of Animals conveyed in Carriages upon the Railway, as follow;

Class 6. For every Horse, Mule, Ass, or other Beast of Draught or Burden, and for every Ox, Cow, Bull, or Neat Cattle, conveyed in or upon any such Carriage, *per* Mile not exceeding Two-pence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Penny; and if such Carriage be propelled by an Engine belonging to the said Company, an additional Sum *per* Mile not exceeding One Penny:

Class 7. For every Calf, or Pig, Sheep, Lamb, or other small Animal, conveyed in or upon any such Carriage, *per* Mile not exceeding One Halfpenny; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Farthing; and if propelled by an Engine belonging to the Company, an additional Sum *per* Mile not exceeding One Farthing:

Tolls for Passengers.

In respect of Passengers conveyed in Carriages upon the Railway, as follows:

For any Person conveyed in or upon any such Carriage, *per* Mile not exceeding Two-pence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Farthing; and if propelled by an Engine belonging to the Company, an additional Sum *per* Mile not exceeding One Halfpenny.

Regulations as to the Tolls.

LXII. And be it enacted, That the following Provisions and Regulations shall be applicable to the fixing of such Tolls; (that is to say,)

For Articles or Persons conveyed on the Railways for a less Distance than Six Miles, the Company may demand Tolls and Charges as for Six Miles:

For a Fraction of a Mile beyond Six Miles or beyond any greater Number of Miles, the Company may demand Tolls and Charges as for One Mile:

For every Fraction of a Ton the Company may demand Tolls according to the Number of Quarters of a Ton in such Fraction, and if there be a Fraction of a Quarter of a Ton such Fraction shall be deemed a Quarter of a Ton:

With respect to all Articles, except Stone and Timber, the Weight shall be determined according to the usual Avoirdupois Weight:

With respect to Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Teak, Beech, or Ash, and Fifty Cubic Feet of any other Timber, shall be deemed One Ton Weight, and so in proportion for any smaller Quantity.

Tolls for small Parcels and Articles of great Weight.

LXIII. And with respect to small Packages and single Articles of great Weight, be it enacted, That, notwithstanding the Rate of Tolls prescribed by this Act, the Company may lawfully demand the Tolls following; (that is to say,)

For the Carriage of small Parcels on the Railway as follows:

For any Parcel not exceeding Fourteen Pounds in Weight, if carried a Distance of not more than Twenty-five Miles, Sixpence; and if carried a greater Distance than Twenty-five Miles, One Shilling:

For any Parcel not exceeding Twenty-eight Pounds in Weight, for any Distance, Two Shillings:

And for any Parcel not exceeding Fifty-six Pounds in Weight, for any Distance, Two Shillings and Sixpence:

And for Parcels exceeding Fifty-six Pounds in Weight, the Company may demand any Sum which they think fit:

Provided always, that Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages:

For the Carriage of any One Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Carriage, shall exceed Four Tons but shall not exceed Eight Tons, the Company

may demand any Sum not exceeding Sixpence *per* Ton *per* Mile; and if conveyed in or upon a Carriage belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding Four-pence; and if propelled by an Engine belonging to the Company, a further Sum *per* Ton *per* Mile not exceeding Three-pence:

For the Carriage of any One Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber, Stone, or other single Article, the Weight of which, with the Carriage, shall exceed Eight Tons, the Company may demand such Sum as they shall think fit.

Passengers Luggage.

LXIV. And be it enacted, That every Passenger travelling upon the Railway and Branches may take with him his ordinary Luggage, not exceeding One hundred and fifty Pounds in Weight for First-class Passengers, One hundred Pounds in Weight for Second-class Passengers, and Sixty Pounds in Weight for Third-class Passengers, without any Charge being made for the Carriage thereof.

Maximum Rates of Charges for Passengers.

LXV. And be it enacted, That the maximum Rates of Charge to be made by the Company for the Conveyance of Passengers upon the said Railways, including the Tolls for the Use of the Railways, and of Carriages, and for locomotive Power, and every other Expense incidental to such Conveyance, shall not exceed the following Sums:

For every Passenger conveyed in a First-class Carriage, the Sum of Two-pence Halfpenny *per* Mile:

For every Passenger conveyed in a Second-class Carriage, the Sum of One Penny Three Farthings *per* Mile:

For every Passenger conveyed in a Third-class Carriage, the Sum of One Penny *per* Mile.

Maximum Charges for Goods and Animals.

LXVI. Provided always, and be it enacted, That the maximum Rate of Charge to be made by the Company, including the Tolls for the Use of the Railways, and of Carriages, and for locomotive Power, and every other Expense incidental to such Conveyance, (except the loading and unloading of Goods, when such Service is performed by the Company,) shall not exceed the Amounts mentioned in the following Table; that is to say,

For the Matters herein-before mentioned under Class 1, not exceeding Two-pence *per* Ton *per* Mile:

For the Matters mentioned under Class 2, not exceeding Two-pence Halfpenny *per* Ton *per* Mile:

For the Matters mentioned under Class 3, not exceeding Three-pence *per* Ton *per* Mile:

For the Matters mentioned under Class 4, not exceeding Three-pence Halfpenny *per* Ton *per* Mile:

For any Carriage mentioned under Class 5, not weighing more than One Ton, not exceeding Sixpence *per* Mile, and if weighing more than One Ton, not exceeding Two-pence *per* Mile, for every Quarter of a Ton or fractional Part of a Quarter of a Ton above One Ton:

For every thing mentioned under Class 6, not exceeding Four-pence *per* Mile:

For every thing mentioned under Class 7, not exceeding One Penny *per* Mile.

Foregoing Charges not to apply to Special Trains.

LXVII. Provided always, and be it enacted, That the Restriction as to the Charges to be made for Passengers shall not extend to any Special or Extra Train that may be required to be run upon the said Railways, but shall apply only to the ordinary Trains appointed or to be appointed from Time to Time by the said Company for the Conveyance of Passengers and Goods upon the said Railways.

In case the Railway shall be leased or purchased by the London and South-western Railway Company the Tolls to be the same as on their Railway.

LXVIII. Provided always, and be it enacted, That in case the Undertaking hereby authorized shall be so leased to or purchased and worked by the said *London and South-western* Railway Company, the said last-mentioned Company shall and may, during their Possession and working of the same under or by virtue of any such Lease or Purchase, lawfully demand and receive, in respect of the Railway and Branch Railways and Works hereby authorized to be made, for the Tonnage of all Articles, Matters, and Things conveyed upon the same or any Part thereof respectively, and in respect of Passengers, Beasts, Cattle, and Animals conveyed in Carriages, and for Carriages conveyed on the same or any Part thereof respectively, and for and in respect of locomotive Engines or other Power for drawing or propelling supplied by the said Company, and for the Conveyance upon the same Railway and Branch Railways or any Part thereof respectively, in Waggons or Carriages belonging to the said Company, of any Carriages, Cattle or other Animals, Goods, Wares, Merchandize, Articles, Matters, and Things, for Wharfage and Warehousing and Carriage, such Amount of Rates, Tolls, and other Charges as by the several Acts relating to the *London and South-western* Railway the said Company are authorized to demand and receive in respect of the same several Matters and Things, Privileges and Duties respectively, on and in respect of the Main Line of the said *London and South-western* Railway Company or the Works connected therewith, or any Part thereof.

Maximum Charges by the London and South-western Railway Company.

LXIX. Provided always, and be it enacted, That the maximum Charges to be made by the said *London and South-western* Railway Company, in respect of all the Tolls and Charges for the Use of the Undertaking hereby authorized, and of Carriages, Waggons, or Trucks, and for locomotive Power, and of every Expense incidental to such Conveyance, (except the loading and unloading of Goods, where such Service shall be performed by the said Company,) shall not exceed the Sums in that Behalf limited by the *London and South-western* Railway Company's Amendment Act, 1846; and the said maximum Charges shall not extend to Articles, Matters, or Things, Beasts, Cattle, and Animals, conveyed by or in any Express or Special Train; and that in all Cases where any such Articles, Matters, or Things, Passengers, Beasts, Cattle, and Animals, shall be conveyed on the Railway and Branch Railways hereby authorized to be made, either exclusively of or jointly with any other Railway worked therewith by the said *London and South-western* Railway Company, for a less Distance than Six Miles, the said Company may demand and receive the before-mentioned maximum Charges for Six Miles.

LXX. And

As to the Stoppage of Trains at Yeovil, &c.

LXX. And whereas a Bill is now pending in Parliament for making a Railway from *Salisbury* to *Yeovil*, with Branches therefrom, to be called the *Salisbury and Yeovil* Railway, and the same are intended to be connected with the Railway and Branch Railways by this Act authorized: Be it therefore enacted, That in case the said *Salisbury and Yeovil* Railway Bill shall pass into a Law, and the Undertaking hereby authorized shall be leased to or purchased and worked by the said *London and South-western* Railway Company; the same Company shall cause all or at least Three Fourths in Number of the Trains which shall daily run for the Conveyance of Passengers between or through the Towns of *Sherborne* on the Line of the said *Salisbury and Yeovil* Railway and the Town of *Crewkerne* on the Line of the Railway hereby authorized to be made, and all the Trains which shall daily run between or through the same Towns respectively for the Conveyance of Goods, to stop, for the Convenience and Accommodation of Passengers, Cattle, Goods, and other Articles and Things needing to pass upon the said Railways or either of them between the Town of *Yeovil* and any Point on either of the said Railways to or through which such respective Trains may pass, at some convenient Station, to be made and for ever maintained by the said *London and South-western* Railway Company, and to be situate upon the Main Line of the said *Salisbury and Yeovil* Railway, and within Two Miles of the intended Terminus thereof in the said Parish of *Yeovil*; and in order that sufficient Accommodation may be afforded for the Conveyance of such Passengers, Cattle, Goods, and other Articles and Things as aforesaid, the Company shall in the Events aforesaid provide proper and sufficient Engines and Carriages, and work the same between the said intended Terminus at *Yeovil* of the said *Salisbury and Yeovil* Railway and the said Station so as to meet and be in convenient Communication with the said Trains at the said Station; and the Rates, Tolls, and other Charges made by the said Company in respect of all such Traffic shall be assessed and charged as for One Trip between the said Terminus at *Yeovil* and the Station at which they shall ultimately arrive or be delivered, or at which they shall have been originally taken up or received.

London and South-western Company may appoint some Person to vote on their Behalf.

LXXI. And be it enacted, That it shall be lawful for the said *London and South-western* Railway Company from Time to Time to nominate and appoint some one Person, whether a Shareholder or not in the Company hereby incorporated, under the Seal of the said *London and South-western* Railway Company, or under the Hand of the Chairman for the Time being of the Directors of such Company, to vote on their Behalf at any Meeting of the Company hereby incorporated, and such Person so appointed shall have the same Right of voting at such Meeting as the Company by whom he may have been appointed.

Right of voting by the London and South-western Railway Company.

LXXII. And be it enacted, That the said *London and South-western* Railway Company shall, at every Meeting of the Shareholders in the Company hereby incorporated at which any Person duly appointed by them to attend and vote on their Behalf as aforesaid shall so attend, be entitled, except in the Election of Directors of the

Company hereby incorporated, to such a Number of Votes as shall bear the same Proportion to the total Number of Votes which might be given by all the remaining Shareholders in the Company hereby incorporated, whether present in Person or by Proxy at such Meeting or not, as the Number of Shares then held by the said *London and South-western* Railway Company shall bear to the total Number of Shares held by Shareholders (other than the said *London and South-western* Railway Company) in the Company hereby incorporated.

As to Appointment of Directors by London and South-western Railway Company.

LXXIII. And be it enacted, That at the First Ordinary Meeting in every Year the Directors of the said *London and South-western* Railway Company shall be entitled to nominate from amongst the Shareholders in such Company, whether or not being Shareholders in the Company hereby incorporated, One Director for every full Amount of Eighty-seven thousand five hundred Pounds, or for every such other full Amount as shall be the Result or Quotient produced by dividing the total Capital for the Time being of the same Company by the total Number of the Directors thereof for the Time being which the said *London and South-western* Railway Company shall for the Time being hold in the Undertaking hereby authorized, and from Time to Time to remove any such Directors, and to appoint others in the Stead of any such Directors who may die, or resign their Office, or be removed, or become incapable of acting, or disqualified by ceasing to be a Member of the said *London and South-western* Railway Company; and such of the Directors of the Company hereby incorporated as shall for the Time being be Nominees of the said *London and South-western* Railway Company, including the Persons herein-before mentioned as such Nominees, shall retire from Office at the First Ordinary Meeting in the Company hereby incorporated in every Year; and the Directors so retiring shall be re-eligible forthwith or in any subsequent Year, and in all other respects such Directors shall have the same Powers and be subject to the same Provisions and Regulations as the other Directors of the Company hereby incorporated: Provided always, that in case the Directors of the said *London and South-western* Railway Company shall, at the First Ordinary Meeting in any Year, omit to nominate a Director or Directors in the Place of any Director or Directors theretofore nominated by them, and whose Place the Directors of such Company shall be entitled to fill by a fresh Nomination as aforesaid, the Director or Directors whose Place shall be so omitted to be filled by a fresh Nomination shall remain in Office as if he or they had been duly nominated to Office at such Meeting.

Evidence of Appointment or Removal of Directors of the London and South-western Railway Company.

LXXIV. And be it enacted, That any Nomination or Removal of such Director or Directors as aforesaid, authenticated by the Common Seal of the said *London and South-western* Railway Company, or by the Signature of the Chairman for the Time being of the Directors of such Company, shall, after the Deposit of such Nomination or Removal, so authenticated, with the Secretary of the Company hereby incorporated, be and be considered as conclusive Proof of such Nomination or Removal: Provided always, that any Nomination of Directors by the Directors of the *London and South-western* Railway Company which shall purport to nominate a greater

Number of Directors than such Company shall for the Time being be entitled to nominate, shall be absolutely null and void; provided also, that if at any Time or Times there shall happen to be a Failure, either total or partial, in the Number of Directors which the said *London and South-western* Railway Company shall be entitled to nominate as aforesaid, the remaining other Directors shall, until such Failure shall be remedied, be competent to act as if no such Failure had happened.

South-western Company not to interfere in Elections of Directors other than their own.

LXXV. And be it enacted, That the *London and South-western* Railway Company shall not be entitled to vote in or otherwise influence the Election of any Director other than the Directors which the said Company are by this Act authorized to nominate as aforesaid, in respect or by means of the full Amount of Capital in virtue whereof the same Company shall be entitled for the Time being to nominate a Director or Directors as aforesaid.

Provision in case of Increase or Diminution of South-western Directors.

LXXVI. And be it enacted, That if the Number of the Directors of the Company hereby incorporated shall hereafter be increased or diminished, the said *London and South-western* Railway Company shall be entitled to nominate the same Proportion of such increased or diminished Number of Directors as they would have been entitled to nominate in pursuance of the Provisions herein-before contained, if no such Increase or Diminution in the Number of Directors had taken place.

Certain Clauses in 8 & 9 Vict. c. 16. not to apply to South-western Directors.

LXXVII. And be it enacted, That the several Provisions of the said "Companies Clauses Consolidation Act" which concern the Election, Qualification, Retirement from Office, and Rotation of Directors shall not apply to the Directors from Time to Time nominated by the *London and South-western* Railway Company, or to such of the Directors hereby appointed as are herein mentioned to have been nominated by the same Company.

Power to sell Railway to South-western Railway Company.

LXXVIII. And be it enacted, That it shall be lawful for the Company hereby incorporated, by and with the Authority and Approbation of Three Fifths in Value of the Proprietors present, either personally or by Proxy, at some Extraordinary General Meeting of the said Company specially convened for the Purpose, to sell and transfer to the said *London and South-western* Railway Company, and for the said *London and South-western* Railway Company, by and with a like Authority on the Part of the Proprietors in the said last-mentioned Company, to purchase the Undertaking by this Act authorized, or any Share or Interest therein, or any Portion or Portions thereof, whether before or after the Completion thereof, (but subject to any Mortgages, Contracts, Agreements, or Liabilities affecting the same,) and on the Completion of such Purchase (of which Completion a Transfer or Conveyance, duly stamped for denoting the Payment of the full and proper Stamp Duty by Law payable in respect of the Purchase Money or other Consideration, and under the respective Corporate Seals of the Company hereby incorporated and the Company purchasing the said Undertaking, shall be

be sufficient Evidence,) the Company so purchasing the same may have and hold the said Undertaking, or the Share therein or Portion thereof purchased by them, and use, exercise, and enjoy, or participate in the Use, Exercise, and Enjoyment of all the Rights, Powers, and Privileges conferred by this Act on the Company hereby incorporated; and for such Purpose it shall be lawful for the said *London and South-western* Railway Company, if they see fit, by and with such Authority as aforesaid, to create such an additional Number of Shares and to borrow such Sum of Money as may be necessary for completing such Purchase or for constructing and working the said Railway, provided the Amount to be raised by such additional Shares shall not exceed the Amount of Capital by this Act authorized to be raised for the Purposes of the said Undertaking, and that the Money so to be borrowed shall not exceed One Third of the Amount of such Capital, and that no Money whatever shall be borrowed until the whole of the Money to be raised by Shares shall have been subscribed, and One Half thereof actually paid up: Provided always, that in the event of any Portion of the Undertaking by this Act authorized being purchased by the said *London and South-western* Railway Company, then, from and after the Completion of such Purchase, all the Powers and Authorities granted by this Act may be exercised, so far as they are applicable, by the Company to whom such Portion shall have been sold, and the Corporate Seal of the said Company be used when necessary in reference thereto, in like Manner as though such Railway Company had been originally authorized to carry the same into effect in lieu of the Company hereby incorporated; and in the event of the whole of the Undertaking by this Act authorized being purchased by the said *London and South-western* Railway Company, then from and after the Completion of such Purchase the Company by this Act incorporated shall be dissolved and cease to exist, save and except as to the Distribution and Division of the Purchase Money amongst the Parties entitled thereto, and the general Settlement of the Affairs of the Company by this Act incorporated.

Power to lease the Railway to South-western Railway Company.

LXXIX. And be it enacted, That it shall be lawful for the Company hereby incorporated, with the Authority and Approbation of Three Fifths in Value of the Proprietors present, either personally or by Proxy, at some Extraordinary General Meeting of the Company specially convened for the Purpose, from Time to Time to demise or lease, for such Consideration or annual Rent or Reservations, and under and subject to such Clauses, Powers, Provisions, and Conditions, as they shall think proper, the Undertaking by this Act authorized to be made, whether before or after the Completion thereof, or any Share or Interest therein, or any Portion or Portions thereof, unto the said *London and South-western* Railway Company, for any Term which shall be agreed upon; and the said *London and South-western* Railway Company is and are hereby authorized, if they think proper, with the like Authority and Approbation on the Part of their Proprietors, to enter into and accept any such Lease or Leases, and such Lease or Leases shall entitle the Lessees to the free Use and Enjoyment of the said Railways and Works connected therewith, or such

Share

Share or Interest therein, or such Portion or Portions thereof, as may be included in such Lease or Leases respectively, and during the Continuance of any such Lease or Leases all the Powers, Privileges, and Authorities granted to, or which are or might be held, used, exercised, and enjoyed by the Company by this Act incorporated, or the Directors thereof, or their Officers, Agents, or Servants, under or by virtue of this Act, shall in like Manner, and to the same Extent in all respects, apply to and be held, used, exercised, and enjoyed by the Lessees, and their Directors, Officers, Agents, and Servants, under the same Regulations and Restrictions as are granted or imposed by this Act upon the Company hereby incorporated.

Powers of Sale not to be exercised without Certificate of Commissioners of Railways that One Half of Capital is paid up.

LXXX. Provided always, and be it enacted, That it shall not be lawful for the said *Exeter, Yeovil, and Dorchester* Railway Company, by virtue of the Powers herein-before contained, to sell, demise, or lease, nor for the said *London and South-western* Railway Company to purchase, enter into, or accept such Lease of the said Railway hereby authorized to be made, unless it shall have been proved to the Satisfaction of the Commissioners of Railways, and certified by them under their Seal, previously to the Completion of such Sale or Execution of such Lease, that One Half of the whole Amount of the Capital, exclusive of Loans, by the Act or Acts relating to each of the said Companies authorized to be raised, has been actually paid up and expended for the Purposes authorized by such Act or Acts respectively.

Power to enter into Contracts with the South-western Railway Company.

LXXXI. And be it enacted, That it shall be lawful for the Company hereby incorporated and for the said *London and South-western* Railway Company to make and enter into Contracts or Agreements for effecting the Purposes aforesaid, and for constructing, working, and using the said Railways or any Part or Parts thereof respectively, or for the Maintenance and Repair thereof or any Part or Parts thereof respectively, as they the said Companies may respectively deem advisable; and every such Contract or Agreement may contain such Covenants, Clauses, Powers, Provisions, and Conditions as may be mutually agreed on between the said Companies.

As to certain Lands belonging to the Ecclesiastical Commissioners.

LXXXII. And whereas certain Lands or Premises to which the Ecclesiastical Commissioners for *England* are entitled or in which the said Commissioners are interested, situate and being in the Parishes of *Chard*, *Axminster*, and *Winsham*, or some Part of the said Lands or Premises, are proposed to be taken or affected under the Powers of this Act: Be it hereby enacted, That no Bargain, Arrangement, Contract, Agreement, or Conveyance, either now made or to be made between the said Company, or between any Person or Persons on their Behalf, and any other Person or Persons, in any way relating to the said Lands or Premises, shall be binding at Law or in Equity upon the said Commissioners, without their Assent being first thereto had, to be signified under their Common Seal: Provided always, that nothing herein contained shall hinder or prevent or be construed to hinder or prevent the *Exeter, Yeovil, and Dorchester* Railway Company from proceeding to take such Lands and Premises as aforesaid, under the compulsory Power of this Act or the Acts therein recited, upon

upon giving Notice of their Intention so to do to the said Commissioners and to all other necessary Parties in manner by the said recited Act provided.

Saving the Rights of the Crown.

LXXXIII. And be it enacted, That nothing contained in this Act, or in the Acts herein recited or referred to, shall extend to authorize the Company to purchase, take, or use any Land or Soil, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or any Two of them, first had and obtained for that Purpose, and which such Commissioners or any Two of them are hereby authorized and empowered to give, or to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by Her Majesty, Her Heirs or Successors.

Railway Company to be subject to the Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., and 9 & 10 Vict. cc. 57. 105.

LXXXIV. 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 Railway;* and another Act was passed 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 Two Acts passed in the Ninth and Tenth Years of the Reign of Her said Majesty, one intituled *An Act for regulating the Gauge of Railways*, and the other *An Act for constituting Commissioners of Railways:* Be it enacted, That nothing in this Act contained shall be held to exempt the said Railway or the said Company from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railway and Company, so far as the same shall be applicable thereto.

Railway to be subject to Provisions of any future general Act.

LXXXV. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railway by this Act authorized to be made from the Provisions of any general Act relating to this Act, or 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.

Public Act.

LXXXVI. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

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