ANNO NONO & DECIMO

VICTORIÆ REGINÆ.

****

Cap. ccclxx.

An Act to enable the *London and South-western* Railway Company to make a Railway by *Whitchurch* and *Andover* to *Salisbury*.

[13th *August* 1846.]

WHEREAS an Act was passed in the Fifth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for making a Railway from* London *to* Southampton, and by this Act several Persons were incorporated, by the Name and Style of "The *London and Southampton* Railway Company," for carrying into execution the said Undertaking: And whereas by other Acts, passed respectively in the First, Second, Fourth, Fifth, Eighth, and Ninth Years of the Reign of Her present Majesty Queen *Victoria*, further Powers have been conferred upon the said Company, and the Name and Style of the said Company has been changed to "The *London and South-western* Railway Company," and by virtue of such Powers the said Undertaking has been extended to *Portsmouth* and to *Guildford*, and is now in course of Extension to the City of *Salisbury*, and to the *York Road* in the Parish of *Saint Mary Lambeth* in the County of *Surrey*: And whereas the making of a Railway from the said *London and South-western* Railway in the Parish of *Wootton Saint Lawrence* in the County of *Southampton* to the City of *Salisbury* would be

4 & 5 W. 4. c. 88.

of great public Advantage, and the said *London and South-western* Railway Company are willing to make the said Railway, but are unable to do so without the Authority of Parliament; and it is expedient that Powers should be granted to them for effecting such Object; and that for such Purpose, and for other Purposes, some of the Powers and Provisions of the said recited Acts relating to the said *London and South-western* Railway Company should be amended and enlarged: And whereas an Act was passed in the Eighth Year of the Reign of Her present Majesty Queen *Victoria*, called "The Lands Clauses Consolidation Act, 1845:" And whereas another Act was passed in the Eighth Year of the Reign of Her said present Majesty, called "The Railways Clauses Consolidation Act, 1845:" 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 asembled, and by the Authority of the same, That all Provisions, Matters, and Things contained in the said recited Acts or any of them, (so far as the same are now unrepealed, and except such of them or such Parts thereof as are by this Act repealed, altered, or otherwise provided for,) shall extend to the several Purposes and Things hereby authorized to be done, as fully and effectually as if the same several Provisions, Matters, and Things were repeated and re-enacted in this Act with reference to such Purposes and Things.

Provisions of London and South-western Railway Acts extended to this Act.

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

II. And be it enacted, That the several Acts of Parliament following, (that is to say,) "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act.

Short Title.

III. 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 *London and South-western* Railway Company's *Basingstoke and Salisbury* Extension Act, 1846."

Railway to be made according to deposited Plans.

IV. And whereas Plans and Sections of the said Extension Railway showing the Lines and Levels thereof, and also a Book of Reference containing the Names of the Owners, Lessees, and Occupiers of the Lands through which the same is intended to pass, have been deposited with the respective Clerks of the Peace for the Counties of *Southampton* and *Wilts*; be it enacted, That, subject to the Provisions in this and the said recited Acts contained, it shall be lawful for the said Company to make and maintain the said intended Railway and Works in the Line and upon the Lands delineated on the said Plan and described in the said Book of Reference, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose.

Line of Railway.

V. And be it enacted, That the said Branch Railway shall commence at and proceed from the said *London and South-western* Railway in the said Parish of *Wootton Saint Lawrence* in the County of *Southampton*, in or near a Field belonging to the Dean and Chapter of *Winchester* and the Reverend *Lovelace Bigg Wither*, their

their Lessee, and shall pass through the several Places following, (that is to say,) *Wootton Saint Lawrence* otherwise *Saint Lawrence Wootton*, *Worting*, *Church Oakley*, *Dean*, *Ashe*, *Overton*, *Laverstoke* otherwise *Laverstock*, *Freefolk*, *North Waltham*, *Lichfield*, *Steventon*, *Popham*, *Tufton*, *Freefolk Priors*, *Freefolk Syfreewast*, *Charlcot*, *Bullington*, *East Sherborne* otherwise *Sherborne Saint John*, *Monk Sherborne* otherwise *West Sherborne*, *Malshanger*, *Clerkengreen*, *North Oakley*, *East Oakley*, *Woodgarston*, *Polhampton* otherwise *Poolhampton*, *Quidhampton*, *Southington*, *Northington* otherwise *Norrington*, *Cold Henley*, *Sidmonton*, *Whitchurch*, *Hurstborne Tarrant*, *Long Parish*, *Middleton*, *Forton*, *East Aston*, *West Aston*, *Hurstborne Priors* otherwise *Down Hurstborne*, *Hurstborne*, *Saint Mary Bourne*, *Bourne*, *Binley*, *Chapmansford*, *Wherwell*, *Westover*, *Knights Enham*, *Andover*, *Kings Enham*, *Finkley*, *Estanton*, *Tuckington*, *Woodhouse*, *Charlton*, *Hatherden*, *Lower Clatford*, *Goodworth Clatford*, *Upper Clatford*, *Nether Wallop*, *Foxcott*, *Penton* otherwise *Peniton Mewsey*, *Penton Grafton*, *Wey* otherwise *Weyhill*, *Clanville*, *Nutbin* otherwise *Nutbane*, *Abbotts Ann*, *Little Ann*, *Fifield*, *Thruxton*, *Monxton*, *Amport*, *East Cholderton*, *Sarson Kimpton*, *Great* and *Little Shoddesden*, *Quarley Alderman the Great*, *Winchester Street Priory*, *Shipton*, *Grately*, *Over Wallop* otherwise *Upper Wallop*, *Middle Wallop*, *Wallop Moyles*, *Wallop Buckland*, *Ragged Appleshaw* otherwise *Appleshaw Dean*, *Redenham*, *Littleton Farm*, *Mullen's Pond*, *Wallop*, *Raxall*, or some or one of them, in the said County of *Southampton*; *Winterslow*, *East Winterslow*, *West Winterslow*, *Newtontoney*, *Allington*, *Boscombe*, *East Boscombe*, *West Boscombe*, *West Cholderton*, *Amesbury*, *Wilsford Lake*, *Idmiston*, *Durnford*, *Porton*, *Pitton* and *Farley*, *Woodford Gumbledon* alias *Gomeldon* alias *Gumbleton*, *Stratford under the Castle*, *Shripple*, *Winterbourne Gunner alias Winterbourne Gomer alias Winterbourne Cherbrough*, *Britford*, *Clarendon*, *Winterbourne Dauntsey*, *Winterbourne Earls*, *East* and *West Harnham*, *Bemerton*, *Laverstock* otherwise *Laverstock* and *Ford*, *Milford*, the Liberty of the *Close* of *New Sarum*, the Borough and City of *New Sarum*, *Saint Martin's Salisbury*, *Saint Edmund's Salisbury*, *Saint Thomas Salisbury*, *Fisherton Anger*, or some or one of them, in the said County of *Wilts*; and which said proposed Railway and Works shall terminate by a Junction with the *Bishopstoke and Salisbury* Branch of the *London and South-western* Railway in the said Parish of *Milford*, in or near a Field on the deposited Plans of the said last-mentioned Branch Railway, numbered 15 in the same Parish, and also near the proposed *Salisbury* Terminus of the *Wilts*, *Somerset*, and *Weymouth* Railway, abutting on *Fisherton Street* in the said Parish of *Fisherton Anger* in the said County of *Wilts*.

As to crossing certain Roads on the Level.

VI. And be it enacted, That it shall be lawful for the said Company to carry the said Railway across and on the Level of the several public Carriage Roads numbered on the Plan deposited as aforesaid as follows; the public Road numbered 37 a in the said Parish of *Whitchurch*, the Turnpike Road numbered 71 in the said Parish of *Milford*, and the Turnpike Road numbered 95 in the said Parish of *Fisherton Anger*.

VII. And

Station or Lodge to be erected at level Crossings.

VII. 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.

Company may make a Tunnel instead of an open Cutting on Part of the Line.

VIII. And be it enacted, That it shall be lawful for the Company, and they are hereby required, in case they shall be requested in Writing so to do by the Owners of the Lands respectively numbered 1, 2, and 3 in the said Parish of *Laverstock*, and 1, 2, 3, 4, 5, and 6 in the said Parish of *Whitchurch*, in the County of *Southampton*, on the said deposited Plans and in the Book of Reference of the said intended Railway, to make a Tunnel instead of an open Cutting through the same Lands or any Part thereof.

Land for extraordinary Purposes.

IX. And be it enacted, That the Quantity of Land to be taken by the Company for extraordinary Purposes in connexion with the Railways and Works hereby authorized to be made shall not exceed Thirty Acres.

Compulsory Purchase of Lands limited.

X. 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 Works.

XI. And be it enacted, That the Railway and Works shall be completed within Five Years from the passing of this Act; and on the Expiration of such Period the Powers by this or the said recited Acts granted to the Company for executing the Railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Railway as shall then be completed.

Company to take same Tolls as on Main Line.

XII. And be it enacted, That the Company may, subject to the Provisions in the said recited Acts contained, lawfully demand and receive in respect of the said Railway 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 Company, and for the Conveyance upon the same Railway or any Part thereof respectively in Waggons or Carriages belonging to the Company of any Passengers, Cattle or other Animals, Goods, Wares, Merchandize, Articles, Matters, and Things, and for Wharfage, Warehousing, and Cranage, such Amount of Rates, Tolls, and other Charges as by the said recited Acts the Company are authorized to demand and receive in respect of the same several Matters and Things, Privileges, and Duties respectively on or in respect of the Main Line of the said *London and South-western* Railway or the Works connected therewith or any Part thereof.

Maximum Charges.

XIII. Provided always, and be it enacted, That the maximum Charges to be made by the Company in respect of all the Tolls and

Charges for the Use of the Railway hereby authorized to be made, and of Carriages, Waggons, or Trucks, and for locomotive Power, and every Expence incidental to such Conveyance, (except the loading and unloading of Goods, where such Service is performed by the Company,) shall not exceed the Sums following; that is to say,

For Goods, &c.

In respect of the Tonnage of Articles conveyed upon the said Railway, as follows:

For all Coals, and Articles in the said Act of the Fifth Year of His late Majesty classed therewith, Two-pence *per* Ton *per* Mile:

For all Cotton, and Articles in the said Act classed therewith, Three-pence *per* Ton *per* Mile:

For all Silk, and Articles in the said Act classed therewith, Five-pence *per* Ton *per* Mile:

For Passengers, &c.

In respect of Passengers and Animals conveyed in Carriages upon the said Railway or any Part thereof respectively, as follows:

For every Person 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:

For every Horse, Mule, Ass, or other Beast of Draught or Burthen, and for every Ox, Cow, Bull, or Neat Cattle, Four-pence *per* Mile:

For every Calf or Pig, Sheep, Lamb, or other small Animal, One Penny Halfpenny *per* Mile:

For every Carriage of whatever Description, not weighing more than One Ton, carried or conveyed on a Truck or Platform, Six-pence *per* Mile, and for every such Carriage weighing more than One Ton, the Sum of Sixpence *per* Ton *per* Mile, and so in proportion for every Fraction of a Ton, such Fraction to be computed as in the said recited Act of the Fifth Year of the Reign of His said late Majesty mentioned:

Provided also, that the said maximum Tolls and Charges shall not extend to Goods or Passengers conveyed by or in any Express or Special Train.

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

XIV. 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;* be it enacted, That nothing in this Act contained shall be held to exempt the said Railways 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 Railways and Company so far as the same shall be applicable thereto.

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

XV. Provided always, and be it enacted, That nothing herein contained shall be deemed to exempt the said Railway or Company from the Provisions of any general Act relating to this Act which may pass during the present Session of Parliament, or any general Act relating to Railways which may pass during the present or any future Session of Parliament, or from any future Revision or Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act.

Public Act.

XVI. 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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