ANNO UNDECIMO & DUODECIMO

# VICTORIÆ REGINÆ.

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the last Session of Parliament, various other Branches and Extensions of the *London and South-western* Railway are now in the course of Execution, and, in particular, Extensions to *York Road*, *Lambeth*, and to *London Bridge*, and from *Basingstoke*, by *Whitchurch* and *Andover*, to *Salisbury*: And whereas the making of a Railway in extension of the said *London and South-western* Railway from *Salisbury* aforesaid to *Yeovil*, with Branches to *Shaftesbury*, and to join the proposed *Exeter, Yeovil, and Dorchester* Railway, and the *Wilts, Somerset, and Weymouth* Railway, near *Yeovil*, would be of great public Advantage; and the said *London and South-western* Railway Company are willing to make the said Railway and Branch Railways, 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 for raising a further Sum of Money, 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 assembled, 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or any of them (so far as the same are now unrepealed, and except such of them or such Parts thereof as are by this Act repealed, altered, or otherwise provided for,) shall extend to the several Purposes and Things hereby authorized to be done, as fully and effectually as if the same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.

8 & 9 Vict. c. 18.

8 & 9 Vict. c. 20.

Provisions of recited 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, *Salisbury and Yeovil* Extension, Act, 1848."

Capital.

IV. And whereas the estimated Expense of making the Railway and Branch Railways is Eight hundred and seventy-five thousand Pounds: Be it enacted, That it shall be lawful for the Company, for the Purposes of this Act, to raise, by the Issue of new Shares in the Undertaking of the Company, the further Sum of Eight hundred and seventy-five thousand Pounds; provided that the nominal Amount of every such Share shall be such a Sum, not exceeding the Sum of Sixteen Pounds Thirteen Shillings and Four-pence, as the Directors of the Company shall determine; and the first Payment in respect of every

every such Share shall be of the Sum of One Pound Thirteen Shillings and Four-pence.

Directors to fix the Number and Amount of Shares.

V. 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 such new Shares shall be duly numbered in regular Order of arithmetical Progression; and every such Share shall, except as herein-after otherwise provided, be distinguished by the Number originally applied to the same.

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

VI. And be it enacted, That the Proprietors of such new Shares shall be Proprietors of Stock in the 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 first-recited Act 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 recited Acts 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 Shares.

VII. 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 Shares and Payment thereof.

VIII. And be it enacted, That there shall be paid out of the general Revenues of the 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 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 Session of Parliament: Provided also, that the Proprietors of any of such new Shares may, by Writing under their respective Hands, delivered on or before the First Day of *July* One thousand eight hundred and fifty-three at the Office of the Treasurer of the 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

any of such new Shares, Dividends in common and rateably with the Proprietors of other Shares in the Company, instead of such fixed Dividends, and from and for ever after the First Day of *January* One thousand eight hundred and fifty-four such 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, and rateable with the Proprietors of the Shares in the Company in respect whereof such fixed Dividends shall not be payable.

Interest not to be paid on Calls paid up.

IX. And be it enacted, That it shall not be lawful for the Company, out of any Money by this Act or any other Act relating to the Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein-before contained shall be deemed to prevent the Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with the Provisions in the Companies Clauses Consolidation Act, 1845, in that Behalf contained.

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

X. And be it enacted, That it shall not be lawful for the Company, out of any Money by this Act or any other Act relating to the Company authorized to be raised 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.

As to voting in respect of new Shares.

XI. Provided also, and be it enacted, That for the Purpose of voting the Amount of Capital in the 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 make Calls on new Shares.

XII. And be it enacted, That, subject to the Provisions of this Act, the Directors of the 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 for the Purposes of the Company, 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 *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

succesive 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 when Calls are made.

XIII. 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 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 Company, inserted in One or more of the 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 said Act of the First Year of Her present Majesty, and the said Act of the Fifth Year of His said late Majesty 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 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 Share Capital raised by the Company in the present Session.

XIV. Provided always, and be it enacted, That if the 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) the 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 borrow Money beyond the Amount already authorized to be borrowed.

XV. And be it enacted, That it shall be lawful for the Company, when and so soon as the whole Amount of the Capital of the Company authorized by the said recited Acts and this Act to be raised by Subscription shall have been subscribed, and One Half thereof actually raised and paid up, by an Order of any General or Special General Meeting of the Company from Time to Time to borrow and take up at Interest any further or additional Sum of Money not exceeding, besides and exclusive of the Sums of Money authorized to be borrowed by the said recited Acts or any of them, and exclusive of and in addition to any Sum or Sums which the Company may be authorized to borrow by the passing of any other Act or Acts in this present

present Session of Parlaiment, the Sum of Two hundred and ninety-one thousand six hundred and sixty.six Pounds, on the Credit of the said *London and South-western* Railway, including the Branches and Extensions thereof, as to them shall seem proper, and thereupon to secure the Repayment thereof, with Interest, to such Persons as shall be found willing to lend the same, by such Mortgages, Assignments or Bonds as are authorized by the said recited Acts or some of them in respect of the Sums thereby authorized to be borrowed; provided that all and every Part of the Monies so to be borrowed shall be applied only in carrying into execution the Objects and Purposes of this Act.

**Provisions of recited Acts relative to the borrowing of Money to be applicable to the Sum to be borrowed under this Act.**

XVI. And be it enacted, That all the Powers, Authorities, Provisions, Directions, Remedies, Regulations, Matters, and Things in the said recited Acts contained, relating to or in anywise affecting the borrowing of Money, and the Augmentation of Capital Stock instead of borrowing, or by the Conversion of Money borrowed into Capital Stock, and relating to or in anywise affecting Mortgages and Assignments, and Transfers of Mortgages and Assignments, and Mortgagees and Assignees, and Transferees of Mortgagees and Assignees, shall extend and be applicable to the said additional Sum of Two hundred and ninety-one thousand six hundred and sixty-six Pounds hereby authorized to be raised as aforesaid, in the same Manner as the same extend and are applicable by the said recited Acts or some of them to the Sums thereby authorized to be borrowed as aforesaid.

**Mortgages, &c. to be stamped.**

XVII. Provided always, and be it enacted, That every Mortgage, Bond, or other Security for Money, and every Transfer of any Share, Mortgage, Bond, or other Security for Money, to be granted or made by virtue of this Act, shall be by Deed duly stamped, wherein the Consideration for the same shall be duly stated, anything herein or in the said Acts contained to the contrary notwithstanding.

**Former Mortgages to have Priority.**

XVIII. Provided always, and be it enacted, That all Mortgages, Bonds, or other Securities for Money granted by the said Company before the passing of this Act, and which shall be in force at the Time of the passing of this Act, shall during the Continuance thereof have Priority over any Mortgages, Bonds, or other Security for Money to be created by virtue of this Act.

**Power to increase Number of Directors.**

XIX. And be it enacted, That from and after the Time when any General Meeting of the Company shall so determine the Number of Directors of the Company shall be increased by Three.

**Directors named to vacate; and as to future Election.**

XX. And be it enacted, That the additional Directors to be appointed by virtue of this Act shall be elected by the Shareholders at the First or some other General or Special General Meeting of the Company to be held as soon as conveniently may be after the Time of holding the General Meeting which shall determine to increase the Number of the Directors by Three, and shall continue in Office until the First General Meeting of the Company which shall be held in the then

then next Year, and at such last-mentioned Meeting the Shareholders may either continue in Office the Directors so to be elected by virtue of this Act, or any Number of them, or may elect Three new Directors to supply the Place of such of them as may not be continued in Office, the Directors elected by virtue of this Act being eligible to be so elected; and the Directors who shall be so continued in Office or elected shall, for the Purpose of determining which of the Directors for the Time being of the Company shall go out of Office in rotation, in pursuance of the Provisions contained in the said recited Acts relating to the said Company, and this Act, or any of them, be considered to have been first elected Directors at such last-mentioned First General Meeting: Provided always, that at the First General Meeting of the Company in the Year next but One after the Time of holding the General Meeting which shall determine to increase the Number of the Directors by Three, and at the First General Meeting in every subsequent Year, One full Sixth Part in Number of the Directors for the Time being of the Company shall go out of Office, instead of Three Directors, as provided by the said recited Acts relating to the Company, or some or one of them; provided also, that if at any Meeting of the Company held after the passing of this Act at which any of the Directors thereof shall retire from Office, in pursuance of the Provisions contained in the said recited Acts relating to the Company, and this Act, or any of them, a greater Number of Directors than the Number so retiring shall have been in Office for the same Period of Time, it shall be determined by Ballot amongst the Directors who shall have been longest in Office which of them shall retire from Office at such Meeting; provided also, that all the Provisions of the said last-mentioned Acts, so far as the same relate to the Directors of the Company, and Candidates to become such Directors, shall, except so far as they may be inconsistent with the Provisions herein contained, be applicable to the Directors of the Company as increased by virtue of this Act, or any other Act or Acts passed or to be passed in the present Session of Parliament, and to Candidates to become such Directors, in the same Manner as they were before the passing of this Act, or such other Act or Acts applicable to the existing Number of Directors of the Company, and Candidates to become such Directors.

Power to make Railway according to deposited Plans.

XXI. And whereas Plans and Sections of the said intended Railway and Branch Railways, showing the Lines and Levels thereof, and also a Book of Reference containing the Names of the Owners or reputed Owners, Lessees or reputed 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 *Wilts*, *Dorset*, and *Somerset*: 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, Branch Railways, and Works in the Line and upon the Lands delineated on the said Plan and described in the said Book of Reference, and according to the Levels described on the said Sections, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose: Provided always, that in constructing the said Railways and Works it shall be lawful for the Company to deviate

deviate from the Lines and Levels and other Engineering Works described on the said Plans and Sections thereof to the Extent authorized by the said Railways Clauses Consolidation Act, 1845.

Line of Railway and Branch Railways.

XXII. And be it enacted, That the said Railway and several Branch Railways to be made under the Authority of this Act shall commence and terminate at the several Places following; (that is to say,)

The said Railway shall commence at and proceed from the *Basingstoke and Salisbury* Extension of the said *London and South-western* Railway in the Parish of *Fisherton Anger* in the County of *Wilts* at or near the public Inn called the *Red Lion* on the North-east Side of *Fisherton Street* in the same Parish, and shall terminate at a House and Premises now or late belonging to Mr. *Charles Foan* near the *Pen Mill* Turnpike Gate in the Parish of *Yeovil* and County of *Somerset*:

The Branch Railway to *Shaftesbury* shall commence at and proceed from the said Railway at a Point therein in the Parish of *Gillingham* and County of *Dorset* near to a Place called *Newbury*, and shall terminate in the Parish of *Motcombe* and same County of *Dorset* in a Field belonging to the Trustees of the *Shaftesbury* Blue-coat School, near to *Long Cross*:

The Branch Railway to join the intended *Exeter, Yeovil, and Dorchester* Railway shall commence at and proceed from the first above-described Railway in the Parish of *Bradford Abbas* in the County of *Dorset* near to *Waterhouse Lane*, and shall terminate in the Parish of *Berwick* in the County of *Somerset* near *Sharman's Bridge*, and in the event of the said *Exeter, Yeovil, and Dorchester* Railway being made and completed thereto, by a Junction there with the said *Exeter, Yeovil, and Dorchester* Railway:

The Branch Railway to the *Wilts, Somerset, and Weymouth* Railway shall commence at and proceed from the first above-described Railway in the said Parish of *Bradford Abbas* in the said County of *Dorset* in a certain common Field called *Bradford Lease*, and shall terminate in the Parish of *Yeovil* and County of *Somerset* by a Junction with the said *Wilts, Somerset, and Weymouth* Railway near the Junction or proposed Junction of the said last-mentioned Railway with the *Durston and Yeovil* Branch of the *Bristol and Exeter* Railway.

As to crossing of certain Roads on the Level.

XXIII. And be it enacted, That it shall be lawful for the said Company to carry the said Railway and Branch Railways across and on the Level of the several public Carriage Roads numbered on the Plans deposited as aforesaid as follows; that is to say, The said Main Line of Railway across and on the Level of the public Road numbered 53 in the said Parish of *Fisherton Anger*; the public Roads numbered respectively 7 and 47 in the Parish of *Fuggleston St. Peter* and 16 in the Parish of *Wardour* in the said County of *Wilts*; the public Road numbered 24 in the Parish of *Milborne Port* in the said County of *Somerset*; and the public Roads numbered respectively 46 in the Parish of *Sherborne* and 125 in the Parish of *Bradford Abbas* in the said County of *Dorset*; the said Branch Railway to *Shaftesbury* across

across and on the Level of the public Road numbered 196 in the said Parish of *Gillingham*.

Station or Lodge to be erected at level Crossings.

XXIV. And be it enacted, That for the greater Convenience and Security of the Public the said Company shall erect and permanently maintain either a Station or Lodge at the Points where the said Railways cross the before-mentioned Roads on the Level; and the Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Roads on the Level, or with regard to the Speed at which Trains shall pass such Roads, as may from Time to Time be made by the Commissioners of Railways; and if the 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 Inclinations of certain Roads.

XXV. Provided always, and be it enacted, That as regards the Roads herein-after mentioned it shall be lawful for the Company to make the Rates of Inclination of such Roads respectively when altered as follows; (that is to say,) on the Main Line, the Road numbered 62 in the Parish of *Fugglestone* not steeper than One Foot in Twenty-two Feet; the Road numbered 47 in the said Parish of *Fugglestone* not steeper than One Foot in Eleven Feet; the Road numbered 7 in the said Parish of *Fugglestone* not steeper than One Foot in Twenty-seven Feet; the Road numbered 13 in the Parish of *Wilton* not steeper than One Foot in Seventeen Feet; the Road numbered 54 in the Parish of *East Tisbury* not steeper than One Foot in Sixteen Feet; the Road numbered 34 in the Parish of *West Tisbury* not steeper than One Foot in Seventeen Feet; the Road numbered 4 in the Parish of *Semley* not steeper than One Foot in Twenty-two Feet; the Road numbered 55 in the Parish of *Temple Coombe* not steeper than One Foot in Twelve Feet; the Road numbered 7 in the Parish of *Stowell* not steeper than One Foot in Seven Feet; the Road numbered 37 in the Parish of *Oborne* not steeper than One Foot in Twenty Feet; the Road numbered 30 in the said Parish of *Oborne* not steeper than One Foot in Ten Feet; the Road numbered 171 in the Parish of *Sherborne* not steeper than One Foot in Twenty-two Feet; the Road numbered 78 in the Parish of *Sherborne* not steeper than One Foot in Twenty-three Feet; the Road numbered 46 in the Parish of *Sherborne* not steeper than One Foot in Twenty-five Feet; the Road numbered 70 *a* in the Parish of *Bradford Abbas* not steeper than One Foot in Twenty-two Feet; and on the *Shaftesbury* Branch the Road numbered 78 in the Parish of *Motcombe* not steeper than One Foot in Fifteen Feet.

As to Erection of certain Bridges over certain Roads.

XXVI. And be it enacted, That it shall be lawful for the Company to build the Bridges for the Purpose of carrying the Railway over the Roads herein-after mentioned of the several Heights and Spans following; that is to say,

Of the Heights of Sixteen Feet and Spans of Thirty Feet, the Bridges for carrying the Railway over the Turnpike Roads respectively numbered on the said Plans 28 in the Parish of *South Newton*, 57 in the Parish of *Temple Coombe*, and 102 in the Parish of *Sherborne*:

Of the Heights of Sixteen Feet and Spans of Twenty Feet, the Bridges for carrying the Railway over the public Roads respectively numbered on the said Plans 18 in the Parish of *Wilton*, 119 in the Parish of *Barford St. Martin*, and 70 and 103 in the Parish of *Bradford Abbas*:

Of the Height of Sixteen Feet and of the Span of Fifteen Feet, the Bridge for carrying the Railway over the public Road numbered on the said Plans 60 in the Parish of *Gillingham*:

On the Heights of Fourteen Feet and Spans of Fifteen Feet, the Bridges for carrying the Railway over the public Roads respectively numbered on the said Plans 62 in the Parish of *Fugglestone St. Peter*, 13 in the Parish of *Wilton*, 31 and 56 in the Parish of *Wardour*, 34 in the Parish of *West Tisbury*, 27 and 35 in the Parish of *Sedgehill*, 44 in the Parish of *Milborn Port*, 9 in the Parish of *Oborne*, 25 and 78 in the Parish of *Motcombe*, 6 and 26 and 47 in the Parish of *Buckhorn Weston*, and 37 in the Parish of *Bradford Abbas*:

Of the Height of Fourteen Feet and of the Span of Twenty Feet, the Bridge for carrying the Railway over the public Road numbered on the said Plans 76 in the Parish of *East Tisbury*.

Lands for extraordinary Purposes.

XXVII. And be it enacted, That the Quantity of Land to be taken by the said Company for extraordinary Purposes, in connexion with the said Railway and Branch Railways and Works hereby authorized to be made, shall not exceed One hundred Acres.

Period for compulsory Purchase of Lands limited.

XXVIII. And be it enacted, That the Powers of the said 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.

As to Lands of the Bristol and Exeter Railway Company.

XXIX. And be it enacted, That nothing in this Act contained shall extend to authorize the Company, in making and constructing or maintaining the Railway, to take or enter upon any of the Lands belonging to the *Bristol and Exeter* Railway Company, or which they have Power to purchase under or by virtue of any Act of Parliament which has been passed relating to the *Bristol and Exeter* Railway or any Branch thereof, and which may be necessary to be retained or purchased by the same Company for the Purposes of the *Bristol and Exeter* Railway, and the Branches, Stations, and Works thereof; and if any Difference shall arise as to the Lands 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 of Railways, or an Arbitrator to be appointed by them, and the Company shall be empowered to take and use or shall be restrained from taking and using such Lands according to the Decision of the said Commissioners or such Arbitrator.

XXX. And

Not to interfere with certain Branches of Bristol and Exeter Railway.

XXX. And be it enacted, That nothing in this Act contained shall extend to authorize the Company in making and constructing or maintaining the Railway and Works by this Act authorized to alter, impede, or interfere with the Construction of the Line of the *Yeovil* Branches of the *Bristol and Exeter* Railway.

Dimensions of Arches over Bristol and Exeter Railway.

XXXI. 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 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 of Bristol and Exeter Railway to be made to the Satisfaction of their Engineers.

XXXII. 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 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.

Saving the Rights of the Bristol and Exeter Railway Company.

XXXIII. Provided always, and be it enacted, That nothing in this Act contained shall, further or otherwise than is in this Act 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.

Lands of the Wilts, Somerset, and Weymouth Railway Company.

XXXIV. 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 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 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 said *London and South-western* Railway Company shall be empowered to take and use or shall be restrained from taking and using such Lands and Grounds according to the Decision of such Arbitration.

How Communications with the

XXXV. And be it enacted, That all Communications between the Railways by this Act authorized, and the *Wilts, Somerset, and Weymouth*

Wilts, Somerset, and Weymouth Railway to be made.

*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 the said Works, then such Difference shall be referred to Arbitration in manner aforesaid.

Dimension of Arches over the Wilts, Somerset, and Weymouth Railway.

XXXVI. And be it enacted, That the Arches to be constructed for carrying the Railways over the *Wilts, Somerset, and Weymouth* Railway shall not be of less Dimensions than those constructed by the said *Wilts, Somerset, and Weymouth* Railway Company for carrying Roads over their said Railway.

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,

XXXVII. 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 Railways by this Act authorized, shall be laid out in such Manner, through the Lands which both the *London and South-western* Railway Company 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 Differences 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 *London and South-western* Railway Company, and the Amount thereof shall, in case of Dispute, be settled in manner aforesaid.

Penalty in case of interrupting Traffic on the Wilts, Somerset, and Weymouth Railway;

XXXVIII. And be it enacted, That if by reason of any Works or Proceedings of the said *London and South-western* Railway Company 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 said *London and South-western* Railway Company 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.

and saving Rights of the same.

XXXIX. 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,

XL. And

Regulations as to the crossing of the Fisherton Turnpike Road.

XL. And whereas the said *Wilts, Somerset, and Weymouth* Railway as at present authorized to be made will terminate on the Western Side of *Fisherton Street* in or near the City of *Salisbury*: And whereas the Railway by this Act authorized is intended to be carried across the said Street upon the Level thereof at a Point closely adjoining the intended *Salisbury* Station of the said *Wilts, Somerset, and Weymouth* Railway: Be it therefore enacted, That proper Rules and Regulations shall be from Time to Time made and entered into by and between the *London and South-western* Railway Company and the said *Wilts, Somerset, and Weymouth* Railway Company, with reference to the Times at which their respective Trains shall arrive and depart, and otherwise with reference to the crossing of the said Road by the Engines and Carriages of the said *London and South-western* Railway Company, so as to prevent (as far as may be) any Interruption of Traffic resorting to the said intended Station of the *Wilts, Somerset, and Weymouth* Railway, and particularly at the Times appointed for the Arrival and Departure of Trains at and from the same; and if any Dispute shall arise between the said Companies as to the Rules and Regulations to be made with reference to the Matters aforesaid, such Rules and Regulations, together with proper Security for enforcing Conformity thereto, shall be from Time to Time settled by Arbitration in manner aforesaid, and shall be binding upon both the said Companies.

Company not to deviate upon certain Lands without Consent.

XLI. And be it enacted, That it shall not be lawful for the said *London and South-western* Railway Company, in the Construction of the Railway by this Act authorized in the Parish of *Temple Combe* otherwise called *Abbas Combe* in the County of *Somerset* to deviate from the centre Line of the said Railway as delineated upon the Plans deposited as aforesaid so as to approach nearer the Parish Church or Parsonage of the said Parish than such centre Line as now laid down, nor to construct any Works between the Line of Railway and the said Parish Church, without the Consent in Writing of the Patron and Incumbent of the said Parish for the Time being for such Purposes first had and obtained.

Period for Completion of Works.

XLII. And be it enacted, That the said Railway and Branch Railways 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 said Company for executing the said Railway and Branch Railways and Works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the said Railways and Works as shall then be completed.

Company to take same Tolls as on Main Line.

XLIII. And be it enacted, That the said Company may, subject to the Provisions in the said recited Acts contained, 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 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, and for Wharfage, Warehousing, and Carriage, such Amount of Rates, Tolls, and other Charges as by the said recited Acts the said 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.

**Limiting the Charge to be made for Traffic on the Shaftesbury Branch, and certain Points on the Main Line.**

XLIV. Provided always, and be it enacted, That for the Purpose of ascertaining the Amount of Toll, Rate, or other Charge which it shall be lawful for the Company to demand or receive in respect of Passengers, Beasts, Cattle, and Animals, Articles, Matters, and Things, conveyed or passing upon the said *Shaftesbury* Branch Railway, and also upon that Part of the said Main Line of Railway situate between the said Branch Line Junction and the crossing of the Turnpike Road numbered 4 in the Parish of *East Knoyle* in the said County of *Wilts*, the Distance between the said Point of crossing and the Terminus of the said Branch near *Shaftesbury* shall be taken to be Four Miles, and no more.

**Through Passenger and Goods Trains to stop on Main Line near to Yeovil.**

XLV. And whereas a Bill is now pending in Parliament for making a Railway from *Exeter* to *Yeovil*, with Branches therefrom, to be called the *Exeter, Yeovil, and Dorchester* Railway, which is intended to be connected with the Railway and Branch Railways by this Act authorized, and the same are intended to be leased to or purchased and worked by the Company: Be it therefore enacted, That in case the said *Exeter, Yeovil, and Dorchester* Railway shall be leased to or purchased and worked by the Company, the 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 Town of *Sherborne* on the Line of the Railway by this Act authorized and the Town of *Crewkerne* on the Line of the said *Exeter, Yeovil, and Dorchester* Railway respectively, 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 Company working the said Railways, and to be situate upon the Main Line of Railway hereby authorized to be made, 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 Railway hereby authorized to be made and the said Station, so as to meet and be in convenient

venient Communication with all or at least such of the said Trains; 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.

Maximum Charges.

XLVI. Provided always, and be it enacted, That the maximum Charges to be made by the said Company in respect of all the Tolls and Charges for the Use of the Railway and Branch Railways hereby authorized to be made, and of Carriages, Waggons, or Trucks, and for locomotive Power, and every Expense incidental to such Conveyance (except the loading and unloading of Goods, where such Service is 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 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 Charges where any such Articles, Matters, or Things, Passengers, Beasts, Cattle, and Animals, shall be conveyed on the Railway for a less Distance than Six Miles the said Company may demand and receive the before-mentioned maximum Charges for Six Miles.

Railway to be subject to 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.

XLVII. 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 other Acts were passed in the Ninth and Tenth Years of the Reign of Her said Majesty respectively, intituled *An Act for constituting Commissioners of Railways*, and *An Act for regulating the Gauge of Railways:* Be it enacted, That nothing in this Act contained shall be held to exempt the Railways by this Act authorized 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 future general Acts.

XLVIII. 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.

XLIX. And

Saving the Rights of Her Majesty and the Duke of Cornwall in right of the Duchy.

XLIX. And be it enacted, That nothing contained in this Act, or in the Acts herein recited or referred to, shall extend to authorizè the Company to purchase, take, or use any Land or Soil, or any Rights in respect thereof, belonging to Her Majesty in right of the Duchy of *Cornwall*, without the Consent in Writing of Two or more of the principal Officers of the said Duchy, and which Consent such principal Officers, or any Two of them, are hereby authorized and empowered to give, or belonging to the Duke of *Cornwall* for the Time being, without the Consent of the said Duke, testified in Writing under the Privy Seal of the said Duke, first had and obtained for that Purpose, 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, in right of the Duchy of *Cornwall*, or in or by the Duke of *Cornwall* for the Time being.

Saving Rights of the Crown.

L. 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.

Public Act.

LI. 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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LONDON: Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1848.