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Cap. cii.

An Act for enabling the *Somerset Central* Railway Company to construct a Railway from *Glastonbury* to near *Bruton*, and for other Purposes.

[29th *July* 1856.]

WHEREAS an Act was passed in the Session of Parliament held in the Fifteenth and Sixteenth Years of the Reign of Her present Majesty, called "The *Somerset Central* Railway Act, 1852," whereby a Company was incorporated by the Name of the *Somerset Central* Railway Company, and empowered to make and maintain the Railway called the *Somerset Central* Railway, and to raise a Capital of Seventy thousand Pounds in Three thousand five hundred Shares of Twenty Pounds each, and to borrow Twenty thousand Pounds on Mortgage or Bond, and were also authorized to accept a Transfer from the *Bristol and Exeter* Railway Company of the *Glastonbury* Navigation and Canal, and to appropriate the Canal, or such Part thereof as the Company should think fit, for the Purpose of constructing their Railway and Works: And whereas the Company have made the said Railway and raised the whole of their Share Capital, and have borrowed on Bond the Sum of Twenty thousand Pounds, the whole whereof now remains unpaid: And whereas, by another Act passed in the Session of Parliament held in the Eighteenth

15 & 16 Vict. c. lxiii.

and Nineteenth Years of the Reign of Her present Majesty, subject to the Provisions therein contained, the said recited Act was repealed, and the *Somerset Central* Railway Company were, amongst other things, authorized to construct Railways to *Wells* and to *Burnham*, and a Pier at *Burnham*, and to raise additional Capital for such Purposes: And whereas it is expedient that the Company be empowered to make and maintain the Railway herein-after mentioned, and to raise further Capital for such Purpose; but such Objects 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 (as follows):

Short Title.

I. This Act may be cited for any Purpose as "The *Somerset Central* Railway (*Glastonbury* to *Bruton*) Act, 1856."

8 & 9 Vict. cc. 16., 18., & 20. incorporated.

II. "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," so far as the same are not expressly varied by this Act, shall be incorporated with and form Part of this Act.

Power to take Lands for new Works.

III. And whereas Plans and Sections showing the Line and Levels of the Railway and other Works by this Act authorized to be made, and also Books of Reference to those Plans containing the Names of the Owners or reputed Owners, and Lessees or reputed Lessees, and Occupiers of the Lands which may be required for the Purposes of the same, have been deposited with Clerk of the Peace for the County of *Somerset*: Therefore, subject to the Powers and Provisions of this Act, the Company may make and maintain the Railway and other Works in the Line and Situation and in or upon the Lands delineated upon those Plans, and described in those Books of Reference, and according to the Levels defined on those Sections, and may enter upon, take, and use such of those Lands as they think requisite for the Purposes of this Act.

Lands for extraordinary Purposes.

IV. The Company may by Agreement purchase and take for all extraordinary Purposes mentioned in the said "Railways Clauses Consolidation Act" any Quantity of Land not exceeding in the whole Five Acres.

Powers for compulsory Purchases limited.

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

VI. The

Railways and Works.

VI. The Railway and other Works by this Act authorized are the following; (to wit,)

A Railway, with all necessary Works and Conveniences, commencing by a Junction with the authorized Line or Extension of the *Somerset Central* Railway (from *Glastonbury* to the City of *Wells*), in or near a certain Pasture Field in the united Parishes of *Saint John the Baptist* and *Saint Benedict* in *Glastonbury* in the County of *Somerset*, and terminating in the Parish of *Pitcomb*, otherwise *Pitcombe*, in the said County of *Somerset* by a Junction with the Main Line of (as now in course of Construction) the *Wilts, Somerset, and Weymouth* Railway belonging to the *Great Western* Railway Company.

Certain Roads may be crossed on the Level.

VII. Subject to the Provisions of this Act, the Company may carry the Railway across and on the Level of the several Roads numbered in the Plans deposited for the Purposes of this Act as follows (to wit,)

Parish.	No. on Plan.	Description of Road.	Number of Lines of Rail.
West Pennard -	18	Public Road - -	Two.
Ditto - -	77	Ditto - -	Two.
East Pennard -	2	Ditto - -	Two.
Ditto - -	22	Ditto - -	Two.
Evercreech - -	26	Turnpike Road -	Two.
Lamyat - -	17	Public Road - -	Two.
Ditto - -	28	Turnpike Road -	Two.
Bruton - -	24	Public Road - -	Two.

Company to erect a Station or Lodge at Points of level Crossings, and abide by Rules, &c. of Board of Trade.

VIII. For the greater Convenience and Security of the Public, the Company shall erect and permanently maintain either a Station or a Lodge at the Points where the Railway crosses those 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 those Roads respectively on the Level, or with regard to the Speed at which Trains shall pass those Roads respectively, as are from Time to Time made by the Board of Trade; and if the Company fail to erect or at all Times to maintain any such Station or Lodge, or to appoint a proper Person to watch or superintend the Crossings at any such Point or Station, or to abide by any such Rule or Regulation, 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 continues after such Penalty of Twenty Pounds is incurred.

Board of Trade may require Bridges to be

IX. The Board of Trade, if it appear to them necessary for the public Safety, at any Time either before or after the Railway is completed

erected in lieu of level Crossings.

pleted and opened for public Traffic, may require the Company, within such Time as the Board of Trade appoint, and at the Expense of the Company, to carry any of those Roads respectively either under or over the Railway by this Act authorized by means of a Bridge or Arch, in lieu of crossing the same on the Level, or to execute such other Works as under the Circumstances of the Case appear to the Board of Trade best adapted for removing or diminishing the Danger arising from any such level Crossing.

Regulating Inclination of a certain Road.

X. In carrying the Road numbered as herein-after mentioned on the said Plans over, under, or across the Railway, it shall be lawful for the Company to make the Inclination of the said Road such as or not steeper than that herein-after mentioned; that is to say,

No. on Plan.	Parish.	Proposed Inclination.
12	Pylle	1 in 12

As to Junction with Great Western Railway.

XI. In forming the Junction with the *Great Western* Railway, and in constructing the Works in connexion therewith on any Lands belonging to the said *Great Western* Railway Company, the Position of such Works, and the Means adopted of forming such Junction, and the Execution thereof, shall be to the reasonable Satisfaction of the Engineer for the Time being of the said *Great Western* Railway Company.

Saving Rights of Great Western Railway Company.

XII. Except as by this Act expressly provided, this Act or anything therein contained shall not take away, lessen, or prejudice any of the Rights, Powers, Authorities, or Privileges of the *Great Western* Railway Company, in which Company the Undertaking of the *Wilts, Somerset, and Weymouth* Railway Company is now vested.

No Deviation to be made to the South of Centre Line through Lands of Lord Portman.

XIII. Provided, That in constructing the Railway through any Part of the Lands which the Right Honourable *Edward Berkeley* Lord *Portman* is entitled to or interested in, in the Parishes of *Pilton*, *Pylle*, and *East Pennard*, in the County of *Somerset*, the Centre Line of the said Railway shall not be made to the Southward of the Centre Line delineated on the Plans deposited as aforesaid without the Consent in Writing of the said Right Honourable *Edward Berkeley* Lord *Portman*.

Period for Completion of Works.

XIV. The Railway and other Works by this Act authorized shall be completed within Four Years after the Commencement of this

this Act, and on the Expiration of such Period the Powers of the Company for executing the same, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as is then completed.

Gauge of Railway.

XV. The Railway by this Act authorized shall be constructed, maintained, and worked upon the Broad Gauge of Seven Feet.

If Railway not finished in 4 Years, certain Dividends not to be paid.

XVI. After the Expiration of Four Years from the passing of this Act it shall not be lawful for the Company to pay any Dividend upon any Shares in the Capital of the Company (not being Shares upon which any fixed or guaranteed Dividend may be payable), unless and until the said Railway shall be opened for the Purposes of public Traffic.

Tolls for new Line of Railway.

XVII. It shall be lawful for the Company to demand and receive for and in respect of the said Railway the same Tolls and Charges as they are authorized to demand and receive by "The *Somerset Central* Railway Act, 1855."

Maximum Tolls.

XVIII. Provided always, That the maximum Tolls and Charges to be made by the Company in respect of the Traffic carried upon the Railway hereby authorized shall in no Case exceed the maximum Tolls and Charges authorized to be taken by the said Act.

Power to raise further Monies by Creation of new Shares.

XIX. That it shall be lawful for the Company to raise, by the Creation of new Shares, any Sum or Sums of Money not exceeding in the whole the Sum of One hundred thousand Pounds, in addition to the Sums which are already authorized to be raised.

New Shares to form Part of the original Capital.

XX. The Capital so to be raised by the Creation of new Shares shall be divided into Shares of Twenty Pounds each, and shall, subject to the Provisions herein-after contained, be considered as Part of the original Capital of the Company.

Limiting the Amount of Calls.

XXI. One Fifth Part of a Share shall be the greatest Amount of any One Call, and there shall be an Interval of Three Months at the least between the Time fixed for the Payment of One Call and the Time fixed for the Payment of the next succeeding Call.

Power to borrow on Mortgage.

XXII. After the whole of the aforesaid Sum of One hundred thousand Pounds shall have been subscribed for, and One Half thereof and of the Sums which the Company are authorized by the said recited Acts to raise by Shares shall have been paid up, it shall be lawful

lawful for the Company to borrow on Mortgage or Bond such Sums of Money as shall from Time to Time be authorized to be borrowed by Order of any Ordinary or Extraordinary Meeting of the said Company, not exceeding in the whole the Sum of Thirty-three thousand Pounds, in addition to the Sums which they are at present authorized to borrow.

Application of Money raised.

XXIII. All Money raised by Shares or Mortgage or Bond by virtue of this Act shall be applied for the Construction of the Works by this Act authorized.

Former Mortgages to have Priority.

XXIV. All Mortgages granted by the Company before the passing of this Act, and which shall be in force at the Time of the passing of this Act, shall, during the Continuance thereof, have Priority over all Mortgages to be granted by virtue of this Act.

Interest on Calls not to be paid out of Capital.

XXV. The Company shall not, out of any Money by any Act relating to the Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, pay to any Shareholder Interest or Dividend on the Amount of Calls made in respect of the Shares held by him: Provided always, that the Company may pay to any Shareholder such Interest on Money advanced by him beyond the Amount of Calls actually made as may be in conformity with the Provisions of "The Companies Clauses Consolidation Act, 1845."

Deposit for future Bills not to be paid out of Capital.

XXVI. The Company shall not, out of any Money by any Act relating to the Company authorized to be raised, pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament 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 to execute any other Work or Undertaking.

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

XXVII. This Act or anything therein shall not exempt the Railway and Works from the Provisions of any General Act or any Act now in force, or which may hereafter pass during this or any future Session of Parliament, relating to Railways, or to the better or more impartial Audit of the Accounts of Railway Companies, now in force, or from any future Revision and Alteration under the Authority of Parliament of the Tolls for small Parcels, and the maximum Rates of Fares and Charges by this Act authorized, or of the Rates for small Parcels by this Act authorized.

XXVIII. All

The Somerset Central Railway (Glastonbury to Bruton) Act, 1856.

XXVIII. All the Costs, Charges, and Expenses of and incident to the obtaining and passing of this Act shall be paid by the Company. Expenses of Act.

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