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# VICTORIÆ REGINÆ.

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## Cap. cxxi.

An Act to enable the *Salisbury and Yeovil* Railway Company to make Deviations from the Line of their Railway, and for other Purposes connected with their Undertaking. [10th August 1857.]

**W**HEREAS by "The *Salisbury and Yeovil* Railway Act, 1854," the *Salisbury and Yeovil* Railway Company (herein-after called "the Company") were incorporated, and empowered to make a Railway (herein-after called "the original Line") from the authorized Terminus of the *Basingstoke and Salisbury* Line of the *London and South-western* Railway Company at *Salisbury* to *Yeovil*, with a Branch Railway to join the authorized Line of the *Wilts, Somerset, and Weymouth* Railway in the Parish of *Yeovil*: And whereas by "The *Salisbury and Yeovil* Railway Deviation Act, 1855," the Company were authorized to make a Deviation in the original Line, in order to bring the same nearer to the Town of *Shaftesbury*: And whereas by "The *London and South-western, Exeter Extension*, Act, 1856," the *London and South-western* Railway Company and the Company were authorized to make and carry into effect mutual Contracts with respect to the Undertaking by that Act authorized and the Undertaking of the

17 & 18 Vict. c. ccxv.  
18 & 19 Vict. c. lxxii.  
19 & 20 Vict. c. cxx.

[Local.]

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Company

*Salisbury and Yeovil Railway Deviation Act, 1857.*

Company respectively, and for other Purposes, and the *London and South-western* Railway Company were authorized to subscribe for and hold Shares in the Company: And whereas it is expedient that the Company should be authorized to make a Deviation from the original Line, near the Town of *Sherborne*, for the better Accommodation of that Town: And whereas the Purposes aforesaid 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:

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

I. "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," (save in so far as the Provisions of those Acts are expressly excepted or varied by this Act,) shall be incorporated with and form Part of this Act.

Short Title.

II. In citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "*Salisbury and Yeovil* Railway Deviation Act, 1857."

Power to  
make Devia-  
tions.

III. And whereas Plans and Sections of the proposed Deviation Railway, showing the Line and Levels thereof, and also a Book of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of the Lands which may be required to be taken for the Purposes thereof, have been deposited with the Clerk of the Peace for the County of *Dorset*: Therefore, subject to the several Powers, Provisions, and Restrictions herein and in the said incorporated Acts contained, it shall be lawful for the Company to construct the said Deviation Railway 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, purchase, take, and use such of the said Lands as shall be necessary for such Purposes: Provided always, that the Company shall not enter upon, take, or use any Part of the Lands respectively marked on the deposited Plans 160, 170, 171, 175, and 184, in the Parish of *Sherborne*, without the previous Consent in Writing of the Owner thereof.

Description  
of Line.

IV. The Railway by this Act authorized shall commence from the original Line as authorized by the firstly-recited Act, commencing in the Parish of *Oborne* in the County of *Dorset*, and shall terminate in the Parish of *Bradford Abbas* in the same County, by a Junction with the original Line as authorized by that Act.

V. The



*Salisbury and Yeovil Railway Deviation Act, 1857.*

V. The Company shall abandon the Formation of so much of the original Line as lies between the intended Commencement and Termination of the said Deviation Railway.

Company may abandon a certain Part of Line.

VI. Provided always, That in any Case where before the passing of this Act any Contract hath been entered into or Notice given by the Company for purchasing any Lands which the Company were empowered to purchase for the Purpose of constructing the Portion of Railway so authorized to be abandoned as aforesaid, the Company shall make to the Owners or Occupiers of and other Parties interested in such Lands full Compensation for all Injury or Damage sustained by such Owners, Occupiers, and other Parties by reason of such Purchase not being completed pursuant to such Contract or Notice, and the Amount and Application of such Compensation shall be determined in the Manner provided by "The Lands Clauses Consolidation Act, 1845," for determining the Amount and Application of the Compensation to be paid for Lands taken under the Provisions thereof: Provided also, that the Authority hereby given for abandoning the aforesaid Portion of Railway shall not prejudice or affect the Right of the Owner or Occupier of any Lands which the Company were so empowered to purchase as aforesaid to receive from the Company Compensation for any Damage that may have been occasioned by the Entry of the Company upon such Lands for the Purpose of surveying and taking Levels, and of probing or boring to ascertain the Nature of the Soil, or of setting out the Line of the Railway, pursuant to the Provisions for that Purpose in the said Lands Clauses Consolidation Act contained.

Compensation to be made where Contracts have been entered into or Notices given.

VII. The Railway by this Act authorized shall be and be deemed for the Purposes of Tolls and Charges, and for all Purposes whatsoever (except as regards the Periods for the Purchase of Lands and Completion of the Railway) Part of the Undertaking of the Company, in the same Manner as if the same had originally formed Part thereof, and the Capital of the Company shall be applicable to the Construction thereof, and the Clauses and Provisions of "The *London and South-western, Exeter Extension, Act, 1856,*" shall be read and construed accordingly.

Deviations to form Part of Undertaking.

VIII. Subject to the Provisions in this Act and "The Railways Clauses Consolidation Act, 1845," contained, in reference to the crossing of Roads on the Level, it shall be lawful for the Company, in the Construction of the Railway by this Act authorized, to carry the same on the Level across the Road numbered on the Plans deposited for the Purposes of this Act 103 in the Parish of *Sherborne*: Provided always, that not more than a double Line of Rails shall be laid by the Company across that Road.

Power to cross a certain Road on the Level.

IX. The

*Salisbury and Yeovil Railway Deviation Act, 1857.*

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

IX. The Company shall erect and permanently maintain either a Station or Lodge at the Point where the Railway crosses the before-mentioned Road on the Level, and the Company shall be subject to and abide by all such Rules and Regulations with regard to the crossing of such Road on the Level, and with regard to the Speed at which Trains shall pass such Point, as may from Time to Time be made by the Board of Trade; and if the Company shall 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 Crossing at such Lodge 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.

Board of Trade may require a Bridge to be erected instead of level Crossing.

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

As to Dimensions of a certain Bridge.

XI. It shall be lawful for the Company to make the Bridge or Arch to be constructed for carrying the Railway over the Road numbered on the Plans deposited for the Purposes of this Act 9a in the Parish of *Oborne*, of any Span not less than Twenty Feet, and of any Height not less than Fifteen Feet.

Inclination of certain Roads.

XII. It shall be lawful for the Company to make the Roads herein-after mentioned, when altered for the Purposes of this Act, of any Rates of Inclination not steeper than those specified in the following Table:

Number of Road on Plan deposited for the Purposes of this Act.	Parish in which the Road is shown on those Plans.	Description of Road.	Inclination.
30	Oborne -	Public Highway	1 in 5.
19	Castleton -	Public Highway	1 in 16.

XIII. The



*Salisbury and Yeovil Railway Deviation Act, 1857.*

XIII. The Powers of the Company for the compulsory Purchase or taking of Lands for the Purposes of this Act shall not be exercised after the Expiration of One Year and Six Months from the passing of this Act. Powers for compulsory Purchases limited.

XIV. The Railway by this Act authorized shall be completed within Two Years from the passing of this Act, and on the Expiration of that Period the Powers by this Act granted to the Company for executing that Railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed. Period for the Completion of Works.

XV. The *London and South-western* Railway Company, with the Sanction of Three Fifths of the Votes of the Shareholders in that Company present, personally or by Proxy, at a Meeting of that Company specially convened for the Purpose, may, but subject and without Prejudice to their then existing preferential Stock or Shares, and subject and without Prejudice to any Mortgages or Bonds then by them created or to be thereafter created in exercise of any now existing Powers of borrowing contained in or granted by any Act of Parliament authorizing that Company in that Behalf, from Time to Time guarantee and secure to any Person or Persons lending to the Company the Money or any Portion of the Money which they are authorized to borrow on Mortgage or Bond, the Repayment of any Money so lent or any Part thereof, with or without the Interest thereon or any Part thereof, or the Payment of such Interest alone or any Part thereof, or the Payment for any specified Period of such Interest or any Part thereof; and may, but subject and without Prejudice as aforesaid, from Time to Time apply their existing and authorized Funds in discharge of any Moneys which they may be called upon to pay upon or in respect of any such Guarantee, and to the Extent of the Sums so paid by the *London and South-western* Railway Company that Company shall be Creditors of the *Salisbury and Yeovil* Railway Company instead of the Persons to whom such Sums shall be so paid, and shall be entitled to the Benefit of and may enforce the Mortgages or Bonds for securing the same held by such Persons, as fully and effectually as such Persons themselves or their Representatives might do if not paid off. Guarantee of Loan by London and South-western Railway Company.

XVI. It shall not be lawful for the Company, out of any Money by any Act relating to the Company authorized to be raised for the Purposes of such Act, 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 to execute any other Work or Undertaking. Deposit for future Bills not to be paid out of Company's Capital.

[Local.]

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XVII. Nothing

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*Salisbury and Yeovil Railway Deviation Act, 1857.*

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Railways  
not exempt  
from Pro-  
visions of  
present and  
future Gene-  
ral Acts.

XVII. Nothing herein contained shall be deemed or construed to exempt the Railways by this Act or the said recited Acts authorized to be made from the Provisions of any General Act relating to Railways, or to the better or more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during his 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 the said recited Acts, and of the Rates for small Parcels.

Expenses  
of Act.

XVIII. All the Costs, Charges, and Expenses of and attending the passing this Act, or preparatory or incident thereto, shall be paid by the Company

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