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VICTORIÆ REGINÆ.

Cap. ccxvii.

An Act for authorizing the *London and South-western* Railway Company to construct Railways from their *Southampton and Dorchester* Railway to the *Poole and Bournemouth* Railway; and for other Purposes. [16th July 1866.]

WHEREAS it is expedient that the *London and South-western* Railway Company (herein-after called "the Company") be authorized to make and maintain the Railways herein-after described, and to raise further Monies for that Purpose: And whereas the Construction of the Railway first authorized by "The *Poole and Bournemouth* Railway Act, 1865," and in that Act called "Railway No. 1," and of the Portion herein-after in that Behalf mentioned of the Railway No. 2. and of the Railway No. 3. by that Act authorized, will be rendered unnecessary by the Construction of the Railways by this Act authorized: And whereas it is expedient that the *Poole and Bournemouth* Railway Company (herein-after called "the *Poole* Company") be required to abandon the making of the Railway No. 1. and the said Portion of the Railway No. 2, and of

28 & 29 Vict.
c. xix.

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the Railway No. 3, authorized by the last-mentioned Act: And whereas by "The *Poole and Bournemouth Railway Act, 1865*," the Capital of the *Poole Company* is declared to be Ninety thousand Pounds, and that Company was empowered from Time to Time to borrow on Mortgage any Sums not exceeding in the whole Thirty thousand Pounds: And whereas the Sum which the *Poole Company* will require for the Construction and Completion of the Portions of their authorized Railways which they are not required by this Act to abandon will not exceed the Sum of Sixty thousand Pounds, and it is expedient that the Capital and Borrowing Powers of the *Poole Company* be reduced as by this Act provided: And whereas it is expedient that Provision be made for the User by the Company of the Portions of the Railways of the *Poole Company* not required by this Act to be abandoned: And whereas it is expedient that the Company on the one hand and the *Poole Company* be authorized to enter into and carry into effect Contracts, Agreements, and Arrangements as herein-after in that Behalf provided: And whereas Plans and Sections of the Railways by this Act authorized showing the Lines and Levels thereof respectively, and the Plans also showing the Lands in which the same are intended to be made, and Books of Reference to the Plans containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands, have been deposited with the respective Clerks of the Peace for the Counties of *Dorset*, and of the Town of *Poole*, and of *Southampton*, and those Plans, Sections, and Books of Reference are in this Act referred to as "the deposited Plans, Sections, and Books of Reference:" And whereas the Objects of this Act cannot be attained 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; (that is to say,)

Short Title.

1. This Act may for all Purposes be cited as "*South-western Railway (Poole and Bournemouth Junction) Act, 1866.*"

8 & 9 Vict.
cc. 18. & 20.,
23 & 24 Vict.
c. 106., and
26 & 27 Vict.
c. 92. in-
corporated.

2. "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," "The Railways Clauses Consolidation Act, 1845," Part I. (relating to Construction of a Railway) and Part III. (relating to Working Agreements) of "The Railways Clauses Act, 1863," (save so far as any of the Sections or Provisions of those Acts and Parts respectively are expressly excepted or varied by this Act,) (are incorporated with and form Part of this Act.)

3. The

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3. The following Provisions of "The Companies Clauses Consolidation Act, 1845," are incorporated with this Act; (that is to say,) Part of
8 & 9 Vict.
c. 16 in-
corporated.

With respect to the Distribution of the Capital of the Company into Shares :

With respect to the Transfer or Transmission of Shares :

With respect to the Payment of Subscriptions and the Means of enforcing the Payment of Calls :

With respect to the Forfeiture of Shares for Nonpayment of Calls :

With respect to the Remedies of Creditors of the Company against the Shareholders :

With respect to the borrowing of Money by the Company on Mortgage or Bond :

With respect to the Conversion of the borrowed Money into Capital :

With respect to the Consolidation of Shares into Stock :

With respect to the Provision to be made for affording Access to the Special Act by all Parties interested.

4. The several Words and Expressions to which by the Acts in whole or in part incorporated with this Act Meanings are assigned have in this Act the same respective Meanings unless excluded by the Subject or Context: Provided that the Expression "Superior Courts" or "Court of competent Jurisdiction," or any other like Expression in this Act, shall be read and have Effect as if the Debt or Demand with respect to which the Expression is used were a common Simple Contract Debt, and not a Debt or Demand created by Statute; and the Words "Share" and "Shareholders" include when requisite "Stock" and "Stockholders." Same Mean-
ings to Words
in incorpo-
rated Acts as
in this Act.

5. Subject to the Provisions of this Act and of the Acts wholly or partially incorporated herewith, the Company may make and maintain on the Lines and according to the Levels shown on the deposited Plans and Sections the Railways herein-after described, with all proper Stations, Approaches, Works, and Conveniences connected therewith, and may enter upon, take, and use such of the Lands delineated on the said Plans and described in the deposited Books of Reference as may be required for that Purpose. The Railways herein-before referred to and by this Act authorized are,— Power to
make Works
authorized
by Act.

1st. A Railway (A.) Three Miles and Four Furlongs in Length commencing by a Junction with the *Southampton and Dorchester* Railway of the Company, and terminating in the Tithing of *Longfleet* in the Parish of *Canford Magna* and County of *Dorset* in the Field numbered 31 on the Tithe Commutation Map of that Tithing :

2ndly. A

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2ndly. A Railway (B.) Five Furlongs and Two and a Half Chains in Length commencing by a Junction with Railway (A.), and terminating by a Junction with the Railway No. 2. authorized by "The *Poole and Bournemouth Railway Act, 1865*."

3rdly. A Railway (C.) Three Furlongs and Five and a Half Chains in Length commencing by a Junction with Railway (A.), and terminating by a Junction with the Railway (No. 3.) authorized by "The *Poole and Bournemouth Railway Act, 1865*."

Power to raise additional Capital by new Shares or new Stock.

6. The Company from Time to Time, with the Sanction of at least Three Fourths of the Votes of the Shareholders present in person or by proxy at an Extraordinary General Meeting of the Company specially convened for the Purpose, may raise for the Purposes of this Act by the Creation and Issue of new Shares or new Stock, whether ordinary or preferential or both, any Sums not exceeding in the whole Fifty-four thousand Pounds, in addition to and as Part of the Capital of the Company which they are now authorized to raise by Shares or Stock.

Shares not to issue until One Fifth paid up.

7. The Company shall not issue any Share created under the Authority of this Act, nor shall any Share vest in the Person accepting the same, unless and until a Sum not being less than One Fifth Part of the Amount of such Share shall have been paid in respect thereof.

Saving for existing Preferential Shares or Stock.

8. Provided that any Preference or Priority in Payment of Dividend which the Company from Time to Time grant in respect of any new Shares or new Stock under this Act shall not prejudice any Preference or Priority in the Payment of Interest or Dividend on any other Shares or Stock theretofore granted by the Company in pursuance of or confirmed by this Act, or any Act of Parliament passed before the passing of this Act, or which is then otherwise lawfully subsisting.

Provisions of 25 & 26 Vict. c. xlii. as to Shares and Stock apply to Shares and Stock under this Act.

9. The Provisions of Sections 49 to 70 (both inclusive) of "The *South-western Railway (Additional Powers) Act, 1862*," with respect to Preferential Shares and Stock, and the Cancellation of Shares and Stock, and the Issue of new Shares or Stock instead of cancelled Shares or Stock, and with respect to voting for Shares or Portions of Stock, and otherwise respecting Shares and Stock, extend to this Act with respect to the Company and the Shares and Stock which by this Act they are authorized to create and issue.

10. The

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10. The Company may from Time to Time borrow on Mortgage for the Purposes of this Act any Sums not exceeding in the whole, in addition to the Sums which they are already authorized to borrow, Eighteen thousand five hundred Pounds, but no Part thereof shall be borrowed until the whole of the additional Capital of Fifty-four thousand Pounds by this Act authorized is subscribed for, issued, and accepted, and One Half thereof is paid up, and the Company have proved to the Justice who is to certify under the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the whole of the said Capital of Fifty-four thousand Pounds has been issued and accepted, and that One Half thereof has been paid up, and that not less than One Fifth Part of the Amount of each separate Share has been paid on account thereof before or at the Time of the Issue or Acceptance thereof, and that such Capital was issued *bonâ fide*, and is held by the Subscribers or their Assigns, and that such Subscribers or their Assigns are legally liable for the same; and upon Production to such Justice of the Books of the Company, and of such other Evidence as he shall think sufficient, he shall grant a Certificate that the Proof aforesaid has been given, which Certificate shall be sufficient Evidence thereof.

Power to borrow on Mortgage.

11. The Provisions of Sections 71 to 79 (both inclusive) of "The *South-western Railway (Additional Powers) Act, 1862*," and of Section 115 of "The *South-western Railway Act, 1863*," with respect to Debenture Stock, extend to this Act with respect to the Mortgages by this Act authorized.

Provisions of 25 & 26 Vict. c. xlii. and 26 & 27 Vict. c. xc. as to Debenture Stock apply to Mortgages under this Act.

12. The Mortgagees of the Company under this Act may enforce the Payment of the Arrears of Principal and Interest due on their Mortgages by the Appointment of a Receiver, and in order to authorize the Appointment of a Receiver the Amount owing to the Mortgagees by whom the Application for a Receiver shall be made shall not be less than Three thousand Pounds in the whole.

Arrears may be enforced by Appointment of a Receiver.

13. All Mortgages granted by the Company in pursuance of the Powers of any Act of Parliament before the passing of this Act, and which shall be subsisting at the Time of the passing thereof, shall during the Continuance of such Mortgages have Priority over any Mortgages to be granted by virtue of this Act: Provided that this Section does not apply to any Mortgage from Time to Time granted by the Company in accordance with Section 21 of "The *South-western Railway (General) Act, 1865*."

Existing Mortgages to have Priority.

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14. All

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Application
of Monies.

14. All Monies raised under the Powers of this Act, whether by Shares, Debenture Stock, or borrowing, shall be applied for the Purposes of this Act only.

Lands for
extraor-
dinary Pur-
poses.

15. The Quantity of Land to be taken by the Company under this Act for the extraordinary Purposes mentioned in "The Railways Clauses Consolidation Act, 1845," shall not exceed Five Acres.

Powers for
compulsory
Purchases
limited.

16. 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 of
Completion
of Works.

17. The Railways shall be completed within Four 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 the Railways, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

Power to
cross certain
Road on the
Level.

18. Subject to the Provisions in "The Railways Clauses Consolidation Act, 1845," and in Part I. (relating to Construction of a Railway) of "The Railways Clauses Act, 1863," contained in reference to the crossing of Roads on the Level, it shall be lawful for the Company in the Construction of the Railways to carry the same with a single Line of Railway only whilst the Railways shall consist of a single Line, and afterwards with a double Line of Railway only, across and on the Level of the Road next herein-after mentioned; (that is to say,)

Railway.	No. on deposited Plan.	Parish.	Description of Road.
C	100a	Tithing of Longfleet, Parish of Canford Magna.	Public Carriage Road.

Provided that it shall not be lawful to use over or upon that Part of the Railway (C.) which will be carried over the said Road any Carriage propelled by Steam or by Atmospheric Agency, or drawn by Ropes in connexion with a Stationary Steam Engine.

Notice to be
given of
taking
Houses
labouring
Classes.

19. The Company shall, not less than Eight Weeks before they take in any Parish Fifteen Houses or more occupied either wholly or partially by Persons belonging to the Labouring Classes as Tenants or Lodgers, make known their Intention to take the same by Placards, Handbills,

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Handbills, or other general Notice placed in public View upon or within a reasonable Distance from such Houses, and the Company shall not take any such Houses until they have obtained the Certificate of a Justice that it has been proved to his Satisfaction that the Company have made known their Intention to take the same in manner herein-before required.

20. After the Expiration of the Period by this Act limited for the Completion of the Railways by this Act authorized, if they be not then completed, the Company shall be liable to a Penalty of Fifty Pounds a Day, to be recoverable as a Debt due to the Crown, for every Day after the Period so limited until the Railways are completed and opened for public Traffic; but no Penalty shall accrue in respect of any Time during which it appears, by a Certificate to be obtained from the Board of Trade, that the Company were prevented from completing or opening the Railway by unforeseen Accident or Circumstances beyond their Control; provided that the Want of sufficient Funds shall not be held to be a Circumstance beyond their Control.

Penalty for
Noncompletion of Works
within
Period
limited.

21. The Company from Time to Time may demand and take in respect of the Railways by this Act authorized for all Passengers, Animals, and Things conveyed thereon, and for Carriages, Waggon, and Trucks respectively conveying the same, and for Locomotive Engines or other Power, and for all Services performed by them thereon, and for all other Matters with respect to Traffic thereon, a like Amount of Tolls, Rates, and other Charges as by the several Acts relating to the Company, or any of them, the Company are authorized to demand and take for like Traffic, Services, and Matters on or with respect to the Company's Main Line of Railway, and in like Manner and with and subject to like Powers and Provisions in all respects as if the Railways by this Act authorized were Part of that Main Line.

Tolls on
Railway.

22. Provided, that the maximum Charges to be made by the Company with respect to the Tolls, Fares, Rates, and Charges for the User of the Railways or any Part thereof, and for Carriages, Waggon, and Trucks, and for Locomotive Engines or other Power, and every Expense incidental to the Conveyance of their Traffic on and at the same respectively, shall not in any Case to which the Limitation of maximum Charges is applicable exceed the Sums in that Behalf limited by the Acts from Time to Time in force with respect to the Company's Main Line of Railway.

Maximum
Charges.

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Power to use
Railways of
Poole Com-
pany.

23. The Company from Time to Time may run over, work, and use with their Engines, Carriages, Waggon, and Trucks, and their Officers and Servants, and for Traffic of all Kinds, such Parts of the authorized Railways of the *Poole* Company as are not required by this Act to be abandoned, and the Sidings, Stations, Buildings, Offices, Approaches, Water Supplies, Telegraphs, Signals, Machinery, Works, and Conveniences on or connected or used with those Portions of Railway respectively, upon such Terms, pecuniary and otherwise, and Conditions as the Company and the *Poole* Company from Time to Time agree on, or as, failing Agreement, are from Time to Time, on the Demand of either of the Companies interested, determined by Arbitration under "The Railway Companies Arbitration Act, 1859."

Tolls on
Railways
worked
under Act by
Company.

24. With respect to the several Portions of Railway over which, whether by Agreement or otherwise, the Company under this Act from Time to Time work, the Company from Time to Time may demand and take for all Passengers; Animals, and Things conveyed by them thereon, and for Carriages, Waggon, and Trucks respectively conveying the same, and for Locomotive Engines or other Power, and for all Services performed by them thereon, and for all other Matters with respect to Traffic thereon, a like Amount of Tolls, Fares, Rates, and other Charges as by the Acts relating to the respective Portions of Railway, or any of them, are authorized to be demanded and taken for the same respectively, and in like Manner and subject to like Provisions, including, where applicable, any Limitation of maximum Charges.

Tolls on
Traffic con-
veyed partly
on the Rail-
way and
partly on the
Railways of
the *Poole*
Company.

25. Provided always, That as regards Traffic carried by the Company under the Provisions of this Act partly on the Railways of the Company and partly on the before-mentioned Portions of the Railways of the *Poole* Company, the Railways of the Company and of the *Poole* Company shall for the Purposes of Tolls and Charges be considered as One Railway; and in estimating the Amount of Tolls and Charges in respect of Traffic conveyed as aforesaid for a less Distance than Three Miles, Tolls and Charges may only be charged as for Three Miles; and in respect of Passengers, for every Mile or Fraction of a Mile beyond Three Miles Tolls and Charges as for One Mile only; and in respect of Animals, Minerals, and Goods, for every Quarter of a Mile or Fraction of a Quarter of a Mile beyond Three Miles Tolls and Charges as for a Quarter of a Mile only; and no other Short-distance Charge shall be made for the Conveyance of Passengers, Animals, or Goods partly on the Railways of the Company and partly on the Railways of the *Poole* Company.

26. The

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26. The *Poole* Company shall abandon the Construction of the Railway No. 1. authorized by "The *Poole and Bournemouth* Railway Act, 1865," and of such Part of the Railway No. 2. authorized by that Act as lies between the authorized Commencement thereof and the Junction with that Railway No. 2. of the Railway (B.) by this Act authorized, and of so much of the Railway (No. 3.) authorized by the "*Poole and Bournemouth* Railway Act, 1865," as lies between the authorized Commencement thereof and the Junction therewith of the Railway (C.) by this Act authorized; and from and after the passing of this Act all the Powers, Authorities, Privileges, Obligations, and Liabilities granted to or imposed upon the *Poole* Company by "The *Poole and Bournemouth* Railway Act, 1865," in relation to the Railway and Portions of Railway so to be abandoned by them, shall cease to be operative.

Poole Com-
pany to
abandon
Portions of
authorized
Lines.

27. Provided nevertheless, That the Abandonment by the *Poole* Company under the Provisions of this Act of any Portion of any Railway or Works shall not prejudice or affect the Right of the Owner or Occupier of any Land to receive Compensation, in accordance with the Provisions in that Behalf of "The Lands Clauses Consolidation Act, 1845," for any Damage occasioned by the Entry of the *Poole* Company on such Land for the Purpose of surveying and taking Levels, or probing or boring to ascertain the Nature of the Soil, or setting out of the Line of Railway, and shall not prejudice or affect the Right of the Owner or Occupier of any Land which may have been temporarily occupied by the *Poole* Company to receive Compensation, in accordance with the Provisions in that Behalf of "The Railways Clauses Consolidation Act, 1845," for such temporary Occupation, or for any Loss, Damage, or Injury which may have been sustained by such Owner or Occupier by reason thereof, or of the Exercise as regards such Land of any of the Powers contained in the last-mentioned Act or "The *Poole and Bournemouth* Railway Act, 1865."

Compensa-
tion for
Damage to
Land by
Entry, &c.
for Purposes
of Railways
abandoned.

28. Where before the passing of this Act any Contract may have been entered into or Notice given by the *Poole* Company for the purchasing of any Land for the Purposes of or in relation to any Portions of the Railways or Works required to be abandoned by this Act, and which shall not be required for the Purposes of any of the Works authorized by "The *Poole and Bournemouth* Railway Act, 1865," and not abandoned under the Provisions of this Act, full Compensation shall be made by the *Poole* Company to the Owners and Occupiers or other Persons interested in such Lands for all Injury or Damage

Compensa-
tion to be
made in
respect of
Portions of
Railways
abandoned.

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sustained

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sustained by them respectively by reason of the Purchase not being completed pursuant to the Contract or Notice, and the Amount and Application of the Compensation shall be determined in manner provided by "The Lands Clauses Consolidation Act, 1845," for determining the Amount and Application of Compensation paid for Lands taken under the Provisions thereof.

Capital of
Poole Com-
pany
reduced.

29. The Capital which the *Poole* Company are by "The *Poole and Bournemouth* Railway Act, 1865," authorized to raise by Shares is by this Act reduced from the Sum of Ninety thousand Pounds to the Sum of Sixty thousand Pounds.

Mode of
effecting
Reduction.

30. If at the Time of the passing of this Act the *Poole* Company have not created and issued Shares to a greater nominal Amount than the said Sum of Sixty thousand Pounds, it shall not be lawful for that Company to create or issue under the Powers of "The *Poole and Bournemouth* Railway Act, 1865," Shares to a greater nominal Amount (including the nominal Amount of the Shares created and issued at the Time of the passing of this Act) than Sixty thousand Pounds; and if at the Time of the passing of this Act the *Poole* Company have created and issued Shares to a greater nominal Amount than Sixty thousand Pounds, the nominal Amount of each Share of the Capital of that Company is by this Act reduced from the Sum of Ten Pounds to the Sum of Six Pounds Thirteen Shillings and Fourpence, and that Company shall within Six Months after the passing of this Act repay to any Shareholder, or (as the Case may be) to the Executors or Administrators or Transferee of any Shareholder, who may have paid up in respect of any Share more than the Sum of Six Pounds Thirteen Shillings and Fourpence, the Difference between that Sum and the Amount actually paid up in respect of such Share.

Borrowing
Powers of
Poole
Company
reduced.

31. The Sum which the *Poole* Company may from Time to Time borrow on Mortgage is by this Act reduced from the Sum of Thirty thousand Pounds to the Sum of Twenty thousand Pounds: Provided always, that any Mortgages of that Company which may at the Time of the passing of this Act be outstanding (although of greater Amount than Twenty thousand Pounds in the whole) shall be as good, valid, and effectual to all Intents and Purposes as if this Act had not passed, but it shall not be lawful for that Company after the passing of this Act to reborrow upon Mortgage any Sums which with the other Sums for the Time being owing by them upon Mortgage would exceed the said Sum of Twenty thousand Pounds.

32. Section

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32. Section 20 of "The *Poole and Bournemouth* Railway Act, 1865," shall be read and have Effect as if the Capital by that Act authorized to be raised by means of Shares had been the Sum of Sixty thousand Pounds instead of the Sum of Ninety thousand Pounds.

Effect of
Sect. 20 of
28 & 29 Vict.
c. xix.

33. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of Her present Majesty Chapter Twenty, the Sum of Twelve thousand two hundred and seventy-two Pounds Fourteen Shillings and Sevenpence Three Pounds *per Centum* Consolidated Bank Annuities, being equal to the Sum of Ten thousand eight hundred Pounds, being Eight Pounds *per Centum* on the Amount of the Estimate of Expense of the Railways originally proposed to be authorized by the *Poole and Bournemouth* Railway Act, 1865, was transferred into the Name and with the Privity of the Accountant General of the Court of Chancery in *England* with respect to the Application to Parliament for the last-mentioned Act, and so much of that Sum of Bank Annuities as was at the Time of the Transfer thereof equal to the Sum of Seven thousand two hundred Pounds, being Eight Pounds *per Centum* upon Ninety thousand Pounds, the Amount of the Estimate of Expense of the Railways actually authorized by the last-mentioned Act, was by the Thirtieth Section of that Act declared to be forfeited to Her Majesty unless the *Poole* Company should, within the Time by the said Act limited, either open the Railways thereby authorized for Traffic, or should give such Proof to the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations as in the same Section mentioned: Provided that at any Time after the passing of that Act if a Bond in twice the Amount of the said Sum of Seven thousand two hundred Pounds should have been executed by the Company, with One or more Sureties, in manner and conditioned as in that Section mentioned, then the said Portion of the said Sum of Bank Annuities so transferred as aforesaid, and the Interest and Dividend thereof, should be paid to or on the Application of the Person or Persons in the said Section mentioned: And whereas a Bond in the Sum of Fourteen thousand four hundred Pounds has been executed by the Company, with Sureties as by the said Section of "The *Poole and Bournemouth* Railway Act, 1865," is provided, and has been deposited with the Solicitor to the Lords Commissioners of Her Majesty's Treasury, and such Bond has been registered in Her Majesty's Court of Common Pleas at *Westminster* as a Debt due to Her Majesty: And whereas the Expense of making the Railways of the *Poole* Company not by this Act required to be abandoned

Qualification
of Sect. 30
of the said
Act.

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abandoned will be Sixty thousand Pounds only, and the Sum of Four thousand eight hundred Pounds is Eight Pounds *per Centum* upon that Sum: Therefore the Thirtieth Section of the "*Poole and Bournemouth Act, 1865,*" and the Bond so executed and deposited as aforesaid, and the said Registry of the said Bond, shall respectively be read and have Effect as if wherever in that Section the Sum of Ninety thousand Pounds is mentioned the Sum of Sixty thousand Pounds had been inserted in lieu thereof, and as if wherever in the said Section or in the said Bond the Sum of Seven thousand two hundred Pounds is mentioned the Sum of Four thousand eight hundred Pounds had been inserted in lieu thereof, and the said Registry shall be amended accordingly.

Power to enter into Traffic Arrangements with other Railway Companies.

34. The Company on the one hand and the *Poole* Company on the other hand may from Time to Time enter into Contracts or Arrangements with respect to the following Purposes, or any of them; (that is to say,)

The Management, Use, Working, and Maintenance of the Railways and Works of the Companies, or of either of them, or of any Part or Parts thereof:

The Supply and Maintenance of any Rolling or Working Stock, and the Employment of Officers and Servants for the Conduct of the Traffic on the Railways of the contracting Companies:

The Payments to be made and the Conditions to be performed with respect to the Matters aforesaid:

The Interchange, Accommodation, Regulation, Management, Collection, Conveyance, and Delivery of Traffic coming from or destined for the Undertakings of the contracting Companies, and the fixing, Collection, Payment, Division, Appropriation, and Distribution of the Receipts arising from such Traffic.

Tolls on Traffic conveyed partly on the Railway and partly on the Railways of other Companies.

35. During the Continuance of any Agreement to be entered into under the Provisions of this Act for the Use of the Railways of the respective Companies, or either of them, the Railways of the Companies Parties to the Agreement shall, for the Purposes of Tolls and Charges, be considered as One Railway; and in estimating the Amount of Tolls and Charges in respect of Traffic conveyed partly on the Railways of the Company and partly on the Railways of the other Company for a less Distance than Three Miles, Tolls and Charges may only be charged as for Three Miles; and in respect of Passengers, for every Mile or Fraction of a Mile beyond Three Miles Tolls and Charges as for One Mile only; and in respect of Animals and Goods, for every Quarter of a Mile or Fraction of a Quarter of a Mile beyond

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beyond Three Miles Tolls and Charges as for a Quarter of a Mile only; and no other Short-distance Charge shall be made for the Conveyance of Passengers, Animals, or Goods partly on the Railways of the Company and partly on the Railways of the other Company aforesaid.

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

Interest not to be paid on Calls paid up.

37. The Company shall not, out of any Money by this Act authorized to be raised, pay or deposit any Sum which, by any Standing Order of either House of Parliament now or hereafter 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.

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

38. Nothing contained in this Act, or in any of the Acts herein referred to, shall authorize the said Company to take, use, or in any Manner interfere with any Land or Hereditaments, or any Rights of whatsoever Description, belonging to the Queen's most Excellent Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, on behalf of Her Majesty, first had and obtained for that Purpose (which Consent such Commissioners are hereby respectively authorized to give), neither shall anything in the said Act or Acts contained extend to take away, prejudice, diminish, or alter any of the Estates, Rights, Privileges, Powers, or Authorities vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors.

Saving Rights of the Crown.

39. Nothing herein contained shall be deemed or construed to exempt the Railway by this Act authorized to be made from the Provisions of any General Act relating to Railways, or the better and more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during this or any future Session of Parliament, or from any future Revision or Alteration, under the

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

*South-western Railway (Poole and Bournemouth Junction)
Act, 1866.*

Authority of Parliament, of the maximum Rates of Fares and Charges
or of the Rates for small Parcels authorized by this Act.

Expenses of
Act.

40. All Costs, Charges, and Expenses of and incident to the pre-
paring for, obtaining, and passing of this Act, or otherwise in relation
thereto, shall be paid by the Company.

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[A. 1866]