



ANNO DECIMO SEPTIMO & DECIMO OCTAVO

# VICTORIÆ REGINÆ.

\*\*\*\*\*

## *Cap. ccii.*

An Act for enabling the *Great Western* Railway Company to make a Branch Railway to connect the *Berks and Hants* Railway with the Main Line of the *Great Western* Railway near *Reading*; for extending the Time for Completion of Parts of the *Wilts, Somerset, and Weymouth* Railway; and for reviving the Powers for Purchase of Land for, and for completing other Portions of, that Railway; and for other Purposes.

[31st July 1854.]

**W**HEREAS the *Great Western* Railway Company was incorporated by an Act passed in the Session of Parliament held in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, Chapter One hundred and seven, and several other Acts have been also passed conferring Powers on or having reference to that Company: And whereas it is expedient that the *Great Western* Railway Company should be empowered to construct a connecting Line of Railway between their Main Line of  
[Local.] 38 F Railway

*The Great Western Railway (Berks and Hants, and Wilts, Somerset, and Weymouth) Act, 1854.*

Railway in the Parish of *Tilehurst* in the County of *Berks* and the *Berks and Hants* Line of their Railway in the Parish of *Saint Mary Reading* in the same County: And whereas by "The *Wilts, Somerset, and Weymouth* Railway Act, 1845," a Company was incorporated for making the Railways and Works therein mentioned by the Name of "The *Wilts, Somerset, and Weymouth* Railway Company," and the Powers of that Company were enlarged by "The *Wilts, Somerset, and Weymouth* Railway (Amendment) Act, 1846," and "The *Wilts, Somerset, and Weymouth* Railway (Deviation) Act, 1847:" And whereas, under the Provisions of "The *Great Western* Railway Act, 1851," the *Wilts, Somerset, and Weymouth* Railway Company was dissolved, and their Undertaking, Estate, Property, and Effects, Rights, Interests, Claims, and Demands, and all the Powers, Privileges, and Authorities conferred on or given to them by the recited Acts relating to them, became vested in the *Great Western* Railway Company: And whereas the respective Periods limited by the said recited Acts relating to the *Wilts, Somerset, and Weymouth* Railway for the compulsory Purchase of Lands, and for the Construction of the Railways in such Acts mentioned, were extended by a Warrant of the Commissioners of Railways bearing Date the 12th Day of *April* 1848: And whereas the Powers granted by "The *Wilts, Somerset, and Weymouth* Railway (Amendment) Act, 1846," and "The *Wilts, Somerset, and Weymouth* Railway (Deviation) Act, 1847," and extended by the said Warrant of the Commissioners of Railways for the compulsory Purchase of Lands, have expired so far as the same relate to so much of the Railway authorized by "The *Wilts, Somerset, and Weymouth* Railway (Amendment) Act, 1846," and "The *Wilts, Somerset, and Weymouth* Railway (Deviation) Act, 1847," as lies between a Point at or near *Kingston House* in the Parish of *Bradford* in the County of *Wilts* and the Line of the *Great Western* Railway near the Village in the Parish of *Bathampton* in the County of *Somerset*, and so far as the same relate to so much of the Railway authorized by "The *Wilts, Somerset, and Weymouth* Railway Act, 1845," and "The *Wilts, Somerset, and Weymouth* Railway (Amendment) Act, 1846," as lies between the Village of *Holt* in the County of *Wilts* and a Point at or near the Stables of the *Bear* Inn in the Town of *Devizes* in the same County: And whereas the Powers for the Construction of Works so far as relates to those Parts of the before-mentioned Portions of Railway which were authorized to be made by "The *Wilts, Somerset, and Weymouth* Railway (Amendment) Act, 1846," have expired, and it is expedient that the Powers of those Acts respectively should, as regards the before-mentioned Portions of Railway, and as regards certain of the Lands required for those Portions of Railway, be revived, extended, and enlarged: And whereas it is expedient that the Time limited by

" The

*The Great Western Railway (Berks and Hants, and Wilts, Somerset, and Weymouth) Act, 1854.*

“ The *Wilts, Somerset, and Weymouth* Railway Act, 1845,” and by “ The *Wilts, Somerset, and Weymouth* Railway (Deviation) Act, 1847,” and by the aforesaid Warrant of the Commissioners of Railways, for the Construction of the Railways authorized by those Acts to be made between *Frome and Weymouth* and between *Warminster and Salisbury*, should be extended: And whereas it is expedient that the *Great Western* Railway Company should be empowered to raise further Capital: And whereas the several Objects 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:

I. That in citing this Act for any Purpose it shall be sufficient to say “ The *Great Western* Railway (*Berks and Hants, and Wilts, Somerset, and Weymouth*) Act, 1854.” Short Title.

II. That in this Act wherever the Expressions “ the Company ” or “ the said Company ” are used, the same respectively shall be held to mean the *Great Western* Railway Company, unless there be something in the Context repugnant to such Construction. Company.

III. That “ The Lands Clauses Consolidation Act, 1845,” and “ The Railways Clauses Consolidation Act, 1845,” shall be incorporated with this Act. 8 & 9 Vict. cc. 18. and 20. incorporated.

IV. And whereas Plans of the proposed Railway to connect the Main Line of the *Great Western* Railway with the *Berks and Hants* Line of that Railway, and Sections showing the Levels of the proposed Railway, together with Books of Reference to such Plans containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands and Houses proposed to be taken under the Authority of this Act, have been deposited with the Clerk of the Peace for the County of *Berks*: Be it enacted, That the Company may, subject to the Provisions in this and in the Acts incorporated herewith contained, enter upon, take, and use all or any of the said Lands, and may make and maintain the Railway hereinafter mentioned in the Line and according to the Levels shown on the said Plans and Sections; (that is to say,) Power to make Railway according to deposited Plans.

A Railway to commence from out of the Main Line of the *Great Western* Railway at or near the Distance Post thereon denoting Thirty-six and Three Quarters Miles from *London* in the Parish of *Tilehurst* in the County of *Berks*, and to terminate by a Junction with the *Berks and Hants* Line of the *Great Western* Railway

*The Great Western Railway (Berks and Hants, and Wilts, Somerset, and Weymouth) Act, 1854.*

Railway at or near the Distance Post on the *Berks and Hants* Line denoting Thirty-six and Three Quarters Miles from *London* in the Parish of *St. Mary Reading* in the same County;  
And the said new Line of Railway shall be and become Part of the Undertaking of the Company.

Land for extraordinary Purposes.

V. That it shall be lawful for the Company to purchase any Quantity of Land for extraordinary Purposes, not exceeding Thirty Acres, in addition to the Lands which they are by their existing Acts authorized to take for such Purposes.

Limiting Period for compulsory Purchase of Land.

VI. That the Powers of the Company for the compulsory Purchase of Lands and Houses for the said new Line of Railway may be exercised during but shall not be exercised after the Expiration of Two Years from the passing of this Act,

Period for Completion of Works.

VII. That the said new Line of Railway shall be completed within Three Years from the passing of this Act; and on the Expiration of such Period the Powers granted to the Company for executing the same, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Railway as shall then be completed.

Tolls on new Line.

VIII. That it shall be lawful for the Company to demand and receive in respect of the Use of the said new Line of Railway any Tolls, Rates, and Charges not exceeding the maximum Tolls, Rates, and Charges which they are or may for the Time being be authorized to demand and receive upon or in respect of the other Portions of their Undertaking: Provided nevertheless, that in ascertaining the Amount to be demanded and received in respect of the Use of the said new Line of Railway, such Railway shall be deemed and taken to be an integral Portion of the Undertaking of the *Great Western Railway Company*.

Reviving Powers with respect to Portions of Wilts, Somerset, and Weymouth Railway.

IX. And whereas on or about the Thirtieth Day of *November* One thousand eight hundred and fifty-three Plans and Sections showing the Line or Course and Levels of so much of the Railway authorized by "The *Wilts, Somerset, and Weymouth Railway (Amendment) Act, 1846,*" and "The *Wilts, Somerset, and Weymouth Railway (Deviation) Act, 1847,*" as lies between a Point at or near *Kingston House* in the Parish of *Bradford* in the County of *Wilts* and the Line of the *Great Western Railway* near the Village in the Parish of *Bathampton* in the County of *Somerset*, and of so much of the Railway authorized by "The *Wilts, Somerset, and Weymouth Railway Act, 1845,*" and "The *Wilts, Somerset, and Weymouth Railway (Amendment) Act, 1846,*" as lies between the Village of *Holt* in the  
County

*The Great Western Railway (Berks and Hants, and Wilts, Somerset, and Weymouth) Act, 1854.*

County of *Wilts* and a Point at or near the Stables of the *Bear Inn* in the Town of *Devizes* in the same County, and the Lands and Houses through which those Portions of Railway are intended to be made, or which may be required for the Purposes thereof, together with Books of Reference to such Plans respectively containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of such Lands and Houses, were deposited with the respective Clerks of the Peace for the Counties of *Wilts* and *Somerset*; therefore the Powers granted by the recited Acts relating to the *Wilts, Somerset, and Weymouth* Railway shall, as regards those Portions of Railway, be and the same are hereby revived; and the *Great Western* Railway Company may, as regards such of the Lands defined on the Plans and described in the Books of Reference so deposited as have not been already purchased or acquired by them or on their Behalf, lawfully exercise for the Period of One Year from the passing of this Act all the Powers granted by the recited Acts relating to the *Wilts, Somerset, and Weymouth* Railway for the compulsory Purchase of Lands for the Purposes of those Portions of Railway and the Works connected therewith, as fully and effectually as if the respective Periods limited by such Acts for the Exercise of such Powers had extended to the said Period of One Year from the passing of this Act; and the said Company may also, as regards the said Railway between *Holt* and *Devizes*, and the Stations, Works, and Conveniences connected therewith, and upon the Lands already purchased or hereafter to be purchased by them or on their Behalf, lawfully exercise for the Period of Two Years from the passing of this Act all the Powers granted by the said Acts for the Completion of that Portion of Railway, and may also as regards the said Railway between a Point at or near *Kingston House* and *Bathampton*, and the Stations, Works, and Conveniences connected therewith, and upon the Lands already purchased or hereafter to be purchased by them or on their Behalf, lawfully exercise all the Powers granted by the said Acts for the Completion of that Portion of Railway for the Period of Eighteen Months from the passing of this Act, and for such further Period as may, for good Cause shown hereafter, be granted by the Lords of Her Majesty's Privy Council for Trade and Foreign Plantations, not exceeding Six Months from the Expiration of the said Eighteen Months, and which Extension of Time they are hereby empowered to grant if they shall see fit, and all such Powers may be exercised as fully and effectually as if the respective Periods limited by such Acts for the Exercise of such Powers had extended to the respective Periods named in or authorized by this Act.

X. That the Justices, Arbitrators, Umpires, or Juries respectively, as the Case may be, who, under the Provisions of "The Lands Clauses

[*Local.*]

38 G

Con-

Parties ag-  
grieved by  
Revival of

*The Great Western Railway (Berks and Hants, and Wilts, Somerset, and Weymouth) Act, 1854.*

Powers may have Compensation for additional Damage.

Consolidation Act, 1845," shall award or assess the Compensation to be made by the *Great Western Railway Company* to the Owners or Occupiers of or other Persons interested in any of the Lands the Powers for the Purchase of which are by this Act revived, and which shall be taken or used for the Purposes of the before-mentioned Portions of Railway authorized by "The *Wilts, Somerset, and Weymouth Railway (Amendment) Act, 1846,*" and "The *Wilts, Somerset, and Weymouth Railway (Deviation) Act, 1847,*" or for the before-mentioned Portion of Railway authorized by "The *Wilts, Somerset, and Weymouth Railway Act, 1845,*" and "The *Wilts, Somerset, and Weymouth Railway (Amendment) Act, 1846,*" or which may be injuriously affected by the Construction of those Portions of Railway, shall, in estimating the Amount of such Compensation, have regard to and make Compensation for the additional Damage (if any) sustained by such Owners, Occupiers, or other Persons by reason of the Revival of Powers by this Act granted.

Existing Contracts and Notices to take Lands not to be affected.

XI. That the Revival of Powers by this Act granted shall not prejudice or affect any Contract or Agreement entered into or any Notice given by the *Great Western Railway Company*, or the *Wilts, Somerset, and Weymouth Railway Company*, before the passing of this Act, for purchasing, taking, or using any Lands for the Purposes of the before-mentioned Portion of Railway authorized by "The *Wilts, Somerset, and Weymouth Railway (Amendment) Act, 1846,*" and "The *Wilts, Somerset, and Weymouth Railway (Deviation) Act, 1847,*" or of the before-mentioned Portion of Railway authorized by "The *Wilts, Somerset, and Weymouth Railway Act, 1845,*" and "The *Wilts, Somerset, and Weymouth Railway (Amendment) Act, 1846.*"

Extending Time for Completion of other Portions of Wilts, Somerset, and Weymouth Railway.

XII. That the Times limited by "The *Wilts, Somerset, and Weymouth Railway Act, 1845,*" and "The *Wilts, Somerset, and Weymouth Railway (Deviation) Act, 1847,*" and by the said Warrant of the Commissioners of Railways, for the Completion of the Railways between *Frome* and *Weymouth*, and between *Warminster* and *Salisbury*, by such Acts or one of them authorized, shall be and the same are hereby extended for the Period of Two Years from the passing of this Act.

Dividends suspended if Railways not completed within limited Periods.

XIII. That if the proposed Railway to connect the Main Line of the *Great Western Railway* with the *Berks and Hants* Line of that Railway shall not be completed and opened for public Traffic within Three Years from the passing of this Act, or if the Portions of the *Wilts, Somerset, and Weymouth Railway*, the Powers for the Completion of which are by this Act revived, extended, and enlarged, shall not

*The Great Western Railway (Berks and Hants, and Wilts, Somerset, and Weymouth) Act, 1854.*

not be completed and opened for public Traffic within the respective Periods by this Act prescribed for the Completion thereof, then and from thenceforth it shall not be lawful for the Company to declare or pay any Dividend on the ordinary or unguaranteed Capital of the Company until such Works respectively shall have been completed and opened for public Traffic.

XIV. And whereas the Expense of constructing the proposed Railway to connect the Main Line of the *Great Western* Railway with the *Berks and Hants* Line of that Railway is Twenty thousand Pounds, and the Expense of constructing so much of the Railway authorized by "The *Wilts, Somerset, and Weymouth* Railway Act, 1845," and "The *Wilts, Somerset, and Weymouth* Railway (Amendment) Act, 1846," as lies between the Village of *Holt* in the County of *Wilts* and a Point at or near the Stables of the *Bear* Inn in the Town of *Devizes*, is Sixty-five thousand Pounds, making together the Sum of Eighty-five thousand Pounds: Be it enacted, That for the Purpose of enabling the Company to construct the said Railway and Portion of Railway respectively it shall be lawful for them from Time to Time to raise, by creating new Shares, in addition to the Sums of Money which they are authorized to raise under or by virtue of the existing Acts relating to their Undertaking or any of them, or which they may be authorized to raise under or by virtue of any other Act to be passed in the present Session of Parliament, any Sums of Money not exceeding in the whole the Sum of Eighty-five thousand Pounds; and all and every Part of the Money so to be raised shall be applied to the Purpose of constructing the said Railway and Portion of Railway respectively, and to no other Purpose whatsoever.

Power to raise additional Capital for new Line and Devizes Branch.

XV. And whereas the Company require further Money for the general Purposes of the *Wilts, Somerset, and Weymouth* Railway: Be it enacted, That it shall be lawful for them from Time to Time to raise, by creating new Shares, in addition to the before-mentioned Sum of Eighty-five thousand Pounds, and any other Sums of Money which they are authorized to raise under or by virtue of any existing Acts of Parliament, or which they may be authorized to raise under or by virtue of any other Act to be passed in the present Session of Parliament, any Sums of Money not exceeding in the whole the Sum of One million Pounds; and the Company may apply the Money so to be raised, and any Part of the Money authorized to be raised under "The *Wilts, Somerset, and Weymouth* Railway (Amendment) Act, 1846," as may not be required for the Purposes of that Act, to the general Purposes of the *Wilts, Somerset, and Weymouth* Railway.

Power to raise further Capital for general Purposes.

XVI. And whereas under or by virtue of "The *Wilts, Somerset, and Weymouth* Railway (Amendment) Act 1846," and "The *Great Western*

Power to assign Preference to cer-

*The Great Western Railway (Berks and Hants, and Wilts,  
Somerset, and Weymouth) Act, 1854.*

tain Shares  
authorized to  
be raised by  
existing  
Acts, and to  
Shares to be  
created under  
this Act.

*Western Railway Act, 1851,"* or One of them, the Company are empowered to raise the Sum of Two hundred and forty thousand Pounds, or any Part thereof, by the Creation of new Shares as therein mentioned, and no Part of such Sum has yet been raised, and it is expedient that the Company should be empowered to assign to the Shares to be created for raising the said Sum of Two hundred and forty thousand Pounds, and also to the new Shares to be created for raising the several Sums of Eighty-five thousand Pounds and One million Pounds by this Act authorized to be raised, such Rights and Privileges as are next herein-after mentioned: Be it enacted, That it shall be lawful for the Company from Time to Time, with the Consent of Three Fifths of the Votes of the Shareholders present in Person or by Proxy at any General Meeting of the Company convened with due Notice of that Object, to assign to any Shares which may be created for raising the said Sum of Two hundred and forty thousand Pounds, and also to any Shares which may be created for raising the said Sums of Eighty-five thousand Pounds and One million Pounds by this Act authorized to be raised, or any of them, such special Advantages with respect to Priority or Amount of Dividend payable thereon (not exceeding Five Pounds *per Centum per Annum*) overall or any other Class of Shares or Stock in the Company (except as herein-after mentioned) as by the Order of any such Meeting shall be fixed and determined; and it shall be lawful for the Company to issue such Shares respectively to such Persons at such Times and in such Manner, and to demand such Price for the same, or to dispose of the same in such Manner and in such Terms as by the Order of any such Meeting shall be fixed and determined.

Calls.

XVII. That Twenty Pounds *per Centum* on the Amount of each Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders in respect of the Money by this Act authorized to be raised, and Three Fifths of the Amount of a Share shall be the utmost aggregate Amount of Calls that may be made in any One Year upon any Share, and Two Months at the least shall be the Interval between successive Calls.

Saving  
Rights of  
Holders of  
existing  
Preference  
Shares.

XVIII. Provided always, That any Preference or Priority in the Payment of Dividends, which may be assigned to any Shares under or by virtue of this Act, shall not prejudice or affect any Preference or Priority in the Payment of Interest or Dividend which may have been or may be assigned to any Shares or Stock created or to be created by the Company in pursuance of or which may have been confirmed by any Act passed prior to the present Session, or which may otherwise be lawfully subsisting.

XIX. Pro-



*The Great Western Railway (Berks and Hants, and Wilts, Somerset, and Weymouth) Act, 1854.*

XIX. Provided also, That the Holders of any Shares to which under the Provisions of this Act, or any other Act of the present Session, any special Advantages with respect to Priority or Amount of Dividend shall be attached, shall be entitled to receive the Amount of Dividends payable in respect of such Shares *pari passu*, without any Preference or Priority one over another by reason of the Priority in the Creation of any such Shares, or of the Meeting at which the same was authorized, or on any other Account whatsoever.

Holder of Preference Shares to be entitled to Dividends *pari passu*.

XX. And whereas by "The *Southampton and Dorchester Railway Act, 1845*," the Company thereby incorporated and now amalgamated with the *London and South-western Railway Company* were required as therein mentioned to provide and lay down upon any Part, not exceeding Eight Miles of the Railway thereby authorized, adjacent to *Dorchester*, additional Rails and such other Works and Conveniences as should be necessary to enable Engines and Carriages constructed for the Gauge of the *Wilts, Somerset, and Weymouth Railway* to pass along such Part of the *Southampton and Dorchester Railway* as aforesaid; and by the same Act the *Wilts, Somerset, and Weymouth Railway Company*, now amalgamated with the *Great Western Railway Company*, were in like Manner required to provide and lay down upon the *Wilts, Somerset, and Weymouth Railway*, between *Dorchester* and *Weymouth*, additional Rails and such other Works and Conveniences as should be necessary to enable Engines and Carriages constructed for the Gauge of the *Southampton and Dorchester Railway* to pass along the said *Wilts, Somerset, and Weymouth Railway* between *Dorchester* and *Weymouth*: And whereas it has been agreed between the *London and South-western Railway Company* and the *Great Western Railway Company* that additional Rails, Works, and Conveniences shall be provided and laid down upon such Portions of their said Railways respectively: Therefore, subject to the Provisions in that Behalf of this Act, if the *London and South-western Railway Company* shall, at their own Expense, before the Time at which the Railway from *Dorchester* to *Weymouth* is completed and opened for Traffic, provide and lay down, to the reasonable Satisfaction of the Engineer for the Time being of the *Great Western Railway Company*, upon not less than Eight Miles of the *Southampton and Dorchester Railway*, adjacent to *Dorchester*, One additional Rail, and such Works and Conveniences as aforesaid, and shall at the same Time undertake that if at any Time thereafter they shall lay down upon the said Portion of their Railway a double Line of Rails on the Narrow Gauge they will also provide and lay down at their own Expense, to the reasonable Satisfaction of the Engineer for the Time being of the *Great Western Railway Company*, another additional Rail, so as to form a double Line of Broad Gauge on the said

Company to lay Narrow Gauge between *Dorchester* and *Weymouth*, if *London and South-western Railway Company* lay Broad Gauge on a Portion of their Railway.

*The Great Western Railway (Berks and Hants, and Wilts, Somerset, and Weymouth) Act, 1854.*

Portion of their Railway, and allow the *Great Western* Railway Company to use and run over the same with their Engines and Carriages of every Description, and to use the Station and other Conveniences in connexion therewith herein-after referred to, then the *Great Western* Railway Company shall at their Expense provide and lay down, to the reasonable Satisfaction of the Engineer for the Time being of the *London and South-western* Railway Company, Two additional Rails, Works, and Conveniences as aforesaid upon that Portion of their Railway between *Dorchester* and *Weymouth*, so as to admit of a Junction being made at *Dorchester* by the *London and South-western* Railway Company with their Railway.

Company to allow *London and South-western* Company to use Railway between *Dorchester* and *Weymouth*.

XXI. That the *Great Western* Railway Company shall allow the *London and South-western* Railway Company to use and run over with their Engines and Carriages of every Description the said Portion of Railway between *Dorchester* and *Weymouth*, and also to use the Stations, Watering Places, Water, Sidings, Platforms, Booking and other Offices, Warehouses, Buildings, and Conveniences of or belonging to the *Great Western* Railway Company in connexion with the said Portion of Railway, other than the Station and Conveniences of the *Great Western* Railway Company at *Dorchester*, upon such Terms and Conditions, and subject to such Rules and Regulations, and on Payment of such Tolls, Rent, or other Consideration, as from Time to Time may be agreed upon between the said Two Companies, or be otherwise determined under the Provisions of this Act: Provided nevertheless, that this Enactment shall not be obligatory upon the *Great Western* Railway Company unless and until the *London and South-western* Railway Company agree to allow the *Great Western* Railway Company to use and run over with their Engines and Carriages of every Description such Portion, not being less than Eight Miles adjacent to *Dorchester*, of the Railway of the *London and South-western* Railway Company, and also to use the Stations, Watering Places, Water, Sidings, Platforms, Booking and other Offices, Warehouses, Buildings, and Conveniences of or belonging to the *London and South-western* Railway Company in connexion with the said Portion of Railway, other than the Station and Conveniences of the said *London and South-western* Railway Company at *Dorchester*, upon such Terms and Conditions, and subject to such Rules and Regulations, and on Payment of such Tolls, Rent, or other Consideration, as from Time to Time may be agreed upon between the said Two Companies, or be otherwise determined under the Provisions of this Act.

Postponing the laying down of Broad Gauge

XXII. Provided nevertheless, That if the *Great Western* Railway Company shall at any Time, by Writing under their Common Seal, have signified to the *London and South-western* Railway Company their

*The Great Western Railway (Berks and Hants, and Wilts, Somerset, and Weymouth) Act, 1854.*

their Consent to provide and lay down upon the said Portion of Railway between *Dorchester* and *Weymouth* such additional Rails and other Works and Conveniences in this Act mentioned, and to allow the *London and South-western* Railway Company to use and run over with their Engines and Carriages, as in this Act mentioned, that Portion of Railway before the *London and South-western* Railway Company provide and lay down upon the before-mentioned Portion of their Railway adjacent to *Dorchester* One additional Rail and other Works and Conveniences as in this Act mentioned, or before the *London and South-western* Railway Company agree to allow the *Great Western* Railway Company to use and run over with their Engines and Carriages, as in this Act mentioned, the same Portion of Railway, then the Obligation by this Act imposed on the *Great Western* Railway Company to provide and lay down additional Rails, Works, and Conveniences as aforesaid, and to allow the *London and South-western* Railway Company to run over and use with their Engines and Carriages the said Portion of Railway between *Dorchester* and *Weymouth*, shall thereupon have immediate Force and Effect; but nevertheless the *London and South-western* Railway Company shall, at such Time as shall have been agreed upon between the said Two Companies, provide and lay down such One additional Rail and other Works and Conveniences, and allow the *Great Western* Railway Company such User.

on Portion of London and South-western Railway.

XXIII. That the *Great Western* Railway Company shall construct their Station at *Weymouth*, and their Stations, if any, intermediate between *Dorchester* and *Weymouth*, and the Conveniences connected therewith respectively, in such Manner as to afford all reasonable Accommodation for the Traffic, whether in Passengers, Animals, or Goods, of the *London and South-western* Railway Company, and that Company shall be entitled to use the said Stations and Conveniences upon such Terms and Conditions, and upon Payment of such Rent or other Consideration, and subject to such Rules and Regulations, as from Time to Time may be agreed upon between the said Companies, or otherwise determined under the Provisions of this Act.

Company to provide Station Accommodation at Weymouth for London and South-western Company.

XXIV. That if within Twelve Months after the passing of this Act the *Great Western* Railway Company shall be under an immediate Obligation to provide and lay down on the Portion of Railway between *Dorchester* and *Weymouth* such additional Rails and other Works and Conveniences, then no Part of the Railway between *Frome* and *Dorchester* shall be opened for public Use before such additional Rails, Works, and Conveniences be laid down and opened for public Use, and before the *London and South-western* Railway Company shall be provided with Station Accommodation at *Weymouth* in all respects equally convenient with that of the *Great Western* Railway Company at the same Point.

Railway between Frome and Dorchester not to be opened before Railway between Dorchester and Weymouth.

XXV. The

*The Great Western Railway (Berks and Hants, and Wilts,  
Somerset, and Weymouth) Act, 1854.*

Arbitration.

XXV. That if the said Two Companies from Time to Time fail to agree as to any of the Matters aforesaid, or as to the Tolls, Rent, or other Consideration to be paid by the one of such Companies to the other of such Companies in respect of the Cost incurred by such Companies respectively in providing and laying down such additional Rails and other Works and Conveniences upon the said Portions of their respective Railways, and as regards the *Great Western Railway Company* the Cost incurred by them in providing Station Accommodation for the *London and South-western Railway Company* at *Weymouth*, or for the Use by the one of such Companies of the said Portion of Railway of the other of such Companies, or as to the Rent or other Consideration to be paid by the *London and South-western Railway Company* for the Use of the said Station at *Weymouth*, the Subject in difference shall be determined by Arbitration in the Manner provided by "The Lands Clauses Consolidation Act, 1845," with respect to Questions of disputed Compensation; and in awarding any Tolls, Rent, or other Consideration to be paid under this Act by the one of such Companies to the other of such Companies in respect of any of the Matters aforesaid, regard shall be had to the Cost incurred by the said Companies respectively in enlarging or adapting any existing Works for and in providing, laying down, and maintaining such additional Rails, and such Works, Conveniences, and Station respectively, and to the Traffic, if any, conveyed by the one of such Companies over the Railway of the other of such Companies, and, having regard to such Cost, a minimum yearly Sum to be paid to the Company incurring the Cost shall be fixed, and the Sum so fixed shall be paid whether the Company for which the Cost is incurred use the Accommodation provided for them or not; and every Award so made shall, except only so far as the Two Companies from Time to Time otherwise mutually agree, be final and conclusive.

Additional Rails not to be laid, nor Portion of Railway used without the Sanction of the Board of Trade.

XXVI. Provided nevertheless, That it shall not be lawful for the *Great Western Railway Company*, or for the *London and South-western Railway Company*, or either of them, to lay down such additional Rails on the respective Portions of their Railways herein-before mentioned, nor shall it be lawful for the one of such Companies to use, as provided by this Act, the Portion herein-before described of the Railway of the other of such Companies, without the previous Sanction of the Board of Trade; and in laying down such additional Rails, and in all Arrangements for using the respective Portions of Railway, the said Two Companies respectively shall be bound to conform to every Direction in that Behalf which may from Time to Time be made by the said Board of Trade.

XXVII. Pro-

*The Great Western Railway (Berks and Hants, and Wilts, Somerset, and Weymouth) Act, 1854.*

XXVII. Provided always, That (except as specially provided) this Act or anything therein shall not take away, lessen, or prejudice any of the Rights, Powers, Authorities, or Privileges of the *London and South-western Railway Company*.

Saving Rights of London and South-western Railway Company.

XXVIII. And whereas the *Great Western Railway Company* are now completing the Communication on the Narrow Gauge between the Railways constructed on that Gauge North of *Wolverhampton* and the *London and South-western Railway* at *Basingstoke*, so as to give a continuous Communication on the Narrow Gauge capable of being worked as a double Line of Railway, with proper Sidings, and with proper Accommodations and Conveniences at their Stations between the several Narrow-gauge Railways which do or shall communicate with any of the Railways of the *Great Western Railway Company* between the Points aforesaid; and it is expedient to ensure that such Communication as aforesaid shall be completed within a reasonable Period, and that the same shall be hereafter maintained and worked in an efficient Manner, so as to secure the Objects thereby contemplated: Be it enacted, That the Company shall and they are hereby required to complete such Narrow-gauge Communication, with such Sidings, Accommodations, and Conveniences as aforesaid, within Eighteen Months from the passing of this Act, and shall at all reasonable Times thereafter maintain and work the same in an efficient Manner to the Satisfaction of the Board of Trade, with Narrow-gauge Engines and Carriages in connexion with the *London and South-western*, the *Shrewsbury and Birmingham*, and *Shrewsbury and Chester*, and other Railways worked on the Narrow Gauge, and shall also efficiently work, to the Satisfaction of the Board of Trade, the *Shrewsbury and Birmingham* and *Shrewsbury and Chester* Railways, if they shall become amalgamated with the *Great Western Railway*, so as to afford the utmost Facility (both as to Lines and other Accommodations and Conveniences as aforesaid) for the Development of the Narrow-gauge Traffic thereon, and on the said other Railways South of *Wolverhampton*, according to the Provisions of the Railway and Canal Traffic Act, 1854; and, in addition to the Provisions of the same Act, if they shall fail so to do, it shall be competent to the Board of Trade to require the Company to adopt such Measures for giving full Effect to the Objects of this Enactment as to them shall seem meet; and if the Company shall fail to perform or comply with any of the Obligations by this Provision imposed upon them, the Company shall forfeit to Her Majesty the Queen the Sum of Two hundred Pounds for each and every Day during which such Default or Failure shall continue, and the said Penalty shall be recoverable by Her Majesty's Attorney General by Action, Suit, or

United Company to complete Narrow Gauge Communications with certain Railways within a given Time.

[Local.]

38 I

other

*The Great Western Railway (Berks and Hants, and Wilts,  
Somerset, and Weymouth) Act, 1854.*

other legal Proceeding (as the Case may require) in any Court of competent Jurisdiction.

Suits against Company under the last Clause to be a Bar to other Proceedings for the same Offence.

XXIX. And whereas the last preceding Clause of this Act is also contained in "The *Great Western, Birmingham and Chester* Railways Act, 1854," and it is expedient to provide against Proceedings being taken against the Company under the said Act, and also under this Act, for or in respect of the same Offence: Therefore, if any Action, Suit, or other legal Proceeding shall be commenced against the Company for their Failure to perform or comply with any of the Obligations by the last preceding Clause of this Act imposed upon them, such Action, Suit, or other Proceeding shall be a Bar to any Action, Suit, or other Proceeding which may be commenced against the Company for the same Offence under the Provisions of "The *Great Western, Birmingham and Chester* Railways Act, 1854," anything in the said last-mentioned Act to the contrary notwithstanding.

Power to Company to apply their Corporate Funds to the purposes of this Act.

XXX. That it shall be lawful for the Company to appropriate for or towards all or any of the Objects and Purposes of this Act any Sums of Money which they are authorized to raise, or which shall have been raised by them under the Provisions of any Act or Acts in force with relation to the Company, and which may not be required for the Purposes to which they are by any such Act or Acts made specially applicable: Provided always, that no such Application of Capital to the Purposes of this Act shall take place unless the Consent of Three Fifths of the Shareholders in the Company, present at a Meeting specially convened for the Purpose, either before or after the passing of this Act, shall have been obtained thereto.

Interest not to be paid on Calls paid up.

XXXI. 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 or Dividend 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 of "The *Companies Clauses Consolidation* Act, 1845," in that Behalf contained.

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

XXXII. That the Company shall not, 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, pay or deposit any Sum of Money

*The Great Western Railway (Berks and Hants, and Wilts,  
Somerset, and Weymouth) Act, 1854.*

Money which by any Standing Order of either House of Parliament for the Time being 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.

XXXIII. 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 Railways*; 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 another Act was passed in the Session of Parliament held in the Fourteenth and Fifteenth Years of the Reign of Her said Majesty, intituled *An Act to repeal the Act for constituting Commissioners of Railways*: Be it enacted, That nothing in this Act contained shall be held to exempt the said Railways and Works or the Company from the Provisions of the said several Acts respectively, but such Provisions shall be in force in respect of the said Railways and the said Company so far as the same are applicable thereto.

Railway Company to be subject to the Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., 9 & 10 Vict. c. 57., and 14 & 15 Vict. c. 64.

XXXIV. That nothing herein contained shall be deemed or construed to exempt the said Railways or the Company from the Provisions of any General Act relating to such Acts, or of any General Act relating to Railways, or to 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 and Alteration under the Authority of Parliament of the maximum Rates of Fares and Charges and of the Rates for small Parcels authorized by this or the recited Acts.

Railways not exempt from Provisions of future General Acts.

XXXV. That the Costs, Charges, and Expenses of preparing and passing this Act, and incidental thereto, shall be paid by the Company.

Expenses of Act.

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,  
Printers to the Queen's most Excellent Majesty. 1854.

