



ANNO DECIMO OCTAVO

VICTORIÆ REGINÆ.

Cap. lxii.

An Act to enable the *Salisbury and Yeovil* Railway Company to make a Deviation in the Line of their Railway ; and for other Purposes.

[15th *June* 1855.]

WHEREAS an Act was passed in the last Session of Parliament, called “*The Salisbury and Yeovil* Railway Act, 1854,” for making a Railway from the *London and South-western* Railway at *Salisbury* to *Yeovil*, and to form a Junction with the Railways at *Yeovil* of the *Great Western* and *Bristol and Exeter* Railway Companies: And whereas it is expedient that a Deviation should be made in the Line of the said Railway as authorized by the said recited Act, so as to bring the same nearer to the Town of *Shaftesbury* ; but the Purpose 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 :

I. The Provisions of “*The Lands Clauses Consolidation Act, 1845,*” 8 & 9 Viet. cc. 18. & 20. and of “*The Railways Clauses Consolidation Act, 1845,*” shall be incorporated in and form Part of this Act.

[*Local.*]

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II. In

The Salisbury and Yeovil Railway Deviation Act, 1855.

Short Title.

II. In citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression “ *The Salisbury and Yeovil Railway Deviation Act, 1855.*”

Power to make Deviation.

III. Inasmuch as Plans and Sections of the proposed Deviation Railway, showing the Lines 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 respective Clerks of the Peace for the Counties of *Wilts* and *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 execute the said Deviation Railway in the Line 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.

Description of Deviation.

IV. The Deviation shall commence from and out of the *Salisbury and Yeovil* Railway as authorized to be made at or near a Field in the Parish of *Semley* in the County of *Wilts* numbered Ten in that Parish on the Plans of the said Railway referred to in the said Act, and shall terminate by a Junction with the said authorized Line of Railway in a Field in the Parish of *Gillingham* in the County of *Dorset* numbered Eighty-three in that Parish upon the said Plans.

Company to abandon Part of Line for which Deviation is substituted.

V. The Company shall abandon the Formation of so much of the Line of Railway authorized to be made by the said recited Act as by reason of the Deviation therein by this Act authorized shall be rendered unnecessary.

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

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 Portions 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

The Salisbury and Yeovil Railway Deviation Act, 1855.

the aforesaid Portions 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.

VII. The said Deviation Railway shall be and be deemed, for the Purposes of Tolls and Charges, and for all Purposes whatsoever, to be a Part of the Undertaking of the *Salisbury and Yeovil* Railway 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.

Deviation to form Part of Undertaking.

VIII. It shall be lawful for the Company, as regards the Roads herein-after mentioned, to make the Rate of Inclination of such Roads when altered not steeper than as follows :

Inclination of certain Roads.

Number on Plan.	Parish.	Description of Road.	Inclination.
38	Motcombe - -	Parish Road - -	1 in 15.
18	Gillingham - -	Turnpike Road - -	1 in 24.

IX. 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 Two Years from the passing of this Act.

Powers for compulsory Purchases limited.

X. The Works hereby authorized shall be completed within Three Years from the passing of this Act, and on the Expiration of such Period the Powers by this Act granted to the Company for executing such Works, 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.

XI. 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.

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

XII. Nothing herein contained shall be deemed or construed to exempt the Railways by this or the said recited Acts authorized to be

Railways not exempt from Provisions of

The Salisbury and Yeovil Railway Deviation Act, 1855.

present and
future Gene-
ral Acts.

be made from the Provisions of any General Act relating to such Acts, or 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 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 authorized by this Act or the said recited Acts, and of the Rates for small Parcels.

Expenses of
Act.

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

LONDON :

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1855.