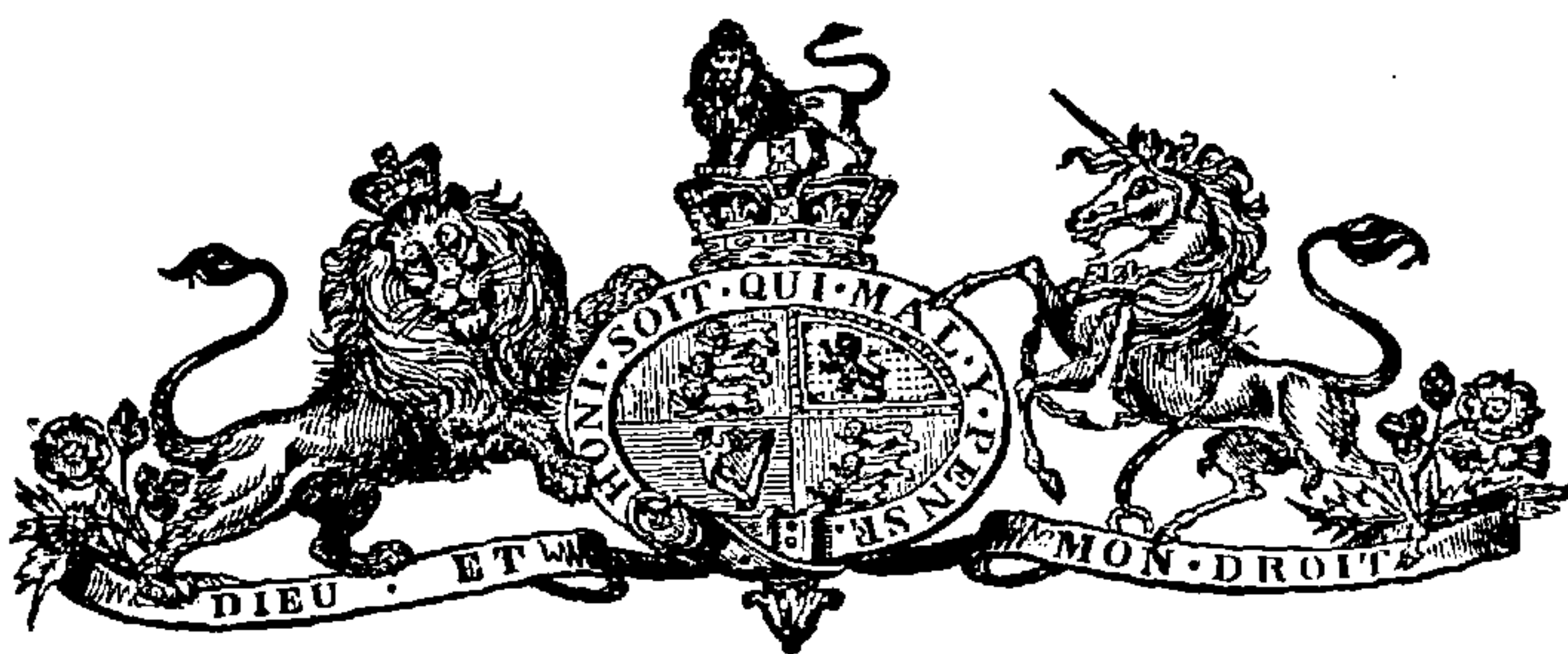




ANNO VICESIMO TERTIO

VICTORIÆ REGINÆ.

Cap. 1.

An Act to authorize certain Deviations in the
Andover and Redbridge Railway, and for other
Purposes. [15th May 1860.]

WHEREAS an Act was passed in the Year 1858 (intituled *An Act to authorize the Construction of a Railway from Andover to Redbridge in the County of Southampton, and for that Purpose to convert the Andover Canal into a Railway*), whereby the *Andover and Redbridge* Railway Company, who are herein-after referred to as the Company, were incorporated: And whereas it is expedient to enable the Company to make certain Deviations in the Railway authorized by the said Act, and to abandon Portions of the said Railway, and it is also expedient to enable them to construct the Road herein-after described in the Parish of *Romsey Extra*, and to stop up and abandon Portions of the Parish Road from *Lee* to *Romsey*, and to make a new Road in the Stead thereof, and also to enable them, or the Trustees of the *Whiteparish, Romsey, and Southampton* Turnpike Road, to make the Alteration herein-after described in the said Turnpike Road: And whereas Plans and Sections of the Works proposed to be constructed under the Powers of this Act, showing the Lines and Levels thereof, with a Book of Reference to the Plans containing the Names of the Owners and Lessees or reputed
[Local.] 7 P Owners.

21 & 22 Vict.
c. lxxxii.

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Owners and Lessees and of the Occupiers of the Lands through which the said Works will be constructed, have been deposited with the respective Clerks of the Peace for the Town and County of the Town of *Southampton* and for the County of *Southampton*: And whereas the estimated Amount of Capital required by the Company for constructing the said Works is Two thousand Pounds: And whereas the Powers necessary for the Attainment of the Purposes herein-before mentioned cannot be conferred upon the Company unless by 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. incor-
porated.

I. "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act.

Power to
construct
Works ac-
cording to
deposited
Plans.

II. The Company may, subject to the Provisions of this Act and of the Acts incorporated therewith, make and maintain the Works herein-after described in the Line and upon the Lands delineated upon the said Plans and described in the said Book of Reference, and according to the Levels described on the said Sections, and the Company may enter upon, take, and use such of the said Lands as shall be necessary for such Purposes; and it shall not be lawful for the Company to execute any other of the Works shown upon the said Plans.

Description
of Works.

III. The Works so authorized to be made are the following:

1. The Crossing on the Level thereof, instead of in the Mode authorized by the said Act of 1858, of the public Carriage Road in the Parish of *Goodworth Clatford* in the County of *Southampton* numbered 4. on the deposited Plans referred to in the said Act:
2. The lowering the Levels of the authorized Railway in the Parishes of *Broughton*, *Bossington*, *Houghton*, and *Kingsomborne*, or some of them, in the County of *Southampton*, between the First Furlong and a Half and the Sixth Furlong of the Twelfth Mile of the said Railway, as shown on the Plans deposited with relation to the said Act:
3. The Construction of a substituted Line of Railway in the Parish of *Romsey Extra* in the County of *Southampton*, between the Third Mile and Fifth Furlong and the Fourth Mile and the Fourth Furlong shown on the deposited Plans referred to in the Act of 1858, instead of the Portion of the Main Line between the Points aforesaid herein-after authorized to be abandoned:
4. The stopping up and abandoning of so much of the *Whiteparish*, *Romsey*, and *Southampton* Turnpike Road as lies between *Ashfield Bridge* and the Bridge which carries the same Road over a Mill

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Mill Stream about One hundred and ninety Yards North of the First Turnpike Gate thereon South of the Town of *Romsey*, and making and maintaining a new Turnpike Road between the Points aforesaid, the Road so to be abandoned and the substituted Road being both in the said Parish of *Romsey Extra* :

5. The Construction of a Road commencing from and out of the intended Turnpike Road herein-before described, and terminating in the *Winchester and Romsey* Turnpike Road, being in the Parish of *Romsey Extra* :
6. The stopping up and abandoning as a public Road of so much of the existing Parish Road leading from *Lee* to *Romsey* as is situate between *Lee House* and the Point where such Road joins the before-mentioned *Whiteparish, Romsey, and Southampton* Turnpike Road, and also of so much of the existing Parish Road as lies between the East Side of the *Andover and Redbridge* Canal and the before-mentioned Road leading from *Lee* to *Romsey*, and instead of the Roads so stopped up the making of a new Road in the said Parish of *Romsey Extra*, commencing at or near the principal Entrance to *Nowes' Charity Farm*, and terminating by a Junction with the existing Road leading to *Lee Bridge* : Provided always, that the Company shall not close the Roads herein last authorized to be abandoned until they shall have constructed and dedicated to the Public a good and sufficient Road on or near the Site of their Canal between *Lee Bridge* and *Ashfield Bridge* :

Provided also, that if within Three Months after the passing of this Act the Trustees of the *Whiteparish, Romsey, and Southampton* Turnpike Road shall, by Writing under the Hand of their Clerk, intimate to the Company their Desire themselves to execute the Works hereby authorized with respect to the said Road, the Powers hereby granted to the Company with relation thereto shall be transferred to the said Trustees, and in that Case the Expense incurred by the Trustees in executing the said Works shall be defrayed by the Company within One Month after there shall have been delivered to them a Certificate of such Expense signed by Three of the said Trustees.

IV. The Company shall abandon the Formation of so much of their authorized Railway as was intended to be constructed in the Parish of *Romsey Extra* between the Third Mile and the Fifth Furlong and the Fourth Mile and Fourth Furlong, shown on the Plan referred to in the said Act of 1858; and all the Powers, Authorities, and Privileges by the said recited Act granted to the Company for the Construction, Maintenance, or Use of the Portion of Railway by this Act required to be abandoned shall from and after the passing of this Act cease and determine.

Company
to abandon
certain
Portion of
authorized
Railway.

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

V. In any Case where before the passing of this Act any Contract has been entered into or Notice given by the Company for purchasing or using any Lands which the Company were empowered to purchase for the Purpose of constructing the Portion of Railway so required 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 such 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 that the Authority hereby given for abandoning the said 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 Lands Clauses Consolidation Act, 1845," contained.

Level Crossing.

VI. Subject to the Provisions in this Act and in "The Railways Clauses Consolidation Act, 1845," contained, it shall be lawful, as aforesaid, for the Company, in the Construction of the Railway, to carry the same across and upon the Level of the public Road numbered 4. in the Parish of *Goodworth Clatford* on the said Plan referred to in the said Act of 1858; but no more than a single Line of Railway shall be laid down at such level Crossing so long as the Undertaking of the Company consists of a single Line of Railway, and in no Case shall more than a double Line of Railway be laid down on such level Crossing.

Not to shunt Trains over level Crossing.

VII. It shall not be lawful for the Company in shunting Trains to or from any Siding near to the said level Crossing to pass any Trains over such level Crossing, or to allow Trains to stand across the same.

Company to erect Station or Lodge where Road crossed on the Level.

VIII. For the greater Convenience and Security of the Public the Company shall erect and permanently maintain either a Station or Lodge at the Point where the before-mentioned Road shall be crossed on the Level; and the Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Roads on the Level, or with regard to the Speed at which Trains shall pass such Road, as may from Time to Time be made by the Board of Trade; and if the Company shall fail to erect and at all Times maintain such Station

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Station or Lodge, or to appoint a proper Person to watch or superintend the Crossing at any such Point or Station, or to abide by any such Rule or Regulation as aforesaid, they shall for any 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.

IX. The Board of Trade (if it shall appear to them necessary for the Public Safety or Convenience, at any Time, either before or after the Railway shall have been completed and open for Public Traffic,) may require the Company, within such Time as the Board shall direct, and at the Expense of the Company, to carry the said Road either under or over the Railway by means of a Bridge or Arch instead of crossing the same on a Level, or to execute such other Works as under the Circumstances of the Case shall appear to the said Board of Trade the best adapted for removing or diminishing the Danger arising from such level Crossing.

Board of Trade may require Bridge instead of level Crossing.

X. 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.

XI. The Works hereby authorized to be constructed shall be completed on or before the Twelfth Day of *July* One thousand eight hundred and sixty-three; and on the Expiration of such Period the Power by this Act granted to the Company for executing the said Works, or otherwise in relation thereto, shall cease to be exercised except as to so much of the same Works as shall then be completed.

Period for Completion of Works.

XII. The substituted Railway hereby authorized to be made by the Company, together with the Approaches, Conveniences, and Works appertaining thereto, shall form Part of the Undertaking of the Company, and the Company may demand and receive for and in respect thereof the same Tolls and Charges as they are by "*The Andover and Redbridge Railway Act, 1858,*" authorized to demand and receive for and in respect of the Railway by such Act authorized to be made, and the said Railway shall, for the Purposes of such Tolls and Charges, be considered as Part of the *Andover and Redbridge Railway*.

Works to form Part of Company's Undertaking.

Same Tolls to be levied as by 21 & 22 Vict. c. lxxxii.

XIII. It shall be lawful for the Company to apply towards the Purposes of this Act any of the Monies which they are already authorized to raise, and which will not be required by them for any of the Purposes of the said recited Act.

Power to apply existing Funds to Purposes of Act.

XIV. 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 or Acts, to pay or deposit any Sum of Money which by any

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

[*Local.*]

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Standing

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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 execute any other Work or Undertaking.

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

XV. Nothing herein contained shall be deemed or construed to exempt the Railways by this or the said recited Act authorized to be made, or the Company, from the Provisions of any General Act relating to Railways 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 by "*The Andover and Redbridge Railway Act, 1858,*" or of the Rates for small Parcels.

Expenses of
Act.

XVI. All the Costs, Charges, and Expenses of applying for, obtaining, and passing this Act, or preparatory or incident thereto, shall be paid and discharged by the Company.

Short Title.

XVII. This Act may be cited for any Purpose as "*The Andover and Redbridge Railway Act, 1860.*"

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1860.