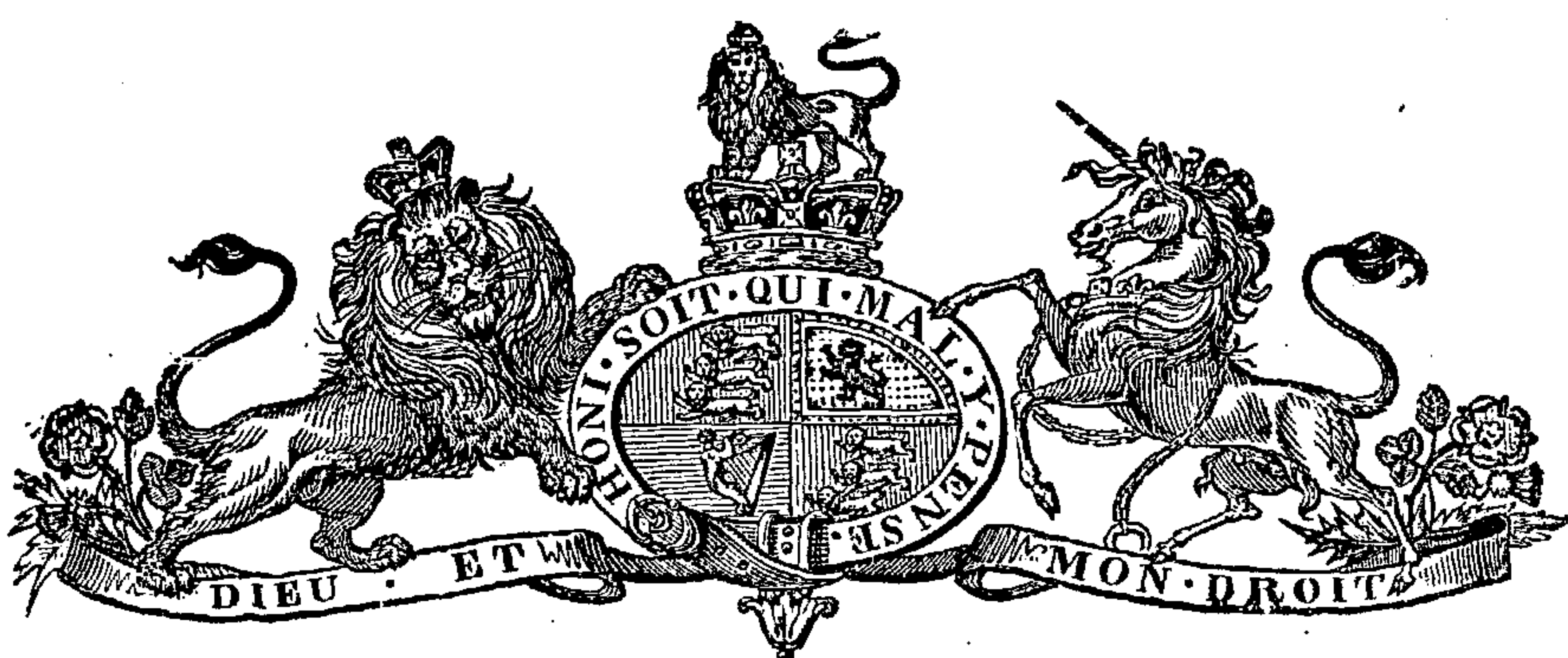




ANNO VICESIMO SEPTIMO & VICESIMO OCTAVO
VICTORIÆ REGINÆ.

Cap. ccxcviii.

An Act for changing the Name of the *Alton, Alresford, and Winchester* Railway Company, and for authorizing them to make and maintain Railways (the *Mid Hants* Lines) in Extension of their authorized Railways (the *Alton* Lines), and to raise Monies for the Purpose, and to make Arrangements with other Companies; and for other Purposes. [29th July 1864.]

WHEREAS by "The *Alton, Alresford, and Winchester* 24 & 25 Vict.
Railway Act, 1861," (in this Act called "the Act of c. cxi.
1861,") "the *Alton, Alresford, and Winchester* Railway
Company" (in this Act called "the Company") were incorporated,
and were authorized to raise a Capital of One hundred and fifty
thousand Pounds in Fifteen thousand Shares of Ten Pounds each,
and to borrow on Mortgage not exceeding Fifty thousand Pounds,
and to make and maintain Two Railways therein specified (in this
Act called "the *Alton* Lines"), being together a Railway from *Alton*
to *Winchester*, in connexion with the Railway of the *London and*
South-western Railway Company (in this Act called "the *South-*
western Company"): And whereas the Company are executing the
[Local.] 50 R Works

The Mid Hants Act, 1864.

Works authorized by the Act of 1861 : And whereas the making and maintaining of the Railway and Works by this Act authorized (in this Act called "the *Mid Hants* Line") as Extensions of the *Alton* Lines, and in connexion with the same, would be of public Advantage, and the Company are willing and it is expedient that they be authorized to make and maintain them accordingly : And whereas it is expedient that the Company be authorized to alter their authorized Works in respect of a Turnpike Road in the Parish of *Kingsworthy*, and to carry such Turnpike Road over their authorized Railway instead of carrying their Railway over such Road : And whereas it is expedient that for the Purposes of this Act the Company be authorized to raise further Monies : And whereas it is expedient that the Name of the Company should be changed, and that the Name of the Company hereafter should be "The *Mid Hants* Railway Company : " And whereas it is expedient that the Company's Undertaking under the recited Act, and their Undertaking under this Act, be with respect to Capital and Revenue and Outlay carried on as separate and distinct Undertakings : And whereas by the said "Act of 1861" the Company were empowered to enter into Contracts with the *South-western* Company with respect to the Use and Working by the last-named Company of the Company's Railway authorized by the "Act of 1861," and the Management, Maintenance, and Repair thereof, and the Conduct of the Traffic thereon, and the Fixing, Collection, and Appropriation of Tolls and other Charges derived from such Traffic ; but it has been found that it would conduce to the Convenience of the Public, and to the advantageous working of the Undertakings of the Two Companies, if the Company were enabled to grant, and the *South-western* Company were enabled to accept, a Lease of the Undertaking of the Company, and the Two Companies are desirous of obtaining such Powers : And whereas Plans and Sections of the *Mid Hants* Line, and also such Alteration of Road above mentioned, showing the Lines and Levels thereof, and the Lands in which the same will 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 those Lands, have been deposited with the Clerk of the Peace for the County of *Southampton*, and the same 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 "The *Mid Hants* Act, 1864."

2. "The

The Mid Hants Act, 1864.

2. "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," and "The Railways Clauses Consolidation Act, 1845," and Parts 1 and 3 of "The Railways Clauses Act, 1863," and Parts 1, 2, and 4 of "The Companies Clauses Act, 1863," (save so far as any of the Sections and Provisions of those Acts respectively are by this Act expressly varied or excepted,) are respectively incorporated with this Act.

8 & 9 Vict.
cc. 18. & 20.,
23 & 24 Vict.
c. 106., and
26 & 27 Vict.
cc. 92. & 118.
incorporated.

3. The following Provisions of "The Companies Clauses Consolidation Act, 1845," are incorporated with this Act; (that is to say,)

Parts 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 and 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 upon 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 upon Mortgage or Bond :

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

With respect to the Consolidation of the Shares into Stock :

With respect to affording Access to the Special Act.

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.

Same Mean-
ings to
Words in
incorporated
Acts as in
this Act.

5. On and after the First Day of *January* One thousand eight hundred and sixty-five the Name of the Company shall be changed from the Name "the *Alton, Alresford, and Winchester* Railway Company" to the Name "the *Mid Hants* Railway Company," and "the Act of 1861," and all other Acts of Parliament, and all Records, Deeds, Contracts, Actions, Suits, Proceedings, Accounts, Documents, and Writings whatsoever in which the Company are named or referred to by their original Name of Incorporation under "the Act of 1861" shall be read and have effect as if they were named or referred to therein by their Name under this Act.

Change of
Company's
Name.

6. The Company may enter upon, take, and use for the Purposes of this Act such of the Lands shown on the deposited Plans, and specified in the deposited Books of Reference thereto, as they think requisite.

Power to
take Lands
for Pur-
poses of Act.

7. The

The Mid Hants Act, 1864.

Powers for compulsory Purchases limited.

7. The Powers of the Company under this Act for the compulsory Purchase of Lands shall not be exercised after the Expiration of Three Years after the passing of this Act.

Lands for extraordinary Purposes.

8. In addition to the other Lands which the Company are authorized to purchase, they from Time to Time by Agreement may purchase or acquire for any of the extraordinary Purposes expressed in "The Railways Clauses Consolidation Act, 1845," incorporated with this Act, any Quantity of Land not exceeding Three Acres.

Power to make Mid Hants Line and Works.

9. The Company from Time to Time may make and maintain the Line of Railway (the *Mid Hants Line*) and Works by this Act authorized, and so far as they are shown on the deposited Plans may make and maintain them, in the Lines and according to the Levels and in and upon the Lands respectively shown on the deposited Plans and Sections.

Mid Hants Line authorized.

10. The *Mid Hants Line* by this Act authorized comprise the following Railway and Works, with all proper and sufficient Sidings, Stations, Buildings, Yards, Approaches, Works, and Conveniences connected therewith; (that is to say,)

(A.) A Railway commencing by a Junction with the First Railway authorized by the "*Alton, Alresford, and Winchester Railway Act, 1861*," in a Field now or lately belonging or reputed to belong to *Jacob Hagan Esquire*, in the Parish of *Ropley* in the County of *Southampton*, numbered 216 on the Plans of the *Alton, Alresford, and Winchester Railway* deposited with the Clerk of the Peace for the County of *Southampton* previous to the Application for the "*Act of 1861*," and passing through or into the following Parishes, Townships, Extra-parochial or other Places following, or some of them, viz., *Ropley, Bishop's Sutton, Bramdean, Hinton Ampner, West Meon, Warnford, Exton, and Meonstoke*, all in the County of *Southampton*, and terminating by a Junction with the *Petersfield and Bishop's Waltham Railway* at a Point between the public Roads numbered 17 and 36 in the Parish of *Meonstoke*.

As to Junctions.

11. The Communication between the Railway and the First Railway authorized by "the *Act of 1861*," and all Openings in the Rails of that Railway, and all Works at or near the Junction hereby authorized with that Railway which may be made for the Reception, Accommodation, and Delivery of the Traffic of the Company, whether on Land authorized to be taken under the Provisions of that Act or of this Act, shall be made, if the Railways by "the *Act of 1861*" be worked by or leased to the *South-western Company*, by the *South-western Company* at the sole Expense of the Company, and, except only so far as the Company and the *South-western Company* otherwise

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wise agree, or according to the Terms and Conditions from Time to Time agreed on between them, the same shall be thereafter maintained and kept in good Repair by the *South-western* Company at the Expense of the Company; and all such Communications, Openings, and Works shall be made and maintained in such Manner and by such Means only as shall not in anywise injure or prejudice the First Railway authorized by "the Act of 1861," or the Works or Property thereof, or the free and uninterrupted Use thereof by the *South-western* Company, or Interference with the Traffic thereon: Provided always, that, unless the Company and the *South-western* Company otherwise agree, the Junction of the Railway with the First Railway authorized by "the Act of 1861," instead of being made immediately with the Main Line of that Railway, shall be made directly with a proper and sufficient Siding or Side Line to be from Time to Time formed and maintained for the Purpose between a Point near the Point of Junction shown on the deposited Plan and the Station on the First Railway authorized by "the Act of 1861" intended to be made on the Lands numbered 206, 207, 208, 212, 213, 214, 215, 216, 220, or some of them, on the deposited Plan, in the Parish of *Ropley*, on Lands authorized to be taken by "the Act of 1861," and between which Side Line and the Line of the last-mentioned Railway there shall be a Junction in or at that Station affording a sufficient Communication between that Siding and the Main Line of the last-mentioned Railway; and any Difference which may arise between the Company and the *South-western* Company in carrying this Enactment into effect shall be referred to and determined by an Engineer to be appointed on the Application of either Company by the Board of Trade.

12. The Company may carry the Turnpike Road in the Parish of *Kingsworthy* in the County of *Southampton* over the Railway described as Railway (No. 2.) on the Plans deposited in Parliament for the *Alton* Lines at the Point where that Railway is shown on those Plans as crossing that Road between the Fourth and Fifth Furlongs of the Fifth Mile of that Railway over that Road, instead of carrying the Railway in manner authorized by "the Act of 1861," and the Approaches and Works necessary and incident to such substituted Work hereby authorized shall be made in the Lines and according to the Levels described on the Plans and Sections deposited for this Act, and shall be made wholly in the Parish of *Kingsworthy* between Two Points not exceeding Ten Chains respectively measured along the existing Road from each Side of the authorized Portion of the *Alton* Lines above described, and such Road when so altered shall be deemed Part and Parcel of the original Road in substitution of the Portion of Road so altered.

Alteration of
Road, &c.

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Level
Crossings.

13. Subject to the Provisions of this Act and "The Railways
Clauses Consolidation Act, 1845," and of "The Railway Clauses
Act, 1863," contained with reference to the crossing of Roads on the
Level, the Company may in the Construction of the Railway by this
Act authorized carry the same across and on the Level of the Road
which on the Plans deposited for the Purposes of this Act is num-
bered as follows :

Railway No.	No. on Plan.	Parish.	Description of Road.
1	8	Hinton Ampner	Public Highway.

But no more than a single Line of Railway shall be laid down so long
as the Railway consists of a single Line of Railway, and in no Case
shall there be more than a double Line of Railway at any such level
Crossing.

Inclination
of Roads.

14. In carrying the several Roads, numbered on the deposited
Plans as follows, under, over, or across the *Mid Hants* Line, the
Company may make those Roads respectively of any Inclination not
steeper than as follows :

Railway Number.	Number on Plan.	Parish.	Description of Road.	Greatest present Inclination.	Greatest Inclina- tion when altered.
1	28	West Meon -	Public Highway	1 in 12	1 in 15.
1	3	Warnford -	Public Highway	1 in 10	1 in 17½.

Span of
Arches.

15. In carrying the Railway over the Roads specified in the
Schedule next following, the Span of the Arches may be of the Width
set forth in such Schedule, anything in the recited Acts to the con-
trary notwithstanding :

Number.	Parish.	Description.	Number of Railway.	Proposed Span of Arch.
9	Bramdean -	Public Road -	1	20 Feet.
1	Hinton Ampner	Public Road -	1	20 Feet.
16a	Hinton Ampner	Public Road -	1	20 Feet.
4	West Meon -	Public Road -	1	20 Feet.
13	West Meon -	Public Road -	1	20 Feet.
12	Warnford -	Public Road -	1	15 Feet.
14	Exton -	Public Road -	1	15 Feet.
11	Meonstoke -	Public Road -	1	20 Feet.
36	Meonstoke -	Public Road -	1	20 Feet.
17	Meonstoke -	Public Road -	1	15 Feet.

16. In

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16. In carrying the Roads specified in the Schedule next following over the Railway, the Span between the Fences or Parapets may be of the Dimensions set forth in that Schedule, anything in this Act or in the recited Act to the contrary :

Width of Road over Railway.

Number.	Parish.	Description.	Railway Number.	Description of Width between Fence.
23	Bishop's Sutton -	Public Road -	Railway 1	15 Feet.
29	Bishop's Sutton -	Public Road -	Railway 1	20 Feet.
4	Bramdean -	Public Road -	Railway 1	20 Feet.
28	West Meon -	Public Road -	Railway 1	20 Feet.

17. In carrying the Railway over the Road numbered 17, in the Parish of *Meonstoke*, the Arch over the Road may be constructed with a Headway of not less than Thirteen Feet Six Inches in Height.

Height of Arch for Roadway at Meonstoke.

18. The *Mid Hants* Line shall be completed and opened for public Use within Five Years after the passing of this Act, and on the Expiration of that Period the Powers by this Act granted to the Company for making the *Mid Hants* Line, or otherwise in relation thereto, shall cease to be exercised, except with respect to so much thereof as is then completed.

Period for Completion of Mid Hants Line.

19. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Session of the Ninth and Tenth Years of Her present Majesty, Chapter Twenty, a Sum of Nineteen thousand three hundred and sixty-seven Pounds Five Shillings and Threepence Bank Three Pounds *per Centum* Consolidated Annuities, being equal to the Sum of Seventeen thousand six hundred Pounds, and being Eight *per Centum* upon Two hundred and twenty thousand Pounds, the Amount of the Estimate in respect of the Railways originally proposed to be by this Act authorized, has been transferred into the Name of the Accountant General of the Court of Chancery with respect to the Application to Parliament for this Act : And whereas, in consequence of the Abandonment of a Portion of the Railways, the Capital originally proposed to be by this Act authorized has been reduced from the Sum of Two hundred and twenty thousand Pounds to One hundred and fifty-five thousand Pounds, and the Portion of the said Sum of Nineteen thousand three hundred and sixty-seven Pounds Five Shillings and Threepence Bank Three Pounds *per Centum* Consolidated Annuities, which is equal to Eight Pounds *per Centum* on Sixty-five thousand Pounds, the Amount by which the Capital has been reduced, amounts to Five thousand seven hundred and twenty-two Pounds Two Shillings and Elevenpence Bank Three Pounds *per Centum* Consolidated Annuities, and it is expedient that the

Bond for Completion of Railway.

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the said Sum of Five thousand seven hundred and twenty-two Pounds Two Shillings and Elevenpence Bank Three Pounds *per Centum* Consolidated Annuities should be repaid or transferred to the Company, or to the Promoters of this Act: Therefore, notwithstanding anything contained in that Act, the Sum of Thirteen thousand six hundred and forty-five Pounds Two Shillings and Fourpence Bank Three Pounds *per Centum* Consolidated Annuities, being such Part of the said Sum of Nineteen thousand three hundred and sixty-seven Pounds Five Shillings and Threepence Bank Three Pounds *per Centum* Consolidated Annuities as is equal to Twelve thousand four hundred Pounds, such Sum being Eight Pounds *per Centum* on One hundred and fifty-five thousand Pounds, the Amount of the Estimate in respect of the Railway by this Act authorized, or the Interest or Dividends of that Sum, shall not, except on the Execution and Deposit of the Bond herein-after mentioned, be paid or transferred to or on the Application of the Person or Persons or the Majority of the Persons named in the Warrant or Order issued in pursuance of that Act, or the Survivors or Survivor of them, unless the Company, before the Expiration of the Period limited for the Completion of the Railway, either open the Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Board of Trade that the Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by Shares, and have expended for the Purposes of this Act a Sum equal in Amount to One Half of that Capital; and if that Period expire before the Company either open the Railway for the public Conveyance of Passengers, or give the Proof to the Satisfaction of the Board of Trade, the Sum of Thirteen thousand six hundred and forty-five Pounds Two Shillings and Fourpence Bank Three Pounds *per Centum* Consolidated Annuities so transferred as aforesaid, and the Interest and Dividends thereof, shall immediately from and after the Expiration of that Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they are then deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom: Provided that at any Time after the passing of this Act if a Bond in twice the Amount of the Sum of Twelve thousand four hundred Pounds be executed by the Company, with One or more Sureties, (the Bond to be prepared to the Satisfaction of, and the Surety or Sureties to be approved by, the Solicitor to the Treasury,) conditioned for Payment to Her Majesty, Her Heirs or Successors, of the Sum of Twelve thousand four hundred Pounds if the Company do not, within the Time by this Act limited for the Completion of the Railway, either open the Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Board of Trade that the Company have paid up One Half of the Amount of the Capital by this

this

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this Act authorized to be raised by Shares, and have expended for the Purposes of this Act a Sum equal in Amount to One Half of that Capital, and if the Bond be deposited with the Solicitor to the Treasury, then the Sum of Thirteen thousand six hundred and forty-five Pounds Two Shillings and Fourpence Bank Three Pounds *per Centum* Consolidated Annuities so transferred as aforesaid, and the Interest or Dividends thereof, shall be paid or transferred to or on the Application of the Person or Persons or the Majority of the Persons named in the Warrant or Order, or the Survivors or Survivor of them, and it shall not be necessary to produce any Certificate of this Act having passed, anything in that Act to the contrary notwithstanding; and the Monies to be recovered on the Bond shall be dealt with in like Manner as the said Sum of Thirteen thousand six hundred and forty-five Pounds Two Shillings and Fourpence Bank Three Pounds *per Centum* Consolidated Annuities so transferred as aforesaid, and the Interest or Dividends thereof, would be dealt with under this Act if the Bond were not so executed and deposited; and the Certificate of that Solicitor that the Bond has been so executed and deposited, and the Certificate of the Board of Trade that the Proof has been given to their Satisfaction, shall respectively be sufficient Evidence of the Facts so certified: Provided also, that it shall be lawful for the Court of Chancery, upon the Petition of the Persons named in the said Warrant or Order, or the Majority of such Persons, or the Survivors or Survivor of them, at any Time after the passing of this Act to order that the said Sum of Five thousand seven hundred and twenty-two Pounds Two Shillings and Elevenpence Bank Three Pounds *per Centum* Consolidated Annuities so transferred as aforesaid in respect to the Portion of Railway which has been abandoned as aforesaid, and all Interest and Dividends thereon, may be repaid or transferred to them.

20. Subject to the Provisions of the recited Act and this Act, the Company may demand and take in respect of the *Mid Hants* Line 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, the same Tolls, Fares, Rates, and other Charges as by the "Act of 1861" the Company are authorized to demand and take in respect of the *Alton* Lines, as if the *Mid Hants* Line had been authorized to be made by that Act.

Toll on *Mid Hants* Line same as on *Alton* Lines.

21. For estimating the Amount of Tolls, Fares, Rates, and Charges to be taken by the Company, the *Alton* Lines and the *Mid Hants* Line shall be deemed One continuous Line of Railway.

Alton and *Mid Hants* Lines continuous as to Tolls.

22. For the Purposes of the "Act of 1861" and this Act with respect to the *Alton* Lines the Company from Time to Time may
[Local.] 50 T raise,

Power to raise additional

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Capital for
Alton Lines
by new
Shares.

raise, by the Creation and Issue of new Shares of the Value of Ten Pounds each, any additional Capital not exceeding in the whole Twenty-five thousand Pounds.

Such new
Shares may
be prefer-
ential, &c.

23. The new Shares of the additional Capital of Twenty-five thousand Pounds by this Act authorized to be raised by new Shares may, with the Consent of at least Three-Fifths of the Votes of the Holders of the Company's present Capital of One hundred and fifty thousand Pounds present, in person or by proxy, at an Extraordinary Meeting of the Company specially convened for the Purpose, be issued with any fixed, fluctuating, preferential, perpetual, terminable, or other Dividend not exceeding the Rate of Five Pounds *per Centum per Annum*, and with or without any other special Provisions, and the Company, as they from Time to Time think fit, may fix the Amounts and Times of Payment of Calls on those new Shares.

Profits under
Act of 1861
applicable
for Divi-
dends only
on Alton
Lines Cap-
ital.

24. The Profits from Time to Time of the Company arising from the *Alton* Lines, and otherwise accruing to the Company under the "Act of 1861," and applicable for Payment of Dividend, shall be applied for Payment of Dividend only on the Company's *Alton* Lines Capital of One hundred and seventy-five thousand Pounds, consisting of One hundred and fifty thousand Pounds under the "Act of 1861" and Twenty-five thousand Pounds under this Act.

Profits under
this Act
applicable
for Dividend
only on Mid
Hants Line
Capital.

25. The Profits from Time to Time of the Company arising from the *Mid Hants* Line, or otherwise accruing to the Company under this Act, and applicable for Payment of Dividend, shall be applied for Payment of Dividend only on the Company's *Mid Hants* Line Capital of One hundred and fifty-five thousand Pounds under this Act.

Power to
raise addi-
tional
Capital for
Mid Hants
Line by new
Shares.

26. For the Purposes of this Act with respect to the *Mid Hants* Line the Company from Time to Time may raise, by the Creation and Issue of new Shares of the Value of Ten Pounds each, any additional Capital not exceeding in the whole One hundred and fifty-five thousand Pounds.

Shares not
to issue until
One Fifth
Part paid
up.

27. It shall not be lawful for the Company to issue any Share created under the Authority of this Act, nor shall any Share vest in the Persons accepting the same, unless and until a Sum not less than One Fifth Part of the Amount of each Share shall have been paid up in respect thereof.

Additional
Capital for
Mid Hants
Line to be
ordinary
Capital.

28. The Company's additional Capital of One hundred and fifty-five thousand Pounds by this Act authorized shall be ordinary Capital, and shall be distinct from the Company's original Capital of One hundred and fifty thousand Pounds by the "Act of 1861" authorized, and

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and their additional Capital of Twenty-five thousand Pounds by this Act authorized.

29. The Company from Time to Time may borrow on Mortgage, in addition to the Sums which by the "Act of 1861" they are authorized to borrow, any Sum not exceeding in the whole the following; (that is to say,) Power to borrow on Mortgage.

(A.) For the Purposes of the *Alton* Lines Eight thousand three hundred Pounds;

(B.) For the Purposes of the *Mid Hants* Line Fifty-one thousand six hundred Pounds;

But the Company shall not borrow under this Act any Part of the Eight thousand three hundred Pounds, or, as the Case may be, of the Fifty-one thousand six hundred Pounds, until the whole of the additional Capital of Twenty-five thousand Pounds, or, as the Case may be, One hundred and fifty-five thousand Pounds, by this Act authorized, shall have been *bonâ fide* subscribed and issued, and One Half thereof paid up, and the Company shall have proved to the Justice who is to certify under the Provisions contained in the 40th Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the whole of the said additional Capital of the *Alton* Undertaking, and the Capital of this Undertaking, has respectively been subscribed for *bonâ fide* and issued, and that not less than One Fifth of the Amount of each Share has been paid on Issue of the same, and that such Shares are held by the Subscribers or their Assigns, and for which such Subscribers or their Assigns are legally liable, of which Proof having been given the Certificate of the Justice under that Section shall be sufficient Evidence.

30. Provided, That all Mortgages granted or authorized to be granted by the Company before the passing of this Act, and now in force, shall, while in force, have Priority to all Mortgages granted by the Company under this Act in respect of the *Alton* Lines. Priority of existing Mortgages.

31. The Mortgagees of the Company under this Act may enforce the Payment of the Arrears of Interest and of Principal and Interest due on their respective Mortgages by the Appointment of a Receiver, and the Amount to authorize a Requisition for a Receiver is Five thousand Pounds. Arrears may be enforced by Appointment of a Receiver.

32. From and after the passing of this Act the Capital of the Company under the "Act of 1861" shall be distinguished as their *Alton* Lines Capital, and the Mortgage Debt of the Company under the "Act of 1861" shall be distinguished as their *Alton* Lines Debenture Debt, and the Capital of the Company under this Act shall be distinguished as their *Mid Hants* Line Capital, and their Mortgage Company's Capital and Debenture Debts to be distinguished.

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Mortgage Debt under this Act shall be distinguished as their *Mid Hants* Line Debenture Debt.

Capital and Revenue under Act of 1861 not to be applied for *Mid Hants* Line.

33. Except only as by this Act is otherwise expressly provided, no Part of the Monies by the "Act of 1861" authorized to be raised by Shares or by borrowing, or from Time to Time otherwise received by the Company as Capital or Revenue under the recited Act, shall be applied in or towards the making or maintaining of the *Mid Hants* Line, or the Purchase of any Lands for the Purposes thereof, or the paying of any Compensation in respect of any Lands taken for the same, or injuriously affected by the Exercise of any of the Powers of this Act, or for any other Purposes of this Act.

Capital and Revenue under Act not to be applied for *Alton* Lines.

34. Except only as by this Act is otherwise expressly provided, no Part of the Monies by this Act authorized to be raised by Shares or by borrowing, or from Time to Time otherwise received by the Company as Capital or Revenue under this Act, shall be applied in or towards the making or maintaining of the *Alton* Lines, or the Purchase of any Lands for the Purposes thereof, or the paying of any Compensation in respect of any Lands taken for the same, or injuriously affected by the Exercise of any of the Powers of the "Act of 1861," or for any other Purposes of that Act.

Mortgages under Act of 1860 not to affect *Mid Hants* Line.

35. The Mortgages of the Company already or from Time to Time hereafter granted for the Purposes of the *Alton* Lines shall not comprise or affect the Undertaking of the Company under this Act for the *Mid Hants* Line, or any of the Tolls, Fares, Rates, Charges, or other Monies or Property or Effects of the Company for the *Mid Hants* Line.

Mortgages under this Act not to affect *Alton* Lines.

36. The Mortgages of the Company from Time to Time granted under this Act shall not comprise or affect the Undertaking of the Company under the "Act of 1861," or the *Alton* Lines, or any of the Tolls, Fares, Rates, Charges, or other Monies or Property or Effects of or arising from or belonging to the Company's Undertaking under the "Act of 1861" or under this Act for the Purposes of the *Alton* Lines.

Future Mortgages to be either *Alton* Lines Mortgages or *Mid Hants* Line Mortgages.

37. The Mortgages from Time to Time after the passing of this Act granted by the Company shall, where granted for securing Money borrowed or reborrowed for the Purposes of the *Alton* Lines, be granted only as the Company's *Alton* Lines Mortgages, and where granted for securing Money borrowed or reborrowed for the Purposes of the *Mid Hants* Line shall be granted only as the Company's *Mid Hants* Line Mortgages, and the Company shall not grant any Mortgage except as an *Alton* Lines Mortgage or as a *Mid Hants* Line Mortgage,

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Mortgage, and every Mortgage shall on the Face thereof distinctly denote whether it is an *Alton* Lines Mortgage or a *Mid Hants* Line Mortgage.

38. For the Purpose of better showing the due Application by the Company of the Monies raised and received under the "Act of 1861" and this Act respectively, the Company shall keep separate and distinct Accounts of their Receipts, Credits, Payments, and Liabilities on account of Capital and Revenue respectively with respect to the Execution of the "Act of 1861" and this Act respectively, to be called respectively "the *Alton* Lines Accounts" and "the *Mid Hants* Line Accounts."

Company to keep *Alton* and *Mid Hants* Lines Accounts separate.

39. The Company from Time to Time shall apply all the Monies from Time to Time raised or received by them under the recited Act only for Purposes of the recited Act, and all the Monies from Time to Time raised or received by them under this Act only for Purposes of this Act.

General Application of Company's Funds.

40. Except only as is by this Act otherwise provided, the Holders of the Shares of the *Alton* Lines Capital shall be Shareholders of the Company, and entitled to Votes, Qualifications, and Privileges accordingly; provided that the Holders of Shares of the *Alton* Lines Capital shall not in respect thereof be entitled to take any Part in the Discussion or to vote at any General Meeting of the Company on any Question touching the *Mid Hants* Line Capital, or the *Mid Hants* Line Debenture Debt, or relating exclusively to the Interests of the Holders of Shares of the *Mid Hants* Line Capital; provided also, that the Holders of Shares of the *Mid Hants* Line Capital shall not in respect thereof be entitled to take Part in the Discussion or to vote at any General Meeting of the Company on any Question touching the *Alton* Lines Capital, or the *Alton* Lines Debenture Debt, or relating exclusively to Interests of the Holders of Shares of the *Alton* Lines Capital.

Right of Shareholders in respect of *Alton* Lines Capital and *Mid Hants* Line Capital.

41. No preferential Share of the Capital of the Company shall confer any Right to vote, or any Qualification.

No Votes or Qualification for preferential Shares.

42. In addition to the Number of Directors authorized by the Company's Act, the Company may appoint Four new Directors to act with the Directors of the Company solely as Directors of the Undertaking by this Act authorized.

Power to appoint additional Directors.

43. The Company on the one hand, and the *South-western* Company on the other hand, from Time to Time, if and when they respectively think fit, may enter into and carry into effect all such

Power to Company and *South-western* Company to

The Mid Hants Act, 1864.

enter into
Agreements.

Agreements and Arrangements with respect to any of the Purposes in that Behalf by this Act authorized, and all Matters incidental and accessory thereto, as the contracting Company from Time to Time think fit, and every such Agreement shall be a "Working Agreement" within the Meaning of Part 3 (relating to Working Agreements) of "The Railways Clauses Act, 1863," incorporated with this Act.

Purposes for
which the
Agreements
may be en-
tered into.

44. The Purposes for which Agreements and Arrangements may under this Act be from Time to Time entered into by the Company on the one hand, and the *South-western* Company on the other hand, comprise the following Purposes; (that is to say,)

- (A.) The Conduct, Regulation, Management, Interchange, Accommodation, and Conveyance by the contracting Company or otherwise of all or any of the Traffic on their respective Railways:
- (B.) The Tolls, Fares, Rates, and Charges, whether through or local, or other Sums of Money, to be paid by the contracting Company or otherwise in respect of the User by them respectively of all or any Parts of their respective Railways:
- (C.) The Apportionment between the contracting Company of Tolls, Fares, Rates, and Charges, whether through or local, received in respect of Traffic whatsoever passing over their respective Railways, or any Parts thereof respectively.

During Con-
tinuance of
Agreement
Railways of
South-
western
Company be
considered
Part of
Railway.

45. During the Continuance of any Working Agreement entered into under the Authority of this Act the Railways of the *South-western* Company and the Railway by this Act authorized shall be considered One Railway, and in estimating the Amount of Tolls or Charges in respect of Traffic conveyed partly on the Railways of the *South-western* Company, and partly on the said Railway of the Company, for a less Distance than Three Miles, Tolls and Charges may only be demanded for Three Miles, and for each Mile or Fraction of a Mile beyond Three Miles as for One Mile only in respect of Passengers, and for each Quarter of a Mile in respect of Animals, Minerals, and Goods, and every Fraction of a Quarter of a Mile shall be deemed to be a Quarter of a Mile, and the Charge for Three Miles shall be deemed the Short-distance Charge, and no other Short-distance Charge shall be made during the Continuance of any such existing Agreement for traversing the said Railway of the *South-western* Company and the Railway by this Act mentioned.

Power to
lease Alton
Lines.

46. It shall be lawful for the Company, with the Authority and Approbation of Three Fifths in Value of the Proprietors present, either personally or by proxy, at some Extraordinary General Meeting of the Company specially convened for the Purpose, from Time to Time to demise or lease for such Consideration or annual Rent or Reserva-
tion,

The Mid Hants Act, 1864.

tion, and under and subject to such Clauses, Powers, Provisions, and Conditions, as they shall think proper, the Undertaking authorized by the "Act of 1861," such Lease to be made, whether before or after the Completion of the *Alton* Lines, unto the *South-western* Company; and the last-named Company are hereby authorized, if they think proper, on the like Authority on the Part of their Proprietors, to enter into and accept any such Lease or Leases, and such Lease or Leases shall entitle the Lessees to the free Use and Enjoyment of the said Undertaking; and during the Continuance of any such Lease or Leases all such Powers, Privileges, and Authorities granted to, or which are or might be held, used, exercised, and enjoyed by, the Company, or by the Directors thereof, or their Officers, Agents, or Servants, under or by virtue of the said Acts with respect to the *Alton* Lines, as may be necessary for the taking and using of Lands, the Maintenance and Regulation of the Railways, and the levying, collecting, and recovering of Tolls and Charges in respect thereof, and all other Matters incident to such Lease, shall in like Manner and to the same Extent in all respects apply to, and be held, used, exercised, and enjoyed by, the Lessees, and their Directors, Officers, Agents, and Servants, under the same Regulations and Restrictions in reference to the Objects aforesaid as are granted or imposed by the said Acts upon the Company.

47. No Lease made under this Act shall take away, alter, or in anywise affect any of the Duties, Obligations, Restrictions, or Liabilities to which the Company but for the making of such Lease might by any Law or Statute be subject, but all Persons and Corporations other than the *South-western* Company shall have the same Rights, Privileges, Powers, and Remedies against the Company after the making of and notwithstanding such Lease as they might have had if such Lease had not been made.

Lease not to affect Third Parties.

48. Within Twenty-one Days after the Execution of a Lease of the Undertaking and Works of the Company to the *South-western* Company a Notice thereof shall be inserted in the *London Gazette*, and a certified Copy of such Lease, together with a Copy of this Act, shall be deposited for public Inspection at the principal Offices of the said Two Companies, and with the Clerks of the Peace of the several Counties into which the Works of the respective Companies extend, in manner and for the Purposes prescribed by the "Railways Clauses Act," Chapter 20, Section 162.

Notice of Copy and Deposit of Copy.

49. Nothing in this Act contained shall authorize the Company to take, use, or in any Manner interfere with any Land, Soil, Tenements, or Hereditaments, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, without the previous Consent in Writing of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues

Saving Rights of the Crown.

The Mid Hants Act, 1864.

Revenues (which Consent they or One of them may give), or take away, lessen, prejudice, or alter any of the Estates, Rights, Privileges, Powers, or Authorities vested in or enjoyed or exerciseable by Her Majesty, Her Heirs or Successors.

Saving
Rights of
Company
and of
South-
western
Company.

Interest not
to be paid
on Calls
paid up.

50. Except only as is by this Act otherwise expressly provided, this Act or anything therein contained shall not take away, lessen, prejudice, or alter any of the Estates, Rights, Powers, or Authorities of the Company or of the *South-western* Company.

51. The Company, or any other Railway Company to which this Act relates, shall not, out of any Money by the recited Act or this Act authorized to be raised by Shares 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 that the Company may pay to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as is in conformity with the Provisions in that Behalf of " The Companies Clauses Consolidation Act, 1845."

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

52. The Company, or any other Railway Company to which this Act relates, shall not, out of any Money by the recited Act or this Act authorized to be raised by Shares or by borrowing, pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament now or hereafter in force, is required to be deposited in respect of any Application to Parliament for an Act authorizing the Company to construct any other Railway, or execute any other Work or Undertaking.

Company,
&c. not
exempt from
Provisions of
present and
future Ge-
neral Acts.

53. This Act shall not exempt the Company, or any other Railway Company to which this Act relates, or the Railways by the recited Act and this Act respectively authorized, or any other Railway to which this Act relates, from the Provisions of any present or future General Act relating to Railways, or to the better or more impartial Audit of the Accounts of Railway Companies, or from any future Revision and Alteration, under the Authority of Parliament, of the Rates of Fares and Charges by the recited Act and this Act respectively authorized, or of the Rates for small Parcels thereby respectively authorized.

Expenses of
Act.

54. All the Costs, Charges, and Expenses of and incident to the preparing for, obtaining, and passing of this Act shall be paid by the Company.

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