



ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

Cap. cxciv.

An Act for making a Railway at *Southsea* in the
County of *Southampton*; and for other Purposes.
[12th *August* 1867.]

WHEREAS a Railway through the Township of *Southsea* in the Parish of *Portsea* in the County of *Southampton* to connect *East Southsea* otherwise *New Southsea* with the Joint Line of the *London and South-western* Railway Company and the *London, Brighton, and South Coast* Railway Company would be of public Advantage: And whereas for the Purposes of this Act Plans and Sections showing the Situation, Lines, and Levels of the proposed Railway, and the Lands which may be taken for the Purposes thereof, and a Book of Reference to the Plans containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and of the Occupiers of those Lands, have been deposited with the Clerk of the Peace for the County of *Southampton*, and the said Plans, Sections, and Book of Reference are in this Act referred to as the deposited Plans, Sections, and Book of Reference: And whereas the Persons in this Act named in that Behalf are willing, with others, to undertake the Construction of the proposed Railway, and it is expedient that they be incorporated into a Company for that Purpose: And whereas the 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
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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):

Short Title.

1. This Act may be cited for all Purposes as "The *Southsea Railway Act, 1867.*"

8 & 9 Vict.
cc. 16., 18.,
& 20.,
23 & 24 Vict.
c. 106., and
26 & 27 Vict.
c. 92. & 118.
incorporated.

2. "The Companies Clauses Consolidation Act, 1845," Part I. relating to Cancellation and Surrender of Shares, and Part III. relating to Debenture Stock, of "The Companies Clauses Act, 1863," "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," "The Railways Clauses Consolidation Act, 1845," and Part I., relating to Construction of a Railway, of "The Railways Clauses Act, 1863," are (except where expressly varied by this Act) incorporated with and form Part of this Act.

Interpretation of Terms.

3. In this Act the several Words and Expressions to which Meanings are assigned by the Acts wholly or partially incorporated herewith shall have the same respective Meanings, unless there be something in the Subject or Context repugnant to such Construction; the Expression "the Company" shall mean the Company incorporated by this Act; the Expressions "the Railway" and "the Undertaking" respectively shall mean the Railways and the Undertaking by this Act authorized, or any Part thereof; the Expression "the Two Companies" shall mean the *London and South-western Railway Company* and the *London, Brighton, and South Coast Railway Company*, and shall include the Joint Committee appointed under "The *Brighton and Chichester (Portsmouth Extension) and London and South-western Railways Act, 1847;*" the Expression "the Joint Line" shall mean the Railway so named in that Act; and for the Purposes of the Ninth and Twelfth Sections of Part I. of "The Railways Clauses Act, 1863," incorporated with this Act, the Joint Line shall be deemed to belong to the said Joint Committee; and the Expression "Superior Courts," or "Court of competent Jurisdiction," or any other like Expression in this Act or any Act wholly or partially incorporated herewith, shall be read and have Effect as if the Debt or Demand with respect to which the Expression is used were a common Simple Contract Debt, and not a Debt or Demand created by Statute.

Company incorporated.

4. *George Absalom, Edwin Galt, Henry Lawrence, and Daniel West*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Railway and for other the Purposes of this Act, and for those

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those Purposes shall be incorporated by the Name of "The *Southsea Railway Company*," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and with Power to purchase, take, hold, and dispose of Lands and other Property for the Purposes of this Act.

5. Subject to the Provisions of this Act, the Company may make and maintain in the Line and according to the Levels shown on the deposited Plans and Sections the Railway herein-after described, with all proper Stations, Approaches, Works, and Conveniences connected therewith, and may enter upon, take, and use such of the Lands delineated on the said Plans and described in the deposited Book of Reference as may be required for that Purpose. The Railway herein-before referred to and authorized by this Act is,—

Power to make Railway according to deposited Plans.

A Railway (No. 1.), One Mile and Five Furlongs or thereabouts in Length, commencing by a Junction with the Joint Line at or near *Union Bridge*, and terminating at *East Southsea* otherwise *New Southsea* in a Plot of Land adjoining the *Granada Arms Public House* :

A Railway (No. 2.), Three Furlongs or thereabouts in Length, commencing by a Junction with the Joint Line at or near *Fratton Bridge*, and terminating by a Junction with the Railway (No. 1.) herein-before described in a Field at the East End of *Emery's Lane* :

(And which proposed Railways No. 1. and No. 2. shall together constitute and may for all Purposes be referred to as "the *Southsea Railway*.")

6. No Junction of either of the Railways by this Act authorized with the Joint Line shall be made, nor shall the Company for the Purposes of their Railways, or either of them, take, use, enter upon, or interfere with any of the Lands or Works of the Two Companies, or either of them, without in every Case their previous Consent in Writing under their respective Common Seals: Provided always, that if and whenever the Two Companies consent to any Junction being made, the Junction shall be made at such Point only, and in such Manner, and with such Points, Switches, Signals, and other Apparatus and Conveniences, as the Two Companies think fit, and shall be worked and used in such Manner as not to interfere with the Working or User or the Safety or Convenience of the Two Companies or the Traffic thereon, and under such Regulations as the Two Companies prescribe with respect to such Working and User, and for securing such Safety and Convenience and otherwise, on such Terms and Conditions as the Two Companies think fit.

As to Junctions with Joint Lines.

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Provision
for Inter-
change Plat-
form.

7. Provided also, that in every Case in which the Two Companies so require, and whether they do or do not consent to a Junction, the Company at their own Expense shall, at or near the Point at which any Junction is shown on the deposited Plans as intended to have been made, make and maintain to the Satisfaction of the Two Companies a Platform, with all necessary and proper Buildings, Works, and Conveniences for the Interchange of Traffic, and all the Provisions of the Ninth, Tenth, Eleventh, and Twelfth Sections of "The Railways Clauses Act, 1863," shall be applicable to and for the making of such Platform, and the Acquisition of Easements for the Purpose of carrying out the Provisions of this Section, in the same Way as if the Platform were a Junction.

Penalty in
case of In-
terruption
of Traffic
on the Joint
Line.

8. If by reason of any Works or Proceedings of the Company, or any Contractor or Person employed by them, there shall be any Obstruction of or Interference with the Joint Line so as to prevent or impede the convenient Passage of Engines and Carriages along the same, the Company shall pay to the Two Companies the Sum of Fifty Pounds *per* Hour by way of ascertained Damages for every Hour during which that Obstruction or Interference shall continue.

Company
to pay all
Damages
sustained by
the Two
Companies.

9. Notwithstanding anything in this Act contained, the Company shall be responsible for and make good to the Two Companies respectively all Costs, Losses, Damages, and Expenses which may be occasioned to them, or either of them, or to any of the Works or Property thereof, or to the Traffic on the Joint Line, or to any Person or Persons using the same, or otherwise, by reason of the Execution or Failure of any of the intended Works, or of any Act or Omission of the Company, or of any of the Persons in their Employ, or of their Contractors or others, and the Company will effectually indemnify and hold harmless the Two Companies, and each of them, from all Claims and Demands upon or against them, or either of them, by reason of such Execution or Failure, and of any such Act or Omission.

Capital.

10. The Capital of the Company shall be Thirty thousand Pounds in Three thousand Shares of Ten Pounds each.

Shares not
to issue
until One
Fifth paid
up.

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

Calls.

12. One Fourth of the Amount of a Share shall be the greatest Amount of a Call, and Three Months at least shall be the Interval between successive Calls, and Three Fourths of the Amount of a Share

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Share shall be the utmost aggregate Amount of the Calls made in any Year upon any Share.

13. The Receipt of the Guardian of any Shareholder being a Minor, or of the Committee of any Shareholder being an Idiot, Lunatic, or Person *non compos mentis*, shall be a sufficient Discharge to the Company for any Money payable to such Shareholder.

Receipts for Persons under Disability.

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

Power to borrow on Mortgage.

15. The Mortgagees of the Company may enforce Payment of Arrears of Interest or Principal, or Principal and Interest, due on their Mortgages, by the Appointment of a Receiver; and in order to authorize the Appointment of a Receiver in respect of Principal, or Principal and Interest, the Amount owing to the Mortgagees by whom the Application for a Receiver is made shall not be less than One thousand Pounds in the whole.

Arrears may be enforced by Appointment of a Receiver.

16. All Monies to be borrowed on Mortgage under this Act from the Time when the said Monies shall be advanced, and the Interest for the Time being due thereon, shall have Priority against the Company, and all the Property from Time to Time of the Company, over all other Claims on account of any Debts to be incurred or Engagements to be entered into by them: Provided always, that such Priority shall not prejudice or affect any Claim against the Company or their Property in respect of any Rentcharge to be granted by them in pursuance of the Provisions of "The Lands Clauses Consolidation Act, 1845," or "The Lands Clauses Consolidation Acts Amendment Act, 1860," nor shall anything herein-before contained prejudice or

Monies borrowed on Mortgage to have Priority.

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affect any Claim or Lien in respect of any Land taken, used, or occupied by the Company for the Purposes of the Railway, or injuriously affected by the Construction thereof, or by the Exercise of any of the Powers by this Act conferred on the Company.

Application
of Monies.

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

First
Ordinary
Meeting.

18. The First Ordinary Meeting of the Company shall be held within Six Months after the passing of this Act.

Number of
Directors.

19. The Number of Directors shall be Five, but the Company may from Time to Time reduce the Number, provided that the Number be not reduced to less than Three.

Qualification
of Directors.

20. The Qualification of a Director shall be the Possession in his own Right of not less than Ten Shares.

Quorum.

21. The Quorum of a Meeting of Directors shall be Three.

First Direc-
tors.

22. *George Absalom, Thomas Bailey, Edwin Gall, Henry Lawrence, and Daniel West* shall be the First Directors of the Company, and shall continue in Office until the First Ordinary Meeting held after the passing of this Act; at that Meeting the Shareholders present in person or by proxy may either continue in Office the Directors appointed by this Act, or any of them, or may elect a new Body of Directors, or Directors to supply the Place of those not continued in Office, the Directors appointed by this Act being (if qualified) eligible for Re-election; and at the First Ordinary Meeting to be held in every Year after the First Ordinary Meeting the Shareholders present in person or by proxy shall (subject to the Power herein-before contained for reducing the Number of Directors) elect Persons to supply the Places of the Directors then retiring from Office agreeably to the Provisions in "The Companies Clauses Consolidation Act, 1845," contained; and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead in manner provided by the same Act.

Lands for
extraordi-
nary Pur-
poses.

23. The Quantity of Land to be taken by the Company by Agreement for the extraordinary Purposes mentioned in "The Railways Clauses Consolidation Act, 1845," shall not exceed Half an Acre.

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24. The Powers of the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Two Years from the passing of this Act. Powers for compulsory Purchases limited.

25. For the Protection of the Rights and Interests of *Harriet Esther Kirkpatrick* and *Elizabeth Susannah Kirkpatrick* the following Provisions shall have Effect in relation to Railway (No. 1.); namely, For Protection of the Misses Kirkpatrick's Property.

(1.) In making the Railway through the Enclosure numbered 64 on the deposited Plan the Company shall not make any Deviation thereof from the continuous Centre Line marked on that Plan, even within the Limits of Deviation shown on the Plan, in such Manner as to bring the Centre Line of the Railway nearer at any Point to the Buildings numbered 68 and 69 on the deposited Plan than the Centre Line marked on the said Plan:

(2.) Notwithstanding anything in this Act or any Act therewith incorporated contained, the Company shall not take any Part of the Properties numbered 97 and 74 on the deposited Plan, and only so much of the said Land numbered 64 on the said Plan as is absolutely required for making the Railway with a double Line of Way, the Land so required to be agreed on between the Engineer of the said *Harriet Esther Kirkpatrick* and *Elizabeth Susannah Kirkpatrick* and the Company's Engineer:

(3.) If at any Time any Difference arises between the Engineers for the Time being of the said *Harriet Esther Kirkpatrick* and *Elizabeth Susannah Kirkpatrick* and of the Company with respect to any Matter in this Section mentioned, the same shall stand referred to and shall be determined by an Engineer to be agreed upon between the Parties, or, failing Agreement, to be appointed by the Board of Trade, whose Decision shall be final, and who shall direct in what Manner and by whom the Costs of any Reference to him are to be borne and paid:

(4.) The Provisions of the present Section shall enure for the Protection of the Rights and Interests of all Persons claiming Title to the Lands or any Part of the Lands to which those Provisions relate in remainder or otherwise in succession to the Estate or Interest of the said *Harriet Esther Kirkpatrick* and *Elizabeth Susannah Kirkpatrick*, or either of them, therein.

26. The Railway shall be completed within Four Years from the passing of this Act, and on the Expiration of that Period the Powers by this Act granted to the Company for executing the Railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed. Period for Completion of Works.

27. Whereas

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Deposit
Money not
to be repaid
until Line
opened or
Half the
Capital paid
up and ex-
pended.

27. Whereas pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of Her present Majesty, Chapter Twenty, a Sum of Two thousand Pounds, being Eight *per Centum* on Twenty-five thousand Pounds, the Amount of the Estimate of the Expense of the Railway by this Act authorized, has been deposited with the Court of Chancery in *England* in respect of the Application to Parliament for this Act: Therefore, notwithstanding anything contained in the said Act of the Ninth Year of Her present Majesty, the said Sum of Two thousand Pounds so deposited as aforesaid, or the Interest or Dividends of such Sum of Money, shall not, except upon the Execution and Deposit of such Bond as hereinafter 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 the said Act, or of the Survivors or Survivor of them, unless the Company shall, previously to the Expiration of the Period limited by this Act for the Completion of the Railway, either open the Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if the said Period shall expire before the Company shall either have opened the Railway for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the Sum so deposited as aforesaid, and the Interest and Dividends thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be 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 of *Great Britain and Ireland*: Provided that at any Time after the passing of this Act if a Bond in twice the Amount of the said Sum of Two thousand Pounds shall have been executed by the Company, with One or more Sureties, (such Bond to be prepared to the Satisfaction of and such Surety or Sureties to be approved by the Solicitor or Assistant Solicitor to the Lords Commissioners of Her Majesty's Treasury,) conditioned for Payment to Her Majesty, Her Heirs or Successors, of the Sum of Two thousand Pounds if the Company shall not, within the Time limited for the Completion of the Railway, either open the Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee that the Company have paid up One Half of the Amount of the said Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal

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in Amount to such One Half of the said Capital, and if such Bond shall have been deposited with the said Solicitor or Assistant Solicitor to the said Lords Commissioners, then such Sum of Money, and the Interest or Dividends thereof, shall be paid to or on the Application of the Person or Persons or the Majority of the Persons named in such Warrant or Order as aforesaid, or the Survivors or Survivor of them, and it shall not be necessary to produce any Certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding; and the Monies to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Money, and the Interest or Dividends thereof, would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitor or Assistant Solicitor to the Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Lords of the said Committee that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

28. The Company may demand and take on or in respect of the Railway any Tolls not exceeding the following; (that is to say,) Tolls.

In respect of Passengers and Animals conveyed in Carriages upon the Railway or any Part thereof, as follows: Tolls for Passengers.

For every Person conveyed in or upon any such Carriage, not exceeding for the Use of the Railway Ninepence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding Twopence.

In respect of Animals conveyed in Carriages upon the Railway or any Part thereof, as follows: Tolls for Animals, &c.

Class 1. For every Horse, Mule, Ass, or other Beast of Draught or Burden, or Head of Neat Cattle, conveyed in or upon any such Carriage, not exceeding for the Use of the Railway One Shilling and Fourpence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding Fourpence:

Class 2. For every Calf or Pig conveyed in or upon any such Carriage, not exceeding for the Use of the Railway Threepence; and if conveyed in any Carriage belonging to the Company, an additional Sum not exceeding Twopence:

Class 3. For every Sheep, Lamb, or other small Animal conveyed in or upon any such Carriage, not exceeding for the Use of the Railway Twopence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding One Penny.

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Tonnage on
Articles of
Merchan-
dise.

In respect of Goods conveyed on the Railway or upon any Part thereof:

Class 4. For all Coals, Coke, Culm, Charcoal, and Cinders, Compost, Dung, and all Sorts of Manure, Lime and Limestone, Chalk, and all undressed Materials for the Repair of Roads or Highways, and for all Stones for building, pitching, and paving, Bricks, Tiles, Slates, Clay, and Sand, not exceeding for the Use of the Railway Sixpence; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton* not exceeding Twopence:

Class 5. For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Timber, Staves, Deal, Iron, and all other Metals, Cotton and other Wools, manufactured Goods, and all other Wares, Merchandise, Articles, Matters, or Things (except as in the foregoing and following Classes mentioned), not exceeding for the Use of the Railway Ninepence; and if conveyed in Carriages belonging to the Company, a further Sum *per Ton* not exceeding Threepence:

Class 6. For all Silk, Indigo, Cinnamon and other Spices, Oranges, Lemons, and other Fruit not dried, Eggs, Fish, Poultry, Meat, and all other Articles of a perishable or consumable Nature, not exceeding for the Use of the Railway One Shilling and Sixpence *per Ton*; and if conveyed in Carriages belonging to the Company, a further Sum *per Ton* not exceeding Fourpence:

Class 7. And for every Carriage of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, not exceeding for the Use of the Railway One Shilling and Sixpence; and if any such Carriage be conveyed on a Truck or Platform belonging to the Company, an additional Sum not exceeding Sixpence; and for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton above One Ton which any such Carriage may weigh, further Tolls not exceeding for the Use of the Railway Sixpence, and for the Use of any Truck or Platform provided by the Company One Penny.

Tolls for
propelling
Power.

29. The Toll which the Company may demand for the Use of Engines or Horses for drawing or propelling Carriages on the Railway shall not exceed One Penny for each Passenger or Animal, or for each Ton of Goods, in addition to the several other Tolls or Sums by this Act authorized to be taken.

Regulations
as to Tolls.

30. The following Provisions and Regulations shall apply to the fixing of all Tolls and Charges payable under this Act; (that is to say,)

For

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For a Fraction of a Ton the Company may demand Tolls according to the Number of Quarters of a Ton in such Fraction, and if there be a Fraction of a Quarter of a Ton such Fraction shall be deemed a Quarter of a Ton :

With respect to all Articles, except Stone and Timber, the Weight shall be determined according to the usual Avoirdupois Weight :

With respect to Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Teak, Beech, or Ash, and Fifty Cubic Feet of any other Timber, shall be deemed One Ton Weight, and so in proportion for any smaller Quantity.

With respect to small Parcels not exceeding Five hundred Pounds in Weight, and single Articles of great Weight, notwithstanding anything in this Act, the Company may demand and take any Tolls not exceeding the following ; (that is to say,)

Tolls for small Parcels and single Articles of great Weight.

For the Carriage of small Parcels on the Railway or any Part thereof :

For any Parcel not exceeding Seven Pounds in Weight, Threepence :

For any Parcel exceeding Seven Pounds in Weight, but not exceeding Fourteen Pounds in Weight, Fourpence :

For any Parcel exceeding Fourteen Pounds in Weight, but not exceeding Twenty-eight Pounds in Weight, Sixpence :

For any Parcel exceeding Twenty-eight Pounds in Weight, but not exceeding Fifty-six Pounds in Weight, Ninepence :

And for Parcels exceeding Fifty-six Pounds in Weight, but not exceeding Five hundred Pounds in Weight, the Company may demand any Sum which they think fit :

Provided that Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but that Term shall apply only to single Parcels in separate Packages :

For the Carriage of single Articles of great Weight on the Railway or any Part thereof :

For the Carriage of any One Boiler, Cylinder, or any One Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Carriage, shall exceed Four Tons, but shall not exceed Eight Tons, the Company may demand any Sum not exceeding Four Shillings *per* Ton ; and if conveyed in or upon a Carriage belonging to the Company, an additional Sum *per* Ton not exceeding One Shilling :

For the Carriage of any One Boiler, Cylinder, or any One Piece of Machinery, or single Piece of Timber, Stone, or other single Article, the Weight of which, including the Carriage, shall exceed Eight Tons, the Company may demand such Sum as they think fit.

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Maximum
Rates for
Passengers.

31. The maximum Rate of Charge to be made by the Company for the Conveyance of Passengers upon the Railway, including the Tolls for the Use of the Railway, and for Carriages and locomotive Power, and every other Expense incidental to such Conveyance, shall not exceed the following; (that is to say,)

For every Passenger conveyed in a First-class Carriage, the Sum of One Shilling:

For every Passenger conveyed in a Second-class Carriage, the Sum of Eightpence:

For every Passenger conveyed in a Third-class Carriage, the Sum of Fourpence.

Maximum
Rates for
Animals and
Goods.

32. The maximum Rate of Charge to be made by the Company for the Conveyance of Animals and Goods (except such small Parcels and single Articles of great Weight as aforesaid) on the Railway, including the Tolls for the Use of the Railway, and for Waggon or Trucks and locomotive Power, and for every other Expense incidental to the Conveyance, shall not exceed the following Sums; (that is to say,)

For everything mentioned under Class 1, not exceeding One Shilling and Fourpence;

For everything mentioned under Class 2, not exceeding Sixpence:

For everything mentioned under Class 3, not exceeding Threepence:

For Coals, Coke, Culm, Charcoal, and Cinders, not exceeding *per* Ton Sixpence:

For the other Matters mentioned under Class 4, not exceeding *per* Ton Eightpence:

For the Matters mentioned under Class 5, not exceeding *per* Ton One Shilling:

For the Matters mentioned under Class 6, not exceeding *per* Ton One Shilling and Ninepence:

For any Carriage mentioned under Class 7, not weighing more than One Ton, not exceeding Two Shillings, and if weighing more than One Ton, for every Quarter of a Ton or fractional Part of a Quarter of a Ton beyond the First Ton not exceeding Sixpence.

Passengers
Luggage.

33. Every Passenger travelling upon the Railway may take with him his ordinary Luggage, not exceeding One hundred and twenty Pounds in Weight for First-class Passengers, One hundred Pounds in Weight for Second-class Passengers, and Sixty Pounds in Weight for Third-class Passengers, without any Charge being made for the Carriage thereof.

Restrictions as to
Charges not

34. The Restrictions as to the Charges to be made for Passengers shall not extend to any Special Train run upon the Railway, in respect of

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of which the Company may make such Charges as they think fit, but shall apply only to the Ordinary and Express Trains appointed from Time to Time by the Company for the Conveyance of Passengers and Goods upon the Railway. to apply to Special Trains.

35. Nothing in this Act contained shall prevent the Company from taking any increased Charges, over and above the Charges by this Act limited, for the Conveyance of Animals or Goods of any Description, by Agreement with the Owners or Persons in charge thereof, either by reason of any special Service performed by the Company in relation thereto, or in respect to the Conveyance of Animals or Goods (other than small Parcels) by Passenger Trains. Company may take increased Charges by Agreement.

36. Each of the Two Companies may run and work over and use with their Engines and Carriages, and for the Purposes of their Traffic of every Description, the Railways by this Act authorized, or either of them, or any Part thereof, together with all Stations, Platforms, Sidings, Buildings, Offices, Approaches, Water Supplies, Telegraphs, Signals, Signal-posts, Machinery, Works, and Conveniences on or connected with the said Railways or Railway, paying to the Company the full Amount of the Receipts from all Traffic taken up at any Station on the Railways by this Act authorized and delivered at any other Station on those Railways (the Interchange Platform before mentioned being for the Purposes of this Enactment deemed One of those Stations), and a Mileage Proportion (less Government Duty) of the Receipts from all other Traffic conveyed under the Powers of this Section: Provided that each Company exercising this Power may deduct from such Receipts all Haulage and other Expenses incurred by them in conveying the Traffic over the Railways by this Act authorized, and the Amount of such Expenses, if not agreed upon between the Companies interested, and any other Questions arising in reference to this or the next following Section or the Exercise of the Powers hereby given, shall (subject to the Provisions of this Act) from Time to Time be determined by Arbitration in manner provided by "The Railway Companies Arbitration Act, 1859," and as if the Companies in difference had agreed to refer the same to Arbitration in accordance with that Act, and the Reference were to a single Arbitrator. Power to Two Companies to run over proposed Railway.

37. Except as by or under the Authority of this Act otherwise provided, agreed, or determined, the Company shall from Time to Time, after the Expiration of Seven Days from Notice in Writing so to do being given to them by either of the Two Companies, make all Arrangements and afford and render all Services and Facilities requisite for giving full Effect to the Powers by this Act given to

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the Company to give effect to Running Powers.

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the Two Companies of running or working over or using the Joint Line.

Tolls on Traffic conveyed under Running Powers.

38. As regards all Traffic conveyed by the Two Companies, or either of them, under the Powers of this Act, partly on the Joint Line and partly on either of the Railways by this Act authorized, those Railways shall, for the Purposes of Tolls and Charges, be deemed Part of the Joint Line; and in estimating the Amount of Tolls and Charges in respect of Traffic so conveyed partly on the Joint Line and partly on either of the Railways by this Act authorized for a less Distance than Six Miles, Tolls and Charges may only be charged as for Six Miles; and in respect of Passengers, for every Mile and Fraction of a Mile beyond Six Miles Tolls and Charges as for One Mile only; and in respect of Animals and Goods, for every Quarter of a Mile or Fraction of a Quarter of a Mile beyond Six Miles, Tolls and Charges as for a Quarter of a Mile only; and no other Short-Distance Charge shall be made for the Conveyance of Passengers, Animals, or Goods partly on the Joint Line and partly on either of the Railways by this Act authorized.

Interest not to be paid on Calls paid up.

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

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

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

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

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

42. All

The Southsea Railway Act, 1867.

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

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