ANNO VICESIMO SEPTIMO & VICESIMO OCTAVO

VICTORIÆ REGINÆ.

****

Cap. cxxxvi.

An Act to extend the Time for the Purchase of Land and completing the Extension Line to the River *Avon* of the *Bristol and South Wales Union* Railway; to authorize the Purchase of additional Lands; and for other Purposes.

[30th *June* 1864.]

WHEREAS the *Bristol and South Wales Union* Railway Company (in this Act called "the Company") were incorporated by "The *Bristol and South Wales Union* Railway Act, 1857," (in this Act called "the Act of 1857,") and were by that Act authorized to make and maintain Railways between the City of *Bristol* and the *South Wales* Railway in the County of *Monmouth*, with a Steam Ferry across the River *Severn* in connexion therewith: And whereas the Company have constructed those Railways, and provided that Steam Ferry, and the same are now open for public Traffic: And whereas by "The *Bristol and South Wales Union* Railway Act, 1862," (in this Act called "the Act of 1862,") the Company were authorized to make Railways (in that Act and in this Act called "the Extension Railway") from the *Bristol and South Wales Union* Railway in the County of *Gloucester* to the River *Avon*

20 & 21 Vict. c. liv.

25 & 26 Vict. c. cxlix.

near its Confluence with the River *Severn*: And whereas the Extension Railway was proposed in contemplation of various Improvements suggested at the Mouth of the River *Avon*, and the Construction of Piers, Docks, and Works for the Accommodation of Passenger and Goods Traffic; but, with the Exception of the Pier authorized to be made by the *Bristol Port* Railway and Pier Company, no Work at the Mouth of the River *Avon* has yet been commenced, and it is expedient that the Time for making the Extension Railway, and for the compulsory Purchase of the Lands required for the same, be extended: And whereas Land for additional Station Accommodation is required at the Company's *Stapleton Road* Station, and *Lawrence Hill* Station: And whereas the Purposes of this Act cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Short Title.

1. This Act may for all Purposes be cited as "The *Bristol and South Wales Union* Railway Act, 1864."

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

2. "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," "The Railways Clauses Consolidation Act, 1845," and Part 2 of "The Railways Clauses Act, 1863," are incorporated with and form Part of this Act.

Same Meanings to Words, &c. in incorporated Acts as in this Act.

3. The several Words and Expressions to which by the Acts incorporated with this Act Meanings are assigned have in this Act the same respective Meanings, unless there be in the Subject or Context something repugnant to or inconsistent with such Construction.

Powers for compulsory Purchases extended.

4. The Powers for the compulsory Purchase and taking of Lands granted by the Act of 1862, for the Purpose of making the Extension Railway and Works authorized by such Act, shall continue in force in respect of the Lands authorized to be taken for such Extension Railway and the Works thereof, and the Time limited for the compulsory Purchase of such Lands shall be extended for the Period of Two Years from the Expiration of the Period limited for such Purpose by the Act of 1862, and after the Expiration of such Period the Powers by the Act of 1862 and by this Act granted for the compulsory Purchase of such Lands shall cease to be exercised.

Extension of Time for completing Works.

5. The Time limited by the Act of 1862 for the Completion of the Extension Railway authorized to be made by that Act shall be extended and enlarged for the Period of One Year, to be computed from the Expiration of the Time limited by the Act of 1862.

6. If

For securing the Completion of the Extension Railway.

6. If the Company fail within the Period by this Act limited to complete the Extension Railway, for the Completion of which the Time is by this Act extended, the Company shall be liable to a Penalty of Fifty Pounds for every Day after the Period so limited until the Extension Railway shall be completed and opened for public Traffic, such Sum to be recoverable as a Debt due to the Crown; but no Penalty shall accrue in respect of any Time during which it shall appear, by a Certificate to be obtained from the Board of Trade, that the Company was prevented from completing or opening such Line by unforeseen Accident or Circumstances beyond their Control, but the Want of sufficient Funds shall not be held to be a Circumstance beyond their Control.

Certain Money deposited in Court of Chancery to be repaid to Company.

7. And whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of the Reign of Her present Majesty, Chapter Twenty, the Sum of Three thousand two hundred Pounds was deposited in the Court of Chancery in *England* and is referred to in Section Twenty-six of the Act of 1862, and inasmuch as other Provision is made in this Act for securing the Completion of the Extension Railway, it is reasonable that the Money so deposited should be transferred and paid to the Company: Therefore, notwithstanding anything in the Act of 1862 or in any other Act, the High Court of Chancery may and shall, on the Application of the Company, or on their Behalf, by Petition or Motion in a summary Way, order that the Sum so deposited, or the Stocks, Funds, or Securities in which the same may have been invested, with the Interest or Dividends thereon, shall be paid or transferred to the Company, or to such Persons as the Company may appoint, and on such Order being made, the said Sum, or the Stock, Funds, or Securities, and the Interest and Dividends (if any) thereon, shall be paid or transferred accordingly.

Repeal of Sect. 26. of 25 & 26 Vict. c. cxlix.

8. The Twenty-sixth Section of the Act of 1862 is by this Act repealed.

Company not to be required to make certain Portion of Railway.

9. Nothing in this Act contained shall be construed to require the Company to make any Portion of the Extension Railway for which other Provision is made in any Act passed in the present Session relating to the Construction of a Dock and other Works at or near the Mouth of the River *Avon*.

Power to take Lands according to deposited Plans.

10. And whereas Plans describing the additional Lands required by the Company, and also a Book of Reference to such Plans containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and of the Occupiers of such Lands, have been deposited with the Clerk of the Peace for the County of *Gloucester*: Therefore, subject

subject to the Provisions in this Act contained, it shall be lawful for the Company to enter upon, take, and use such of the said Lands as the Company shall deem necessary for the Purposes of the Undertaking of the Company.

Powers for compulsory Purchases limited.

11. The Powers of the Company for the compulsory Purchase of Lands authorized to be taken by this Act shall not be exercised after the Expiration of Three Years from the passing of this Act.

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

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

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

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

Expenses of Act.

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

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1864