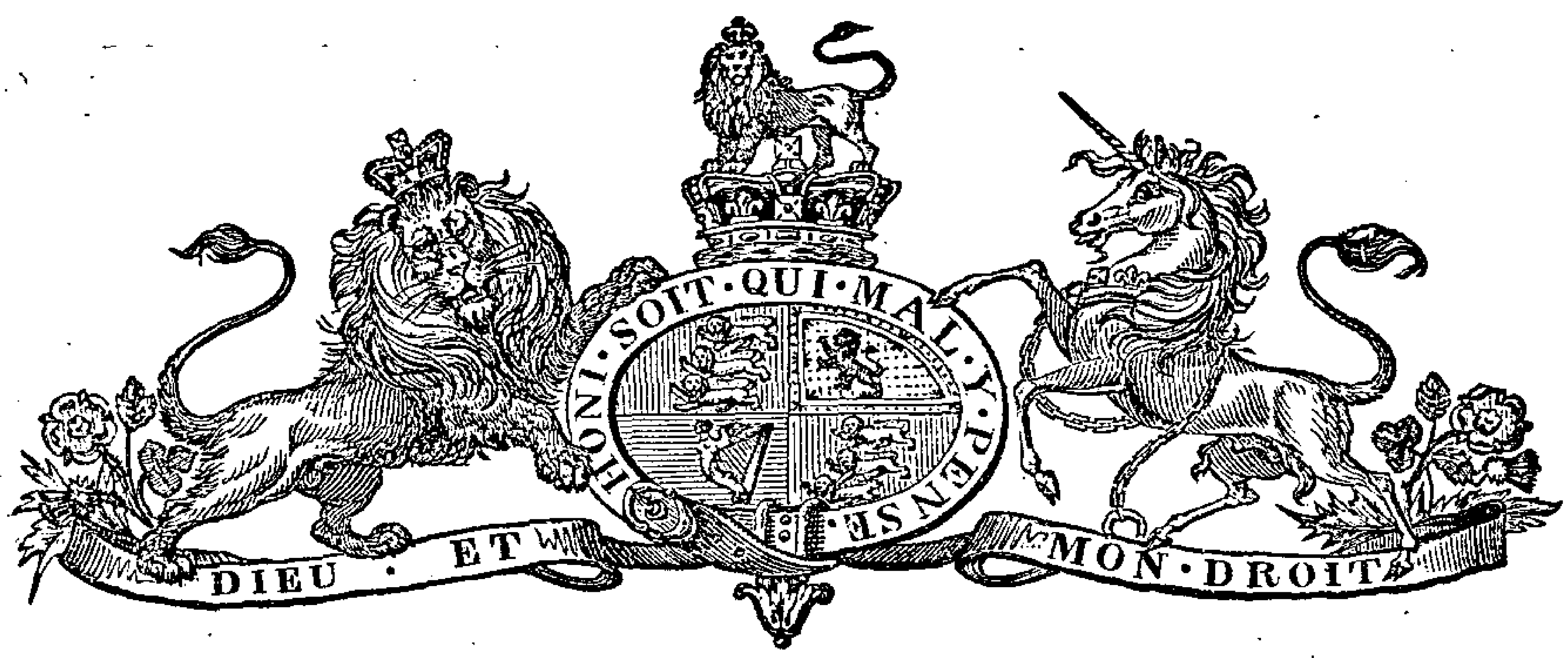


ANNO DECIMO NONO & VICESIMO

VICTORIÆ REGINÆ.

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Cap. lxix.

An Act to enable the *Luton, Dunstable, and Welwyn Junction* Railway Company to alter the present authorized Junction of their Railway with the *Leighton Buzzard and Dunstable* Branch of the *London and North-western* Railway; and for other Purposes. [7th *July* 1856.]

WHEREAS an Act was passed in the last Session of Parliament, intituled *An Act for making a Railway from the* London and North-western *Railway at* Dunstable *in the County of* Bedford *to the* Great Northern *Railway at or near* Welwyn *in the County of* Hertford, *to be called the* "Luton, Dunstable, and Welwyn Junction *Railway,*" *and for other Purposes,* whereby certain Persons were incorporated by the Name or Style of "The *Luton, Dunstable, and Welwyn Junction* Railway Company:" And whereas it is expedient, and would be to the Advantage of the Public, that the said *Luton, Dunstable, and Welwyn Junction* Railway Company should be authorized and empowered to alter the present authorized Junction of their Railway with the *Leighton Buzzard and Dunstable* Branch of the *London and North-western* Railway, and make the Deviation in the Line of their authorized Railway herein-after men- 18 & 19 Vict. c. cxlvi.

tioned: And whereas the said *Luton, Dunstable, and Welwyn Junction* Railway Company are desirous of carrying into effect the Objects aforesaid if empowered by Parliament so to do, and the Capital already authorized to be raised by the said recited Act will be sufficient for that Purpose; but it is necessary that some of the Powers and Provisions of the said recited Act should be enlarged, and further Powers granted to the said Company for effecting the Objects aforesaid: And whereas the same 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,)

18 & 19 Vict. cc. 18. & 20. incorporated.

I. That "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," save so far as the same are expressly varied or excepted by this Act, shall be incorporated with and form Part of this Act.

Short Title.

II. That in citing this Act for any Purposes whatsoever, it shall be sufficient to use the Expression "The *Luton, Dunstable, and Welwyn Junction* Railway Act, 1856."

Authority to apply Funds to Deviation Line.

III. And whereas the estimated Expense of the several Works by this Act authorized is Three thousand nine hundred and twenty-four Pounds, and the Funds at the Disposal of the said *Luton, Dunstable, and Welwyn Junction* Railway Company are adequate to the Construction thereof: Be it enacted, That it shall be lawful for the said Company to apply thereto so much of their Capital as is necessary for the Purpose of the Construction of the several Works aforesaid.

Line of Deviation Railway.

IV. That the Line of Railway to be made under the Authority of this Act shall be the following; (that is to say,)

A Deviation Line of Railway commencing by a Junction with the present authorized *Luton, Dunstable, and Welwyn Junction* Railway in a certain Field in the Parish of *Houghton Regis* in the County of *Bedford*, numbered 18 on the Plans referred to in "The *Luton, Dunstable, and Welwyn Junction* Railway Act, 1855," and terminating by a Junction with the *Leighton Buzzard and Dunstable* Branch of the *London and North-western* Railway in or near a certain Field in the said Parish of *Houghton Regis* and County of *Bedford*, and numbered 47*a* on the Plans deposited as herein-after mentioned:

And the said Deviation Line of Railway and other Works shall be and become Part of the Undertaking of the *Luton, Dunstable, and Welwyn Junction* Railway Company.

V. And

Deviation Line and other Works to be made according to deposited Plans.

V. And whereas Plans and Sections of the Deviation Line of Railway and other Works by this Act authorized, showing the Line and Levels thereof, together with a Book of Reference to such Plans, containing the Names of the Owners, Lessees, and Occupiers of the Lands and Houses proposed to be taken under the Authority of this Act, have been deposited with the Clerk of the Peace of the County of *Bedford*: Be it enacted, That it shall be lawful for the said Company to make and maintain the said Deviation Line of Railway and other Works according to the Lines and Levels or Situations thereof defined on the said Plans and Sections, and to enter upon, take, and use such of the Lands delineated on the said Plans, and described in the said Book of Reference, as shall be necessary for the Purposes thereof.

Powers for compulsory Purchases limited.

VI. That the Powers of the said Company for the compulsory Purchase of Lands and Houses for the Purposes of the Works by this Act authorized shall not be exercised after the Expiration of the Time limited by the said recited Act.

Limit of Time for Completion of Works.

VII. That the Works by this Act authorized shall be completed within the Time limited by the said recited Act for the Completion of the Railways thereby authorized; and on the Expiration of such Period the Powers by this Act granted to the said Company for executing the same, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the same as shall be then completed.

Power to abandon Portions of original Line.

VIII. That it shall be lawful for the said Company to abandon and relinquish the Formation of so much and such Part of their Line of Railway authorized by the said recited Act as may become unnecessary, by reason or in consequence of the Construction of the said Deviation Line of Railway and other Works by this Act authorized.

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

IX. Provided always, That if and when any Contract shall before the passing of this Act have been entered into or Notice given by the said Company for purchasing any Lands which the said Company were empowered to purchase, for the Purpose of constructing the Portion of Railway so authorized to be abandoned as aforesaid, the said Company shall make to the Owners or Occupiers of and other Parties interested in such Lands full Compensation for all Injury or Damage sustained by such Owners, Occupiers, and other Parties by reason of such Purchase not being completed pursuant to such Contract or Notice, and the Amount and Application of such Compensation shall be determined in the Manner provided by "The Lands Clauses Consolidation Act, 1845," for determining the Amount and Application of the Compensation to be paid for Lands taken under the Provisions thereof: Provided also, that the Authority hereby given for abandoning the aforesaid

Portion

Portion of Railway shall not prejudice or affect the Right of the Owner or Occupier of any Lands which the said Company were so empowered to purchase as aforesaid to receive from the said 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 Railway, pursuant to the Provisions for that Purpose in the said "Lands Clauses Consolidation Act, 1845," contained.

Agreement with London and North-western Railway Company confirmed.

X. Whereas, in order the more conveniently to effect a Junction with the *Leighton Buzzard and Dunstable* Branch of the *London and North-western* Railway, an Agreement, dated the Fifth Day of *May* One thousand eight hundred and fifty-six, has been entered into between the *London and North-western* Railway Company and the said *Luton, Dunstable, and Welwyn Junction* Railway Company, regulating the same: Be it enacted, That such Agreement shall be and the same is hereby confirmed, and in conformity therewith the Line of the *Luton, Dunstable, and Welwyn Junction* Railway shall, when the Works by this Act authorized are completed, cease on the West Side of the Turnpike Road leading from *London* to *Holyhead*.

Bond deposited with Solicitor to the Treasury to apply to Works authorized by this Act.

XI. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of Her present Majesty, c. 20, a Sum of Eight thousand one hundred Pounds in Exchequer Bills, being One Tenth Part of Three Fourths of the Amount of the Estimate of the Expense of the Railways by the said "*Luton, Dunstable, and Welwyn Junction* Railway Act, 1855," authorized, was deposited with the Court of Chancery in *England* in respect to the Application to Parliament for the said recited Act; and it was enacted that, notwithstanding anything contained in the said first-mentioned Act, the Sum of Eight thousand one hundred Pounds so deposited as aforesaid in respect of the Application of the said Act, or the Interest or Dividends of such Sum of Money, should not, except upon the Execution and Deposit of such Bond as therein-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 the said recited Act, or the Survivors or Survivor of them, unless the said Company should open the said Railways for Traffic, or prove to the Satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the said Company had paid up One Half of the Capital authorized by the said recited Act, and had expended a Sum equal in Amount to such One Half of the said Capital as therein mentioned; provided, that at any Time after the passing of the said recited Act, if a Bond in

twice

twice the Amount of the said Sum of Eight thousand one hundred Pounds should have been executed by the said Company, with One or more Sureties, (such Bond to be prepared to the Satisfaction of, and such Surety or Sureties to be approved of by, the Solicitor to the Lords Commissioners of Her Majesty's Treasury,) conditioned for Payment to Her Majesty, Her Heirs or Successors, of the said Sum of Eight thousand one hundred Pounds if the said Company should not, within the Time limited for the Completion of the said Railway, either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee that the said Company had paid up One Half of the said Capital by the said recited Act authorized to be raised by Means of Shares, and had expended for the Purposes of the said recited Act a Sum equal in Amount to such One Half of the said Capital; and if such Bond should have been deposited with the said Solicitor to the said Lords Commissioners, then such Sum of Money, and the Interest or Dividends thereof, should be paid to or on the Application of the Person or Persons or the Majority of Persons named in such Warrant or Order as aforesaid, or the Survivor or Survivors of them; and the Certificate of the said Solicitor to the said Lords Commissioners that such Bond had been executed and deposited as aforesaid should be sufficient Evidence of the Facts so certified: And whereas such Bond has been duly executed by the said Company with sufficient Sureties, (the same having been prepared to the Satisfaction of, and the Sureties thereto having been approved by, the Solicitor to the Lords Commissioners of Her Majesty's Treasury,) and the same has been deposited with the said Solicitor to the said Lords Commissioners, and his Certificate that such Bond has been executed and deposited as aforesaid has been obtained; and the said Sum of Eight thousand one hundred Pounds in Exchequer Bills so deposited as aforesaid, and the Interest which had accrued thereon, have been paid out of the said Court of Chancery to the said Company: Be it enacted, That the said Bond so executed and deposited as aforesaid shall be construed to extend and apply to all the Works authorized to be constructed under the Provisions of this Act in all respects as if the said Works had formed Part of the original Undertaking, and at the same Time cease and determine as to so much of the said original Undertaking as is hereby authorized to be abandoned.

Tolls upon Deviation Line of Railway.

XII. That it shall be lawful for the Company to demand and receive for and in respect of the Deviation Line of Railway by this Act authorized the same Tolls and Charges as they are authorized to demand and receive by "The *Luton, Dunstable, and Welwyn Junction* Railway Act, 1855," and the Deviation Line of Railway hereby authorized to be made shall for all Purposes be held to be

be Part of the said *Luton, Dunstable, and Welwyn Junction* Railway.

Alteration of certain Tolls.

XIII. Provided always, That so much of Clause 30 of the said recited Act as relates to or is designated by "Class 2," shall be and the same is hereby repealed, and instead of the Tolls by the said recited Act authorized to be demanded by the said Company in respect of the Tonnage of the several Articles conveyed upon their Railways, and mentioned in the said "Class 2," it shall be lawful for the said Company to demand and receive the following Tolls; (that is to say,)

For all Coals, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings, not manufactured into Utensils or other Articles of Merchandise, *per* Ton *per* Mile not exceeding One Penny Halfpenny; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny; and if propelled by an Engine belonging to the Company, a further Sum *per* Ton *per* Mile not exceeding One Halfpenny.

Maximum Tolls.

XIV. Provided also, That the maximum Tolls and Charges to be demanded and received by the Company, in respect of the Traffic carried on the said Railway, shall in no Case exceed the maximum Tolls and Charges authorized to be taken by the said recited Act.

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

XV. That it shall not be lawful for the Company, out of any Money by any Act relating to the said 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 exempted from Provisions of present and future General Acts.

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

of Fares and Charges authorized by this Act or the said recited Act, and of the Rates for small Parcels.

XVII. That 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. Expenses of Act.

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