ANNO DECIMO NONO & VICESIMO

VICTORIÆ REGINÆ.

Cap. xli.

An Act to amend "The *Saint Ives and West Cornwall Junction* Railway Act, 1853."

[23d *June* 1856.]

WHEREAS by "The *Saint Ives and West Cornwall Junction* Railway Act, 1853," the *Saint Ives and West Cornwall Junction* Railway Company (herein-after called "the Company") was incorporated and authorized to make and maintain the Railways herein-after mentioned, with all proper Works and Conveniences connected therewith; (that is to say,) a Railway commencing near *Penalver* otherwise *Pendenolver Point* in the Borough and Parish of *Saint Ives* in the County of *Cornwall*, and terminating by a Junction with the existing Line of the *West Cornwall* Railway Company in the Parish of *Saint Erth* in the said County of *Cornwall*; also a short Branch or Junction Railway commencing at or near the *Clay Quay* in the Parish of *Uny Lelant* in the same County, and terminating by a Junction with the said first-mentioned intended Railway in the Parish of *Uny Lelant*: And whereas it was by the said Act provided that the Powers of the Company for the compulsory Purchase of Land for the Purposes of the said Railways should not be exercised after the Expiration of Two Years from the passing of that Act; that the said Railways should be completed within Four 16 & 17 Vict. c. clv.

Years from the passing of that Act, and that on the Expiration of such Period the Powers by that Act or the Acts incorporated therewith granted to the Company for executing the said Railways, or otherwise in relation thereto, should cease to be exercised, except as to so much of the said Railways as should then be completed: And whereas it is expedient that the Powers by the said Act given for the compulsory Purchase of Lands and the Completion of the said Railways should be, as regards such Purchase, renewed and extended, and as regards such Completion extended for a further Period; but the Purposes 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 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.

I. This Act may be cited for any Purpose as "The *Saint Ives and West Cornwall Junction* Railway Act, 1856."

Certain Sections of recited Act repealed.

II. The Sections of the recited Act numbered respectively XXII. and XXIII., limiting the Periods within which the Powers of the Company for the compulsory Purchase of Land and for the Completion of the said Railways were to be exercised, are hereby repealed.

Period for compulsory Purchases limited.

III. The Powers by the recited Act and the Acts incorporated therewith, given to the Company for the compulsory Purchase of Land for the Purposes of the said Railways, Works, and Conveniences may be exercised within but shall not be exercised after the Expiration of Two Years from the passing of this Act.

Further Period for Completion of Works.

IV. The said Railways shall be completed within Four Years from the passing of this Act, and on the Expiration of that Period the Powers by this Act or the recited Act, or the Acts incorporated therewith, given to the Company for executing the said Railways, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the said Railways as shall then be completed.

Parties aggrieved by Extension of Time may have Compensation for additional Damage.

V. The Justices, Arbitrators, Umpires, or Juries respectively, as the Case may be, who under the Provisions of the said recited Act or this Act shall award or assess the Compensation to be made by the Company to the Owners or Occupiers of or other Persons interested in any of the Lands which shall be taken or used for the Purposes of the Railways or Works by the said recited Act or this Act authorized, or which may be injuriously affected by the Construction thereof, shall in estimating the Amount of such Compensation have regard to and assess Compensation for the additional Damage (if any) sustained

sustained by such Owners, Occupiers, or other Persons by reason of the Extension of Time hereby granted.

Existing Contracts and Notices to take Lands not to be affected.

VI. Provided always, That nothing herein contained shall in anywise prejudice or affect any Contract entered into or Notice given by the Company before the passing of this Act, for purchasing, taking, or using any Lands which under the said recited Act the Company is entitled to purchase, take, or use; but every such Contract and Notice respectively shall be construed and shall take effect, and the same Proceedings may be had thereunder, and all Parties thereto shall be entitled to the same Rights and Remedies in respect thereof, both at Law and in Equity, as if this Act had not been passed.

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

VII. It shall not be lawful for the Company out of any Money by any Act relating the Company authorized to be raised for the Purposes of such Act or Acts, to pay or deposit any Sum of Money which by any 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.

Not exempt from Provisions of present and future General Acts.

VIII. This Act or anything therein contained shall not exempt the Railways or the Company from the Provisions of any General Act relating to the recited Act or this Act, or 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 Fares and Charges, or of the Rates for small Parcels, authorized by the recited Act.

Expenses of Act.

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

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