ANNO VICESIMO OCTAVO

VICTORIÆ REGINÆ.

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Cap. cxxvii.

An Act to empower the *West Sussex Junction* Railway Company to make a Deviation from the authorized Line of their Railway; and for other Purposes. [19th *June* 1865.]

WHEREAS by the *West Sussex Junction* Railway Act, 1864, (in this Act called "the original Act,") which received the Royal Assent on the Twenty-fifth Day of *July* One thousand eight hundred and sixty-four, the *West Sussex Junction* Railway Company (in this Act called "the Company") were incorporated, and were authorized to make and maintain— 27 & 28 Vict. c. cclxxviii.

A Railway, No. 1., commencing in the Parish of *Hardham* in the County of *Sussex* by a Junction with the *Mid Sussex* Railway, and terminating in the Parish of *Steyning* and County of *Sussex* by a Junction with the *Shoreham, Steyning, and Henfield* Branch Railway of the *London, Brighton, and South Coast*

Railway Company (in this Act called "the *Brighton* Company"):

A Railway, No. 2., wholly in the Parish of *Hardham* aforesaid, commencing by a Junction with the *Mid Sussex* Railway, and terminating by a Junction with Railway No. 1. therein and herein-before described; and the Period for the Completion of the Railways was limited to Five Years from the passing of that Act:

And whereas it is expedient that the Company be empowered to make and maintain a Deviation Railway commencing from the *Mid Sussex* Railway in the Parish of *Pulborough* in *Sussex* (near the Bridge carrying the public Road from *Billingshurst* to *Pulborough* over that Railway), and terminating in the authorized Line of the said Railway No. 1. in the Parish of *Storrington* in *Sussex*, in substitution for the Portion of that authorized Line between the authorized Commencement thereof and the Point where the said Deviation Railway will join it, and for the whole of the said Railway No. 2.: And whereas Plans and Sections describing the Line and Levels of the proposed Deviation Railway, and the Lands which may be required to be taken for the Purposes thereof, together with a Book of Reference to the said Plans containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and the Occupiers of those Lands respectively, have been deposited with the Clerk of the Peace for *Sussex*, and those Plans, Sections, and Books of Reference are in this Act called "the deposited Plans, Sections, and Books of Reference:" And whereas by the original Act (Section 42) the Company on the one Part, and the *Brighton* Company and the *Mid Sussex* Railway Company, or either of them, on the other Part, were empowered to enter into and carry into effect Working and Traffic Agreements, and (Section 43) Provisions were made as to Short-Distance Charges and Tolls when the Railways of the Company are worked by the *Brighton* Company and the *Mid Sussex* Railway Company, or either of them: And whereas it is expedient that those Powers and Provisions be extended to the Deviation Railway and the Traffic thereon: 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 Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament

Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Short Title.

1. This Act may be cited for any Purpose as "*West Sussex Junction* Railway Deviation Act, 1865."

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," and "The Railways Clauses Consolidation Act, 1845," and Part 1. relating to Construction of a Railway, and Part 3. relating to Working Agreements, of "The Railway Clauses Act, 1863," are incorporated with this Act.

Same Meanings to Words in incorporated Acts as in this Act.

3. All Words and Expressions to which by any Act wholly or partially incorporated with this Act Meanings are assigned have in this Act the respective Meanings so assigned to them, unless there be something in the Subject or Context repugnant to or inconsistent with such Construction, or other Meanings be assigned to them by this Act.

Application of authorized Funds.

4. The Company may apply for the Purposes by this Act authorized any Monies raised or to be raised by them under the original Act.

Power to take Lands.

5. Subject to the Provisions of this Act, the Company from Time to Time may enter upon, take, and use for the Purposes by this Act authorized such of the Lands shown on the deposited Plans, and described in the deposited Books of Reference, as they think fit.

Powers for compulsory Purchases limited.

6. The Powers of the Company for the compulsory Purchase of Land for the Purpose of the Railway shall not be exercised after the Expiration of Three Years from the passing of the original Act.

Power to make Railway.

7. Subject to the Provisions and Powers of Deviation in this Act and the incorporated Acts and Parts of Acts contained, the Company may make and maintain the Railway herein-after described according to the Lines and Levels defined upon the Plans and Sections, and upon the Lands delineated on the deposited Plans, and described in the deposited Books of Reference.

8. The

Description of Railway.

8. The Railway by this Act authorized is—

A Railway to commence in the Parish of *Pulborough* in *Sussex* by a Junction with the *Mid Sussex* Railway near the Bridge carrying the public Road from *Billingshurst* to *Pulborough* over that Railway, and to terminate in the Parish of *Storrington* in *Sussex* by a Junction with the Railway No. 1. authorized by the original Act.

Dimensions of Bridge.

9. The Company may make the Arch of the Bridge for carrying the Railway over the Road numbered on the deposited Plans 35*a* in the Parish of *Pulborough* of any Height not less than Sixteen Feet, and of any Span not less than Twenty-five Feet.

Width of Road carried over Railway.

10. The Company may make the Bridge for carrying the Road numbered on the deposited Plans 26 in the Parish of *Pulborough* over the Railway of any Width between the Fences not less than Twenty-five Feet.

Limiting Time for Completion.

11. The Railway shall be completed within Five Years from the passing of the original Act, and upon the Expiration of the Period by this Act limited for the Completion of the Railway all the Powers by this Act granted for making the Railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the same as shall then be completed.

Deviation to be deemed Part of Railway No. 1.

12. For the Purposes of the Tolls, Rates, and Charges to be taken thereon, and for all other Purposes and in all respects, the Railway by this Act authorized shall be deemed Part of the Railway No. 1. authorized by the original Act as if it had been originally authorized by that Act: Provided that, so far as regards the *Mid Sussex* Railway Company, this Act shall not extend the Powers of the original Act with respect to Working and Traffic Agreements.

Company to abandon Part of authorized Lines.

13. The Company shall abandon and relinquish the Construction of the whole of the Railway No. 2. authorized by the original Act, and of the Portion of the Railway (No. 1.) authorized by that Act from the authorized Commencement of that Railway (No. 1.) to the Point of Junction therewith of the Railway by this Act authorized.

14. In

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

14. In any Case where, before the passing of this Act, any Contract has been entered into or Notice given by the Company for purchasing any Lands which they were by the original Act empowered to purchase for the Purpose of constructing the Railway and Portion of Railway so authorized to be abandoned as aforesaid, or any Part thereof, the Company shall not be bound to purchase the same, or specifically to perform any such Contract, but they shall make to the Owners or Occupiers of or other Parties interested in such Lands full Compensation for all Injury or Damage sustained by such Owners, Occupiers, or 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 always, that the Authority hereby given for abandoning the Formation of the aforesaid Railway and Portion of Railway shall not prejudice or affect the Right of the Owner or Occupier of any Lands which the Company were so empowered to purchase as aforesaid to receive from the 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 the Railway, pursuant to the Provisions for that Purpose in "The Lands Clauses Consolidation Act, 1845," contained.

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

15. The Company shall not, out of any Money by any Act relating to them authorized to be raised for the Purpose of such Act, pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament for the Time being in force, may be required to be deposited in respect to any Application to Parliament for the Purpose of obtaining an Act authorizing them to construct any Railway, or to execute any other Work or Undertaking.

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

16. Nothing in this Act shall exempt the Railways by this Act or the recited Act authorized, or the Company, 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

or which may hereafter pass during the present or any future Session of Parliament, nor from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges, or of the Tolls for small Parcels, authorized by this or the said recited Acts.

Expenses of Act.

17. The Costs, Charges, and Expenses of and attending the passing of this Act, or incidental thereto, shall be paid by the Company.

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