



ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

Cap. cxxiii.

An Act for authorizing the making by the *Bedford and Northampton* Railway Company of Lines of Railway by way of Substitution of Lines of Railway already authorized to be made by them; and for other Purposes. [15th July 1867.]

WHEREAS by "The *Bedford and Northampton* Railway Act, 1865," (in this Act called the Act of 1865,) the *Bedford and Northampton* Railway Company (in this Act called the Company) were incorporated, and were authorized to raise a Capital of Four hundred thousand Pounds, and to borrow on Mortgage not exceeding One hundred and thirty-three thousand Pounds, and to make the *Bedford and Northampton* Railway consisting of Five Lines of Railway numbered respectively 1, 2, 3, 4, and 5, and Working and Traffic Arrangements between the Company and the *Midland* Railway Company were authorized, and (Section 44) the Company were authorized and required to construct a deviated Road, to be used in lieu of *Cow Lane* in the Borough of *Northampton*: And whereas by "The *Bedford and Northampton* Railway Act, 1866," (in this Act called the Act of 1866,) the Company were authorized to abandon the whole of their Railways numbered 2. and 3. respectively, and a Portion of their Railway No. 1. authorized by the Act of 1865, and to make in lieu thereof other Lines of Railway, and

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also to make a new Street or Road in the Borough of *Northampton*, and to widen certain existing Streets in that Borough: And whereas it is expedient that the Company be authorized to make and maintain the Railways by this Act authorized by way of Substitution for Portions of their authorized Lines, and to abandon the Construction of so much of their authorized Lines as will be rendered unnecessary by the making of the substituted Lines: And whereas it is expedient that Provision be made for securing the Completion by the Company of the new Roads or Streets and Widenings of Streets which they are by the recited Acts respectively authorized to construct, and for the Maintenance and Repair thereof as by this Act provided: And whereas it is expedient that other Provisions be made with respect to the Company: And whereas Plans and Sections of the intended Railways showing the Lines and Levels thereof, and the Lands in which the same are intended to be made, and Books of Reference to the Plans containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the said Lands, have been deposited with the respective Clerks of the Peace for the Counties of *Buckingham* and *Northampton*, and those Plans, Sections, and Books of Reference are in this Act referred to as "the deposited Plans, Sections, and Books of Reference:" And whereas the Objects of this Act cannot be attained 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 be cited for all Purposes as "*The Bedford and Northampton Railway Act, 1867.*"

8 & 9 Vict.

cc. 18. & 20.,

23 & 24 Vict.

c. 106., and

26 & 27 Vict.

c. 92. incor-

porated.

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

Interpreta-
tion 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" means the *Bedford and Northampton Railway Company*; the Expression "the Railway" and "the Undertaking" means the Railways and the Undertaking by this Act authorized; the Expression "the Act of 1865" means "*The Bedford and Northampton Railway Act, 1865*;" the Expression "the Act of 1866" means "*The Bedford and Northampton Railway Act, 1866*;" and

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and the Expression "Superior Courts" or "Court of competent Jurisdiction," or any 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.

4. 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 Railways 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 Books of Reference as may be required for that Purpose. The Railways herein-before referred to and authorized by this Act are,—

Power to
make
Railway
according to
deposited
Plans.

A Railway (No. 1.) Three Miles Six Furlongs Eight Chains and a Half or thereabouts in Length, commencing in the Parish of *Clifton Reynes* in the County of *Buckingham* by a Junction with the Railway (No. 1.) authorized by "The *Bedford and Northampton Railway Act, 1865*," and terminating in the Parish of *Weston Underwood* in the County of *Buckingham* by a Junction with that authorized Railway (No. 1.)

A Railway (No. 2.) Five Furlongs Two Chains or thereabouts in Length, commencing in the Parish of *Hardingstone* in the County of *Northampton* by a Junction with the Railway (No. 2.) authorized by "The *Bedford and Northampton Railway Act, 1866*," and terminating in the Parish of *All Saints* in the Town of *Northampton* by a Junction with the Railway (No. 1.) authorized by "The *Bedford and Northampton Railway Act, 1865*," at or near the Termination thereof:

Provided that in the Construction of Railway No. 2. by this Act authorized it shall not be lawful, without the previous Consent in Writing of the Mayor, Aldermen, and Burgesses of the Borough of *Northampton* under their Common Seal, to deviate to the Eastward of the Blue Line marked on a Plan dated Fifteenth *February* One thousand eight hundred and sixty-seven, which has been signed in Duplicate by *John Jeffery*, Town Clerk, on behalf of the said Mayor, Aldermen, and Burgesses, and by *Hodding, Townsend*, and Company on behalf of the Company, One Copy of which Plan is in the Custody of the said Mayor, Aldermen, and Burgesses, and the other Copy whereof is in the Custody of the Company:

And the said Railways shall for the Purposes of Tolls and Charges, and for all other Purposes whatsoever, be Part of the Undertaking of the Company as if the same had been Part of the *Bedford and Northampton Railway* authorized by "The *Bedford and Northampton Railway Act, 1865*."

5. The

*The Bedford and Northampton Railway Act, 1867.*Application
of Monies.

5. The Company may from Time to Time apply for the Purposes of this Act any Monies now or hereafter belonging to them, or under the Control of their Directors, except so far as the Application thereof may by any Act be otherwise specially provided for, and the Money be required for the Purpose for which it is so made applicable.

Powers for
compulsory
Purchases
limited.

6. 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.

Period for
Completion
of Works.

7. The Railway shall be completed within Three 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.

Height and
Span of
Bridge.

8. The Company may make the Arch of the Bridge for carrying the Railway over the Road next herein-after mentioned of any Height and Span not less than the Height and Span herein-after mentioned in connexion with that Road; (that is to say,)

No. on deposited Plan.	Parish.	Description of Road.	Height.	Span.
12	Olney	Turnpike Road	16 Feet	30 Feet.

Provision as
to Construc-
tion of
Arches, &c.
for Corpo-
ration of
North-
ampton.

9. In constructing Railway No. 2. by this Act authorized the Company shall make and maintain the following Works; that is to say, An Arch or Opening, having a Width of not less than Twelve Feet and a clear Height of not less than Ten Feet, over the public Footway and Towing-path on the North Bank of the River *Nene* where the same is crossed by the said Railway No. 2. at a Point One Chain or thereabouts to the Northward of the Distance marked Three Furlongs on the deposited Plans of the same Railway: An Arch or Opening, having a Width of not less than Thirty Feet and a clear Height of not less than Fourteen Feet, to be made on the Land of the said Mayor, Aldermen, and Burgesses, called *Cow Meadow*, over a Road intended to be constructed there, and at such Point in the said Meadow as the said Mayor, Aldermen, and Burgesses shall select; such Road to be set out so as to cross the Railway on the Square, or so that the acute Angle between the centre Line of the said Road and the centre Line of the said Railway shall not be less than Sixty Degrees:

Both of such Arches, and also the Arches to be made by the Company at or near *Cow Lane*, as marked on the deposited Plans, shall be built parallel with the centre Lines of the Roads intended to pass under them, as the same Roads shall be set out by the said Mayor, Aldermen, and Burgesses.

10. In

The Bedford and Northampton Railway Act, 1867.

10. In constructing the Railway No. 1. by this Act authorized between the Points marked Five and Six Furlongs, in the Parish of *Clifton Reynes*, on the deposited Plans of that Railway, the Company shall not deviate the centre Line more than Five Yards from and to the Northwards of the Southern Limit of Deviation shown on those Plans.

Prescribing Mode of Construction of Railway No. 1. between certain Points.

11. The Company shall, not less than Eight Weeks before they take in any Parish Fifteen Houses or more, occupied either wholly or partially by Persons belonging to the Labouring Classes as Tenants or Lodgers, make known their Intention to take the same by Placards, Handbills, or other general Notice placed in public View upon or within a reasonable Distance from such Houses, and the Company shall not take any such Houses until they have obtained the Certificate of a Justice that it has been proved to his Satisfaction that the Company have made known their Intention to take the same in manner herein-before required.

Notice to be given of taking Houses of Labouring Classes.

12. Nothing in this Act contained shall extend or be deemed or construed to extend to authorize or enable the Company to take, enter upon, or use, either permanently or temporarily, any of the Lands belonging to the *Midland Railway Company*, or to alter, vary, or interfere with the *Midland Railway*, or any of the Works thereof, further or otherwise than is necessary for the proper and convenient making and maintaining the Lines of Railway by this Act authorized, without the Consent in Writing in every Instance for that Purpose first had and obtained of the *Midland Railway Company* under their Common Seal, nor shall the Company, except for the Purposes aforesaid, without the like Consent of the *Midland Railway Company*, take, use, enter upon, or interfere with any of the Lands from Time to Time belonging to or in the Possession or under the Power of that Company.

Company not to take any Lands belonging to the *Midland Railway Company* without Consent.

13. With respect to any Land of the *Midland Railway Company* which the Company are by this Act from Time to Time authorized to use, enter upon, or interfere with, the Company shall not purchase and take the same, but the Company may purchase and take, and the *Midland Railway Company* may and shall sell and grant accordingly, an Easement or Right of using the same for such Purposes for which but for this Enactment the Company might purchase and take the same.

Company to acquire Easements only in Lands of *Midland Railway Company*.

14. Subject to the Provisions of this Act, Sections 31 to 43, both inclusive, of the Act of 1865 shall extend and apply to the Railway (No. 2.) by this Act authorized, and to the Stations, Sidings, Watering Places, Works, and Conveniences belonging thereto or connected therewith, as fully and effectually in all respects as if that Railway had formed Part of the *Bedford and Northampton Railway* by that Act authorized.

Certain Sections of Act of 1865 to apply to Railways 1, 2, and 3 by this Act authorized.

The Bedford and Northampton Railway Act, 1867.

Company to
abandon
Portions of
their
authorized
Line.

15. The Company shall abandon the Construction of the following Portions of their authorized Railways, and all Works connected therewith respectively; (that is to say,)

So much of Railway (No. 1.) authorized by the Act of 1865 as lies between the Commencement and Termination of the Railway (No. 1.) by this Act authorized:

So much of Railway (No. 1.) authorized by the Act of 1865 as lies between *Cow Lane* in the Borough of *Northampton* and the *River Nene*:

So much of Railway (No. 1.) authorized by the Act of 1866 as lies between the Termination thereof and the Junction therewith of the Railway (No. 3.) by that Act authorized.

Compensa-
tion for
Damage to
Land by
Entry, &c.
for Purposes
of Railways
abandoned.

16. The Abandonment by the Company, under the Authority of this Act, of any Portion of any Railway or Works shall not prejudice or affect the Right of the Owner or Occupier of any Land to receive Compensation, in accordance with the Provisions in that Behalf of "The Lands Clauses Consolidation Act, 1845," for any Damage occasioned by the Entry of the Company on such Land for the Purpose of surveying and taking Levels, or probing or boring to ascertain the Nature of the Soil, or setting out of the Line of Railway, and shall not prejudice or affect the Right of the Owner or Occupier of any Land which may have been temporarily occupied by the Company to receive Compensation, in accordance with the Provisions in that Behalf of "The Railways Clauses Consolidation Act, 1845," for such temporary Occupation, or for any Loss, Damage, or Injury which have been sustained by such Owner or Occupier by reason thereof, or of the Exercise as regards such Land of any of the Powers contained in the last-mentioned Act or the Act of 1865.

Compensa-
tion to be
made in
respect of
Portions of
Railways
abandoned.

17. Where before the passing of this Act any Contract may have been entered into or Notice given by the Company for the purchasing of any Land for the Purpose of or in relation to any Portions of the Railways or Works authorized to be abandoned by this Act, and which shall not be required for the Purposes of any of the Works by this Act authorized, full Compensation shall be made by the Company to the Owners and Occupiers or other Persons interested in such Lands for all Injury or Damage sustained by them respectively by reason of the Purchase not being completed pursuant to the Contract or Notice; and the Amount and Application of the Compensation shall be determined in manner provided by "The Lands Clauses Consolidation Act, 1845," for determining the Amount and Application of Compensation paid for Lands taken under the Provisions thereof.

Extending
Provisions
of the Acts
of 1865 and
1866 as to

18. Subject to the Provisions of this Act, Sections 27, 28, 29, 64, 65, and 66 of the Act of 1865, and Sections 24 and 25 of the Act of 1866, and the Agreements scheduled to those Acts respectively, shall extend and apply to the Railways by this Act authorized, and to the
Stations,

The Bedford and Northampton Railway Act, 1867.

Stations, Sidings, Watering Places, Works, and Conveniences belonging thereto, or connected therewith, as fully and effectually in all respects as if those Railways had formed Part of the *Bedford and Northampton Railway* authorized by the "*Bedford and Northampton Railway Act, 1865,*" and the "*Bedford and Northampton Railway Act, 1866,*" or either of those Acts.

Arrange-
ments with
Midland
Company to
new Lines.

19. Notwithstanding anything in this Act contained, the Company shall proceed with the Construction of the new Roads or Streets and the Widenings of Streets which by the 44th Section of the Act of 1865 and the 4th Section of the Act of 1866 respectively the Company are authorized to construct, so that the same shall be completed simultaneously with or before the Completion of the Railway No. 2. by this Act authorized; and it shall not be lawful for the Company, unless with the previous Consent in Writing of the Mayor, Aldermen, and Burgesses of the Borough of *Northampton* to open for public Traffic the Railway No. 2. by this Act authorized, or any Part thereof, unless and until they shall have completed the said new Roads or Streets and Widenings of Streets; and if the Company, unless with the Consent aforesaid, open for public Traffic the Railway No. 2. by this Act authorized, or any Part thereof, before the Completion of the said new Roads or Streets and Widenings of Streets, they shall forfeit and pay to the Mayor, Aldermen, and Burgesses of the Borough of *Northampton* a Penalty of Fifty Pounds, and a further Penalty of Ten Pounds a Week for every Week until the said new Roads or Streets and Widenings of Streets are completed, and every such Penalty may be recovered, with full Costs of Suit, from the Company by the said Mayor, Aldermen, and Burgesses in any Court of competent Jurisdiction; provided that the Recovery of any such Penalty shall not prejudice or affect the Right of the said Mayor, Aldermen, and Burgesses to compel the making of the said new Roads or Streets and Widening of Streets as aforesaid, nor authorize the Company without such Consent as aforesaid to open the said Railway No. 2. until such Roads and Streets shall have been completed.

Provision
for securing
Completion
of new
Roads and
Widenings of
Roads.

20. The Company shall maintain and repair the said Roads or Streets when constructed and widened for Twelve Months after the Completion thereof to the reasonable Satisfaction of the Surveyor for the Time being of the Commissioners for paving, lighting, cleansing, and improving the Town and Borough of *Northampton*; and from and after the Expiration of that Period all Rights, Powers, Authorities, and Obligations of the Company in respect of the Roads or Streets shall absolutely cease and determine, and the same shall thereafter be as fully and completely under the Control of the said Commissioners and be maintained by them as any Streets or Highways in the Borough of *Northampton* now are or hereafter may be.

Company to
maintain
Roads for
Twelve
Months
after Com-
pletion.

21. Except

The Bedford and Northampton Railway Act, 1867.

Saving
Rights of
Two
Companies.

21. Except only as is by this Act expressly provided, nothing in this Act contained shall take away, lessen, prejudice, or alter any of the Estates, Rights, Powers, Privileges, or Authorities of the Company, or of the *Midland Railway Company*, or either of them.

Interest not
to be paid
out of
Capital.

22. The Company shall not, out of any Money by any Act relating to the Company authorized to be raised by Calls or by borrowing, pay Interest or Dividend to any Shareholder on the Amount of Calls made in respect of the Shares held by him; provided that the Company may pay 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
Company's
Capital.

23. The Company shall not, out of any Money by any Act relating to the Company authorized to be raised, pay or deposit any Sum of Money 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 execute any other Work or Undertaking.

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

24. Nothing herein contained shall be deemed or construed to exempt the Railway from the Provisions of any General Act relating to Railways, or 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 or Alteration, under the Authority of Parliament, of the Tolls for small Parcels, and the maximum Rates of Fares and Charges, by this Act authorized.

Expenses of
Act.

25. All the 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.

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