



ANNO TRICESIMO PRIMO & TRICESIMO SECUNDO

VICTORIÆ REGINÆ.

Cap. xci.

An Act to extend the Powers of the *Stourbridge* Railway Company with respect to the Branch Railway to *Stourbridge*.

[13th *July* 1868.]

WHEREAS by "The *Stourbridge* Railway Act, 1865," 28 & 29 Vict. c. ccxxvi.
in this Act called "the Act of 1865," the *Stourbridge* Railway Company (herein referred to as "the Company") are authorized to make a Branch Railway to *Stourbridge*, and by that Act the Time for the compulsory Purchase of Lands and for constructing the said Branch Railway expires on the Fifth Day of *July* next: And whereas by "The *Stourbridge* Railway (Further Powers) Act, 1866," in this Act called "the Act of 1866," the Company are authorized to alter the said Branch Railway and to construct other Works, in respect whereof the Time for the compulsory Purchase of Lands and for Completion of Works will expire on the Sixteenth Day of *July* next: And whereas it is expedient that the Periods granted by the said Acts for the taking of Lands and for the Completion of the Works now authorized should be respectively extended; but this cannot be accomplished 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
[*Local.*] 13 Y and

The Stourbridge Railway Amendment Act, 1868.

and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Short Title.

1. This Act may be cited for any Purpose as "The *Stourbridge Railway Amendment Act, 1868.*"

26 & 27 Vict.
c. 92. in-
corporated.

2. Part II. of "The Railways Clauses Act, 1863," is incorporated with and forms Part of this Act.

Extending
Time for the
Purchase of
Lands.

3. The Powers of the Act of 1865 and of the Act of 1866 with respect to the compulsory Purchase or taking of Lands are hereby respectively extended and shall respectively continue in force until the Sixteenth Day of *July* One thousand eight hundred and sixty-nine.

Extending
Time for
Completion
of Works.

4. The Time granted by the Act of 1865, and the Time granted by the Act of 1866, for constructing and completing the Works by those Acts respectively authorized, shall be respectively extended until the Thirty-first Day of *December* One thousand eight hundred and sixty-nine.

Repeal of
Penalty
Clauses in
recited Acts.

5. Section Twenty-four of the Act of 1865, and Section Twenty-two of the Act of 1866, are hereby repealed.

Penalty if
Branch
Railway not
made within
extended
Time.

6. If the Company fail within the Period limited by this Act to complete the Branch Railway now authorized by the said Acts, they shall be liable to a Penalty of Fifty Pounds a Day for every Day after the Expiration of the Period so limited until the Railway is completed and opened for public Traffic, or until the Sum received in respect of such Penalty shall amount to Five *per Centum* on the estimated Cost of the Railway; and the said Penalty may be applied for by any Landowner or other Person claiming to be compensated in accordance with the Provisions of the next following Section of this Act, and in the same Manner as the Penalty provided in the Third Section of the Act Seventeen and Eighteen *Victoria*, Chapter Thirty-one, known as "The Railway and Canal Traffic Act, 1854;" and every Sum of Money recovered by way of such Penalty as aforesaid shall be paid under the Warrant or Order of such Court or Judge as is specified in the said Third Section of the Act Seventeen and Eighteen *Victoria*, Chapter Thirty-one, to an Account opened or to be opened in the Name and with the Privity of the Accountant General of the Court of Chancery in *England* in the Bank named in such Order, and shall not be paid thereout, except as herein-after provided; 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

The Stourbridge Railway Amendment Act, 1868.

Accident or Circumstances beyond their Control; provided that the Want of sufficient Funds shall not be held to be a Circumstance beyond their Control.

7. Every Sum of Money so recovered by way of Penalty as aforesaid shall be applicable, and after due Notice in the *London Gazette* shall be applied, towards compensating any Landowners or other Persons whose Property may have been interfered with or otherwise rendered less valuable by the Commencement, Construction, or Abandonment of the said Branch Railway or any Portion thereof, or who may have been subjected to Injury or Loss in consequence of the compulsory Powers of taking Property conferred upon the Company, and for which Injury or Loss no Compensation or inadequate Compensation shall have been paid, and shall be distributed in satisfaction of such Compensation as aforesaid in such Manner and in such Proportions as to the Court of Chancery in *England* may seem fit; and if no such Compensation shall be payable, or if a Portion of the Sum or Sums of Money so recovered by way of Penalty as aforesaid shall have been found sufficient to satisfy all just Claims in respect of such Compensation, then the said Sum or Sums of Money recovered by way of Penalty, or such Portion thereof as may not be required as aforesaid, shall be paid to the Company.

Application of Monies recovered by way of Penalty.

8. If the Railway shall not be completed within the Period limited by this Act, then on the Expiration of such Period the Powers by the recited Acts and this Act granted to the Company for making and completing the Railways, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

Time limited for Completion of Railway.

9. The Company shall not, out of any Money by any of their Acts authorized to be raised for the Purposes of such Act or Acts, 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 Railway, or to execute any other Work or Undertaking.

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

10. Nothing herein contained shall be deemed or construed to exempt the Railways of the Company or the Company 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,

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

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Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges, or of the Rates for small Parcels, authorized to be taken by the Company.

Expenses
of Act.

11. All the Costs, Charges, and Expenses of obtaining and passing this Act, or incident thereto; shall be paid by the Company.

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