



ANNO VICESIMO NONO & TRICESIMO

VICTORIÆ REGINÆ.

Cap. ccxxxix.

An Act for authorizing the *East and West Junction Railway Company* in the Construction of their authorized Railway to divert, alter, and stop up certain Roads in the Parish of *Alderminster* and County of *Worcester*. [23d July 1866.]

WHEREAS the *East and West Junction Railway Company* (in this Act called "the Company"), incorporated by "The *East and West Junction Railway Act, 1864*," (in this Act called the Act of 1864,) were empowered to make a Railway from the authorized Line of the *Northampton and Banbury Junction Railway* near *Towcester* in the County of *Northampton* to the *Great Western Railway* in the Parish of *Old Stratford* in the County of *Warwick*, and the Company were authorized to raise Three hundred thousand Pounds by Shares, and One hundred thousand Pounds by borrowing: And whereas it is expedient that the Company should be empowered in the Construction of their authorized Railway to divert, alter, and stop up certain Roads, or Parts thereof, wholly situate in the Parish of *Alderminster* and County of *Worcester*: And whereas Plans and Sections showing the Lines and Levels of the Works by this Act authorized, and also a Book of Reference [Local.] 36 S containing

27 & 28 Vict.
c. lxxvi.

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containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and of the Occupiers of the Lands required or which may be taken for the Purposes of the said Works, have been deposited with the Clerk of the Peace for *Worcestershire*, and such Plans, Sections, and Book of Reference are in this Act referred to as "the deposited Plans, Sections, and Book of Reference:" And whereas the Objects of this Act 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 of the 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 *East and West Junction Railway (Diversion of Roads) Act, 1866.*"

8 & 9 Vict.
cc. 18. & 20.,
23 & 24 Vict.
c. 106., and
26 & 27 Vict.
c. 92. in-
corporated.

2. "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," "The Railways Clauses Consolidation Act, 1845," and Part I., relating to Construction of a Railway, 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" shall mean the *East and West Junction Railway Company*; the Expression "the Undertaking" shall mean the Undertaking by this Act authorized, or any Part thereof; and the Expression "Superior Courts," or "Court of competent Jurisdiction," or any other 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.

Powers to
divert, alter,
and stop up
certain
Roads.

4. The Company may in the Construction of their authorized Railway divert, alter, and stop up in the Manner shown on the deposited Plans the following Roads:

1. So much of the *Stratford-upon-Avon* and *Edghill* Turnpike Road at *Park Leys* numbered 12 in the Parish of *Aldermanminster* and County of *Worcester* upon the deposited Plans referred to in the Act of 1864 as is situate between the Fields numbered 7 and 15 in the said Parish upon such Plans:
2. The public Highway numbered 14 in the said Parish on such Plans.

5. The

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5. The Company shall not, out of any Money by this Act authorized to be raised by Calls or by borrowing, pay Interest or Dividend to any Shareholder on the Amount of the Calls made in respect of the Shares held by him: Provided always, that this Act shall not prevent the Company from paying 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."

Interest not to be paid on Calls paid up.

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

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

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

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

8. All 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.

Expenses of Act.

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