



CHAPTER xii.

An Act for the Abandonment of the Railway authorised by the Worcester and Aberystwith Junction Railway (Deviation) Act, 1877 ; and for other purposes. [29th June 1880.] A.D. 1880.

WHEREAS by the Worcester and Aberystwith Junction Railway Act, 1874, (herein-after called "the Act of 1874,") the Worcester and Aberystwith Junction Railway Company (herein-after called "the Company") were incorporated and empowered to make and maintain the railways in that Act described, and for that purpose to raise three hundred thousand pounds by shares and one hundred thousand pounds by borrowing : 37 & 38 Vict.
c. cxc.

And whereas by the Worcester and Aberystwith Junction Railway (Deviation) Act, 1877, (herein-after called "the Act of 1877,") the Company were authorised to abandon the construction of the railways authorised by the Act of 1874, and to construct a shorter line in lieu thereof, which line is in this Act called "the railway"; and in consequence of the lesser cost of the said railway the share capital of the Company was reduced to one hundred and eighty thousand pounds, and their borrowing powers to sixty thousand pounds : 40 & 41 Vict.
c. cxiv.

And whereas a small portion only of the authorised capital has been raised, and the funds of the Company are wholly insufficient for the making of the railway, and none of the powers of the Act of 1877 in relation to the making of the railway have been exercised ; and it is expedient that the railway should be abandoned, and the affairs of the Company wound up and the Company dissolved :

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 assembled, and by the authority of the same, as follows :

A.D. 1880.

Short title.

1. This Act may be cited as the Worcester and Aberystwith Junction Railway (Abandonment) Act, 1880.

Abandonment of railway.

2. The Company may and shall abandon the making of the railway, and on and after the passing of this Act the Company shall, except only as is by this Act otherwise expressly provided, be absolutely freed and discharged from all obligations with respect to the making and maintaining of the railway.

Compensation for damage to land by entry.

3. The abandonment by the Company under the authority of this Act of the railway shall not prejudice or affect the right of the owner or occupier of any land to receive compensation 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 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 for such temporary occupation, or for any loss, damage, or injury which may 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 Railways Clauses Consolidation Act, 1845, or the Act of 1877.

8 & 9 Vict. c. 20.

Compensation for non-completion of purchase.

4. 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 purposes of or in relation to the railway, or any portion thereof, the Company shall be released from all liability to purchase or to complete the purchase of any such lands; but, notwithstanding, 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, as amended by any subsequent Act, for determining the amount and application of compensation paid for lands taken under the provisions thereof.

8 & 9 Vict. c. 18.

Provision for release of deposit.

5. Subject to the provisions of section seventeen of the Act of 1877, with respect to payment of compensation to landowners and others injured, and for protection of creditors, the Chancery Division of the High Court of Justice may and shall at any time after the passing of this Act, on application by the persons or the majority of the persons named in the warrant or order mentioned in the sixteenth section of the Act of 1877, or the survivors or survivor of them, by petition in a summary way, order that the sum of

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seven thousand three hundred and fifteen pounds consolidated three per centum annuities mentioned in that section, and the interest or dividends thereon, may be transferred or paid to the person or persons so applying, or to any other person or persons whom they or he may appoint in that behalf, and upon such order being made the said annuities, and the interest or dividends thereon, shall be transferred or paid to such person or persons accordingly. A.D. 1880.

6. Forthwith after the passing of this Act the Company shall proceed to wind up their affairs, and shall pay, satisfy, and discharge all their debts, liabilities, and engagements. Provision for winding up affairs of the Company.

7. When all the debts, liabilities, and engagements of the Company are paid, satisfied, and discharged, and the affairs of the Company are wound up, the Company shall be by this Act dissolved, and shall thenceforth wholly cease to exist, and thereupon the Act of 1874 and the Act of 1877 shall be repealed. Dissolution of Company.

8. All costs, charges, and expenses of and incident to the applying for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Company. Expenses of Act.

