

[56 & 57 VICT.] *Towcester and Buckingham Railway* [Ch. cciii.]
(*Abandonment*) Act, 1893.



CHAPTER cciii.

An Act for the abandonment of the Towcester and Buckingham Railway and the repayment of the deposit fund. A.D. 1893.
[24th August 1893.]

WHEREAS by the Towcester and Buckingham Railway Act 1889 (in this Act called "the Act of 1889") the Towcester and Buckingham Railway Company (in this Act called "the Company") were incorporated and empowered to make and maintain the railway in that Act described:

And whereas the sum of seven thousand seven hundred and fifty-one pounds two and three quarters per centum consolidated stock (herein-after referred to as "the deposit fund") has been transferred into the name of the Paymaster General for and on behalf of the Supreme Court in respect of the application to Parliament for the said Act:

And whereas it has been found impossible to raise the capital necessary for the construction of the railway and none of the powers of the Act of 1889 in relation to the compulsory purchase of lands for and the making of the railway have been exercised and it is expedient that the railway should be abandoned the deposit fund released 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:—

1. This Act may be cited as the Towcester and Buckingham Railway (Abandonment) Act 1893. Short title.

[Price 3d.]

[Ch. ccciii.] *Towcester and Buckingham Railway* [56 & 57 VICT.]
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A.D. 1893.

Railway to
be aban-
doned.
Compensa-
tion for
damage to
land by
entry &c.
for purposes
of railway
abandoned.

2. The Company shall abandon the making of the railway authorised by the Act of 1889.

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 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 for the purposes of the railway 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 1889.

Compensa-
tion to be
made in
respect of
railway
abandoned.

4. Where before the passing of this Act any contract has 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 Acts for determining the amount and application of compensation paid for lands taken under the provisions thereof.

Provision for
repayment of
deposit
fund.

5. Subject to the provisions of this Act and of section thirty-six of the Act of 1889 with respect to compensation to landowners or other persons injured and for the protection of creditors the High Court may at any time after the passing of this Act on application by the depositors mentioned in section thirty-five of the Act of 1889 or the survivors or survivor of them or the executors or administrators of such survivor or by any other person entitled to the deposit fund order that the deposit fund and the interest or dividends thereon may be paid or transferred to the depositors or other person or persons entitled thereto or to any other persons or person whom they or he may appoint in that behalf and upon such order being made the deposit fund and the interest or dividends thereon shall be paid or transferred to such persons or person accordingly.

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6. Forthwith after the passing of this Act the Company shall proceed to wind up their affairs and shall to the extent of their assets pay satisfy and discharge all their debts liabilities and engagements and for the purposes of this Act the Company shall be deemed to have been ordered to be wound up within the meaning of section thirty-six of the Act of 1889.

A.D. 1893.
Winding up
of affairs of
Company.

7. When all the debts liabilities and engagements of the Company are to the extent of their assets paid satisfied or 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 the Act of 1889 shall be by this Act repealed.

Dissolution
of Company.

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