



## CHAPTER xv.

An Act for the Abandonment of the Railway authorised by the Brewood and Wolverhampton Railway Acts, 1874 and 1875. A.D. 1879.  
—  
[23d May 1879.]

**W**HEREAS by the Brewood and Wolverhampton Railway Act, 1874, (herein-after called "the Act of 1874,") the Brewood and Wolverhampton Railway Company (herein-after called "the Company") were incorporated with a share capital of £25,000, and with power to borrow on mortgage £8,000, and were authorised to make and maintain the Brewood and Wolverhampton Railway : 37 & 38 Vict.  
c. xciii.

And whereas by the Brewood and Wolverhampton Railway Act, 1875, (herein-after called "the Act of 1875,") the Company were empowered to alter part of the railway authorised by the Act of 1874, and to raise an additional capital of £20,000, and to borrow on mortgage an additional sum of £6,666 : 38 & 39 Vict.  
c. xcvi.

And whereas a very small portion only of the capital authorised by the said Acts 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 said Acts 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 : (that is to say,)

[Ch. xv.] *Brewood and Wolverhampton Railway* [42 VICT.]  
(*Abandonment*) Act, 1879.

A.D. 1879.  
Short title.

1. This Act may for all purposes be cited as the Brewood and Wolverhampton Railway (Abandonment) Act, 1879.

Interpretation of term "railway."

2. In this Act the expression "the railway" means the undertaking authorised by the Brewood and Wolverhampton Railway Acts, 1874 and 1875.

Power to abandon railway.

3. 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 from all obligation with respect to the making and maintaining of the railway.

Compensation for damage to land by entry.

4. The abandonment of the railway by the Company under the authority of this Act 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 Acts of 1874 and 1875, or either of them.

8 & 9 Vict.  
c. 20.

Compensation for non-completion of purchase.

5. 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.

Release of deposit.

6. Subject to the provisions of section 24 of the Act of 1874 and of section 12 of the Act of 1875, with respect to the compensation of landowners or other persons, the Chancery Division of the

[42 VICT.] *Brewood and Wolverhampton Railway* [Ch. xv.]  
(*Abandonment*) Act, 1879.

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 warrants or orders mentioned in the 23rd section of the Act of 1874, and the 11th section of the Act of 1875 respectively, or the survivors or survivor of them, by petition in a summary way, order that the two several sums of one thousand two hundred and fifty pounds and one thousand pounds mentioned in those sections, or the stocks, funds, or securities in or upon which the same may have been invested, and the interest or dividends thereof, shall 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 several sums of money, or stocks, funds, securities, and any interest or dividends thereon, shall be transferred or paid to such person or persons accordingly.

A.D. 1879.

7. 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.

Winding-up  
affairs of  
Company.

8. 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 said Acts of 1874 and 1875 shall be repealed.

Dissolution  
of Company.

9. 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.