CHAP. lxxviii.

An Act for the abandonment of the extension authorised by "The Blane Valley Railway Extension Act, 1865;" and for other purposes. [20th June 1870.]

A.D. 1870.

WHEREAS by "The Blane Valley Railway Act, 1861," the Blane Valley Railway Company (in this Act called "the Company") were incorporated, and authorised to make a railway from Lennoxtown of Campsie to Strathblane, branch to Lettermill, in the county of Stirling: 24 & 25 Vict. c. ccxlviii.

And whereas by "The Blane Valley Railway Extension Act, 1865," the Company were authorised to make an extension of their railway to the Gartness station on the Forth and Clyde Junction Railway: 28 & 29 Vict. c. cccl vi.

And whereas the Company are unable to raise the capital required for constructing the said extension railway, and it is expedient that the same should be abandoned:

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 of the Commons, in this present Parliament assembled, and by the authority of the same, as follows; (that is to say,)

1. This Act may be cited for all purposes as "The Blane Valley Railway Act, 1870." Short title.

2. The Company shall abandon the construction of the railway authorised by "The Blane Valley Railway Extension Act, 1865," and therein described as an extension of the Blane Valley Railway, commencing at the northern terminus of the branch railway authorised by "The Blane Valley Railway Act, 1861," and terminating by a junction with the Forth and Clyde Junction Railway near the Gartness station on that railway in the parish of Deymen. Abandonment of extension railway.

A.D. 1870.

Compensation for damage to land by entry, &c. for purposes of railway abandoned.

3. The abandonment by the Company under the authority of this Act of the construction of any portion of any railway and works shall not prejudice or affect the right of the owner or occupier of any land to receive compensation, in accordance with the provisions in that behalf of "The Lands Clauses Consolidation (Scotland) Act, 1845," for any damage occasioned by the entry on such land for the purposes 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 to receive compensation, in accordance with the provisions in that behalf of "The Railways Clauses Consolidation (Scotland) Act, 1845," 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 last-mentioned Act, or "The Blane Valley Railway Extension Act, 1865."

Compensation to be made in respect of portions of railways abandoned.

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 lands for the purposes of or in relation to any portions of the railway or works authorised to be abandoned by this Act, 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 (Scotland), 1845," for determining the amount and application of compensation paid for lands taken under the provisions thereof.

Sect. 32 of 28 & 29 Vict. c. cclvi. repealed.

5. Section thirty-two of "The Blane Valley Railway Extension Act, 1865," is by this Act repealed.

Return of deposit.

6. The sum of two thousand pounds mentioned in the said section of the said Act shall be applicable, and, after due notice in the "Edinburgh 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 railway, or who may have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by "The Blane Valley Railway Extension Act, 1865," 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 Exchequer in Scotland may seem fit; and if no such compensation shall be payable, or if a portion of the said sum of two thousand pounds shall have been found sufficient to satisfy all just claims in respect of such compensation, then the said sum, or such portion thereof as may not be required as aforesaid, and the interest (if any) on that sum, shall be paid to or on the application of the persons or the majority of the persons named in the warrant or order mentioned in the said section of the said Act, or the survivors or survivor of them, or the executors or administrators of such survivor, or to the person or persons whom they or he may appoint in that behalf.

Expenses of Act.

7. All the costs, charges, and expenses of and incident to the preparing, applying for, obtaining, and passing of this Act shall be paid by the Company.

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