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Cap. ix.

An Act to authorize the *Northumberland Central* Railway Company to abandon a Portion of their authorized Line; and for other Purposes.

[12th *April* 1867.]

WHEREAS by the *Northumberland Central* Railway Act, 1863, (in this Act called "the Act of 1863,") the *Northumberland Central* Railway Company (in this Act called "the Company") were incorporated, with a Capital of Two hundred and seventy thousand Pounds in Shares of Ten Pounds each, and Power to borrow Ninety thousand Pounds on Mortgage of their Undertaking, and were authorized to make certain Railways in the County of *Northumberland*, from the *Wansbeck* Railway in the Parish of *Hartburn* to the Parish of *Ford*, and thence to the *Berwick and Kelso* Branch of the *North-eastern* Railway, and the Time for the compulsory Purchase of Lands was limited to Three Years from the passing of the said Act, and for the Completion of the Railway to Five Years from the passing of the said Act: And whereas the Company proceeded to carry the said Act into execution, and the Railway is in course of Construction from the Commencement thereof to a Point in the Parish of *Rothbury*: And whereas the Company have created and issued the Shares for raising the Capital by the said

26 & 27 Vict. c. ccxxxv.

Act authorized, but Twenty-three thousand two hundred and forty-two of such Shares have not been taken up, and the Company are unable to raise the requisite Funds for completing the Railway beyond the said Point in the Parish of *Rothbury*, and it is expedient that the Undertaking should be confined to the Part of the Railway which is now in course of Construction, and that the Capital and Borrowing Powers of the Company should be reduced: 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:

Short Title.

1. This Act may be cited for any Purpose as "The *Northumberland Central* Railway Act, 1867."

Power to Company to abandon Portion of authorized Line.

2. The Company shall abandon the Construction of so much of the Railway authorized by the Act of 1863 as lies Northward of a Point in the Parish of *Rothbury* in the County of *Northumberland* shown on the Plans and Sections referred to in the Act of 1863 as being Twelve Miles and Six Furlongs distant from the authorized Southern End of the said Railway.

Compensation for Damage to Land by Entry, &c. for Purposes of Railways abandoned.

3. The Abandonment by the Company, under the Authority of this Act, of any Portion of any Railway or 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 Act, 1845," 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 to receive Compensation, in accordance with the Provisions in that Behalf of "The Railways Clauses Consolidation 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 *Northumberland Central* Railway Act, 1863."

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 Land for the Purposes of or in relation to any Portions of the Railway or Works authorized to be abandoned by this Act, and which shall not be required for the Purposes of any of the

Works

Works by this Act authorized, 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," for determining the Amount and Application of Compensation paid for Lands taken under the Provisions thereof.

Capital reduced to 75,000*l.*

5. The recited Act shall for all Purposes be read and construed as if the Capital of the Company thereby authorized to be raised was Seventy-five thousand Pounds, and not Two hundred and seventy thousand Pounds, and as if the Sum which the Company were thereby authorized to raise by Mortgage of their Undertaking were Twenty-five thousand Pounds, and not Ninety thousand Pounds; and the Company shall cancel Nineteen thousand five hundred of their Shares which have not been taken up.

Deposit for future Bills not to be paid out of Company's Capital.

6. The Company shall not, out of any Money by any Act relating to the Company authorized to be raised for the Purposes of such Act, pay or deposit any Sum of Money 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.

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

7. Nothing herein contained shall be deemed or construed to exempt the Railway of the Company from the Provisions of any General Act relating to Railways, or to the better or 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 the Act of 1863.

Expenses of Act.

8. All the Costs, Charges, and Expenses of and incident to the preparing for, obtaining, and passing of this Act shall be paid by the Company.

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