

[14 & 15 GEO. 5.] *St. Just (Falmouth)* [Ch. ix.]
Ocean Wharves and Railways (Abandonment) Act, 1924.



CHAPTER ix.

An Act to provide for the abandonment of the works authorised by the *St. Just (Falmouth) Ocean Wharves and Railways Act 1919* and for other purposes. A.D. 1924.
[29th May 1924.]

WHEREAS by the *St. Just (Falmouth) Ocean Wharves and Railways Act 1919* (in this Act referred to as "the Act of 1919") the *St. Just (Falmouth) Ocean Wharves and Railways Company* (hereinafter referred to as "the Company") was incorporated and authorised to construct the works in the county of Cornwall in that Act described and to raise capital for the purpose:

And whereas no part of the capital authorised by the Act of 1919 has been raised (except so far as is required to provide the necessary qualification for the directors of the Company) and none of the powers of that Act with respect to the purchase of land and the construction of the said works have been exercised and it is expedient that the works be abandoned and the railway deposit fund referred to in the Act of 1919 repaid to the depositors and that the affairs of the Company be wound up and the Company dissolved as by this Act provided:

And whereas the purposes 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 King's most Excellent

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Ocean Wharves and Railways (Abandonment) Act, 1924.*

A.D. 1924. — 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) :—

Short title. **1.** This Act may be cited as the *St. Just (Falmouth) Ocean Wharves and Railways (Abandonment) Act 1924.*

Abandonment of railway. **2.** The Company shall abandon the construction of the works authorised by the Act of 1919.

Compensation for damage to land by entry &c. **3.** The abandonment by the Company under the authority of this Act of the railways authorised by the Act of 1919 (in this Act referred to as "the railways") 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 has 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 1919.

Compensation to be made in respect of railways abandoned. **4.** Where before the passing of this Act any contract has been entered into or notice given by the Company for the purchase of any land or easement for the purposes of or in relation to the railways or any portion thereof the Company shall be released from all liability to purchase or to complete the purchase of any such land but notwithstanding full compensation shall be made by the Company to the owners and occupiers or other persons interested in such land 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.

5. Subject to the provisions of this Act and of section 39 of the Act of 1919 with respect to compensation to landowners and other persons injured and for the protection of creditors the High Court may and shall at any time after the passing of this Act on application by or on behalf of the depositors mentioned or referred to in the Act of 1919 or the survivors or survivor of them or the executors or administrators of such survivor or by or on behalf of any other person entitled to or interested in the railway deposit fund referred to in that section order that the said railway deposit fund and the interest or dividends thereon be paid or transferred to the depositors or any other person or persons entitled thereto or interested therein or to any persons or person whom they or he may appoint in that behalf and upon such order being made the said railway deposit fund and the interest or dividends thereon shall be paid or transferred to such persons or person accordingly.

A.D. 1924.
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Repayment
of railway
deposit
fund.

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.

Company
to wind
up their
affairs.

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 the Act of 1919 shall be by this Act repealed.

Dissolution
of Com-
pany.

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.

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