



CHAPTER xlii.

An Act for the Abandonment of the Railways authorised to be made by the Sheffield and Midland Railway Companies Committee Act, 1873. A.D. 1877.
—
[28th June 1877.]

WHEREAS by the Sheffield and Midland Railway Companies Committee Act, 1873, (in this Act called "the Act of 1873,") the Sheffield and Midland Railway Companies Committee (in this Act called "the Committee") were authorised to construct certain railways in the county of Chester: 36 & 37 Vict.
c. liv.

And whereas no part of the said railways has been commenced, and it is expedient that the Committee should not be required to complete the said railways, but for this the authority of Parliament is necessary:

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,)

1. This Act may be cited for any purpose as "The Sheffield and Midland Railway Companies Committee Abandonment Act, 1877." Short title.

2. The Committee shall abandon the construction of the railways authorised by the Act of 1873. Committee to abandon railways authorised by Act of 1873.

3. Sections 30 and 31 of the Act of 1873 shall be and the same are hereby repealed. Repeal of sections 30 and 31 of Act of 1873.

4. The abandonment by the Committee under the authority of this Act of the railways authorised by the Act of 1873 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 Compensation for damage to land by entry, &c. for purposes of railways abandoned.

[Ch. xlii.] *The Sheffield and Midland Railway* [40 & 41 VICT.]
Companies Committee Abandonment Act, 1877.

A.D. 1877. occasioned by the entry of the Committee 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 lines of those railways, or either of them, and shall not prejudice or affect the right of the owner or occupier of any land which may have been temporarily occupied by the Committee 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 Act of 1873.

Compensation to be made in respect of railways abandoned.

5. Where before the passing of this Act any contract may have been entered into or notice given by the Committee for the purchasing of any lands for the purposes of or in relation to the railways authorised by the Act of 1873, or either of them, full compensation shall be made by the Committee to the owners and occupiers of 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, or by reason of such lands being rendered less valuable by the abandonment of those railways, or either of them, 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.

Power to Sheffield and Midland Companies to apply capital raised to general purposes.

6. The Manchester, Sheffield, and Lincolnshire Railway Company and the Midland Railway Company may apply to the general purposes of their respective undertakings any capital or funds authorised to be raised by them respectively under the powers or for the purposes of the Act of 1873.

Expenses of Act.

7. All costs, charges, and expenses of and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Committee.