



CHAPTER clxi.

An Act for the abandonment of the Ballyclare Ligoniel and Belfast Junction Railway and for other purposes.

A.D. 1885.

[6th August 1885.]

WHEREAS by the Ballyclare Ligoniel and Belfast Junction Railway Act 1881 (in this Act called "the Act of 1881") the Ballyclare Ligoniel and Belfast Junction Railway Company (in this Act called "the Company") were incorporated and were authorised to make and maintain the railways mentioned in that Act (which railways are in this Act included in the expression "the railways"):

And whereas by the Act of 1881 the periods for the compulsory purchase of lands for and for the completion of such railways were limited to three and five years respectively from the passing of that Act and by the Ballyclare Ligoniel and Belfast Junction Railway Company (Extension of Time) Act 1884 (in this Act called "the Act of 1884") the powers conferred upon the Company by the Act of 1881 for the compulsory purchase of lands were extended until the twenty-second day of August one thousand eight hundred and eighty-five and the time limited by the said Act for the completion of the railways was extended until the twenty-second day of August one thousand eight hundred and eighty-nine:

And whereas the Company have been unable to raise the money necessary for the construction of the railways and none of the powers of the Act of 1881 with respect to the raising of money the purchase of lands or the construction of works have been exercised and it is expedient that the railways 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:

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Railway (Abandonment) Act, 1885.

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Short title.

Railways
to be
abandoned.

1. This Act may be cited for all purposes as the Ballyclare Ligoniel and Belfast Junction Railway (Abandonment) Act 1885.

2. The Company may and shall abandon the construction of the railways 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 and discharged from all obligation with respect to the making and maintaining of the railways.

Compensa-
tion for
damage to
land by entry
&c. for pur-
poses of
railways
abandoned.

3. The abandonment by the Company under the authority of this Act of 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 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 Act of 1881 or the Act of 1884.

Compensa-
tion 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 purchasing of any land for the purposes of or in relation to any portion of the railway 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.

Providing for
release of
deposit.

5. Subject to the provisions of section 44 of the Act of 1881 and of this Act relating to compensation to landowners and other persons injured and for protection of creditors the Chancery Division of the High Court of Justice in Ireland at any time after the passing of this Act on application by the persons or the majority of the persons named in the warrant or order mentioned in the forty-third section of the Act of 1881 or the survivors or survivor of them or the executors or administrators of such survivor by petition in a summary

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way may and shall order that the sum of five thousand and fifty-six pounds and sixteen shillings mentioned in the said forty-third section of the said Act and the interest or dividends thereon or the securities upon which the same may have been or may be invested shall be paid or transferred 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 sum of five thousand and fifty-six pounds and sixteen shillings and the interest or dividends thereon and the securities aforesaid shall be paid or transferred to such person or persons accordingly.

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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 and when such debts liabilities and engagements are fully satisfied the Company shall be by virtue of this Act dissolved.

Provision for winding up affairs of Company.

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 Company.

Costs of Act.

