



CHAPTER iv.

An Act for the abandonment of the Billingham and Metheringham (Light) Railway. [30th April 1888.]

A.D. 1888.

WHEREAS the Billingham and Metheringham (Light) Railway Company (herein-after called "the Company") were incorporated by the Billingham and Metheringham (Light) Railway Act 1883 (herein-after called "the Act of 1883") with power to make and maintain a railway in the county of Lincoln and to raise forty-two thousand pounds by shares and to borrow fourteen thousand pounds on mortgage:

And whereas the period for the compulsory purchase of the land was limited to three years from the passing of the Act of 1883 and expired on the 16th day of July 1886:

And whereas no part of the capital of the Company so authorised has been created or issued and none of the powers of their Act with respect to the purchase of lands and construction of the railway have been exercised and it is expedient that the construction of the railway be abandoned and the affairs of the Company wound up and the Company dissolved:

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 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 as the Billingham and Metheringham (Light) Railway (Abandonment) Act 1888. Short title.

2. The Company shall abandon the construction of the railway authorised by the Act of 1883 and on and after the passing of this Act the Company shall except only as is by this Act otherwise Abandonment of railway.

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A.D. 1888. expressly provided be absolutely freed from all obligations with respect to the making and maintaining of the railway.

Compensation for damage to land by entry &c.

3. The abandonment by the Company of the railway under the authority of this Act 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 has 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 1883.

Compensation to be made in respect of railway 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 for the purposes of or in relation to the railway or any portion thereof 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 the manner provided by the Lands Clauses Consolidation Act 1845 as amended by any subsequent Act for determining the amount and application of compensation to be paid for lands taken under the provisions thereof.

Release of deposit.

5. Subject to the provisions of this Act and of section thirty-three of the Act of 1883 for payment of compensation to landowners and other persons injured and for the protection of creditors the High Court of Justice in England may and shall at any time after the passing of this Act on application by the depositors mentioned in section thirty-two of the Act of 1883 order the sum of one thousand seven hundred and seventy pounds nineteen shillings and ninepence Consolidated Three pounds per Centum Annuities being the deposit fund mentioned in the said section thirty-two or the stocks and funds in which the same may have been invested and the interest or dividends thereon to be paid or transferred to the depositors or as they may appoint and upon such order being made the said sum of one thousand seven hundred and seventy pounds nineteen shillings and ninepence Consolidated Three pounds per Centum Annuities or

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the stocks and funds in which the same may have been invested and the interest or dividends thereon shall be paid or transferred to the depositors or as they may appoint accordingly. A.D. 1888.

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 1883 shall be by this Act repealed. Dissolution of Company.

8. 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. Expenses of Act.

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By EYRE AND SPOTTISWOODE, Printers to the Queen's most Excellent Majesty.

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