



CHAPTER xii.

An Act for the abandonment of the Clyde Ardrishaig and Crinan Railway. A.D. 1892.
[20th May 1892.]

WHEREAS by the Clyde Ardrishaig and Crinan Railway Act 1887 (in this Act called "the Act of 1887") the Clyde Ardrishaig and Crinan Railway Company (in this Act called "the Company") were incorporated and authorised to make certain railways and piers in connexion therewith all in the county of Argyll described in the Act of 1887 : 50 & 51 Vict.
c. clxxiii.

And whereas no part of the capital of the Company has been created issued or paid up and it is expedient that the construction of the said railways and piers be abandoned and the affairs of the Company wound up and the Company dissolved :

And whereas the purposes of this Act 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 Clyde Ardrishaig and Crinan Railway (Abandonment) Act 1892. Short title.

2. The Company shall abandon the construction of the railways and piers authorised by the Act of 1887 (in this Act called "the railways and piers.") Abandonment of railways and piers.

3. The abandonment by the Company under the authority of this Act of the railways and piers 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 lines of the railways and piers and shall not prejudice or affect the right of the Compensation for damage to land by entry &c. for purposes of railways and piers abandoned.

A.D. 1892. — 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 (Scotland) Act 1845 or the Act of 1887.

Compensation to be made in respect of railways and piers abandoned.

4. Where any contract has been entered into or notice given or any provision has been made under or by the Act of 1887 for the purchase by the Company of any land or property for the purposes of or in relation to the railways and piers authorised to be abandoned by this Act or any portion thereof the Company shall be released from all liability to purchase or to complete the purchase of any such lands or property but notwithstanding full compensation shall be made by the Company to the owners and occupiers or other persons interested in such lands or property for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract notice or provision aforesaid and the amount and application of the compensation shall be determined in the manner provided by the Lands Clauses Consolidation (Scotland) 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 43 of the Act of 1887 with respect to compensation to landowners and other persons injured and for the protection of creditors the Court of Exchequer in Scotland or in time of vacation the Lord Ordinary officiating on the Bills in the Court of Session in Scotland may and shall at any time after the passing of this Act on application by or on behalf of the person or persons named in the warrant or order mentioned in section 42 of the Act of 1887 or the survivors or survivor of such persons or the majority of such persons or survivors or the executors or administrators of such person or survivor in a summary way order the sum of eight thousand three hundred and ninety-five pounds fourteen shillings and sevenpence being the railway deposit fund mentioned in the said section 42 and the interest or dividends thereon or the securities upon which the same may have been or may be invested to be paid or transferred to the person or persons so applying or their assigns 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 eight thousand three hundred and ninety-five pounds fourteen shillings and sevenpence and the interest or dividends thereon and the securities aforesaid shall be paid or transferred accordingly.

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 for the purposes of this Act and of section 43 of the Act of 1887 the Company shall be deemed to have been ordered to be wound up within the meaning of that section. A.D. 1892.
Company to
wind up
their affairs.

7. When all the debts liabilities and engagements of the Company are paid satisfied or 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 1887 shall be by this Act repealed and the agreements set forth in the Second and Third Schedules to that Act shall be null and void. Dissolution
of Company.

8. All costs charges and expenses of and incident to the preparing 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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