



CHAPTER XX.

An Act for the Abandonment of the Holsworthy and Bude Railway. A.D. 1892.
[20th May 1892.]

WHEREAS by the Holsworthy and Bude Railway Act 1883 (in this Act called "the Act of 1883") the Holsworthy and Bude Railway Company (in this Act called "the Company") was incorporated and empowered to make and maintain the railway in the Act of 1883 described from Holsworthy in the county of Devon to Bude in the county of Cornwall and to raise a capital of one hundred and twenty thousand pounds in shares and to borrow on mortgage forty thousand pounds:

And whereas by the Holsworthy and Bude Railway Act 1888 (in this Act called "the Act of 1888") the period limited by the Act of 1883 for the completion of the railway was extended and enlarged until the twentieth day of August one thousand eight hundred and ninety:

And whereas by the Holsworthy and Bude Railway Act 1890 (in this Act called "the Act of 1890") the period limited by the Act of 1888 for the completion of the railway was further extended and enlarged until the twentieth day of August one thousand eight hundred and ninety-two:

And whereas no part of the capital authorised by the Act of 1883 has been raised and none of the powers of that Act with respect to the purchase of land and the making of the railway have been exercised and it is expedient that the railway 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

A.D. 1892. Commons in this present Parliament assembled and by the authority of the same as follows :—

Short title. **1.** This Act may be cited as the *Holsworthy and Bude Railway (Abandonment) Act 1892.*

Making of railway abandoned. **2.** The Company shall abandon the construction of the railway and works authorised by the Act of 1883 (in this Act called “the Railway”).

Compensation for damage to land by entry &c. for purposes of railway abandoned. **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 for the purposes of the railway 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 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 purchasing of any land for the purposes of or in relation to the railway or any portion thereof authorised to be abandoned by this Act the Company shall be released from all liability to purchase or 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 this Act and of section 39 of the Act of 1883 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 the application of the person or persons or the majority of the persons named in the warrant or order mentioned in section 38 of the Act

of 1883 or the survivor or survivors of such persons or the executors administrators or assigns of such survivor order that the sum of five thousand seven hundred and fifty pounds mentioned in the said section 38 of the Act of 1883 or the stocks funds or securities in which the same is invested together with any interest or dividends due and payable thereon shall be paid or transferred to the person or persons so applying or to any other person or persons whom he or they may appoint in that behalf and upon such order being made the said sum or the stocks funds or securities in which the same is invested and the interest or dividends thereon shall be paid or transferred accordingly.

A.D. 1892.
—

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 39 of the Act of 1883 the Company shall be deemed to have been ordered to be wound up within the meaning of that section.

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 Acts of 1883 1888 and 1890 shall be by this Act repealed.

Dissolution
of Company.

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.

Printed by EYRE and SPOTTISWOODE,

FOR

T. DIGBY PIGOTT, Esq., C.B., the Queen's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from
EYRE AND SPOTTISWOODE, EAST HARDING STREET, FLEET STREET, E.C.; or
JOHN MENZIES & Co., 12, HANOVER STREET, EDINBURGH, and
90, WEST NILE STREET, GLASGOW; or
HODGES, FIGGIS, & Co., 104, GRAFTON STREET, DUBLIN.

