

[55 & 56 Vict.]

*Rossendale Valley Tramways*  
(Abandonment) Act, 1892.

[Ch. lxxxvi.]



## CHAPTER lxxxvi.

An Act for the abandonment of part of the Rossendale Valley Tramways and for other purposes. A.D. 1892.

[20th June 1892.]

**W**HEREAS under and by virtue of the Manchester Bury and Rochdale Tramways (Extensions) Order 1882 (herein-after referred to as "the Order of 1882") confirmed by the Tramways Orders Confirmation (No 3) Act 1882 the Manchester Bury Rochdale and Oldham Steam Tramways Act 1884 the Manchester Bury Rochdale and Oldham Steam Tramways (Extension of Time) Act 1885 and the Manchester Bury Rochdale and Oldham Steam Tramways Act 1887 the Manchester Bury Rochdale and Oldham Steam Tramways Company (herein-after referred to as "the Manchester Company") were authorised amongst other things to construct certain tramways in the County of Lancaster to be called the Rossendale Valley Tramways :

And whereas the Manchester Company did not commence the construction of the said Rossendale Valley Tramways nor raise any capital for the purposes thereof :

And whereas by the Rossendale Valley Tramways Act 1888 (herein-after referred to as "the Act of 1888") certain persons therein named were united into a company and incorporated by the name of the Rossendale Valley Tramways Company (herein-after referred to as "the Company") and the Rossendale Valley Tramways were vested in the Company who were empowered to construct complete work and maintain the same tramways and to exercise in respect of such tramways the powers conferred on the Manchester Company by the Order of 1882 and the subsequent Acts herein-before referred to And it was further enacted that all the right title and interest of the depositors and the Manchester Company in or to the sum of one thousand six hundred and fifty-eight pounds

A.D. 1892. fourteen shillings and eightpence consolidated three pounds per centum annuities and five pounds six shillings and twopence cash therein named (herein-after referred to as "the original deposit fund") should be transferred to or vested in the Company And it was further enacted that the time for the completion and opening for public traffic of the Rossendale Valley Tramways should be extended to the twelfth day of July one thousand eight hundred and eighty-nine And the capital of the Company was fixed at eighty thousand pounds in eight thousand shares of ten pounds each :

And whereas the Company completed and opened for traffic certain portions of the Rossendale Valley Tramways (being Tramways Nos. 13 14 15 16 17 18 and 19 authorised by the Order of 1882 within the period limited by the Act of 1888 and by order of the High Court portions of the original deposit fund were from time to time ordered to be paid to and were received by the Company and the residue of the original deposit fund is now represented by the sum of six hundred and seventy-five pounds nineteen shillings and eightpence two and a half per centum stock and certain interest or dividends accrued thereon which sum is herein-after referred to as "the Deposit Fund of 1888" :

And whereas by the Rossendale Valley Tramways (Burnley Extension) Act 1889 (herein-after referred to as "the Act of 1889") the Company were authorised to construct certain further tramways and other works in the county of Lancaster and were also authorised to raise the further sum of sixty thousand pounds by the issue of new shares or stock as therein mentioned :

And whereas provision is made by the Act of 1889 with reference to a sum of one thousand five hundred and twenty-four pounds two and a half per centum stock transferred to the Paymaster-General for and on behalf of the Supreme Court in respect of the application to Parliament for that Act :

And whereas certain portions of the tramways to be constructed by the Company under the Act of 1889 being Tramway No 2 and part of Tramway No. 1 were constructed within the period limited by the Act of 1889 :

And whereas by an Order of the High Court made on the twenty-seventh day of October one thousand eight hundred and ninety-one it was ordered that the sum of three hundred and seventeen pounds two and a half per centum stock part of the said last mentioned deposit fund should be sold and the proceeds paid to a certain person therein named on behalf of the Company and which sale and payment were afterwards duly made thereby reducing the said deposit fund to the sum of one thousand two hundred and seven pounds two and



a half per centum stock which with the accruing interest and dividends thereof is herein-after referred to as "the Deposit Fund of 1889":

A.D. 1892.

And whereas the powers of the Company under the Act of 1889 for the compulsory purchase of land have expired and none of their powers in relation to the purchase of land have been exercised and the Company are unable to exercise such powers:

And whereas the Company have raised the sum of fifty thousand pounds by the issue of five thousand ordinary shares of ten pounds each and the sum of two thousand seven hundred pounds by the issue of two hundred and seventy preference shares of ten pounds each and it is expedient that the capital and borrowing powers of the Company should be limited:

And whereas it is expedient that the residue of the said respective tramways and works should be abandoned and that such provisions as are herein-after contained should be made with reference to the application and repayment of the said deposit funds of 1888 and 1889 respectively and the interest and dividends thereon and with reference to the capital of the Company:

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:—

1. This Act may be cited as the *Rossendale Valley Tramways* Short title.  
(Abandonment) Act 1892.

2. The Company shall abandon the construction of so much of Tramway No. 10 authorised by the Order of 1882 as extends from the existing terminus of such tramway in Market Street Facit to the authorised termination of the said Tramway No. 10 and also Tramway No. 11 and Tramway No. 12 authorised by the same Order and also so much of Tramway No. 1 authorised by the Act of 1889 as extends from the existing terminus thereof at Crawshawbooth in the Burnley Road to the authorised termination of such tramway in Manchester Road Burnley.

Abandonment of tramways.

3. The abandonment by the Company under the authority of this Act of the said tramways and portions of tramways shall not prejudice or affect the right of the owner or occupier of any land

Compensation for damage to land by



A.D. 1892.  
entry &c. for  
purposes of  
tramways  
abandoned.

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 lines of tramways 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 Order of 1882 and the Acts of 1888 and 1889 respectively.

Compensa-  
tion to be  
made in  
respect of  
tramways  
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 tramways 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 and 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.

Repayment  
of deposit  
funds.

5. Subject to the provisions of the Order of 1882 and of any regulations of the Board of Trade applicable to the original deposit and of section thirty-seven of the Act of 1889 with respect to compensation to landowners or other persons injured and to road authorities and for the protection of creditors the High Court may and shall at any time after the passing of this Act on the application by or on behalf of the Company order that the sums of six hundred and seventy-five pounds nineteen shillings and eightpence two and a half per centum consolidated stock and one thousand two hundred and seven pounds like stock (being the deposit funds of 1888 and 1889 respectively) together with the accruing and accrued interest and dividends thereon respectively may be paid or transferred to the respective depositors or their assigns or to such person or persons as they may appoint in that behalf and upon such order being made the said sums and the interest or dividends thereon shall be paid or transferred to the respective depositors or their assigns or to such person or persons accordingly.

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6. Notwithstanding anything contained in the Acts herein-before recited or referred to and subject to the conditions and provisions of such Acts the capital of the Company shall not at any time exceed the sum of seventy thousand pounds nor shall the Company be entitled to borrow any larger aggregate sum than fifteen thousand pounds. A.D. 1892.  
Limitation  
of capital.

7. All costs charges and expenses preliminary to and 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. Costs of Act.

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