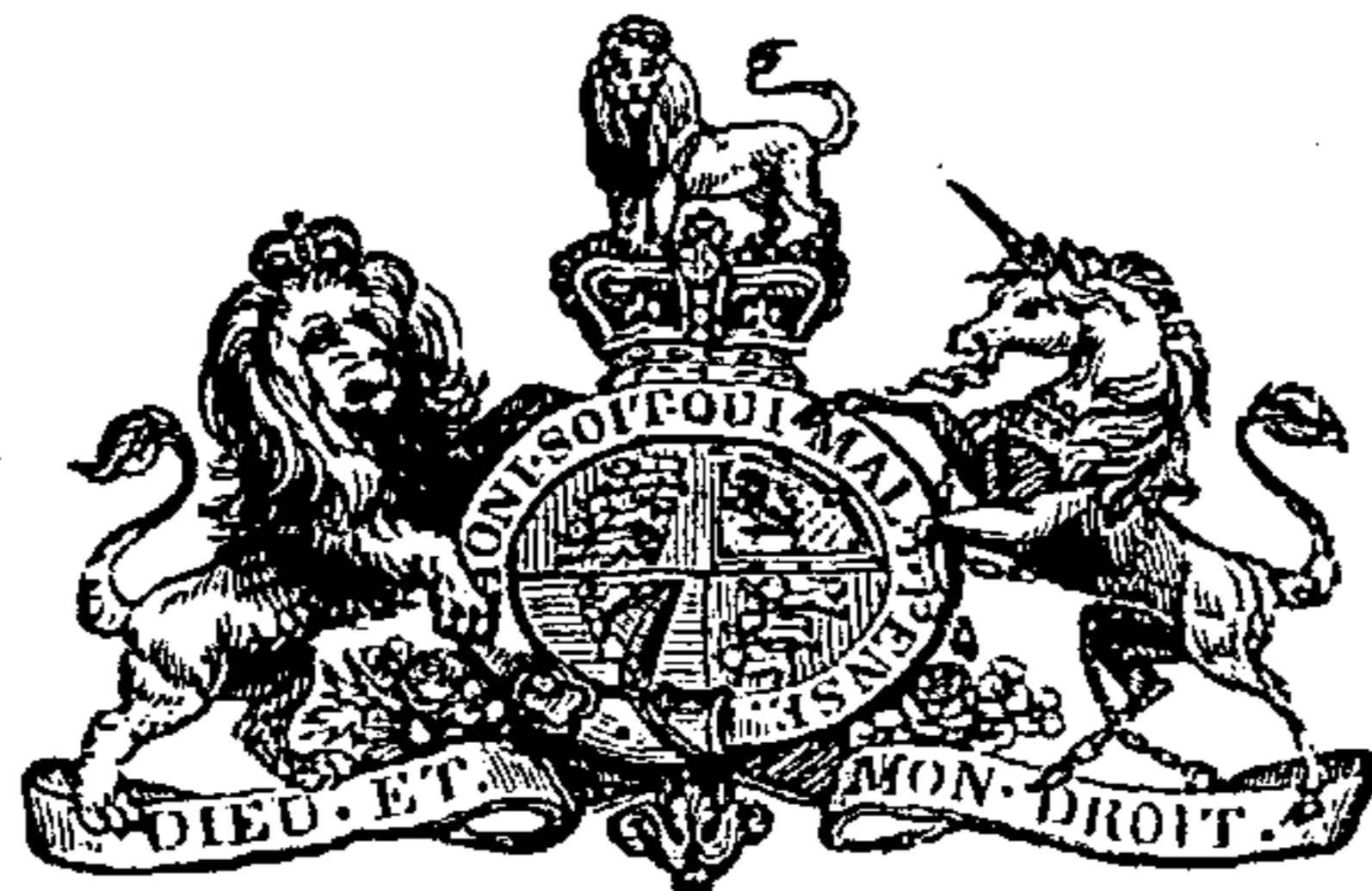


[56 & 57 VICT.]

*Cheadle Railway Mineral and  
Land Company Limited Act, 1893.*

[Ch. lxxxix.]



### CHAPTER lxxxix.

An Act to extend the time for the completion of the authorised Railway of the Cheadle Railway Mineral and Land Company Limited and for other purposes. A.D. 1893.

[29th June 1893.]

**W**HEREAS by the Cheadle Railway Mineral and Land Company Limited Act 1888 (in this Act called "the Act of 1888") the Cheadle Railway Mineral and Land Company Limited (in this Act called "the Company") were authorised to make and maintain a railway in the parishes of Draycott-in-the-Moors and Cheadle in the county of Stafford (in this Act called "the railway"):

And whereas the period limited by the Act of 1888 for the completion of the railway will expire on the seventh day of August one thousand eight hundred and ninety-three and it is expedient that such period should be extended as by this Act provided:

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 Cheadle Railway Mineral and Land Company Limited Act 1893. Short title.

2. Part II. (relating to extension of time) of the Railways Clauses Act 1863 is incorporated with and forms part of this Act. Incorporation of part of Railways Clauses Act 1863.

3. The period limited by the Act of 1888 for the completion of the railway is hereby extended for the period of three years from the seventh day of August one thousand eight hundred and ninety-three and if the railway is not completed within such extended Extension of time for completion of railway.

[Price 3d.]

A.D. 1893. — period then on the expiration of that period the powers granted to the Company for making and completing the railway or otherwise in relation thereto shall cease except as to so much thereof as is then completed.

As to repayment of deposit money.

4. Section 7 of the Act of 1888 is hereby repealed and in lieu thereof it is hereby enacted as follows:—

Whereas pursuant to the Standing Orders of both Houses of Parliament and to an Act of the ninth year of the reign of Her present Majesty chapter twenty a sum of two thousand five hundred and sixty-one pounds seven shillings and one penny Reduced three pounds per centum annuities being equal to five per centum upon the amount of the estimate in respect of the railway was transferred into the name of the Paymaster-General for and on behalf of the Supreme Court in respect of the application to Parliament for the Act of 1888 which sum has been converted into a like sum of two and three quarters per centum Consolidated stock and such last-mentioned sum is referred to in this Act as the deposit fund Be it enacted that notwithstanding anything contained in the said Act the deposit fund shall not be paid or transferred to or on the application of the person or persons or the majority of the persons named in the warrant or order issued in pursuance of the said Act or the survivors or survivor of them (which persons survivors or survivor are or is in this Act referred to as the depositors) unless the Company shall previously to the expiration of the period extended and limited by this Act for the completion of the railway open the same for the public conveyance of passengers and if the Company shall make default in so opening the railway the deposit fund shall be applicable and shall be applied as provided by the next following section Provided that if within such period as aforesaid the Company open any portion of the railway for the public conveyance of passengers then on the production of a certificate of the Board of Trade specifying the length of the portion of the railway opened as aforesaid and the portion of the deposit fund which bears to the whole of the deposit fund the same proportion as the length of the railway so opened bears to the entire length of the railway the High Court of Justice in England shall on the application of the depositors or the majority of them order the portion of the deposit fund specified in the certificate to be paid or transferred to them or as they shall direct and the certificate of the Board of Trade shall be sufficient evidence of the facts therein certified and it shall not be necessary to produce any certificate



of this Act having passed anything in the above-mentioned Act to the contrary notwithstanding. A.D. 1893.

5. Section 8 of the Act of 1888 is hereby repealed and in lieu thereof it is hereby enacted as follows:— Application of deposit fund.

If the Company do not previously to the expiration of the period extended and limited by this Act for the completion of the railway complete the same and open it for the public conveyance of passengers then and in every such case the deposit fund or so much thereof as shall not have been paid to the depositors shall be applicable and after due notice in the London Gazette shall be applied towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the railway or any portion thereof and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the High Court may seem fit and if no such compensation is payable or if a portion of the deposit fund has been found sufficient to satisfy all just claims in respect of such compensation then the deposit fund or such portion thereof as may not be required as aforesaid shall if a receiver has been appointed or the Company is insolvent and has been ordered to be wound up or the railway has been abandoned be paid or transferred to such receiver or to the liquidator or liquidators of the Company or be applied in the discretion of the court as part of the assets of the Company for the benefit of the creditors thereof and subject to such application shall be repaid or retransferred to the depositors Provided that until the deposit fund has been repaid or retransferred to the depositors or has become otherwise applicable as herein-before mentioned any interest or dividends accruing thereon shall from time to time and as often as the same shall become payable be paid to or on the application of the depositors.

6. Nothing in any agreement made under the authority of this Act or the Act of 1888 shall affect the rights of Her Majesty's Postmaster-General under the Telegraph Act 1878 to place and maintain telegraphic lines in under upon along over or across so much of the undertaking of the Company as comprises the railway of the Company and the works connected therewith (in this section referred to as "the railway undertaking") and from time to time to alter such telegraphic lines and to enter upon the land and works comprised in the railway undertaking for the purposes in the Saving for Postmaster-General.

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A.D. 1893. Telegraph Act 1878 specified and the Postmaster-General shall after the making of any such agreement be at liberty to exercise all the rights aforesaid notwithstanding that the railway undertaking of the Company is worked by the North Staffordshire Railway Company as freely and fully in all respects as he was entitled to do before the making of any such agreement.

As to transmission of telegraphic messages.

7. Nothing in this Act or in the Act of 1888 relating to the making of agreements for the working of the railway and works of the Company or any part thereof by the North Staffordshire Railway Company shall extend to impose upon the Postmaster-General the obligation of transmitting under the provisions of the Telegraph Act 1868 or any agreement made in pursuance thereof between the Postmaster-General and the North Staffordshire Railway Company any larger number of telegraphic messages of that company free of charge than the Postmaster-General would have been bound to transmit had such working agreements not been authorised.

Provision as to general Railway Acts.

8. Nothing in this Act contained shall exempt the Company or the railway from the provisions of any general Act relating to railways or the better and more impartial audit of the accounts of railway companies now in force or which may hereafter pass during this or any future session of Parliament or from any future revision or alteration under the authority of Parliament of the maximum rates of fares and charges or of the rates for small parcels authorised by the Act of 1888.

Costs of Act.

9. 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.

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