



Railways Clauses Consolidation Act 1845

1845 CHAPTER 20 8 and 9 Vict

Temporary use of lands

42 Owners of lands may compel company to purchase lands so temporarily occupied.

In all cases in which the company shall in exercise of the powers aforesaid enter upon any lands for the purpose of making spoil banks or side cuttings thereon, or for obtaining therefrom materials for the construction or repair of the railway, it shall be lawful for the owners or occupiers of such lands, or parties having such estates or interests therein as, under the provisions in the said Lands Clauses Consolidation Act mentioned, would enable them to sell or convey lands to the company, at any time during the possession of any such lands by the company, and before such owners or occupiers shall have accepted compensation from the company in respect of such temporary occupation, to serve a notice in writing on the company requiring them to purchase the said lands, or the estates and interests therein capable of being sold and conveyed by them respectively; and in such notice such owners or occupiers shall set forth the particulars of such their estate or interest in such lands, and the amount of their claim in respect thereof; and the company shall thereupon be bound to purchase the said lands, or the estate and interest therein capable of being sold and conveyed by the parties serving such notice.

Modifications etc. (not altering text)

C1 Ss. 30-44 incorporated (with modifications) (9.10.1997) by S.I. 1997/2534, arts. 3(1)(3), 10(5)

Status:

Point in time view as at 28/04/2003. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Railways Clauses Consolidation Act 1845, Section 42.