



ANNO TRICESIMO PRIMO & TRICESIMO SECUNDO

VICTORIÆ REGINÆ.

Cap. Iv.

An Act to repeal “The *West Riding and Grimsby Railway (Extension) Act, 1865.*”

[25th June 1868.]

WHEREAS the Undertaking of the *West Riding and Grimsby Railway Company*, which consists of a Railway from *Wakefield* to *Barnetby-on-Don* and of a Branch Railway to the Neighbourhood of *Doncaster*, was by “The *West Riding and Grimsby Railway (Transfer) Act, 1866,*” transferred to the *Great Northern* and to the *Manchester, Sheffield, and Lincolnshire Railway Companies* jointly, and the said Undertaking is now vested in those Two Companies, and is managed by a Joint Committee appointed by them under the Powers of the said Act, and called “The *West Riding Railway Committee,*” and the *West Riding and Grimsby Railway Company* has ceased to exist: And whereas an Act was passed in the Year One thousand eight hundred and sixty-five, under the Title of “The *West Riding and Grimsby Railway (Extension) Act, 1865,*” to authorize the *West Riding and Grimsby Railway Company* to construct a Railway from the *South Yorkshire Railway* where it crosses the *Trent* at *Keadby* to the *Great Northern Railway* at *Lincoln*, and to raise for that Purpose a Capital of Four hundred thousand Pounds by Shares, and to borrow One hundred

29 & 30 Vict. c. clxii.
28 & 29 Vict. c. cccxxxi.

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and thirty-three thousand Pounds; and by the said Transfer Act the Power to construct the said Extension was transferred to the Two Companies, who were authorized (Section 20) each to raise the Sum of Two hundred thousand Pounds by Shares, and Sixty-six thousand six hundred Pounds by Loan, for the Purposes of the said Extension: And whereas the raising of the said Capital would be attended with great Difficulty and Expense, and would be burdensome to both the Two Companies, and it is expedient that the said Extension should be abandoned and that the said Extension Act should be repealed, and that all the Provisions relating to the said Extension in the said Transfer Act should likewise be repealed: And whereas the Purposes of this Act cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and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,)

Short Title.

1. This Act may be cited for all Purposes as "*The West Riding and Grimsby Railway (Abandonment) Act, 1868.*"

Interpretation of Terms.

2. In this Act the Words "the Two Companies" mean the *Manchester, Sheffield, and Lincolnshire*, and the *Great Northern Railway Companies* jointly; the Words "the Extension" mean the Railway and the Works connected therewith authorized to be constructed by "*The West Riding and Grimsby Railway (Extension) Act, 1865;*" the Words "the *West Riding Railway Company*" mean the *West Riding and Grimsby Railway Company*; and the Expression "Superior Courts" or "Court of competent Jurisdiction," or other like Expression in this Act or any Act incorporated herewith, shall be read and have Effect as if the Debt or Demand with respect to which the Expression is used were a common Simple Contract Debt, and not a Debt or Demand created by Statute.

28 & 29 Vict. c. cccxxxi. repealed.

3. "*The West Riding and Grimsby Railway (Extension) Act, 1865,*" is hereby repealed, and all the Powers and Provisions therein contained shall, as from the passing of this Act, be of no Effect; and the Provisions contained in Sections 4, 14, and from 20 to 29, both inclusive, of "*The West Riding and Grimsby Railway (Transfer) Act, 1866,*" with respect to the Extension and the raising of Capital by the Two Companies for the Purposes thereof, are hereby also repealed.

Compensation for Damage to Land by Entry, &c.

4. The Repeal of the said Act and of the said Enactments, and the Abandonment by the Two Companies under the Authority of this Act of the Construction of the Extension, shall not prejudice or affect the Right of the Owner or Occupier of any Land to receive

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Compensation in accordance with the Provisions in that Behalf of "The Lands Clauses Consolidation Act, 1845," for any Damage occasioned by the Entry on such Land for the Purposes 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 may have been temporarily occupied for the Purposes of the said Extension to receive Compensation from the Two Companies in accordance with the Provisions in that Behalf of "The Railways Clauses Consolidation Act, 1845," 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 last-mentioned Act or "The *West Riding and Grimsby Railway (Extension) Act, 1865.*"

for Purposes
of Railway
abandoned.

5. Where before the passing of this Act any Contract may have been entered into or Notice given by the *West Riding Railway Company*, or the Two Companies, for the Purchase of any Land for the Purposes of or in relation to the Extension or Works authorized to be abandoned by this Act, full Compensation shall be made by the Two Companies 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," for determining the Amount and Application of Compensation paid for Lands taken under the Provisions thereof.

Compensa-
tion to be
made in re-
spect of Rail-
way aban-
doned.

6. The Two Companies severally may apply any Monies which they are already authorized to raise by Shares or Stock, or by Loan, and which are not required for the Purposes for which they are authorized to be raised, in Payment of the Compensation herein-before provided for to any Owner or Occupier of Land over which Powers are taken by "The *West Riding and Grimsby Railway (Extension) Act, 1865,*" and in Payment of the Costs of obtaining that Act and incidental thereto, and of the Costs of obtaining this Act and incidental thereto, and to the Abandonment of the Extension; and the said Payments shall be made equally by the Two Companies.

Two Com-
panies may
apply Funds
to specific
Purposes.

7. And whereas "The *West Riding and Grimsby Railway (Extension) Act, 1865,*" was introduced into Parliament under the Name of "The *Althorpe-on-Trent and Lincoln Railway Bill,*" and the Deposit of Money made in pursuance of the Standing Orders of both Houses of Parliament with the Accountant General of the Court of

Providing
for Return of
Deposit.

of

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of Chancery in *England* was made in respect of the Application to Parliament for the said Bill: But inasmuch as the Powers of the said Act were conferred on "The *West Riding and Grimsby Railway Company*," the Name of the said Act was by the First Section thereof declared to be "The *West Riding and Grimsby Railway (Extension) Act, 1865*," be it enacted, That the Court of Chancery may at any Time after the passing of this Act order that the Amount of Three Pounds *per Centum* Consolidated Bank Annuities now standing in the Name of the Accountant General of the said Court in pursuance of the 35th and 36th Sections of "The *West Riding and Grimsby Railway (Extension) Act, 1865*," in respect of the Application to Parliament for the "*Althorpe-on-Trent and Lincoln Railway Bill*," and any Dividends on the said Amount may be transferred and paid to or on the Application of the Persons, or the Survivor of the Persons, named in the Warrant or Order issued in pursuance of the Act of 9th Year of Her present Majesty, Chapter 20.

Railways not exempt from Provisions of present and future General Acts.

8. Nothing herein contained shall be deemed or construed to exempt either of the Two Companies 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 and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges, or of the Rates for small Parcels, authorized to be taken by the Two Companies.

Expenses 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 Two Companies equally.

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