

[43 & 44 VICT.] *Manchester and Milford Railway* [Ch. lxxv.]  
(*Devil's Bridge Branch Abandonment*) Act, 1880.



### CHAPTER lxxv.

An Act to authorise the Manchester and Milford Railway Company to abandon the Branch Railway to Devil's Bridge; and for other purposes. A.D. 1880.  
[19th July 1880.]

WHEREAS by the Manchester and Milford Railway (Devil's Bridge Branch) Act, 1873 (herein-after referred to as the Act of 1873), the Company (in this Act called the Company) were authorised to construct a branch railway to Devil's Bridge: 36 & 37 Vict. c. viii.

And whereas by the Manchester and Milford Railway Act, 1876, (in this Act called "the Act of 1876,") the time for purchasing land and completing the branch railway authorised by the Act of 1873 was extended: 39 & 40 Vict. c. ix.

And whereas no part of the capital authorised by the Act of 1873 has been raised, and none of the powers of that Act or of the Act of 1876 in relation to the purchase of land for or of making the said Branch railway have been exercised, and the Manchester and Milford Railway is now in the hands of a receiver appointed by the Chancery Division of the High Court of Justice, and the Company are unable to raise the funds required for making the said branch railway to Devil's Bridge; and it is expedient that the same should be abandoned:

And whereas the objects aforesaid cannot be attained 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 for all purposes be cited as the Manchester and Milford Railway (Devil's Bridge Branch Abandonment) Act, 1880. Short title.

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A.D. 1880.

Company to  
abandon  
Devil's  
Bridge  
Branch.

Compensa-  
tion for  
damage to  
land by entry,  
&c., for  
purpose of  
railway  
abandoned.

8 & 9 Vict.  
c. 20.

Compensa-  
tion to be  
made in  
respect of  
railway  
abandoned.

8 & 9 Vict.  
c. 18.

Return of  
deposit,  
under 36 &  
37 Vict.  
c. viii.  
and applica-  
tion thereof.

2. Subject to the provisions of this Act, the Company shall abandon the construction of the branch railway to Devil's Bridge authorised by the Act of 1873.

3. The abandonment by the Company under the authority of this Act of the said branch railway 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 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 by the Company 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 1873.

4. Where before the passing of this Act any contract may have been entered into or notice given by the Company for the purchasing of any land for the purposes of or in relation to the said branch railway and works authorised to be abandoned by this Act, 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 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 land taken under the provisions thereof.

5. Subject to the provisions of section nineteen of the Act of 1873, with respect to payment of compensation to landowners and other persons injured, and to protection of creditors, the High Court of Justice (Chancery Division), on the application of the person or persons named in the warrant or order mentioned in section eighteen of the Act of 1873, or the survivor of them, or the executors or administrators of such survivor, by petition in a summary way at any time after the passing of this Act, may and shall order that the sum of one thousand four hundred and twenty-six pounds, being five per centum on the amount of the estimate in respect of the branch railway authorised by the Act of 1873

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mentioned in the said section eighteen, and the interest (if any) on that sum shall be paid to the persons or person so applying, or to any other persons or person whom they or he may appoint in that behalf. A.D. 1880.

6. When all the debts, liabilities, and engagements of the Company incurred and entered into, under, and by virtue of the Act of 1873 are paid, satisfied, or discharged, the Acts of 1873 and 1876 shall, so far as regards the said branch railway, be by this Act repealed. Repeal of 36 & 37 Vict. c. viii. & 39 & 40 Vict. c. ix.

7. 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. Expenses of Act.

