

[54 VICT] *Ogmore Dock and Railway (Abandonment)* [Ch. xvii.]
Act, 1891.



CHAPTER xvii.

An Act for the Abandonment of the Undertaking of the Ogmore Dock and Railway Company and for other purposes. A.D. 1891.
[11th May 1891.]

WHEREAS by the Ogmore Dock and Railway Act 1883 (in this Act called "the Act of 1883") the Ogmore Dock and Railway Company (in this Act called "the Company") were incorporated and empowered to make and maintain certain railways (in this Act referred to as "the railway") extending from the Llynvi and Ogmore Railway near Bridgend to near the mouth of the River Ogmore and also a dock at or near the mouth of the said river and other works all in the county of Glamorgan (all of which works are in this Act referred to as "the railway and dock") and to raise a capital of five hundred and seventy thousand pounds in shares and to borrow on mortgage one hundred and ninety thousand pounds: 46 & 47 Vict.
c. cxcvii.

And whereas by the Ogmore Dock and Railway Act 1887 (in this Act called "the Act of 1887") the times respectively limited by the Act of 1883 for the purchase of lands and for completing the railway and dock were extended: 50 & 51 Vict.
c. cxcix.

And whereas the Company have been unable to raise the capital to make the railway and dock and none of the powers of the said Acts with respect to the purchase of land and the making of the railway and dock have been exercised:

And whereas the Company have rescinded the agreement dated the tenth day of July one thousand eight hundred and eighty-three scheduled to and confirmed by the Act of 1883 by notice in writing served upon John Cole Nicholl within the time by the said agreement limited in that behalf as extended by the Act of 1887:

And whereas by the Act of 1883 (sections fifty-seven and fifty-eight) provision is made with reference to a sum of six thousand two hundred and twenty pounds Consolidated Three Pounds per Centum Annuities transferred into the name and with the privity

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A.D. 1891. of the Paymaster General and therein referred to as the railway deposit fund :

And whereas the said sum of Consolidated Bank Annuities has in pursuance of the provisions of the National Debt (Conversion) Act 1888 been exchanged for the sum of six thousand two hundred and twenty pounds Two and three-quarters per cent. Consolidated Stock which sum is herein-after referred to as " the deposit fund " :

And whereas it is expedient that the railway and dock be abandoned and the affairs of the Company wound up and the Company dissolved and that the deposit fund now remaining deposited with the Paymaster General for and on behalf of the Supreme Court be applied and repaid in manner provided by this Act :

And whereas the objects aforesaid 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 as the *Ogmore Dock and Railway (Abandonment) Act 1891.*

Abandonment of railway and dock.

2. The Company shall abandon the making of the railway and dock.

Compensation for damage to land by entry &c. for purposes of railway abandoned.

3. The abandonment of the railway by the Company under the authority of this Act 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 for or probing or boring to ascertain the nature of the soil for or setting out the lines of the 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 for the purposes of the railway 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 for the purposes of the railway of any of the powers contained in the Railways Clauses Consolidation Act 1845 or the Act of 1883 as extended by the Act of 1887.

Compensation to be made in respect of railway 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 railway or any portion thereof the Company shall be released from all liability to

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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 Acts for determining the amount and application of compensation paid for lands taken under the provisions thereof.

5. Subject to the provisions of the fifty-eighth section of the Act of 1883 with respect to compensation to landowners and other persons injured and for the protection of creditors the High Court may and shall at any time after the passing of this Act on application by the depositors mentioned in the fifty-seventh section of the Act of 1883 or the executors or administrators of the survivor of them or by any other persons or person entitled to the deposit fund order that the deposit fund and the interest or dividends thereon may be paid or transferred to the depositors or other persons or person entitled thereto or to any other persons or person whom they or he may appoint in that behalf and upon such order being made the deposit fund and the interest or dividends thereon shall be paid or transferred to such persons or person accordingly.

Providing
for release
of railway
deposit.

6. Forthwith after the passing of this Act the Company shall proceed to wind up their affairs and shall to the extent of their assets pay satisfy and discharge all their debts liabilities and engagements and for the purposes of this Act the Company shall be deemed to have been ordered to be wound up within the meaning of the fifty-eighth section of the Act of 1883.

Company to
wind up
their affairs.

7. When all the debts liabilities and engagements of the Company are to the extent of their assets paid satisfied or discharged and the affairs of the Company are wound up the Company shall be by this Act dissolved and shall thenceforth wholly cease to exist and the Act of 1883 and the Act of 1887 shall be by this Act repealed.

Dissolution
of Company.

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