



CHAPTER xxxv.

An Act for the Abandonment of the St. Austell Valleys Railway and Dock. A.D. 1892.
[20th June 1892.]

WHEREAS by the St. Austell Valleys Railway and Dock Act 1887 (in this Act called "the Act of 1887") the St. Austell Valleys Railway and Dock Company (in this Act called "the Company") were incorporated and authorised to make certain railways in the parishes of St. Austell St. Mewan and St. Ewe all in the county of Cornwall to purchase the existing railway or tramway known as the St. Austell and Pentewan Railway and to acquire hold maintain work and use the dock and the works and conveniences at Pentewan in the said county worked and used in connection therewith:

And whereas the powers granted by the Act of 1887 for the compulsory purchase of land have expired without being exercised and no part of the capital of the Company has been created issued or paid up and it is expedient that the railway be abandoned and the affairs of the Company wound up and the Company dissolved:

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):—

1. This Act may be cited as the St. Austell Valleys Railway and Dock (Abandonment) Act 1892. Short title.

2. The Company shall abandon the construction of the railways authorised by the Act of 1887 (in this Act called "the railway"). Abandonment of railways.

[Price 3d.]

A.D. 1892.

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

3. The abandonment by the Company under the authority of this Act of any portion of any railway or works 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 of the line of railway and shall not prejudice or affect the right of the owner or occupier of any land which has been temporarily occupied by the Company to receive compensation for such temporary occupation or for any loss damage or injury which has 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 1887.

Compensation to be made in respect of portions of railways 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 any portions of the railways or 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 lands taken under the provisions thereof.

Release of deposit.

5. Subject to the provisions of this Act and of section 32 of the Act of 1887 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 or on behalf of the depositors mentioned or referred to in section 31 of the Act of 1887 order the sum of one thousand seven hundred and seventy-five pounds cash being the deposit fund mentioned in the said section 31 and the interest and dividends thereon to be paid or transferred to the depositor or his assigns or to such person or persons as he may appoint in that behalf and upon such order being made the said sum of one thousand seven

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hundred and seventy-five pounds and the interest or dividends thereon shall be paid or transferred accordingly. A.D. 1892.

6. Forthwith after the passing of this Act the Company shall proceed to wind up their affairs and shall pay satisfy and discharge all their debts liabilities and engagements and for the purposes of this Act and of section 32 of the Act of 1887 the Company shall be deemed to have been ordered to be wound up within the meaning of that section. Company to
wind up
their affairs.

7. When all the debts liabilities and engagements of the Company are 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 1887 shall be by this Act repealed and the agreements set forth in Schedules C and D to that Act shall be null and void. Dissolution
of Company.

8. All costs charges and expenses of and incident to the preparing applying for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company. Expenses of
Act.

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