



CHAPTER cxliv.

An Act for the Abandonment of the Brighton Rottingdean and Newhaven Direct Railway. A.D. 1894.
[31st July 1894.]

WHEREAS by the Brighton Rottingdean and Newhaven Direct Railway Act 1886 (in this Act called "the Act of 1886") the Brighton Rottingdean and Newhaven Direct Railway Company (in this Act called "the Company") were incorporated and empowered to make and maintain a railway from Brighton to Rottingdean and Newhaven in the county of Sussex and to raise capital for the purpose :

And whereas by the Brighton Rottingdean and Newhaven Direct Railway Act 1887 (in this Act called "the Act of 1887") the Company were authorised to make a new railway in Brighton and to lay down additional rails on portions of existing and authorised railways in order to avoid the construction of junctions and erection of signals in tunnel and to raise further capital for that purpose :

And whereas by the Brighton Rottingdean and Newhaven Direct Railway Act 1889 (in this Act called "the Act of 1889") the periods limited by the Acts of 1886 and 1887 for the compulsory purchase of lands and also for the completion of the railways and works authorised by those Acts were respectively extended :

And whereas by the Brighton Rottingdean and Newhaven Direct Railway Act 1893 (in this Act called "the Act of 1893") the periods limited by the Acts of 1886 and 1887 for the compulsory purchase of lands as extended by the Act of 1889 were revived and extended and the period for the construction and completion of the railways and works was also extended :

And whereas none of the powers of the Acts of 1886 and 1887 with respect to the purchase of land the making of the railways and works or the raising of capital have been exercised and it is expedient that the railways be abandoned and the affairs of the Company wound up and the Company dissolved :

And whereas it is expedient that such provisions as are hereinafter contained be made with reference to the payment and transfer

[Ch. cxliv.] *Brighton, Rottingdean, and Newhaven* [57 & 58 Vict.]
Direct Railway (Abandonment) Act, 1894.

A.D. 1894. — of the deposit funds referred to in section 42 of the Act of 1886 and section 21 of the Act of 1887 to the depositors referred to in those sections :

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 :—

Short title.

1. This Act may be cited as the Brighton Rottingdean and Newhaven Direct Railway (Abandonment) Act 1894.

Abandonment of railways.

2. The Company shall abandon the construction of the railways and works authorised by the Acts of 1886 and 1887 respectively (herein-after called "the railway").

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

3. The abandonment by the Company under the authority of this Act of the 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 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 in the Act of 1886 or 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 portions thereof the Company shall be released from all liability to purchase or to complete the purchase of any such land but notwithstanding full compensation shall be made by the Company to the owners and occupiers or other persons interested in such land 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.

[57 & 58 VICT.] *Brighton, Rottingdean, and Newhaven* [Ch. cxliv.]
Direct Railway (Abandonment) Act, 1894.

5. Subject to the provisions of this Act and of section 43 of the Act of 1886 and section 22 of the Act of 1887 with respect to compensation to landowners or other persons injured and for the protection of creditors the High Court may at any time after the passing of this Act on application by or on behalf of the depositors referred to in section 42 of the Act of 1886 and in section 21 of the Act of 1887 order that the sum of five thousand nine hundred and seven pounds two and three-quarters per centum consolidated stock the deposit fund mentioned in the Act of 1886 and the sum of one thousand one hundred and eighty-five pounds twelve shillings and twopence two and three-quarters per centum consolidated stock the deposit fund mentioned in the Act of 1887 with any interest or dividends then due on either of the said sums be paid and transferred to the said respective depositors or to such person or persons as they may appoint in that behalf and upon such order being made the said sums of five thousand nine hundred and seven pounds two and three-quarters per centum consolidated stock and one thousand one hundred and eighty-five pounds twelve shillings and twopence like stock and the interest or dividends thereon respectively shall be transferred and paid to the said depositors or to such person or persons accordingly.

A.D. 1894.
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Repayment
of deposit
funds.

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 the Company shall be deemed to be ordered to be wound up within the meaning of section 43 of the Act of 1886 and section 22 of the Act of 1887.

Provision
for winding
up affairs of
Company.

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 Acts of 1886 1887 1889 and 1893 shall be by this Act repealed.

Dissolution
of Company.

8. All costs charges and expenses preliminary to and 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.

Costs of Act.

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