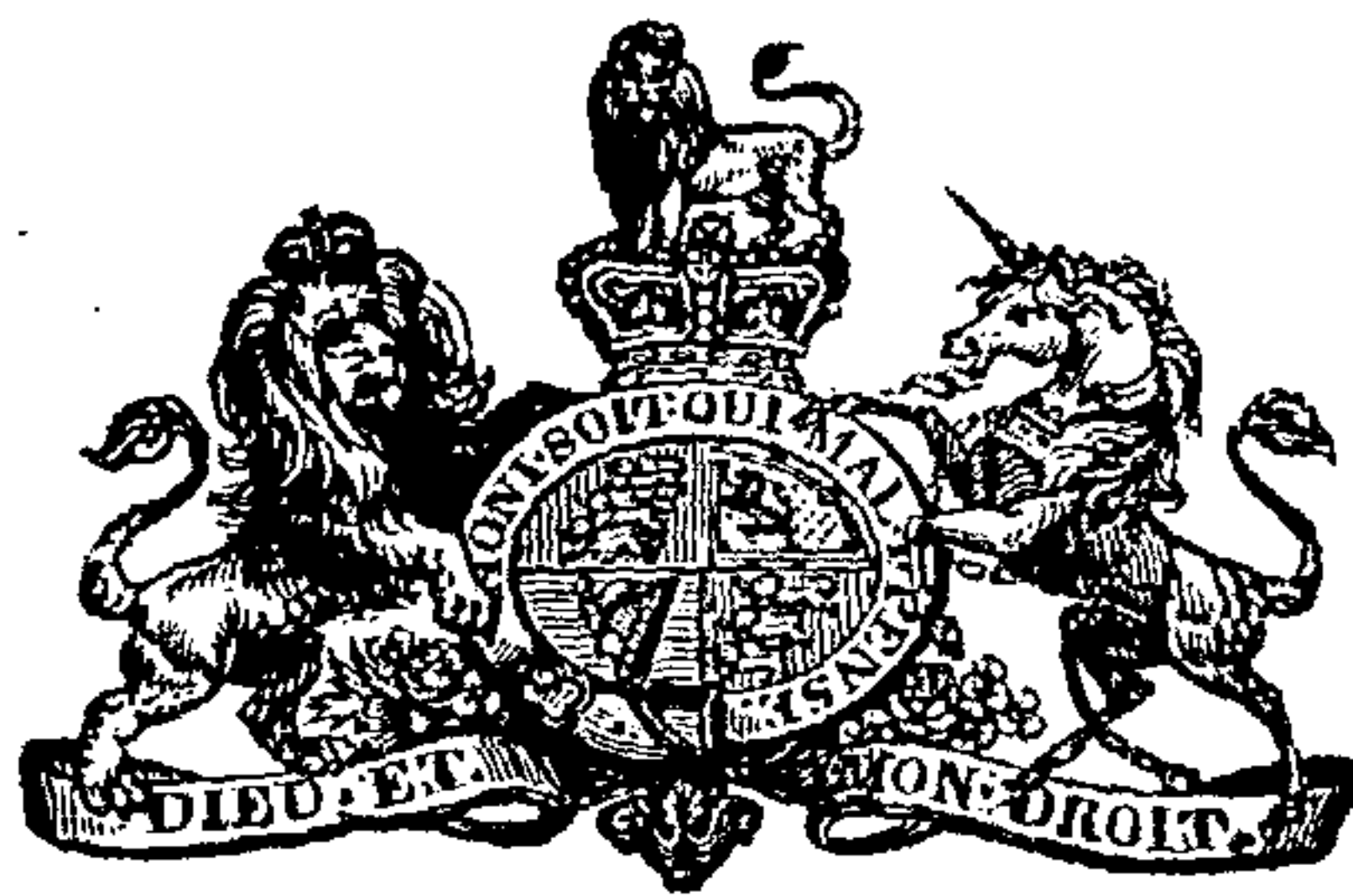


[55 & 56 VICT.] *Eastbourne, Seaford, and Newhaven* [Ch. lxxix.]
Railway (Abandonment) Act, 1892.



CHAPTER lxxix.

An Act for the Abandonment of the Eastbourne Seaford and Newhaven Railway. A.D. 1892.
[20th June 1892.]

WHEREAS by the Eastbourne Seaford and Newhaven Railway Act 1886 (in this Act called the Act of 1886) the Eastbourne Seaford and Newhaven Railway Company (in this Act called the Company) were (section 4) incorporated and empowered (section 5) to make and maintain the railways therein described as Railway No. 1 and Railway No. 2 and (section 6) to raise a share capital of two hundred thousand pounds and (section 18) to borrow not exceeding sixty-six thousand six hundred pounds and (sections 28 and 41) the respective periods limited for the compulsory purchase of lands and for the completion of the railways were three years and five years from the passing of the Act and (section 53) the Company and the London Brighton and South Coast Railway Company were authorised to enter into and carry into effect working and other agreements:

And whereas by the Eastbourne Seaford and Newhaven Railway Act 1889 (in this Act called the Act of 1889) the Company were empowered (section 4) to make the substituted railway by that Act authorised and (section 20) to abandon Railway No. 1 and a portion of Railway No. 2 authorised by the Act of 1886 and (sections 5 and 13) the respective periods limited for the compulsory purchase of lands for the purposes of that Act and for the completion of the substituted railway were three years and five years from the passing of that Act and (section 15) the Company and the London Brighton and South Coast Railway Company were authorised to enter into and carry into effect working and other agreements and (sections 17 and 18) the periods respectively limited by the Act of 1886 for the compulsory purchase of lands therefor and for the completion of so much of the railways thereby authorised as was not by the Act of 1889 abandoned were extended to the twenty-fifth

[Ch. lxxix.] *Eastbourne, Seaford, and Newhaven* [55 & 56 VICT.]
Railway (Abandonment) Act, 1892.

A.D. 1892.

day of June one thousand eight hundred and ninety-one and the twenty-fifth day of June one thousand eight hundred and ninety-four respectively and (section 23) the amount of the share capital of the Company was reduced to ninety thousand pounds and (section 24) the amount which the Company were authorised to borrow was reduced to thirty thousand pounds:

And whereas none of the powers of the Acts of 1886 and 1889 with respect to the purchase of land the making of the portion of Railway No. 2 authorised by the Act of 1886 which was not required to be abandoned by the Act of 1889 or the substituted railway authorised by the Act of 1889 (which portion of railway and substituted railway are in this Act referred to as the railway) or the raising of moneys have been exercised and the Company are unable to exercise such powers and it is expedient that the railway be abandoned and the affairs of the Company wound up and the Company dissolved:

And whereas by the Act of 1886 (sections 39 and 40) provisions were made with reference to a sum of nine thousand two hundred and eighteen pounds one shilling Three per Centum Consolidated Bank Annuities transferred into the name of the Paymaster General for and on behalf of the Supreme Court of Judicature in England in respect of the application to Parliament for that Act which sum was in that Act referred to as the deposit fund:

And whereas by the Act of 1889 after reciting that the said sum of nine thousand two hundred and eighteen pounds one shilling Three per Centum Consolidated Bank Annuities had in pursuance of the National Debt (Conversion) Act 1888 been exchanged for a sum of nine thousand two hundred and eighteen pounds one shilling Two and three-quarters per Centum Consolidated Stock which sum was in that Act and is in this Act referred to as the deposit fund of 1886 provision was made (section 25) for the payment or transfer of the sum of eight thousand and ninety-one pounds one shilling Two and three-quarters per Centum Consolidated Stock portion of the deposit fund of 1886:

And whereas by the Act of 1889 (sections 11 and 12) provisions were made with reference to the sum of two thousand seven hundred and eighty pounds deposited with the Paymaster General for and on behalf of the Supreme Court of Judicature in England in respect of the application to Parliament for that Act which sum has been invested in the purchase of two thousand eight hundred and eighteen pounds sixteen shillings and twopence Two and three-quarters per Centum Consolidated Stock herein-after referred to as the deposit fund of 1889:

[55 & 56 VICT.] *Eastbourne, Seaford, and Newhaven* [Ch. lxxix.]
Railway (Abandonment) Act, 1892.

And whereas it is expedient that such provisions as are hereinafter contained be made with reference to the payment and transfer of the balance of the deposit fund of 1886 and of the deposit fund of 1889 to the respective persons referred to in section 39 of the Act of 1886 and in section 11 of the Act of 1889 respectively as the depositors or to such person or persons as they may respectively appoint in that behalf :

A.D. 1892.

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 :—

1. This Act may be cited as the Eastbourne Seaford and Newhaven Railway (Abandonment) Act 1892. Short title.

2. The Company shall abandon the construction of the railway. Abandonment of railway.

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 the Act of 1886 or the Act of 1889. Compensation for damage to land by entry &c. for purposes 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 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 Compensation to be made in respect of railway abandoned.

[Ch. lxxix.] *Eastbourne, Seaford, and Newhaven* [55 & 56 VICT.]
Railway (Abandonment) Act, 1892.

A.D. 1892: amount and application of compensation paid for lands taken under the provisions thereof.

Repayment
of balance
of deposit
fund of 1886.

5. Subject to the provisions of this Act and of section 40 of the Act of 1886 with respect to compensation to landowners or 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 the application by or on behalf of the depositors referred to in section 39 of the Act of 1886 order that the sum of one thousand one hundred and twenty-seven pounds Two and three-quarters per Centum Consolidated Stock the balance of the deposit fund of 1886 may be paid or transferred to the said depositors or to such person or persons as they may appoint in that behalf and upon such order being made the said sum of one thousand one hundred and twenty-seven pounds Two and three-quarters per Centum Consolidated Stock and the interest or dividends thereon shall be paid or transferred to the said depositors or to such person or persons accordingly.

Repayment
of deposit
fund of 1889.

6. Subject to the provisions of this Act and of section 12 of the Act of 1889 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 the application by or on behalf of the depositors referred to in section 11 of the Act of 1889 order that the said sum of two thousand eight hundred and eighteen pounds sixteen shillings and twopence Two and three-quarters per Centum Consolidated Stock the deposit fund of 1889 with any interest or dividends thereon may be paid or transferred to the said depositors or to such person or persons as they may appoint in that behalf and upon such order being made the deposit fund of 1889 and the interest or dividends thereon shall be paid or transferred to the said depositors or to such person or persons accordingly.

Provision
for winding
up affairs of
Company.

7. 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 40 of the Act of 1886 and section 12 of the Act of 1889.

Dissolution
of Com-
pany.

8. 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 and 1889 shall be by this Act repealed.

[55 & 56 VICT.] *Eastbourne, Seaford, and Newhaven* [Ch. lxxix.]
Railway (Abandonment) Act, 1892.

9. All costs charges and expenses preliminary to and of and A.D. 1892.
incident to the preparing applying for obtaining and passing of this Costs of Act.
Act or otherwise in relation thereto shall be paid by the Company.

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