

[5 EDW. 7.] *Southampton and Winchester Great* [Ch. iv.]  
*Western Junction Railway (Abandonment) Act, 1905.*



#### CHAPTER iv.

An Act for the abandonment of the Southampton and Winchester Great Western Junction Railway. A.D. 1905.

[30th June 1905.]

WHEREAS by the Southampton and Winchester Great Western Junction Railway Act 1901 (hereinafter called "the Act of 1901") a company (hereinafter called "the Company") were incorporated by the name of the Southampton and Winchester Great Western Junction Railway Company and authorised to construct the railways and works in that Act more particularly described :

And whereas the period limited by that Act for the exercise of the powers for the compulsory purchase of lands for the purposes of railways authorised thereby expired on the seventeenth day of August one thousand nine hundred and four and the period for the completion of the works will expire on the seventeenth day of August one thousand nine hundred and six :

And whereas the Company have not exercised any of their powers for the compulsory purchase of lands for or for the execution of their authorised railways and works and it is expedient that the undertaking of the Company be abandoned that their affairs be wound up and that the Company be 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 King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal

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A.D. 1905. 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 Southampton and Winchester Great Western Junction Railway (Abandonment) Act 1905.

Abandonment of railways.

2. The Company shall abandon and relinquish the construction of the railways and works authorised by the Act of 1901.

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 the railways and 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 lines or 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.

Compensation to be made in respect 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 portion of the railways 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 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 Acts for determining the amount and application of compensation paid for lands taken under the provisions thereof.

Providing for repayment of deposit money.

5. Subject to the provisions of this Act and of section 32 of the Act of 1901 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 application by or on behalf of the depositors mentioned or referred

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to in the Act of 1901 or the survivors or survivor of them or the executors or administrators of such survivor or by or on behalf of any other person entitled to the deposit fund referred to in that section order that the said deposit fund and the interest or dividends thereon be paid or transferred to the depositors or any other person or persons entitled thereto or to any persons or person whom they or he may appoint in that behalf and upon such order being made the said deposit fund and the interest or dividends thereon shall be paid or transferred to such persons or person accordingly. A.D. 1905.

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. 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 by a resolution of the directors declared to be wound up the Company shall be by this Act dissolved and shall thenceforth wholly cease to exist and the Act of 1901 shall be by this Act repealed. Dissolution of Company

8. All costs charges and expenses of and incident to the 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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