



## CHAPTER cliii.

An Act for the abandonment of the Bawtry and Trent Railway and Dock. A.D. 1885.  
[6th August 1885.]

WHEREAS by the Rotherham and Bawtry Railway Act 1881 (in this Act called "the Rotherham Act of 1881") the Rotherham and Bawtry Railway Company (in this Act called "the Rotherham Company") were incorporated and empowered to make and maintain certain railways between Rotherham and Bawtry in the west riding of the county of York and in the county of Nottingham and by the Rotherham and Bawtry Railway Act 1882 the Rotherham Company were empowered to make junction railways at Rotherham with the Midland Railway and the Manchester Sheffield and Lincolnshire Railway :

And whereas by the Bawtry and Trent Railway and Dock Act 1882 (in this Act called "the Act of 1882") the Bawtry and Trent Railway and Dock Company (in this Act called "the Company") were incorporated and empowered to make and maintain certain railways commencing by junctions with and in continuation of the railways authorised by the Rotherham Act of 1881 from Bawtry to West Stockwith and also a dock at West Stockwith on the River Trent all in the county of Nottingham and to raise a capital of four hundred thousand pounds in shares and to borrow on mortgage one hundred and thirty-three thousand three hundred and thirty-three pounds :

And whereas the railways and dock authorised by the Act of 1882 would have been dependent in a great measure upon traffic to be derived from the construction of the railways authorised by the Rotherham Act of 1881 :

And whereas the powers for the compulsory purchase of the lands required for the construction of the railways authorised by the Rotherham Act of 1881 have expired and the Rotherham Company have not exercised such powers and no application to Parliament is pending for the revival of such powers :

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And whereas the Company have been unable to raise the capital to make the railways and dock authorised by the Act of 1882 and the funds of the Company are wholly insufficient for the making of the railways and dock and none of the powers of that Act with respect to the purchase of land and the making of the railways or dock have been exercised :

And whereas there are no landowners or other persons injuriously affected by the railways and dock authorised by the Act of 1882 not having been constructed :

And whereas it is expedient that the railways and dock authorised by the Act of 1882 be abandoned and the affairs of the Company wound up and the Company dissolved and that the railway deposit fund mentioned in sections 43 and 44 of the Act of 1882 now remaining in the Chancery Division of the High Court of Justice be 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 :

Short title.

1. This Act may be cited as the Bawtry and Trent Railway and Dock (Abandonment) Act 1885.

Abandonment of railways and dock.

2. The Company shall abandon the making of the railways and dock authorised by the Act of 1882 and on and after the passing of this Act the Company shall except only as is by this Act otherwise expressly provided be absolutely freed and discharged from all obligations with respect to the making and maintaining of the railways and dock.

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

3. The abandonment by the Company under the authority of this Act of the railways and dock 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 the lines of railways and dock 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 1882.

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 railways and dock or any portion thereof 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.

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Compensation to be made in respect of railways and dock abandoned.

5. Subject to the provisions of section 44 of the Act of 1882 and of this Act with respect to compensation to landowners and other persons injured and for the protection of creditors the Chancery Division of the High Court of Justice in England may and shall at any time after the passing of this Act on application by the persons or the majority of the persons named in the warrant or order mentioned in the forty-third section of the Act of 1882 or the survivor or survivors of them by petition in a summary way order that the sum of thirteen thousand three hundred and ninety-six pounds Consolidated Three Pounds per Cent. Annuities mentioned in the said forty-third section of the Act of 1882 or any other stocks or funds in which the same may have been invested and the interest or dividends thereon may be paid or transferred to the person or persons so applying or to any other person or persons whom they or he may appoint in that behalf and upon such order being made the said sum of thirteen thousand three hundred and ninety-six pounds Consolidated Three Pounds per Cent. Annuities or any other stocks or funds in which the same may have been invested and the interest or dividends thereon shall be paid or transferred to such person or persons 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 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 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 1882 shall be by this Act repealed.

Dissolution of Company.

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Expenses of  
Act.

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.

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