



CHAPTER cviii.

An Act for the abandonment of the railways authorised by the Merionethshire Railway Act 1871. [12th July 1887.] A.D. 1887.

WHEREAS by the Merionethshire Railway Act 1871 (hereinafter called "the Act of 1871") the Merionethshire Railway Company (hereinafter called "the Company") were incorporated with a share capital of eighty thousand pounds and with authority to borrow on mortgage twenty-six thousand six hundred pounds and were authorised to make and maintain the railways by that Act authorised in the said Act and in this Act referred to as "the railway":

And whereas by the Merionethshire Railway (Extension of Time) Act 1876 the Merionethshire Railway (Extension of Time) Act 1879 and the Merionethshire Railway (Extension of Time) Act 1882 respectively the time limited by the Act of 1871 for the completion of the railway has been from time to time extended:

And whereas a small portion only of the capital authorised by the Act of 1871 has been raised and the funds of the Company are wholly insufficient for the making of the railway and none of the powers of the Act of 1871 in relation to the taking of land or the making of the railway have been exercised and it is expedient that the railway should be abandoned and the affairs of the Company wound up and the Company dissolved:

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 (that is to say):—

1. This Act may for all purposes be cited as the Merionethshire Short title. Railway (Abandonment) Act 1887.

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Abandon-
ment of
railway.

2. The Company may and shall abandon the making of the railway 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 from all obligation with respect to the making and maintaining of the railway.

Compensa-
tion for
damage to
land by
entry.

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 the line of railway and shall not prejudice or affect the right of the owner or occupier of any land which may have been temporarily occupied by the Company to receive compensation for such temporary occupation or for any loss damage or injury which may have 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 1871 or any other Act relating to the Company.

Compensa-
tion to be
made for
non-com-
pletion of
purchase &c.

4. Where before the passing of this Act any contract may have 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 portion thereof 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.

Providing
for release
of deposit.

5. Subject to the provisions of this Act and of section 7 of the Merionethshire Railway (Extension of Time) Act 1876 with respect to compensation to landowners and other persons injured and for the protection of creditors 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 section 23 of the Act of 1871 or the survivors or survivor of them order that the four thousand three hundred and thirty pounds three shillings and six pence reduced

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three pounds per centum bank annuities in which the sum of four thousand pounds mentioned in that section has been invested and the interest or dividends thereon may be transferred or paid 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 annuities and the interest or dividends thereon shall be transferred or paid to such person or persons accordingly.

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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.

Provision
for winding
up affairs of
Company.

7. For the purposes of section 199 of the Companies Act 1862 and notwithstanding any limitation or exception therein contained the Company shall be deemed to be an unregistered Company whose principal place of business is situate in England and if the Company be wound up under the Companies Acts 1862 and 1867 the provisions of those Acts are hereby made applicable in that behalf.

Application
of section
199 of Com-
panies Act
1862.

8. When all the debts liabilities and engagements of the Company are paid satisfied and 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 thereupon the Act of 1871 and all other Acts relating to the Company shall be by this Act repealed.

Dissolution
of Company.

9. 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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