



### CHAPTER viii.

An Act for the abandonment of the Isle of Axholme Railway. A.D. 1888.  
[30th April 1888.]

WHEREAS by the Isle of Axholme Railway Act 1885 (in this Act called "the Act of 1885") the Isle of Axholme Railway Company (in this Act called "the Company") were incorporated and empowered to make and maintain the railways in the Act of 1885 more fully described extending from Haxey to Crowle in the county of Lincoln and in this Act referred to as "the railways" and to raise a capital of £88,000 in shares and to borrow on mortgage any sum not exceeding £29,300: 48 & 49 Vict. cap. liv.

And whereas no part of the capital authorised by the Act of 1885 has been raised and none of the powers of that Act with respect to the purchase of land and the making of the railways 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 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:—

1. This Act may be cited as the Isle of Axholme Railway Short title.  
(Abandonment) Act 1888.

2. The Company shall abandon the making of the railways 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. Abandonment of railways.

3. The abandonment of the railways by the Company under the authority of this Act shall not prejudice or affect the right of the [Price 3d.] 1 Compensation for damage to land by



[Ch. viii.] *Isle of Aðholme Railway (Abandonment)* [51 Vict.]  
Act, 1888.

A.D. 1888.  
entry, &c.  
for purposes  
of railways  
abandoned.

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 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 in the Act of 1885.

Compensa-  
tion 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 the railways or any portion 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.

Providing  
for release  
of deposit.

5. Subject to the provisions of this Act and of section 26 of the Act of 1885 with respect to compensation to landowners and other persons injured and for the protection of creditors the High Court of Justice may and shall at any time after the passing of this Act on application by the depositors or depositor mentioned in section 25 of the Act of 1885 order that the sum of four thousand six hundred and ninety-nine pounds nine shillings Two pounds ten shillings per Centum Annuities mentioned in the said section 25 of the Act of 1885 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 the depositors or depositor or to any other person or persons whom the depositors or depositor may appoint in that behalf and upon such order being made the said sum of four thousand six hundred and ninety-nine pounds nine shillings Two pounds ten shillings per Centum 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 accordingly.

[51 Vict.]      *Isle of Axholme Railway (Abandonment)*      [Ch. viii.]  
Act, 1888.

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.

A.D. 1888.

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 1885 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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