CHAPTER iv.

An Act for the Abandonment of the Tramway authorised by the Chew Valley Tramway Act 1887. A.D. 1891.

[11th May 1891.]

WHEREAS by the Chew Valley Tramway Act 1887 (in this Act called "the Act of 1887") the Chew Valley Tramway Company (in this Act called "the Company") were incorporated and empowered to construct a tramway and other works from Stanton Drew to Winford in the county of Somerset:

And whereas the powers of the Company for the compulsory purchase of land have expired and none of their powers in relation to the purchase of land the construction of works or the raising of moneys have been exercised and the Company are unable to exercise such powers:

And whereas provision is made by the Act of 1887 with reference to a sum of one thousand three hundred and thirty-three pounds cash deposited with the Paymaster-General for and on behalf of the Supreme Court in England in respect of the application to Parliament for that Act and which sum is therein referred to as the deposit fund:

And whereas by virtue of an order of the High Court made on the ninth day of March one thousand eight hundred and eighty-eight the said sum of one thousand three hundred and thirty-three pounds was invested in the purchase of one thousand three hundred and twenty-one pounds eight shillings and sixpence Consolidated three per centum annuities:

And whereas the said sum of Consolidated annuities has in pursuance to the provisions of the National Debt (Conversion) Act 1888 been exchanged for the like sum of two and three-quarters per cent. Consolidated stock:

And whereas it is expedient that the said tramway and works should be abandoned and that such provisions as are herein-after contained should be made with reference to the payment and transfer of the said deposit fund to the persons referred to in the

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Act of 1887 as the depositors or their assigns and that the affairs of the Company should be wound up and that the Company should 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 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 Chew Valley Tramway (Abandonment) Act 1891.

Abandonment of tramway.

2. The Company shall abandon the construction of the tramway and works authorised by the Act of 1887.

Compensation for damage to land by entry &c. for purposes of tramway abandoned.

3. The abandonment by the Company under the authority of this Act of the tramway 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 tramway 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 1887.

Compensation to be made in respect of tramway 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 tramway 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 and 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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Repayment of deposit fund.

5. Subject to the provisions of section 35 of the Act of 1887 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 34 of the Act of 1887 order that the said deposit fund now represented by the said sum of one thousand three hundred and twenty-one pounds eight shillings and sixpence two and three-quarters per cent. Consolidated stock may be paid or transferred to the depositors or their assigns or to such person or persons as they may appoint in that behalf and upon such order being made the said sum and the interest or dividends thereon shall be paid or transferred to such person or persons accordingly.

Provisions for winding up affairs of Company.

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 and for the purposes of section 35 of the Act of 1887 the Company shall upon the passing of this Act be deemed to have been ordered to be wound up within the meaning of that section.

Dissolution of Company.

7. 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 all the remaining provisions of the Act of 1887 shall be repealed.

Costs of Act.

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

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