CHAPTER xxiv.

An Act for the Abandonment of the Headingley Extension Railway of the Guiseley Yeadon and Headingley Railway Company and for other purposes. A.D. 1893.

[12th May 1893.]

WHEREAS by the Guiseley Yeadon and Rawdon Railway Act 1885 (in this Act called "the Act of 1885") the Guiseley Yeadon and Rawdon Railway Company the name of which was afterwards changed to the Guiseley Yeadon and Headingley Railway Company (herein-after called "the Company") were incorporated and authorised to construct a railway from the Otley and Ilkley branch of the Midland Railway in the parish of Guiseley to Green Lane in the township of Rawdon in the west riding of the county of York:

And whereas by the Guiseley Yeadon and Rawdon Railway Act 1890 (herein-after called "the Act of 1890") the powers granted to the Company by the Act of 1885 for the compulsory purchase of land were revived and extended and the time limited by the same Act for completing the railway was also extended and the Company were empowered to alter the levels of a portion of their authorised railway:

And whereas the railway authorised by the Act of 1885 as altered by the Act of 1890 has been completed and certified by the Board of Trade to be fit for the public conveyance of passengers and the same is now ready to be transferred to the Midland Railway Company pursuant to an agreement between that Company and the Company set forth in the Third Schedule to and confirmed by the Midland Railway Act 1892 and it is expedient that the deposit fund of one thousand one hundred and thirty-four pounds fourteen shillings and sixpence consolidated stock referred to in the Act of 1885 which is liable to forfeiture in consequence of the railway not having been opened for the public conveyance of passengers within the extended time limited by the Act of 1890

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should subject to the provisions herein-after contained be released and transferred to the depositors referred to in the Act of 1885:

And whereas by the Leeds and Yeadon Railway Act 1891 (herein-after called "the Act of 1891") the Company were authorised to extend their said railway to the North Eastern Railway near Headingley and it was provided that such extension should be a separate undertaking with separate capital and the name of the Company was changed to the Guiseley Yeadon and Headingley Railway Company:

And whereas no part of the capital in the extension railway to Headingley separate undertaking authorised by the Act of 1891 has been raised and none of the powers of that Act with respect to the purchase of land and the construction of the extension railway have been exercised and it is expedient that such extension railway be abandoned and the deposit fund referred to in the Act of 1891 should subject to the provisions herein-after contained be repaid to the depositors and the affairs of the Company wound up and the Company dissolved:

And whereas the purposes 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):—

Short title.

1. This Act may be cited as the Guiseley Yeadon and Headingley Railway (Abandonment) Act 1893.

Abandonment of extension railway to Headingley.

2. The Company shall abandon the construction of the extension railway to Headingley separate undertaking authorised by the Act of 1891 (in this Act called "the railway").

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

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 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 Acts or the Act of 1891.

Compensation to be made in respect of railway abandoned.

4. Where before the passing of this Act any contract has been entered into or notice given by the Company for the purchase 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 the manner provided by the Lands Clauses Acts for determining the amount and application of compensation to be paid for lands taken under the provisions thereof.

Re-transfer of deposit under Act of 1891.

5. Subject to the provisions of this Act and of section 13 of the Act of 1891 with respect to compensation to landowners and other persons injured and for the protection of creditors the High Court may at any time after the passing of this Act on application by or on behalf of the depositors referred to in section 12 of the Act of 1891 order the sum of seven thousand six hundred and seventy-six pounds four shillings and tenpence two and three quarters per cent. consolidated stock being the deposit fund mentioned in the said section 12 and the interest or dividends thereon to be transferred and paid to the depositors or as they may appoint and upon such order being made the said sum of seven thousand six hundred and seventy-six pounds four shillings and tenpence two and three quarters per cent. consolidated stock and the interest or dividends thereon shall be transferred and paid accordingly.

Release of deposit under Act of 1885.

6. Notwithstanding anything in sections 23 and 24 of the Act of 1885 the High Court may at any time after the passing of this Act and the transfer to the Midland Railway Company of the railway authorised by the Act of 1885 on application by and on behalf of the depositors referred to in section 23 of the Act of 1885 order that the deposit fund of one thousand one hundred and thirty-four pounds fourteen shillings and sixpence referred to in the said section 23 or the stocks funds or securities in which the same may be invested and the interest or dividends thereon be transferred and paid to the depositors or as they may direct and upon such order being made the said deposit fund and the interest or dividends thereon shall be transferred and paid accordingly.

Company to wind up their affairs.

7. Forthwith after the passing of this Act and the transfer to the Midland Railway Company of the railway authorised by the Act of 1885 the directors of the Company shall proceed to wind up

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the affairs of the Company and shall pay satisfy and discharge all their debts liabilities and engagements and divide any balance of assets rateably among the shareholders in proportion to the amounts paid up on their respective shares and for the purposes of this Act the Company shall be deemed to have been ordered to be wound up within the meaning of section 13 of the Act of 1891.

Dissolution of Company.

8. When such transfer shall have been completed and all the debts liabilities and engagements of the Company paid satisfied or discharged and the affairs of the Company are wound up the Company shall be by this Act dissolved.

Expenses Act.

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

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