CHAPTER cxli.

An Act for conferring further powers on the Furness Railway Company. A.D. 1891.

[21st July 1891.]

WHEREAS by the Furness Railway Act 1869 (in this Act called the Act of 1869) (section 21) provisions are made with respect to certain lands and hereditaments therein mentioned or referred to and which at the time of the passing of that Act were situate in the township of Hawcoat in the parish of Dalton-in-Furness in the county of Lancaster but which are now situate in the parish of Barrow-in-Furness in the same county (and are herein-after in this Act referred to as the Barrow lands) and by such section (sub-section 4) the Furness Railway Company (in this Act called the Company) are authorised and required within the period of ten years from the passing of the Act to exercise the powers of sale and disposition conferred on them by such section with respect to portions of the Barrow lands:

And whereas by the Furness Railway Act 1879 (in this Act called the Act of 1879) (section 25) it was enacted to the effect that the said section 21 (sub-section 4) of the Act of 1869 should be read and have effect as if the period of twenty years had been named therein instead of the period of ten years and that during such extended period it should be lawful for the Company to exercise all or any of the powers conferred by such section with reference to the Barrow lands and which from time to time had not been sold or disposed of by the Company:

And whereas by the Furness Railway Act 1872 (in this Act called the Act of 1872) (section 26) provisions are made with respect to certain lands and hereditaments therein mentioned or referred to situate in the township of Seascale in the parish of Gosforth in the county of Cumberland (herein-after in this Act referred to as the Seascale lands) and by such section (sub-section 2) the Company are authorised and required to sell such parts of the

A.D. 1891.

Seascale lands as shall not be required by them for the purposes of their undertaking within ten years from the passing of that Act:

And whereas by the Act of 1879 (section 27) further provision is made with reference to the sale demise or lease by the Company of the Seascale lands and it is provided that the Company shall sell or absolutely dispose of the reversions of all such leases within the period of ten years from the granting thereof respectively:

And whereas by the Furness Railway Act 1881 (in this Act called the Act of 1881 (section 32) it was enacted to the effect that the said section 26 of the Act of 1872 should be read and have effect as if the period of fifteen years had been named therein instead of the period of ten years and that during such extended period it should be lawful for the Company to exercise all or any of the powers conferred by such section with reference to the Seascale lands which from time to time had not been sold or disposed of by the Company:

And whereas by the Furness Railway Act 1887 (in this Act called the Act of 1887) after reciting to the effect that portions of the Barrow lands namely one hundred and sixty-five acres or thereabouts and portions of the Seascale lands namely six acres or thereabouts had been sold or disposed of by the Company and that the remaining portions thereof namely fifty acres or thereabouts of the Barrow lands and fifty-one acres or thereabouts of the Seascale lands had not been sold or disposed of by the Company it was enacted (section 4) that notwithstanding anything contained in section 25 of the Act of 1879 section 21 (sub-section 4) of the Act of 1869 should be read and have effect as if the words "on or before the ninth day of August one thousand eight hundred and ninety-two" had been contained therein instead of the words "within the period of ten years from the passing of this Act" and (section 5) that notwithstanding anything contained in section 32 of the Act of 1881 section 26 (sub-section 2) of the Act of 1872 should be read and have effect as if the words "on or before the ninth day of August one thousand eight hundred and ninety-two" had been contained therein instead of the words "within ten years from the passing of this Act":

And whereas since the passing of the Act of 1887 the Company have sold and disposed of further portions of the Barrow lands and of the Seascale lands:

And whereas the recital herein-before mentioned or referred to in the Act of 1887 did not state either the total quantities of the Barrow lands and the Seascale lands respectively or the quantities of those respective lands which at the time of the passing of that Act had been appropriated and used by the Company and did not

correctly state the quantities of those respective lands which at the time of the passing of that Act had been sold or disposed of by the Company inasmuch as at the time of the passing of that Act a greater quantity than one hundred and sixty-five acres or thereabouts of the Barrow lands and a greater quantity than six acres or thereabouts of the Seascale lands had in fact been sold or disposed of by the Company:

And whereas the total quantity of the Barrow lands originally purchased by the Company was six hundred and twenty-six acres and nineteen perches or thereabouts portions of which to the extent of three hundred and one acres and nineteen perches or thereabouts have as to part thereof been appropriated and are now used and as to the remaining part thereof are by this Act authorised to be held appropriated and used by the Company for the purposes of their railways docks and works and for the purposes of extending their stations sidings warehouses engine sheds workshops coal and other wharves depôts and other works and conveniences for the accommodation of their traffic and for other purposes connected with their undertaking and other portions to the extent of three hundred and five acres and thirty-one perches or thereabouts have been sold or disposed of by the Company and the remaining portion namely nineteen acres three roods and nine perches or thereabouts has not been appropriated or used or sold or disposed of by the Company:

And whereas the total quantity of the Seascale lands originally purchased by the Company was one hundred and two acres two roods and thirty-four perches or thereabouts portions of which to the extent of twenty-three acres three roods and thirty-three perches or thereabouts have been appropriated and used by the Company for the purposes of there undertaking and other portions to the extent of thirty-one acres one rood and seven perches or thereabouts have been sold or disposed of by the Company and the remaining portion namely forty-seven acres one rood and thirty-four perches or thereabouts has not been appropriated or used or sold or disposed of by the Company:

And whereas the portions of the Barrow lands which have not been appropriated or used or sold or disposed of by the Company and which together with the portions of the Barrow lands which have been appropriated and are now used by the Company are shown and coloured green on the plan referred to in this Act as the Barrow lands plan will or may be eventually required for the purposes of the Company and it is expedient to reserve to the Company the power and control over such lands and any erections and buildings thereon and that the Company be empowered to hold and from time to time appropriate and use the same for the purposes of their rail-

A.D. 1891.

ways docks and works and other the purposes of their undertaking and until so appropriated and used to demise let and deal with the same as by this Act provided:

And whereas it is expedient that the said period limited by the Act of 1869 (section 21) and extended by the Act of 1879 (section 25) and by the Act of 1887 (section 4) for the sale and disposition of the Barrow lands be with respect to such portions of the Barrow lands as have not been sold or disposed of by the Company and are not shown and coloured green on the Barrow lands plan further extended and that the said period limited by the Act of 1872 (section 26) and extended by the Act of 1881 (section 32) and by the Act of 1887 (section 5) for the sale and disposition of the Seascale lands be with respect to such portions of the Seascale lands as have not been sold or disposed of by the Company further extended as by this Act provided:

And whereas by the Furness Railway (Steamboats) Act 1872 the Company were authorised to build purchase hire provide maintain hold work and use steam and other vessels of every or any description and therein and thereby to convey and carry passengers animals minerals goods merchandise and things of every description on Windermere Lake and Coniston Lake respectively in the counties of Lancaster and Westmoreland and to do all acts that might be necessary to enable them to carry fully into effect the purposes aforesaid and the Company were authorised to take demand and recover for the conveyance of passengers animals minerals goods merchandise and other things in the steam or other vessels so provided worked and used by them such reasonable tolls rates or charges as they should think fit:

And whereas by the Act of 1872 (section 28) the Company were authorised to purchase by agreement hold and use for the purposes of piers and other works and conveniences on the shores of Windermere Lake and Coniston Lake respectively any quantity of land not exceeding in the whole five acres:

And whereas the Company have constructed and acquired piers and other works and conveniences on the shores of Windermere Lake and Coniston Lake respectively and it is expedient that the Company be empowered to hold use and maintain the same as by this Act provided:

And whereas the objects 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:— A.D. 1891.

Short title.

1. This Act may be cited as the Furness Railway Act 1891.

Interpretation.

2. In this Act unless the context otherwise requires—

"The Barrow lands plan" means the plan signed in duplicate by the Right Honourable the Earl of Morley Chairman of Committees of the House of Lords on which such portions of the Barrow lands as the Company have appropriated and used and are by this Act authorised to hold appropriate and use are shown and coloured green of which plan one copy has been deposited in the Office of the Clerk of the Parliaments and another copy has been deposited in the Private Bill Office of the House of Commons.

Power to Company to hold and appropriate portion of Barrow lands.

3. Notwithstanding anything contained in the recited Acts the Company may hold and may from time to time appropriate and use for the purposes of their railways docks and works and for the purposes of extending their stations sidings warehouses engine sheds workshops coal and other wharves depôts and other works and conveniences for the accommodation of their traffic and for other purposes connected with their undertaking such portions of the Barrow lands as are shown and coloured green on the Barrow lands plan and until so appropriated and used it shall be lawful for the Company to demise let or otherwise deal with any of such lands and any erections or buildings thereon for such considerations and subject to such covenants reservations and restrictions and generally upon such terms and conditions in all respects as the Company shall think fit:

And nothing in the Lands Clauses Acts or in any Act relating to the Company with which those Acts or any of them are incorporated with respect to the sale of superfluous lands shall be held to apply to such portions of the Barrow lands.

Extension of time for sale of remaining portion of Barrow lands and Seascale lands.

4. The period limited by section 21 of the Act of 1869 for the sale of the Barrow lands and extended by section 25 of the Act of 1879 and section 4 of the Act of 1887 respectively is by this Act and with respect to the unsold portion of the Barrow lands not coloured green on the Barrow lands plan further extended for a period of ten years from the passing of this Act and the period limited by section 26 of the Act of 1872 for the sale of the Seascale lands and extended by section 32 of the Act of 1881 and section 5 of the Act of 1887 respectively is by this Act and with respect to the unsold portion of the Seascale lands further extended for a period of ten years from the passing of this Act.

A.D. 1891.

Power to Company to hold piers &c.

5. Subject in all respects to the payment of the rents and to the performance and observance of the covenants and conditions reserved by and contained in any lease under which the Company hold the same the Company may hold maintain work and use any piers and the works and conveniences connected therewith already constructed or acquired by them on Windermere Lake and Coniston Lake respectively.

Railways of Company not exempt from provisions of present and future general Acts.

6. Nothing in this Act contained shall exempt the Company or the railways of the Company from the provisions of any general Act relating to railways or the better or more impartial audit of the accounts of railway companies now in force or which may hereafter pass during this or any future session of Parliament nor from any future revision and alteration under the authority of Parliament of the maximum rates of fares and charges or of the rates for small parcels authorised by this or any other Act relating to the Company.

Expenses of Act.

7. All the costs charges and expenses of and incident to the applying for obtaining and passing of this Act or preparatory or incidental thereto shall be paid by the Company.

Printed by Eyre and Spottiswoode,
FOR
T. Digby Pigott, Esq., C.B., the Queen's Printer of Acts of Parliiament.

And to be purchased, either directly or through any Bookseller, from
EYRE AND SPOTTISWOODE, East Harding Street, Fleet Street, E.C.; or
JOHN MENZIES & Co., 12, Hanover Street, Edinburgh, and
88 and 90, West Nile Street, Glasgow; or
HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.