ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

Cap. ccxxviii.

An Act to empower the *London and North-western* Railway Company to enlarge their Stations at *Liverpool* and *Crewe*, and for other Purposes.

[22d *July* 1847.]

WHEREAS an Act was passed in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act to consolidate the* London and Birmingham, Grand Junction, *and* Manchester and Birmingham *Railway Companies*, by which Act a Company was incorporated under the Name of "The *London and North-western* Railway Company:" And whereas in consequence of the increasing Trade of the said Company it has become necessary for the greater Accommodation of the Public that the Station belonging to the said Company, called the *Lime Street* Station in *Liverpool* in the County of *Lancaster* and the *Crewe* Station at *Crewe* in the County of *Chester*, should be enlarged, and that the Powers and Provisions of the recited Act should be extended and amended: And whereas Three Acts were passed during the Session of Parliament, 1845, one thereof for consolidating into One Act certain Provisions usually inserted in Acts authorizing the taking of Lands for Undertakings of a public Nature, called "The Lands Clauses Consolidation Act, 1845," another for consolidating into One

9 & 10 Vict. c. 204.

Act certain Provisions usually inserted in Acts with respect to the Constitution of Companies incorporated for carrying on Undertakings of a public Nature, called "The Companies Clauses Consolidation Act, 1845," and the third for consolidating into One Act certain Provisions usually inserted in Acts authorizing the making of Railways, called "The Railways Clauses Consolidation Act, 1845:" 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

Provisions of recited Act extended to this Act.

of the same, That all the Provisions of the recited Act whereby the *London and North-western* Railway Company was incorporated, so far as the same are or may be applicable and are now in force, and except such of them as are by this Act repealed, altered, or otherwise provided for, shall extend to this Act and to the several Purposes thereof, and to the several Matters and Things hereby authorized to be done, as fully and effectually as if the said Provisions were re-enacted in this Act in reference to such Purposes, Matters, and Things, and the said Acts and this Act shall be construed and read together as forming One Act.

8 & 9 Vict. cc. 16. 18. & 20. extended to this Act.

II. And be it enacted, That the Provisions of the said Lands Clauses Consolidation Act, 1845, and the said Companies Clauses Consolidation Act, 1845, and the said Railways Clauses Consolidation Act, 1845, shall, so far as the same are applicable, and are not modified by this Act, or inconsistent with the Provisions thereof, be held to apply to the Purchase of Lands and Buildings for the Purposes of the Works by this Act authorized to be made, and shall be read and construed as forming Part of this Act.

Short Title.

III. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments and other Proceedings, it shall be sufficient to use the Expression "*Lime Street* (*Liverpool*) and *Crewe* Stations Extension Act, 1847."

Power to raise Money on Credit of Undertaking.

IV. And be it enacted, That after Shares for the whole of the Capital in Shares by the recited Acts authorized to be raised shall have been subscribed for or taken up, and One Half thereof shall have been paid up, it shall be lawful for the said Company to raise for the Purposes of this Act, on the Credit of their Undertaking, and the Revenue arising thereon, any Sum or Sums of Money not exceeding in the whole the Sum of Seventy thousand Pounds.

Provisions of 8 & 9 Vict. c. 16. as to borrowed Money to apply to this Act.

V. And be it enacted, That all the Provisions of the Companies Clauses Consolidation Act, 1845, with respect to the borrowing of Money by the Company, and to the Conversion of Money borrowed or authorized to be borrowed into Capital, shall be held applicable to the borrowing by the said Company of the Monies hereby authorized to be raised by them, and to the Conversion thereof into Capital: Provided always, that it shall not be lawful for the said Company to borrow on Mortgage any Sum or Sums of Money until the whole of the Capital which they may determine to raise by Shares for the Purposes of this Act shall have been subscribed for, and One Half

thereof actually paid up, nor shall it be lawful for the Company to borrow on Mortgage any Sum of Money which, together with such Sums as may be due and owing by the said Company on Mortgage of their Undertaking at the Time of the borrowing of such Sum or Sums of Money, would amount to more than One Third of the then Capital of the Company in Shares and Stock.

Interest not to be paid on Calls paid up.

VI. And be it enacted, That it shall not be lawful for the said Company, out of any Money by this Act or any other Act relating to the said Railway Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein-before contained shall be deemed to prevent the said Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with the Provisions in the Companies Clauses Consolidation Act, 1845, in that Behalf contained.

Deposits for future Bills not to be paid out of Company's Capital.

VII. And be it enacted, That it shall not be lawful for the said Company, out of any Money by this Act or any other Act relating to the said Railway Company authorized to be raised for the Purposes of such Act or Acts, to pay or deposit any Sum of Money which by any Standing Order of either House of Parliament, now in force or hereafter to be in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the said Company to construct any other Railway or execute any other Work or Undertaking.

Power to enlarge Stations.

VIII. And whereas Plans showing the Extent to which it is proposed to enlarge the Stations belonging to the said Company called the *Lime Street* and *Crewe* Stations respectively, together with Books of Reference to the said Plans containing the Names of the reputed Owners and Lessees and of the Occupiers of the Lands which may be required to be taken for the Purposes of the Enlargement of the said Stations respectively, have been deposited with the Clerks of the Peace of the Counties of *Lancaster* and *Chester;* be it therefore enacted, That it shall be lawful for the said Company to enlarge their said Stations called the *Lime Street* Station and *Crewe* Station respectively to the Extent shown on the said Plans deposited as aforesaid, or to any less Extent, and to construct all proper Works and Conveniences connected with such Stations respectively upon the Lands delineated on the said Plans and referred to in the said Books of Reference deposited as aforesaid, and to enter upon, take, and use such of the said Lands as may be requisite for such Purposes, and that such Works when made shall be Part of the Undertaking of the *London and North-western* Railway Company.

Period for compulsory Powers limited.

IX. And be it enacted, That the Powers of the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years after the passing of this Act.

X. And

Power to take down a certain Bridge.

X. And whereas the said Company have erected a Carriage Road Bridge across the said Railway immediately adjoining the Station of the said Company called the *Crewe* Station in the Parish of *Barthomley* in the County of *Chester* for the Purpose of carrying the *Nantwich and Wheelock* Turnpike Road over the said Railway; be it enacted, That it shall be lawful for the said Company and they are hereby authorized to take down and remove the said Bridge, and to rebuild the same with the Inclination and according to the Mode delineated in the Plan and Section so deposited as aforesaid.

Power to stop up Part of Lord Nelson Street.

XI. And whereas the said Company have purchased all the Houses and Ground on the South Side of that Part of *Lord Nelson Street* in *Liverpool* aforesaid which extends between *Lime Street* and *Hotham Street*; be it enacted, That it shall be lawful for the said Company and they are hereby authorized to stop up such Portion of *Lord Nelson Street* aforesaid as on the Plans so deposited as aforesaid is coloured Red, and to appropriate the Ground and Soil thereof to the Purposes of the enlarged Station at *Lime Street* aforesaid.

Power to stop up Sidney Street.

XII. And whereas the said Company are by this Act authorized and empowered to purchase all the Houses and Ground lying on each Side of *Sidney Street* in *Liverpool* aforesaid; be it enacted, That it shall be lawful for the said Company and they are hereby authorized to stop up so much of the Foot and Carriage Ways of the said Street as extend along the Houses and Ground which shall have been purchased and paid for by the said Company, and to appropriate the Ground and Soil thereof to the Purposes of the said enlarged Station.

Power to stop up Part of Gloucester Street.

XIII. And be it enacted, That it shall be lawful for the said Company and they are hereby authorized to stop up that Portion of the Street called *Gloucester Street* in *Liverpool* aforesaid extending from *Disley Street* to *Silver Street* when and so soon as they shall have purchased all the Houses and Buildings situate and being on each Side of such Portion of the said Street, and to appropriate the Ground and Soil of such Portion of the said Street, and the Foot and Carriage Pavements thereof, to their own Use.

Hotham Street to be carried over Station, &c.

XIV. And be it enacted, That it shall be lawful for the said Company to appropriate the Ground and Soil under *Hotham Street* to the Purposes of the said enlarged Station, and to carry the Street over the Station upon Arches.

Branch Railway and Tunnel to be made according to deposited Plans.

XV. And whereas upon the said Plans and Sections of the Extension of the *Lime Street* Station so deposited as aforesaid a Branch Railway and Tunnel is delineated from and out of the existing *Lime Street* Tunnel at or near the Point where it passes under *Copperas Hill* to the West Side of *Silver Street* within *Liverpool* aforesaid; be it enacted, That, subject to the Powers of Deviation contained in the Railways Clauses Consolidation Act, 1845, it shall be lawful for the said Company to make and maintain the said Branch Railway and Tunnel in the Line and Level delineated on the said Plans and Sections and described in the Book of Reference, and to enter upon, take, and use such of the said Lands as shall be necessary for that Purpose,

Purpose, and that such Railway and Tunnel when made shall form Part of the Undertaking of the *London and North-western* Railway Company.

Power to take up the Foot Pavements in certain Cases.

XVI. And be it enacted, That it shall be lawful for the said Company to take up and remove the Foot and other Pavements of any Street or Place abutting on the Stations by this Act authorized to be made or enlarged for the Purpose of affording Access for Carriages to the said Stations: Provided always, that upon taking up such Pavements Seven Days Notice of the Intention so to do shall be served on the Commissioners or Surveyors having the Charge of such Foot and other Pavements, and according to their Directions.

Company not compelled to sell Land adjoining certain Stations.

XVII. And be it enacted, That, notwithstanding any thing contained in the said Lands Clauses Consolidation Act, 1845, to the contrary, it shall not be compulsory upon the Company at any Time to resell any Land or Buildings which may have been or may be purchased by them at or adjoining to the said *Lime Street* and *Crewe* Stations respectively.

Power to purchase additional Land at Stations with Consent.

XVIII. And be it enacted, That, notwithstanding any thing in the said recited Acts to the contrary, it shall be lawful for the said Company to purchase from any Person who may be willing to sell the same any Lands adjoining or contiguous to their Railway, or to any of their Stations thereon, not exceeding Twenty Acres in Quantity, in addition to the Land now held by the said Company, or which they are authorized to purchase for all or any of the extraordinary Purposes mentioned in the said Railways Clauses Consolidation Act, 1845; and it shall be lawful for all Persons who are by the said Lands Clauses Consolidation Act allowed to sell Lands to contract for and to sell and dispose of Lands to the said Railway, not exceeding Twenty Acres, for the Purposes aforesaid.

Company to purchase Houses, &c. that may be undermined, if required.

XIX. And be it enacted, That before the said Company, or any Person or Persons employed by them or acting under their Authority, shall bore or dig under any Lands, Dwelling Houses, or Buildings within the Town of *Liverpool* aforesaid for the Purpose of forming or excavating the said Tunnel, or shall take any Land for the Purpose of making or constructing Eyes or Openings into the same, they shall, if required by the Owners or Lessees thereof respectively, purchase by Agreement or by Arbitration, or by the Assessment of a Jury, under the Provisions of the Lands Clauses Consolidation Act, the Dwelling Houses so bored or dug under, or, at the Option of such Owners or Lessees, make Compensation for the Damage done to such Dwelling Houses, and in the Case of any other Buildings, not being Dwelling Houses, and of Lands so bored under, shall make Compensation, to be ascertained by the Ways and Means aforesaid, or one of them, for the Damage done to the same, and shall also purchase the Lands so required for the said Eyes or Openings, and any Interest therein respectively, and shall pay or tender the Purchase or Compensation Money for the same respectively, or for such Interest therein respectively, in manner in the said Lands Clauses Consolidation Act mentioned.

If Company require a Part of the Property of the Liverpool School for the Blind, they may be compelled to take the whole.

XX. And whereas it is proposed to purchase and take for the Purposes of this Act certain Lands, Buildings, and Property in *Liverpool* aforesaid belonging to the President, Vice-President, Treasurer, and Members of the *Liverpool* School for the Indigent Blind: And whereas the said President, Vice-President, Treasurer, and Members aforesaid consider that it might be more advantageous for the Interests of the said Institution if the Company were restrained from purchasing, except with the Consent of the said President, Vice-President, Treasurer, and Members, a Portion only of the Lands, Buildings, and Property belonging to them: Be it therefore enacted, That if before the said Company shall purchase and take for the Purposes of this Act any of the Lands, Buildings, or Property belonging to the said President, Vice-President, Treasurer, and Members, the said President, Vice-President, Treasurer, and Members shall signify in Writing under their Common Seal their Desire that the Company should purchase and take the whole of the Lands, Buildings, and Property belonging to them in *Liverpool* aforesaid, then it shall not be lawful for the Company to purchase or take less than the whole of such Lands, Buildings, and Property, and it shall be lawful for the Company in such event and they are hereby required to purchase, take, and hold, and it shall be lawful for the said President, Vice-President, Treasurer, and Members to sell and convey (either for a Consideration in Money, or in exchange for other Hereditaments and Premises in *Liverpool* aforesaid, to be settled to the same Uses and Trusts as the Hereditaments to be so sold are now settled, or partly for a Consideration in Money and partly in exchange for other Hereditaments), the whole of such Lands, Buildings, and Property to the said Company, subject nevertheless to all the Provisions of the Lands Clauses Consolidation Act, 1845.

So much of 9 & 10 Vict. c. 261. as relates to Pontage Dues over a Bridge near Runcorn to apply to North-western Railway Company.

XXI. And whereas an Act was passed in the last Session of Parliament, intituled *An Act for enabling the* Grand Junction *Railway Company to make certain Branch Lines of Railway, to be called the* Huyton and Aston *Branch, the* Huyton, Prescot, and Saint Helen's *Branch, the* Warrington and Kenyon *Branch, the* Warrington and Parkside *Branch, and the* Edgehill and Huyton *Branch, and for amending the former Acts relating to the said Company*, whereby, after reciting that the said *Grand Junction* Railway Company must necessarily incur great Expence in erecting a Bridge for carrying the intended Railway from *Huyton* to *Aston* over the River *Mersey* at or near *Runcorn*, and in forming the Approaches thereto, it was enacted, that, in addition to the several Tolls, Rates, and Charges by that or any of the therein-recited Acts authorized, it should be lawful for the Company to charge in respect of all Passengers, Cattle, Animals, Goods, Wares, Merchandize, Articles, Matters, and Things, if carried by other Parties than the said Company over or upon the said Bridge, such Tolls, Fares, Rates, or Charges as the Company might lawfully, under the maximum Rate Clauses in the aforesaid Act contained, charge for the Carriage of such Passengers, Cattle, Animals, Goods, Wares, or Merchandize, Articles, Matters, or Things respectively, for a Distance of Five Miles, if carried by them for that Distance; be it enacted, That the said Clause shall be held to apply to the *London and North-western* Railway Company, and that the last-

last-named Company shall have and exercise the Power thereby given to the *Grand Junction* Railway Company.

Railway Company to be subject to Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., and 9 & 10 Vict. cc. 57. & 105.

XXII. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railway;* and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways;* and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops;* and another Act was passed in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways;* and another Act was passed in the last Session of Parliament, intituled *An Act for regulating the Gauge of Railways;* and another Act was passed in the said last Session of Parliament, intituled *An Act for constituting Commissioners of Railways;* be it enacted, That nothing in this Act contained shall be held to exempt the Railway and Works by this or the said recited Acts authorized, or the said *London and North-western* Railway Company, from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railway Company so far as the same shall be applicable thereto.

Railway to be subject to Provisions of any future general Act.

XXIII. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railway and Works by this or the said recited Acts authorized to be made from the Provisions of any general Act relating to such Acts, or of any general Act relating to Railways, now in force or which may hereafter pass during this or any future Session of Parliament, or from any future Revision or Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by the said recited Acts or this Act.

Expences of Act.

XXIV. And be it enacted, That all the Costs, Charges, and Expences of and attending the passing of this Act, or incidental thereto, shall be paid by the said Company, *pari passu* with the Costs, Charges, and Expences of every other Act of Parliament passed in the present Session to which they may be liable, out of the first Monies that shall come to their Hands, and in preference to every other Payment whatsoever.

Public Act.

XXV. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

LONDON: Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1847.