# CHAPTER lxxxv.

An Act to extend the time for the completion of the railway authorised by the West Lancashire Railway Act 1871 and for other purposes. [3rd July 1882.]

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WHEREAS by the West Lancashire Railway Act 1871 (in this Act called "the Act of 1871") the West Lancashire Railway Company (in this Act called "the Company") were incorporated and authorised to make and maintain the West Lancashire Railway (in this Act called "the original line") being a railway from Southport to Preston in the county of Lancaster: 34 & 35 Vict. c. cc.

And whereas by the West Lancashire Railway Act 1872 (in this Act called "the Act of 1872") the Company were authorised to construct additional lines of railway (in this Act called "the additional lines") to connect the original line with the Lancashire and Yorkshire Railway and to run over and use the Lancashire and Yorkshire Railway between the junction therewith of the Railway No. 3 authorised by the Act of 1872 and the station at Blackburn in the county of Lancaster belonging to the Lancashire and Yorkshire Railway Company including that station: 35 & 36 Vict. c. clxxxiii.

And whereas by the West Lancashire Railway Act 1879 (in this Act called "the Act of 1879") the time for the completion of the original line was extended to the fourteenth day of August one thousand eight hundred and eighty-two: 42 & 43 Vict. c. cix.

And whereas it is expedient that the Company should be authorised.

To abolish and otherwise deal with certain footpaths herein-after described connected with their undertaking; and

To extend the time limited by the Act of 1879 for the completion of the original line and works authorised by the Act of 1871 as herein-after provided:

And whereas plans and sections showing the lines and levels of the works to be authorised by this Act and also books of reference

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containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the clerk of the peace for the county of Lancaster and are herein-after respectively referred to as the deposited plans sections and books of reference:

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 West Lancashire Railway Act 1882.

Incorporation of general Acts.
8 & 9 Vict. c. 18.
23 & 24 Vict. c. 106.
32 & 33 Vict. c. 18.
8 & 9 Vict. c. 20.
26 & 27 Vict. c. 92.

**2.** The clauses and provisions of—

The Lands Clauses Consolidation Acts 1845 1860 and 1869;

The Railways Clauses Consolidation Act 1845;

And Part II. (relating to extension of time) of the Railways Clauses Act 1863

are (except where expressly varied by this Act) incorporated with and form part of this Act.

Interpretation.

**3.** In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction the expression "the Company" means the West Lancashire Railway Company and for the purposes of this Act the expression "superior courts" or "court of competent jurisdiction" or any other like expression in this Act or in any Act wholly or partially incorporated herewith shall be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt and not a debt or demand created by statute.

As to footpaths at Penwortham.

**4.** Subject to the provisions of this Act the Company may make and maintain in the lines and according to the levels shown on the deposited plans and sections the works herein-after described and may exercise the powers herein-after mentioned and may make such alterations in the levels of the roads and footpaths affected thereby as are shown upon the deposited plans and sections and may stop up and appropriate the sites of such roads and footpaths as are included within the limits of the lands shown on the said plans as are intended to be taken compulsorily under the powers of this Act and

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which shall be so taken and may enter upon and take and use such of the lands delineated on the deposited plans and described in the deposited books of reference as may be required for those purposes making compensation in accordance with the Lands Clauses Consolidation Act 1845 to all parties injuriously affected by the exercise of the powers contained in this section.

The works and powers herein-before referred to are as follows:

The Company may execute the following works and exercise the following powers in the parish of Penwortham in the county of Lancaster.

They may stop up and extinguish all rights of way over the following footpaths, viz.:

1stly. The footpath from a point one hundred and fifteen yards from Cop Lane measured in a south-westerly direction along the westerly boundary fence of the railway of the Company to a point one hundred and seventy-five yards from the southerly end of Penwortham public road bridge over the River Ribble measured in a south-easterly direction along the public road leading from Penwortham Bridge to Leyland;

2ndly. The footpath which runs from a junction with the before-mentioned footpath at the north-easterly corner of Penwortham House gardens or premises to a point one hundred and ten yards from the bridge over the railway of the Company close to Penwortham House aforesaid measured in a north-easterly direction along the westerly fence of the said railway;

They may construct in lieu of the footpaths to be stopped up herein-before described the following new footpaths (that is to say):

(A) A footpath commencing at the point one hundred and fifteen yards from Cop Lane aforesaid measured in a south-westerly direction along the westerly boundary fence of the railway of the Company and terminating at a point seventy-five yards from the southerly end of the Penwortham public road bridge over the River Ribble measured in a south-easterly direction along the public road leading from Penwortham Bridge to Leyland and such diverted footpath will be constructed contiguous to the westerly fence of the West Lancashire Railway.

(B) A footpath commencing at the north-east corner of Penwortham House gardens or premises and terminating at a junction with the proposed substituted footpath No. 1 at the point where it crosses the approach to the bridge over the railway of the Company at the junction of the main line to Preston and the Blackburn branch such point being seven

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yards or thereabouts measured along the said approach in a westerly direction from the westerly abutment of such bridge.

The new footpaths herein-before mentioned shall be maintained and repaired by the Company.

Extension of time for completion of original line.

**5.** The time limited by the Act of 1879 for the completion of the original line shall be and the same is hereby extended and enlarged until the expiration of one year from the fourteenth day of August one thousand eight hundred and eighty-two.

Time limited for completion of original line. 38 & 39 Vict. c. clxxxii.

**6.** If the original line is not completed within the time limited by this Act then on the expiration of such time the powers by the Act of 1871 the West Lancashire Railway Act 1875 the Act of 1879 and this Act granted to the Company for making and completing the same or otherwise in relation thereto shall cease to be exercised except as to so much thereof as shall then be completed.

Period for compulsory purchase of lands.

**7.** 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 from the passing of this Act.

Provision as to general Railway Acts.

**8.** Nothing in this Act contained shall exempt the Company or their railways from the provisions of any general Act relating to railways or the better and more impartial audit of the accounts of railway companies now in force or which may hereafter be passed 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 or of the rates for small parcels authorised by the Acts of the Company.

Costs of 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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