

[55 & 56 VICT.] *Southport and Cheshire Lines Extension* [Ch. xcv.]
Railway Act, 1892.



CHAPTER xcv.

An Act to confer further powers on the Southport and Cheshire Lines Extension Railway Company and for other purposes. [20th June 1892.]

A.D. 1892.

WHEREAS it is expedient that provision should be made as contained in this Act for laying out and forming the new road and stopping up the existing roads in this Act respectively mentioned :

And whereas by the Bill for this Act as originally introduced into Parliament it was proposed to empower the Southport and Cheshire Lines Extension Railway Company (in this Act called the Company) to make such new road and to stop up such existing roads and to authorise agreements between the Company and the highway board for the district of Southport (in this Act called the highway board) with reference to the construction and maintenance of the said road and as to defraying or contributing towards the cost thereof and other matters and so far as might be necessary for giving effect to any such agreement to authorise the highway board to exercise the powers proposed to be conferred upon the Company :

And whereas the Company and the highway board have entered into an agreement with reference to the matters aforesaid and it is expedient that such agreement as set forth in the First Schedule to this Act should be confirmed and that the highway board should be empowered to lay out and form the said road and to exercise the other powers in this Act mentioned :

And whereas plans and sections showing the line and levels of the road by this Act authorised to be constructed and also a book of reference 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 which plans sections and book of reference are in this

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A.D. 1892. Act respectively referred to as the deposited plans sections and book
— of reference :

And whereas it is expedient that the Company should be relieved from certain liabilities in respect of the bridges and works referred to in sub-sections 3 and 5 of section 25 of the Southport and Cheshire Lines Extension Railway Act 1882 (in this Act referred to as the Act of 1882) as hereinafter provided :

And whereas it is expedient to confer upon the Company and the local board for the district of Birkdale (in this Act called the local board) further powers with reference to the ornamental or recreation grounds in the township of Birkdale referred to in section 23 of the Act of 1882 and to make further provision as in this Act contained with reference thereto :

And whereas it is expedient that the indenture made between the mayor aldermen and burgesses of the borough of Southport and the Company with reference to a sea wall and fence therein mentioned as set forth in the Second Schedule to this Act should be confirmed and that further provision as in this Act contained should be made with reference thereto :

And whereas it is expedient that the time prescribed for the sale of lands acquired by the Company and not yet applied to the purposes of their undertaking should be extended :

And whereas the Company issued to their contractor two thousand five hundred ordinary shares of ten pounds each which shares were subsequently transferred to the Company or trustees on their behalf to secure money which had become due to the Company from the contractor and on the bankruptcy of the said contractor it was agreed between the trustee in bankruptcy of the said contractor and the Company that such shares should be retained by the Company released from any right which the trustee in bankruptcy might have thereto :

And whereas three hundred of the said shares were subsequently transferred by the trustees for the Company as fully paid up shares to the engineers of the Company in discharge of the Company's liability to them and it is expedient that the transfer of such shares to the said engineers and the issue to them by the Company of certificates therefor should be confirmed and that the Company should be empowered to re-issue the remaining two thousand two hundred shares now represented by the sum of twenty-two thousand pounds ordinary stock as provided by this Act :

And whereas the Company were authorised by the Southport and Cheshire Lines Extension Railway Act 1889 to create and issue guaranteed debenture stock to the amount of two hundred thousand

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pounds with a dividend of three per centum per annum such stock to be applied as therein mentioned: A.D. 1892.

And whereas one hundred and seventy-three thousand one hundred pounds of such guaranteed stock was applied in redeeming and paying off the then existing debenture stocks and mortgages of the Company and nineteen thousand three hundred pounds has been taken at par by other persons:

And whereas the Company are unable to issue at par the remaining seven thousand six hundred pounds of the said guaranteed stock and it is expedient that they should be empowered to issue the same at a discount as hereinafter provided to enable them to close the capital account and the holders of nineteen thousand pounds of the amount so already taken as aforesaid have assented in writing to such issue:

And whereas it is expedient that the Company should be empowered to apply their funds to the purposes of this Act and that further provision should be made as in this Act contained in relation to the existing capital powers of the Company:

And whereas the objects 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):—

1. This Act may be cited for all purposes as the Southport and Cheshire Lines Extension Railway Act 1892. Short title.

2. The Lands Clauses Acts are (except where expressly varied by this Act) incorporated with and form part of this Act. Incorporation of Acts.

3. In this Act the several words and expressions to which meanings are assigned by the Acts incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction: Interpretation of terms.

The expression "superior courts" or "court of competent jurisdiction" or any other like expression in this Act or any Act incorporated with this Act shall for the purposes of this Act 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.

4. The agreement between the highway board and the Company as set forth in the First Schedule to this Act is hereby confirmed and made binding upon the parties thereto. Confirming agreement with highway board.

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Power to lay
out and form
new road.

5. Subject to the provisions of this Act and of the said agreement the highway board may lay out and form in the line and according to the levels shown on the deposited plans and sections respectively the road hereinafter described with all necessary culverts watercourses approaches works and conveniences connected therewith and may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited book of reference as may be required for the purposes thereof or in connexion therewith:

The new road hereinbefore referred to and authorised by this Act is—

A new road in the township and parish of Altcar and the township of Formby in the parish of Walton-on-the-Hill in the county of Lancaster commencing by a junction with the Liverpool and Southport Road at Formby at a point eight chains or thereabouts east of the cross at or near the junctions of Duke Street and Philip's Lane with the said Liverpool and Southport Road and terminating by a junction with the New Causeway at a point twenty-two chains or thereabouts west of Saint Michael's Church Great Altcar and the highway board may use for the purposes of such new road the bridge constructed by the Company over Downholland Brook south of and near to the site of the bridge known as Rail Bridge.

Power to
deviate.

6. The highway board may in laying out and forming the new road by this Act authorised deviate from the line thereof to the extent of the limits of deviation shown on the deposited plans and may deviate from the levels thereof as shown on the deposited sections to any extent not exceeding three feet but not so as to increase the rate of inclination of the new road as shown on the said sections.

Period for
compulsory
purchase of
lands.

7. The powers of the highway board for the compulsory purchase of lands under the powers of this Act shall cease after the expiration of three years from the passing of this Act.

Power to
owners to
grant
easements.

8. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may subject to the provisions of those Acts and of this Act grant to the highway board any easement right or privilege (not being an easement of water) required for the purposes or under the powers of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges as far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

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9. The highway board shall not under the powers of this Act without the consent of the Local Government Board purchase or acquire in any city borough or other urban sanitary district or any parish or part of a parish not being within an urban sanitary district ten or more houses which after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers :

A.D. 1892.
 Restriction on taking houses of labouring class.

For the purposes of this section the expression "labouring class" includes mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them.

10. On the completion of the new road in accordance with the provisions of this Act all rights of way over the several roads and footpaths leading from Formby Great Altcar Downholland Moss Lane Altcar Lane New Causeway or Longhead Land to any of the bridges referred to in sub-sections 3 and 5 of section 25 of the Act of 1882 shall be by virtue of this Act stopped up and extinguished.

As to stopping up of certain roads and footpaths.

11. No right of way over any road or footpath by this Act authorised to be stopped up and extinguished shall be stopped up or extinguished until the new road by this Act authorised has been completed in accordance with the provisions of the agreement set forth in the First Schedule to this Act.

Roads &c. not to be stopped up until new road completed.

12. On the payment by the Company to the highway board of the sum of six hundred and fifty pounds mentioned in the agreement set forth in the First Schedule to this Act the Company shall be and are hereby relieved from all liability to construct or maintain the footbridge near Thomas Formby's farm and the footbridge called Rail Bridge mentioned in sub-section 3 of section 25 of the Act of 1882 or to reconstruct those footbridges or to reconstruct or maintain the road or the bridge called Fleam Bridge and approach respectively referred to in sub-section 5 of the said section 25.

Relieving Company from certain liabilities under Act of 1882.

13. The laying out and forming by the highway board of the said new road shall be deemed to be an improvement of highways within the meaning of sections 47 48 and 50 of the Highway Act 1864 and for such purpose the highway board may borrow money in accordance with the provisions of those sections.

Power to highway board to borrow money.

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As to
Birkdale
recreation
grounds.

14. In regard to the land described in sub-section 7 of section 21 of the Act of 1882 and conveyed by the Company to the local board the following provisions shall have effect:—

- (1) The Company shall within one month from the passing of this Act pay to the local board the sum of one thousand pounds and upon payment thereof the Company shall be relieved from all liability under the said sub-section 7 of section 21 and under section 23 of the Act of 1882 with respect to the drainage laying out and maintenance of or otherwise in relation to the said lands:
- (2) The local board shall apply the money so to be paid to them by the Company in or towards the fencing laying out planting improvement and embellishment of the said lands for the purpose of being used as a park or recreation ground and in the erection of the buildings and premises hereinafter mentioned and such lands are hereinafter referred to as the recreation grounds:
- (3) For the drainage of the recreation grounds but for no other purpose the local board shall at all times hereafter be entitled to an easement of running water through the existing ditch lying between the said grounds and the railway of the Company or through some other drain suitable for that purpose to be provided by the Company but the said local board shall not be entitled to enter on the railway or lands of the Company:
- (4) The local board may on any part of the recreation grounds erect refreshment rooms stands shelters and other like buildings and conveniences for the use of the public and buildings and conveniences for storing and keeping tools and materials and they may for the purpose of improving and ornamenting the said grounds and the approaches thereto execute and make such works and conveniences as they may from time to time think necessary or expedient:
- (5) The local board may on any special occasion but not exceeding six days at a time and twenty-one days in the whole in any one year close the recreation grounds against the public and may on such occasion grant the use thereof to the members of any society or of any public or private institution or persons being attendants at or supported by any public or private institution or for any agricultural horticultural or other show and admission to the said grounds on such occasion may be either without payment or on payment of such sums as may be agreed upon between the local board and the society or persons to whom the use of the said grounds may be granted:

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(6) The local board may set apart portions of the recreation grounds for cricket football archery bowls and other like games and may charge for the use thereof but so that the same shall be open to the public when not in use for such games and may provide any apparatus and appliances necessary for any such games They may also from time to time let for the grazing of sheep cattle and horses such part or parts of the said grounds as may be suitable for that purpose : A.D. 1892.

(7) Any sums and rents payable to the local board under this section may be recovered by them in any court of competent jurisdiction and any profits accruing to the local board under this section shall be applied first to the maintenance of the said grounds and the rooms stands shelters and other buildings and conveniences connected therewith and subject thereto shall be carried to the credit of the district fund of the local board :

(8) The local board may make byelaws with respect to all or any of the purposes and matters hereinafter mentioned (that is to say) :—

For regulating maintaining and managing the recreation grounds ;

For the erection preservation and protection of the fences barriers gates notice boards and other erections for the protection thereof ;

For the preservation and protection of the trees shrubs plants flowers and turf therein ;

For preventing the depositing of filth or rubbish therein or the removal of sand turf or soil therefrom ;

For regulating the playing of games or the putting up of stands booths or other erections in such manner as to injure the trees shrubs plants flowers turf or paths therein ;

For regulating the times at which the recreation grounds shall be open to the public and for closing the said grounds or any part thereof ; and

For enabling any officer of the local board or any constable to remove and take into custody persons offending against any such byelaw :

and the provisions of sections 183 to 186 of the Public Health Act 1875 shall extend and apply to such byelaws as if they were byelaws made under the authority of that Act :

(9) All expenses which may be incurred by the local board under this section and not defrayed out of the moneys payable to them by the Company as aforesaid shall be deemed to be expenses for the purposes of the Public Health Act 1875.

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—
Confirming
agreement
with
corporation
of Southport.

15. The indenture dated the thirty-first day of December one thousand eight hundred and eighty-seven and made between the mayor aldermen and burgesses of the borough of Southport of the one part and the Company of the other part with reference to the sea wall and fence at Southport therein mentioned as set forth in the Second Schedule to this Act is hereby confirmed and made binding on the parties thereto and the liabilities and obligations of the Company under sub-section 2 of section 18 of the Act of 1882 shall be and are by virtue of this Act as from the date of the said indenture transferred to the said mayor aldermen and burgesses and the Company shall be and are as from the same date relieved therefrom. The expression "lessees" as used in the said indenture shall for all purposes thereof be deemed to mean and include the Cheshire Lines Committee:

Any expenses incurred by the said mayor aldermen and burgesses under this section or the said indenture shall be defrayed out of the highway rate leviable by them.

Extending
time for sale
of certain
superfluous
lands.

16. The Company may notwithstanding anything to the contrary in the Lands Clauses Consolidation Act 1845 or in any Act relating to the Company with which that Act is incorporated retain and hold any lands acquired by them and which have not yet been applied to the purposes for which they were acquired or sold or disposed of for the periods following (that is to say) As regards such of the lands as are situate near to or adjoining any railway or station of the Company or as they may be of opinion that they may require for the purposes of stations sidings or other conveniences for the period of ten years from the passing of this Act and as regards the other of the said lands for the period of two years from the passing of this Act:

But the Company shall at the expiration of such respective periods of ten years and two years proceed bonâ fide to the sale and disposal of all such parts of those lands respectively as shall not then have been applied to or are not then required for the purposes aforesaid.

Explaining
section 14 of
Act of 1889.

17. Section 14 of the Southport and Cheshire Lines Extension Railway Act 1889 shall be deemed to have relieved the Company from any liability to repay out of revenue to capital account the moneys in that section referred to as having been expended out of capital in payment of dividends or interest.

Power to
issue
guaranteed
debenture
stock at a
discount.

18. The Company may with the sanction of three-fourths of their shareholders present in person or by proxy at a general meeting specially convened for the purpose from time to time issue and dispose of the sum of seven thousand six hundred pounds of the

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guaranteed debenture stock of the Company created under the powers of the Southport and Cheshire Lines Extension Railway Act 1889 which is still unissued at such discount not being more than ten per centum and on such terms and conditions as the meeting may determine. A.D. 1892.

19. The transfer by the trustees for the Company to the engineers of the Company of three hundred ordinary shares as hereinbefore mentioned (which shares are now represented by ordinary stock to the amount of three thousand pounds) and the issue of certificates therefor by the Company is hereby confirmed and the ordinary stock to the amount of twenty-two thousand pounds representing the remainder of the two thousand five hundred shares transferred to the Company or to their trustees as hereinbefore mentioned shall be deemed to be forfeited and is hereby cancelled and in substitution therefor the Company may from time to time issue new ordinary stock to an amount not exceeding twenty-two thousand pounds and may from time to time dispose of such new ordinary stock at such times to such persons at such discount (if any) on such terms and conditions and in such manner as the directors think advantageous to the Company. The new ordinary stock so issued shall be in addition to and form part of the ordinary stock of the Company and be subject to all the provisions and incidents affecting such ordinary stock and shall accordingly confer on the respective holders thereof according to the amount of their respective holdings the like rights of participation in the dividends and profits of the Company and the like powers of transfer and privileges and advantages for all other purposes as would have been conferred by an equal amount of the existing ordinary stock of the Company. Further provisions as to re-issue of certain shares.

20. The Company may from time to time apply for or towards all or any of the purposes of this Act to which capital is properly applicable any sums of money which they have already raised or are authorised to raise by any of their Acts and which are not required for the purposes to which they are by those Acts made specially applicable. Company may apply corporate funds.

21. No interest or dividend shall be paid out of any share or loan capital which the Company are by this or any other Act authorised to raise to any shareholder on the amount of the calls made in respect of the shares held by him but nothing in this Act shall prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the Companies Clauses Consolidation Act 1845. Interest not to be paid on calls paid up.

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Deposits for
future Bills
not to be
paid out of
capital.

22. The Company shall not out of any money by this Act authorised to be raised by them pay or deposit any sum which by any standing order of either House of Parliament now or hereafter in force may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act authorising the Company to construct any other railway or to execute any other work or undertaking.

Provision as
to general
Railway
Acts.

23. 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 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 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 to be taken by the Company.

Costs of
Act.

24. 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.

The SCHEDULES referred to in the foregoing Act.

A.D. 1892.

THE FIRST SCHEDULE.

AN AGREEMENT made this twelfth day of March one thousand eight hundred and ninety-two between the Highway Board for the district of Southport in the county of Lancaster (hereinafter called "the Board") of the one part and the Southport and Cheshire Lines Extension Railway Company (hereinafter called "the Company") of the other part.

Whereas there is now pending in Parliament a Bill with the short title of the "Southport and Cheshire Lines Extension Railway" whereby it is proposed to authorise the Company to lay out and form a new road and to stop up certain existing roads and to authorise agreements between the Company and the Board with reference thereto and it is also proposed by the said Bill to relieve the Company from certain liabilities in respect of bridges and works referred to in sub-sections 3 and 5 of section 25 of the Southport and Cheshire Lines Extension Railway Act 1882 :

Now it is hereby agreed between the parties hereto as follows :—

1. In consideration of the payment by the Company to the Board of the sum of six hundred and fifty pounds as hereinafter mentioned and other the terms of this agreement the Board will not oppose the proposed stopping up and extinguishment of the rights of way over the several roads and footpaths leading from Formby Great Altcar Downholland Moss Lane Altcar Lane New Causeway or Longhead Land or any of the bridges referred to in sub-sections 3 and 5 of section 25 of the Southport and Cheshire Lines Extension Railway Act 1882 nor the relief of the Company from all liability to construct or maintain the said bridges or to reconstruct such bridges or to reconstruct the road or the bridge called Fleam Bridge and approach respectively referred to in the said sub-section 5 of section 25.

2. The Board will in the line and according to the levels shown on the plans and sections deposited with the clerk of the peace for the county of Lancaster in respect of the said Bill (or within the limits of deviation authorised by the Bill) lay out and form the new road from the Liverpool and Southport Road to the New Causeway described in the Bill with all necessary culverts water-courses approaches works and conveniences connected therewith and the Board shall use for the purposes of such road the bridge constructed by the Company over Downholland Brook south of and near to the site of the bridge known as Rail Bridge.

3. The Company will within one month from the passing of the Bill giving the relief as in this agreement mentioned pay to the Board the sum of six hundred and fifty pounds for or towards the expense of laying out and forming the said new road.

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A.D. 1892. 4. The Board will purchase or acquire the land and any easements rights or privileges necessary for the construction of the said new road.

5. The powers conferred by the Bill upon the Company for or in connection with the laying out and forming of the said new road together with the power of purchase and taking of the lands necessary therefor are hereby transferred to the Board and may be exercised by them as if the Board were substituted in the proposed enactments for the Company.

6. The said new road when laid out and formed as hereinbefore provided and the said bridge over Downholland Brook mentioned in Article 2 hereof shall for ever after be repaired and maintained by and at the cost of the Board and such road and bridge shall for all purposes be deemed to be a highway repairable by the inhabitants at large.

7. This agreement is subject to confirmation by Parliament and is intended to be scheduled to and confirmed by the said Bill and this agreement is also subject to such alterations as Parliament may think fit to make therein but if the committee on the said Bill make any material alterations in the said agreement it shall be competent for either party hereto to withdraw from the same.

In witness whereof the Board and the Company have respectively set their common seals hereto the day and year first above written.

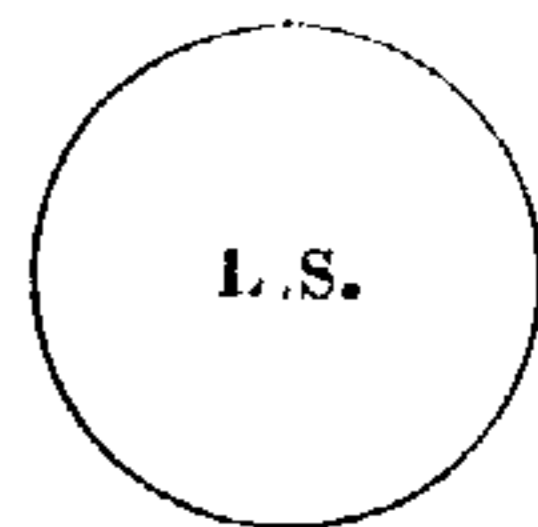
Passed under the common seal of the Highway Board
for the district of Southport in the presence of

JOHN SMALLSHAW

Solicitor and Clerk to the said Board.

W. REYNOLDS

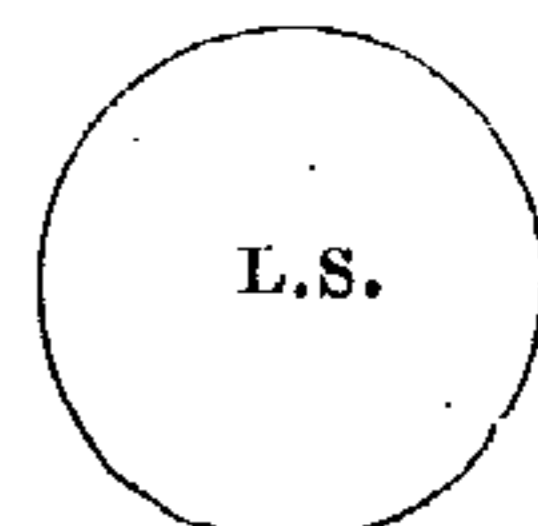
Chairman of the Board.



Passed under the common seal of the Southport and
Cheshire Lines Extension Railway Company in the
presence of

J. H. PECK

Secretary.



THE SECOND SCHEDULE.

THIS INDENTURE made the thirty-first day of December one thousand eight hundred and eighty-seven between the Mayor Aldermen and Burgesses of the borough of Southport (hereinafter called "the Corporation") of the one part and the Southport and Cheshire Lines Extension Railway Company (hereinafter called "the Company") of the other part.

Whereas by section eighteen sub-section two of the Southport and Cheshire Lines Extension Railway Act one thousand eight hundred and eighty-two it was enacted (inter alia) that on the seaward side of the whole length of a certain esplanade therein mentioned there should be erected and constructed and for ever after kept in repair by the Company a substantial sea wall and

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fence and that such sea wall and fence should be constructed and completed in accordance with a plan or design to be approved of by the Corporation And whereas the said sea wall and fence have been constructed and completed as aforesaid And whereas the Corporation having broken through the said sea wall and fence and altered the form of the same for the purpose of the erection of a lifeboat house and the works incidental thereto and being desirous of having free liberty to further interfere with the said sea wall and fence from time to time for the purposes of widening the said esplanade and of improving the means of access therefrom to the land and foreshore belonging to them on the seaward side thereof It has been agreed between the Corporation and the Company that the Corporation shall take upon themselves the burden of the renewal repair and maintenance for ever hereafter of the said sea wall and fence or any sea wall and fence erected in substitution therefor and that the Corporation shall enter into the covenants hereinafter contained :

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Now this Indenture witnesseth that in consideration of the premises and of the agreement hereinafter contained on the part of the Company the Corporation hereby covenant with the Company that the Corporation their successors and assigns will at all times hereafter at their own cost well and sufficiently renew repair and maintain the said sea wall and fence or any future sea wall and fence to be formed or erected in lieu thereof to the satisfaction of the Company their lessees successors and assigns or their engineer for the time being and will at all times hereafter indemnify and keep indemnified the Company their lessees successors and assigns from all losses costs actions damages charges and expenses caused to or suffered by the Company their lessees successors or assigns in consequence of the past present or future alteration to or interference by the Corporation with the said existing sea wall and fence or any substituted sea wall and fence or of the improper or insufficient maintenance of the said existing or any substituted sea wall and fence or the insufficiency from any cause whatever of the said existing or any substituted sea wall or fence as a protection from the sea of the railway plant works and effects of the Company their lessees successors or assigns And the Corporation hereby also covenant with the Company that if the Corporation shall at any time hereafter refuse or neglect well and sufficiently to renew repair and maintain as hereinbefore mentioned the said existing sea wall and fence or any sea wall and fence erected in substitution therefor it shall be lawful for the Company their lessees successors or assigns or the person or persons appointed by them for that purpose to renew repair and amend the said existing or any substituted sea wall and fence and in case of emergency without giving any notice of the intention of the Company to make such renewals repairs and amendments and that the Corporation their successors or assigns will pay and reimburse the Company their lessees successors or assigns the costs and expenses of and attendant upon such renewals repairs and amendments or incident thereto with liberty for the Company their lessees successors or assigns to recover such costs and expenses by action at law or other legal remedy :

And this Indenture also witnesseth that in consideration of the covenant hereinbefore contained on the part of the Corporation the Company hereby agree to the interference by the Corporation with the said sea wall and fence

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A.D. 1892. for the purpose of the erection of the aforesaid lifeboat house and the works incidental thereto and also to any interference which may from time to time hereafter be necessary for the purposes of widening the said esplanade and of improving the means of access therefrom to the land and foreshore belonging to the Corporation on the seaward side thereof but not further or otherwise:

And it is hereby expressly agreed and declared by and between the said parties hereto that it is their intention that these presents shall operate as an absolute guarantee and indemnity by the Corporation to the Company their lessees successors and assigns from all damage and loss from the action of the sea on the railway works plant and effects of the Company their lessees successors and assigns in consequence of the insufficiency whether structural or otherwise of the said existing sea wall and fence or any sea wall and fence erected in substitution therefor.

In witness whereof the Corporation and the Company have hereunto caused their common seals to be affixed the day and year first before written.

Passed under the common seal of the Mayor
Aldermen and Burgesses of the borough of South-
port in the presence of

E. J. RIMMER

Mayor.

A. PILLING

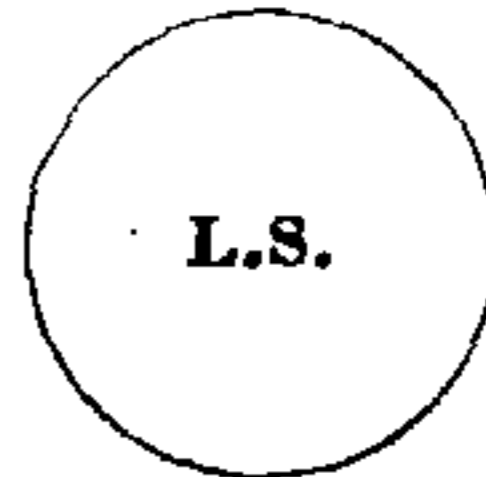
Chairman of the Finance Committee.

J. H. ELLIS

Town Clerk.

P. J. WHITEHEAD.

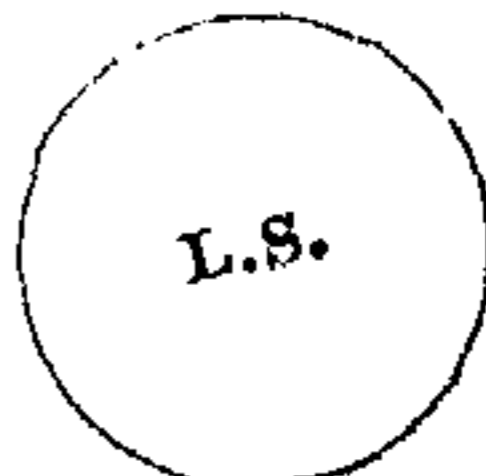
Borough Treasurer.



The common seal of the Southport and
Cheshire Lines Extension Railway Company was
hereunto affixed in the presence of

J. H. PECK

Secretary.



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