



ANNO VICESIMO QUINTO & VICESIMO SEXTO

VICTORIÆ REGINÆ.

Cap. cxxiv.

An Act to authorize the Abandonment of a Portion
of the *Garston and Liverpool* Railway; and for
other Purposes. [7th July 1862.]

WHEREAS by "The *Garston and Liverpool* Railway Act, 24 & 25 Vict. 1861," the *Manchester, Sheffield, and Lincolnshire* Railway Company and the *Great Northern* Railway Company were authorized to make a Railway between *Garston and Liverpool*, and to acquire certain Land in the Parish of *Childwall* in *Lancashire* for the Purposes of a Station; and the Powers of that Act are vested in and are to be exercised by a Joint Committee of the Two Companies, called "*The Garston and Liverpool* Railway Committee:" And whereas the said Act is being carried into execution, and the said Railway is in course of Construction, and the said Land in *Childwall* has been bought: And whereas the said Railway as authorized would terminate in *Liverpool*, on the South Side of *Parliament Street* and West Side of *Harrington Street*, near to the Junction of those Streets, and it is expedient that the said Committee should have Power to abandon the Formation of so much of the said Railway as is authorized to be made between the Termination aforesaid and the Northern Side of the Timber Yard numbered 479 on the deposited Plans referred to in the said Act; and also that the said

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Committee should have Power to acquire other Lands in the said Parish of *Childwall*, besides those already purchased by them: And whereas a Plan describing those additional Lands, with a Book of Reference thereto containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and of the Occupiers of the said Lands, has been deposited with the Clerk of the Peace for *Lancashire*: 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;

8 & 9 Vict.
c. 18. incor-
porated.

1. "The Lands Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act.

Interpreta-
tion of
Terms.

2. In this Act the Expression "the Committee" shall mean "the *Garston and Liverpool* Railway Committee," and the Words "the Railway" shall mean "the *Garston and Liverpool* Railway."

Power to
Committee to
abandon cer-
tain Portion
of authorized
Railway.

3. The Committee may abandon the Formation of so much of the Railway as was intended to be constructed in the Parish of *Liverpool* and in the extra-parochial Place of *Toxteth Park* in the Borough of *Liverpool*, between the Termination of the Railway to the South of *Parliament Street* and the Northern Side of the Timber Yard before referred to; and all the Powers, Authorities, and Privileges by the said recited Act granted to the Committee for the Construction, Maintenance, or Use of the Portion of Railway by this Act authorized to be abandoned, shall, from and after the passing of this Act, cease and determine, and the 31st Section of the recited Act shall not operate to prevent the Payment of Dividends, because this Portion of the Works authorized by the said Act is not completed within the Time required.

Compensa-
tion to be
made where
Contracts
have been
entered into,
or Notice
given.

4. In any Case where, before the passing of this Act, any Contract has been entered into or Notice given by the Committee for purchasing or using any Lands which the Committee were empowered to purchase for the Purpose of constructing the Portion of Railway authorized to be abandoned as aforesaid, the Committee shall make to the Owners or Occupiers of and other Parties interested in such Lands full Compensation for all Injury or Damage sustained by such Owners, Occupiers, and other Parties by reason of such Purchase not being completed pursuant to such Contract or Notice; and the Amount and Application of such Compensation shall be determined in the Manner provided by "The Lands Clauses Consolidation Act, 1845," for determining the Amount and Application of the Compensation to be paid for Lands taken under the Provisions thereof: Provided that the Authority hereby given for abandoning the said Portion of Railway shall not prejudice or
affect

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affect the Right of the Owner or Occupier of any Lands which the Committee were so empowered to purchase as aforesaid to receive from the Committee Compensation for any Damage that may have been occasioned by the Entry of the Committee upon such Lands for the Purpose of surveying and taking Levels, and of probing or boring to ascertain the Nature of the Soil, or of setting out the Line of the Railway pursuant to the Provisions for that Purpose in "The Lands Clauses Consolidation Act, 1845," contained.

5. It shall be lawful for the Committee to purchase the Lands in the Township of *Wavertree* and Parish of *Childwall* shown on the said deposited Plan, and to erect thereon a Station, Sidings, Warehouses, Approaches, and Works.

Power to purchase additional Lands.

6. The Committee and the *London and North-western Railway Company* may make and enter into Contracts and Agreements for the Sale, Purchase, and Exchange, and the said Parties may mutually sell, purchase, or exchange any Lands in the Township of *Wavertree* which may be or may have been acquired by the contracting Parties or by the *Manchester, Sheffield, and Lincolnshire Railway Company*, or the *Great Northern Railway Company*, or any Trustees for those Companies for the Use of the Committee, and every such Contract or Agreement, Conveyance or Exchange, may be subject to such Covenants, Clauses, Provisions, and Conditions, with respect to the Arrangement and Use of the said Lands for the Purpose of Stations and of Approaches thereto, as may be or may have been mutually agreed on between the Committee and the *London and North-western Railway Company*.

Committee and *London and North-western Railway Company* may agree as to Lands in *Wavertree*.

7. Nothing in this Act contained shall extend or be deemed or construed to extend to authorize or enable the Company to take or enter upon, or use either permanently or temporarily, any of the Lands belonging to the *London and North-western Railway Company*, or over which they have Parliamentary Powers, to purchase, or to alter, vary, or interfere with the *London and North-western Railway* or any of the Works thereof without the Consent in Writing in any Instance for that Purpose first had and obtained by the *London and North-western Railway Company*.

Company not to take Lands belonging to the *London and North-western Railway Company* without Consent.

8. The Cost of obtaining this Act and incidental thereto, and the Cost of acquiring the Lands hereby authorized to be purchased, and of erecting the proposed Station, Sidings, Warehouses, Approaches, and Works, and of otherwise carrying this Act into effect, shall be discharged by the Committee out of the Funds provided for by the 9th Section of the recited Act.

Providing Funds for Purposes of Act.

9. It

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Deposit for
future Bills
not to be
paid out of
Capital.

9. It shall not be lawful for the said Committee, or for the *Manchester, Sheffield, and Lincolnshire* Railway Company, or the *Great Northern* Railway Company, out of any Money by any Act authorized to be raised for the Purposes of such Act, 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 Companies or either of them to construct any other Railway or execute any other Work or Undertaking.

Railway not
exempt from
Provisions of
present and
future General Acts.

10. Nothing herein contained shall be deemed or construed to exempt the *Garston and Liverpool* Railway, or the Committee, or the said Two Companies from the Provisions of any General Act relating to Railways, or to the better and 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 and Alteration under the Authority of Parliament of the maximum Rates of Fares and Charges, or of the Rates for small Parcels, authorized by the recited Act.

Short Title.

11. This Act may be cited for all Purposes as "*The Garston and Liverpool* Railway Amendment Act, 1862."

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