



## CHAPTER lxxiv.

An Act for extending the time for making and completing the Mersey Railway. A.D. 1880.  
[19th July 1880.]

**W**HEREAS by the Mersey Railway Act, 1866, the Mersey Railway Company (herein-after referred to as "the Company") were incorporated and authorised to make railways to connect Liverpool with Birkenhead: 29 & 30 Vict.  
c. cxxxix.

And whereas by the Mersey Railway Act, 1868, the powers of the Company for purchasing land and making the railway were extended: 31 & 32 Vict.  
c. clxi.

And whereas by the Mersey Railway Act, 1871, the Company were empowered to divert portions of the railway authorised by the said Act of 1866, and to extend it in Liverpool and Birkenhead: 34 & 35 Vict.  
c. cci.

And whereas by the Mersey Railway Act, 1874, an extension of time was given to the Company for purchasing land, and by that Act and the Mersey Railway Act, 1877, the time for making the railway was also extended: 37 & 38 Vict.  
c. clxxx.  
40 & 41 Vict.  
c. ccxx.

And whereas it is expedient that the time limited by the said Act of 1877 for completing the undertaking should be further extended:

And whereas the objects of this Act cannot be attained 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:

1. This Act may be cited as the Mersey Railway Act, 1880.

Short title.

2. Part II. of the Railways Clauses Act, 1863 (relating to extension of time), is incorporated with and forms part of this Act.

Incorporation  
of Part II. of  
26 & 27 Vict.  
c. 92.

A.D. 1880.

Extension  
of time for  
making  
railway.

3. The time limited by the Mersey Railway Act, 1877, for making and completing the railway authorised by the recited Acts shall be and the same is hereby extended and enlarged until the expiration of three years from the fourteenth day of August one thousand eight hundred and eighty.

Period  
limited for  
completion  
of railway.

4. If the railway shall not be completed within the period limited by this Act, then on the expiration of such period the powers by the recited Acts and this Act granted to the Company for making and completing the railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

Company to  
proceed with  
due diligence  
in the con-  
struction of  
works, other-  
wise powers  
to cease.

5. If at any time before the Company shall have obtained a certificate from the Board of Trade that two thirds of the authorised share capital of the Company has been subscribed and is bonâ fide held, the Corporation of Liverpool, the Corporation of Birkenhead, or the Mersey Docks and Harbour Board shall be of opinion that the Company are not proceeding with the works required for making and completing the railway with due diligence in order to the completion of the same within three years from the fourteenth day of August one thousand eight hundred and eighty, then, on the written request of the said Corporations and of the Mersey Docks and Harbour Board, or of any one or more of those bodies, the Board of Trade shall appoint an engineer to inspect the works and inquire as to the progress made by the Company therewith, and if such engineer shall report that the Company have not proceeded with the works with such diligence as to ensure the completion thereof within the period aforesaid, the powers of the recited Acts and this Act granted to the Company shall cease to be exercised, unless the Board of Trade shall certify that under the circumstances the delay in proceeding with the said works ought not to involve the cessation of the powers of the Company, and the Board of Trade may, by any such certificate, impose such conditions on the Company in regard to the future progress of the works, and the time for completing the railway, as they think fit.

Provisions as  
to general  
Railway  
Acts.

6. Nothing in this Act contained shall exempt the Company or the railway 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 or alteration, under the authority of Parliament, of the maximum rates of fares and charges, or of the rates for small parcels, by any Act relating to the Company authorised.

[43 & 44 Vict.]     *Mersey Railway Act, 1880.*     [Ch. lxxiv.]

7. 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.

A.D. 1880.  
Expenses  
of Act.

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