



## CHAPTER clxi.

An Act for conferring further powers upon the Cheshire Lines Committee and the Sheffield and Midland Railway Companies Committee and for other purposes. A.D. 1893.

[27th July 1893.]

**W**HEREAS it is expedient that the Cheshire Lines Committee incorporated by the Cheshire Lines Act 1867 be empowered to purchase by compulsion or agreement for the general purposes of their undertaking the lands houses and buildings herein-after described :

And whereas it is expedient that the time limited for the sale of certain superfluous lands belonging to the Committee should be extended and that further powers be granted to the Committee respecting the holding and disposal of those lands :

And whereas it is expedient that further provision be made respecting the holding and disposal of lands belonging to the Sheffield and Midland Railway Companies Committee incorporated by the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1872 :

And whereas the objects aforesaid cannot be attained without the authority of Parliament :

And whereas plans showing the lands by this Act authorised to be taken and a book of reference to those plans containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of those lands have been deposited with the clerk of the peace for the county of Lancaster and with the clerk of the peace for the county of Chester and are in this Act respectively referred to as the deposited plans and book of reference :

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 as the Cheshire Lines Act 1893.

Short title.

[Price 9d.]

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Incorpora-  
tion of  
general Acts.  
Interpreta-  
tion.

2. The Lands Clauses Acts (so far as the same respectively are applicable for the purposes of and not varied by or inconsistent with this Act) are hereby incorporated with this Act.

3. In this Act--

“The Committee” means the Cheshire Lines Committee;

“The Sheffield and Midland Committee” means the Sheffield and Midland Railway Companies Committee:

And the several words and expressions to which meanings are assigned in enactments incorporated with this Act or which have therein special meanings have in this Act the same respective meanings and in this Act and for the purposes of this Act in any enactment incorporated with this Act the term “court of competent jurisdiction” shall have effect as if the debt or demand with respect to which it is used was a common simple contract debt and not a debt or demand created by statute and the term “superior courts” shall include any court of competent jurisdiction “The promoters of the undertaking” and “the Company” shall mean and apply to the Committee and to the Sheffield and Midland Committee respectively.

Confirma-  
tion of  
purchase by  
Committee  
of lands  
referenced.

4. Subject to the provisions of this Act the purchase by the Committee for the general purposes of their undertaking of all or any of the following lands and buildings delineated on the deposited plans and described in the book of reference is hereby confirmed and the Committee may use and hold the same for the purposes aforesaid but nothing herein contained shall exempt the Committee from any indictment action or other proceeding for nuisance caused or permitted by them upon any of the said lands (that is to say):—

Certain lands houses and buildings situate in Toxteth Park in the parish of Childwall in the county of Lancaster on the northern and southern sides of the Garston Branch Railway of the Committee lying partly over the tunnel of that railway and extending from Dingle Lane on the west to Southwood Road on the east;

Certain other lands houses and buildings situate in Toxteth Park in the parish of Childwall in the county of Lancaster on the northern and southern sides of the said Garston Branch Railway of the Committee and lying between Melley Road on the north Southwood Road on the west and Saint Michael’s Road on the east;

Certain other lands houses and buildings situate in Toxteth Park in the parish of Childwall in the county of Lancaster lying and abutting on the western side of Fulwood Park Road



and on the northern side of the said Garston Branch Railway of the Committee ;

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Certain other lands houses and buildings now or lately belonging or reputed to belong to Sir John Edwards Moss Baronet and commonly known as the Otter's Pool Estate situate in the township of Garston in the parish of Childwall in the county of Lancaster and in Toxteth Park aforesaid lying on the northern and southern sides of the Garston Branch Railway of the Committee between their Otterspool and Mersey Road Stations on the west and east and Aigburth Road and the River Mersey on the north and south ;

Certain other lands situate in the township of Garston in the parish of Childwall in the county of Lancaster lying and abutting on the northern side of the Mersey Road Station and the Garston Branch Railway of the Committee and on the eastern side of Mersey Road ;

Certain other lands situate in the township of Garston in the parish of Childwall in the county of Lancaster lying and abutting on the southern side of the Garston Branch Railway of the Committee between that railway and Alma Road ;

Certain other lands situate in the township of Garston in the parish of Childwall in the county of Lancaster lying and abutting on the southern side of the Garston Branch Railway of the Committee between Grassendale Road and Knowsley Drive ;

Certain other lands situate in the township of Garston in the parish of Childwall in the county of Lancaster lying and abutting on the northern side of the Liverpool Extension Railway of the Committee and the north-eastern end whereof abuts upon Saint Mary's Road ;

Certain other lands houses and buildings situate in the township of Halewood in the parish of Childwall in the county of Lancaster lying and abutting on the eastern side of Bailey's Lane near the junction of that lane with Leather's Lane ;

Certain other lands situate in the township of Little Woolton in the parish of Childwall in the county of Lancaster on the northern side of Nook Lane and lying between that lane Halewood Lane and the approach road leading to the goods yard of the Gateacre Station of the Committee ;

Certain other lands situate in the township of Urmston in the parish of Flixton in the county of Lancaster lying and abutting on the southern side of the Liverpool Extension Railway of

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- the Committee and situate near Moss Lane the burial ground for Jews Lorne Grove and Bradshaw's Bridge respectively ;
- Certain other lands situate in the township of Heaton Norris in the parish of Manchester in the county of Lancaster lying between the lands and works belonging or reputed to belong to Henry Faulder and Company Limited on the north and the Stockport and Timperley Branch Railway of the Committee on the south ;
- Certain other lands houses and buildings situate in the township of Poulton-cum-Seacombe in the parish of Wallasey in the county of Chester and lying between Gorsey Lane Dock Road the Wallasey Gas and Water Works and the Wallasey mill and works of James Samuelson and Sons Limited ;
- Certain other lands situate in the township of Eddisbury in the parish of Delamere in the county of Chester lying and abutting on the southern side of the yard adjacent to the Delamere Station of the Committee ;
- Certain other lands situate in the township of Over in the parish of Whitegate in the county of Chester near the Wharton Meadow Saltworks and lying and abutting on the western side of the Winsford Extension Branch Railway of the Committee and adjoining the northern end of their Winsford goods station ;
- Certain other lands situate in the township of Witton-cum-Twambrook in the parish of Great Budworth in the county of Chester lying and abutting on the eastern side of the No. 1 Marston Branch Railway of the Committee and on the northern side of the road leading from Manchester to Northwich ;
- Certain other lands situate in the township of Lostock Gralam in the parish of Great Budworth in the county of Chester lying between the road leading from Manchester to Northwich on the north the railways of the Committee on the south and west and the tile works belonging or reputed to belong to Messieurs Thompson on the east ;
- Certain other lands situate in the township of Lostock Gralam in the parish of Great Budworth in the county of Chester lying and abutting on the northern and southern sides of the Cheshire Midland Railway of the Committee near the Over Street Farm and the Trent and Mersey Canal ;
- Certain other lands houses and buildings situate in the township of Lostock Gralam in the parish of Great Budworth in the county of Chester lying between the Cheshire Midland Railway of the Committee on the north and the works and lands of Davis's Chlorine Processes Limited on the south ;
- Certain other lands houses and buildings situate in the township of Witton-cum-Twambrook in the parish of Great Budworth



in the county of Chester near the Committee's locomotive shed attached to their Northwich station and lying and abutting on the south-eastern side of the yard adjacent to that station ;

Certain other lands situate in the township of Witton-cum-Twambrook in the parish of Great Budworth in the county of Chester abutting on the southern side of the No. 3 Marston Branch Railway of the Committee and lying between Leicester Street and Warrington Road ;

Certain other lands houses and buildings situate in the townships of Winnington and Castle Northwich in the parish of Great Budworth in the county of Chester abutting on the western side of the Winnington Branch Railway of the Committee and lying to the north and south of Winnington Lane ;

Certain other lands houses and buildings situate in the township of Helsby in the parish of Frodsham in the county of Chester abutting on the eastern side of the West Cheshire Railway of the Committee and lying near the Committee's Helsby and Alvanley Station and near to and lying to the north or north-west of the road from Warrington to Chester ;

Certain other lands houses and buildings situate in the townships of Altrincham and Hale in the parish of Bowdon in the county of Chester on the western side of the Cheshire Midland Railway of the Committee and lying between Hale Road and the Peel Causeway Station of that railway ;

Certain other lands houses and buildings situate in the township of Bredbury in the parish of Stockport in the county of Chester lying and abutting on the eastern side of the turnpike road leading from Stockport to Hyde and on the western side of the Woodley Station and other lands and premises belonging to the Committee.

**5.** Subject to the provisions of this Act the Committee may enter on take and use for the general purposes of their undertaking all or any of the following lands and buildings delineated on the deposited plans and described in the deposited book of reference (that is to say) :—

Power for  
Committee  
to take lands  
referenced.

Certain lands houses and buildings situate in the township of Over in the parishes of Whitegate and Over in the county of Chester lying and abutting on the southern and western sides of the Winsford goods and passenger stations and the railway and other premises of the Committee ;

Certain other lands houses and buildings situate in the townships of Winnington and Castle Northwich in the parish of Great Budworth in the county of Chester abutting on the western

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side of the Winnington Branch Railway of the Committee and lying to the north and south of Winnington Lane.

Certain lands not to be taken without consent.

6. Notwithstanding anything in this Act contained the Committee shall not under the powers of this Act take use or enter upon any of the lands shown on the deposited plans numbered respectively 23 24 25 and 26 in the parish of Great Budworth in the county of Chester without the consent of the respective owners for the time being of those lands.

Restriction on taking houses of labouring class.

7. The Committee shall not under the powers of this Act 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 15th day of December next before the passing of this Act were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Local Government Board ten or more houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied.

Defining 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.

Period for compulsory purchase of lands.

8. The powers of the Committee for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act.

Application of capital by Committee.

9. The Committee may apply for the purposes of this Act to which capital is properly applicable any moneys under their control or at their disposal and which are not required by them for the purposes for which the same were authorised to be raised.

Extending period for sale of superfluous lands of the Committee.

10. The Committee may notwithstanding anything in the Lands Clauses Consolidation Act 1845 or in any Act relating to the Committee with which that Act is incorporated retain and hold any lands belonging to them in the parishes townships or places mentioned in the First Schedule to this Act which have not yet been applied or are not yet required for the purposes of the Committee for the periods following (that is to say) As regards such of the lands as are situate near to or adjoining any station of the Committee or may in the opinion of the Committee be required by them 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 residue of the said lands for the period of three years from the passing of this Act but the Committee shall at the expiration of such respective periods sell and absolutely dispose of as superfluous lands all such parts of those lands as shall not then have been applied to or are not then required for the purposes of their undertaking.

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**11.** The Committee may from time to time sell and dispose of in fee simple absolutely or on chief or ground rents or may demise or lease for a term or terms of years and subject in either case to such covenants and conditions as to the payment of rent or rents or to the erection of buildings laying out and appropriating roads or streets and otherwise as they may from time to time think fit any of the lands in Toxteth Park in the parish of Childwall in the county of Lancaster commonly known as the "Jericho" Estate which the Committee purchased or acquired under the authority of the Cheshire Lines Act 1881 from the Right Honourable William Philip Earl of Sefton and which said lands so sold or demised as aforesaid the Committee shall under their common seal declare are not required to be used for the purposes of their undertaking. Provided that the Committee shall absolutely sell and dispose of all chief rents or ground rents created under the powers by this section conferred upon them within twenty years from the passing of this Act.

Power to sell on chief rent certain lands known as the "Jericho" Estate.

**12.** The Committee may from time to time sell and dispose of in fee simple absolutely or on chief or ground rents or may demise or lease for a term or terms of years and subject in either case to such covenants and conditions as to the payment of rent or rents or to the erection of buildings laying out and appropriating roads or streets and otherwise as they may from time to time think fit any of the lands situated in Toxteth Park and in the township of Garston all in the parish of Childwall in the county of Lancaster commonly known as the "Otter's Pool" Estate purchased by the Committee from Sir John Edwards Moss Baronet and confirmed by this Act and which said lands so sold or demised as aforesaid the Committee shall under their common seal declare are not required to be used for the purposes of their undertaking. Provided that the Committee shall absolutely sell and dispose of all chief rents or ground rents created under the powers by this section conferred upon them within twenty years from the passing of this Act.

Power to sell on chief rent certain lands known as the "Otter's Pool" Estate.

**13.** The Sheffield and Midland Committee may notwithstanding anything in the Lands Clauses Consolidation Act 1845 or in any

Extending period for sale of super-

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 fluous lands  
 of Sheffield  
 and Midland  
 Committee.

Act relating to that Committee with which that Act is incorporated retain and hold any lands belonging to them in the parishes townships or places mentioned in the Second Schedule to this Act which have not yet been applied or are not yet required for the purposes of that Committee for the periods following (that is to say) As regards such of the lands as are situate near to or adjoining any station of that Committee or may in the opinion of that Committee be required by them 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 residue of the said lands for the period of three years from the passing of this Act but the Sheffield and Midland Committee shall at the expiration of such respective periods sell and absolutely dispose of as superfluous lands all such parts of those lands as shall not then have been applied to or are not then required for the purposes of their undertaking.

Saving rights  
 of the  
 Crown.

**14.** Nothing contained in this Act shall authorise the Committee to take use or in any manner interfere with any land or hereditaments or any rights of whatsoever description belonging to the Queen's most Excellent Majesty in right of Her Crown and under the management of the Commissioners of Woods without the consent in writing of the Commissioners of Woods on behalf of Her Majesty first had and obtained for that purpose (which consent such Commissioners are hereby authorised to give) neither shall anything in this Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exerciseable by the Queen's Majesty Her heirs or successors.

For the  
 protection of  
 existing  
 rights of the  
 Salt Union  
 Limited.

**15.** No person or company authorised by or acquiring title from the Committee shall during the continuance of the subsisting leases and deed of covenant to the Salt Union Limited from the trustees of the late Lord Delamere (so far as the same relate to the lands hereby authorised to be purchased) dig pump or get any rock salt or brine from the lands to which this Act applies which are situate in the parishes of Over and Whitegate or either of them in the county of Chester and coloured either pink or yellow and distinguished by the numbers 1 2 3 4 and 5 on the plan signed by Sir Richard Paget the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred nor shall they during the said period on such lands or any part thereof carry on or permit to be carried on any manufacture of salt or alkali or any branch of such manufacture Provided always that in the event of the Committee acquiring any such lands then in estimating the compensation to be paid in respect of the said land to the Salt Union Limited their



successors or assigns the effect of the restrictions in this clause contained shall be taken into due account. A.D. 1893.

**16.** Nothing in this Act contained shall alter vary or affect the terms and conditions contained in a certain indenture dated the twenty-fourth day of March one thousand eight hundred and eighty-five and made between Richard Moon John Pares Bickersteth and Stephen Reay of the first part the London and North Western Railway Company of the second part and the Cheshire Lines Committee of the third part relating to certain lands situate in the township of Garston in the parish of Childwall and county of Lancaster nor shall the Committee purchase or acquire any interest in so much of the land as is coloured blue upon the plan upon the said indenture other than an easement under the same for the purposes and subject to the conditions in the said indenture set forth.

For the protection of the London and North Western Railway Company.

**17.** Nothing in this Act contained shall exempt the Committee or the Sheffield and Midland Committee or their respective 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 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.

Provision as to general Railway Acts.

**18.** The costs charges and expenses preliminary to and of and incidental to the preparing of applying for and obtaining and passing of this Act shall be paid by the Committee.

Expenses of Act.

A.D. 1893. The SCHEDULES referred to in the foregoing Act.

### THE FIRST SCHEDULE.

PARISHES IN WHICH THE SUPERFLUOUS LANDS OF THE COMMITTEE  
ARE SITUATE.

LANCASHIRE	CHESHIRE
Manchester	Mottram-in-Longdendale
Eccles	Stockport
Flixton	Cheadle
Warrington	Bowdon
Prescot	Mobberley
Childwall	Knutsford
Toxteth Park	Great Budworth
Liverpool	Weaverham
Walton-on-the-Hill	Delamere
Sefton	Over
	Whitegate
	Tarvin
	Frodsham
	Thornton-in-the-Moors
	Barrow
	Plemstall
	St. Oswald

COUNTY OF THE CITY OF CHESTER  
St. Oswald

### THE SECOND SCHEDULE.

PARISHES IN WHICH THE SUPERFLUOUS LANDS OF THE SHEFFIELD AND  
MIDLAND COMMITTEE ARE SITUATE.

DERBYSHIRE	CHESHIRE	LANCASHIRE
Glossop	Stockport	Manchester
	Mottram-in-Longden- dale	Prescot
		Childwall
		Liverpool
		Walton-on-the-Hill

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