

MIDLAND RAILWAY EXTENSION TO HUDDERSFIELD.

MR. W. H. HIRST'S OPPOSITION.

(FROM OUR LONDON REPORTERS.)

The Select Committee of the House of Lords presided over by Lord Brougham, sat yesterday morning to consider the Omnibus Bill of the Midland Railway Company. The promoters were represented by Mr. Shires Will, Q.C., Mr. Baggalay, Q.C., and Mr. Noble; and the only opponent—Mr. William Henry Hirst—by Mr. Freeman, Q.C., Mr. A. V. Frere, and Mr. W. E. Hirst.

Mr. Shires Will, in opening the case for the promoters, said the only works proposed under the bill to which there was opposition was a railway called the Huddersfield Railway, 4 miles 3 furlongs and 3 chains, wholly situated in the West Riding of York, commencing in the parish of the urban district of Mirfield by a junction with the Lancashire and Yorkshire Railway from Manchester to Normanton, and terminating in the parish of Huddersfield. The long and the short of it was that the railway was one by means of which the Midland Railway would get direct access to the town of Huddersfield, and that was a work of very considerable public advantage, and was so considered by the various districts interested. The only opposition to the line came from the owner of a house and about an acre of land—Mr. William Henry Hirst. This gentleman had an acre of land under a 999 years' lease, and on this he had built a house. Neither the house nor the land were touched by the railway, and if this were all, Mr. Hirst would have no locus standi in the matter. He asked that his house might be bought, but the facts so far related would not give him a locus standi. But he happened to rent, on a yearly tenancy, two fields which he occupied in connection with his house, and of these the company required to take a small portion in order to give the necessary slope to the new railway. Therefore, Mr. Hirst had an interest in the land dealt with under the bill, and his locus would not be objected to. The petitioner complained that the new railway, from noise, &c., would be a nuisance to him, and for that reason he asked that his property might be purchased by the company. But, as a matter of fact, the new railway would be sixty yards away from Mr. Hirst's house, and would run at the back, whilst there was already a railway running in front of the house, and only 35 yards away, over which there were no fewer than 375 trains. The petitioner said that the construction of the new railway would interfere with the access to his property and the amenities thereof, but the learned counsel submitted that it was necessary to construct the railway as proposed, but that every care would be exercised with the railway so as to render it as little objectionable to Mr. Hirst as possible. The petitioner further alleged that no money compensation which he was likely to receive in respect of the exercise of the powers of the bill by the company would adequately recompense him for the injury, loss, and annoyance to which he would be subjected. This the learned counsel denied, as he did the further allegation that the proposed railway was so laid out and designed as to interfere needlessly with the petitioner's property, and would not confer any such public benefit as would justify such interference.

Mr. Maconald, engineer-in-chief to the Midland Railway Company, and Mr. Wallis, surveyor, of Manchester and London, gave evidence in support of the bill.

Mr. W. H. Hirst, the petitioner, gave evidence in support of his petition, declaring that his property would be seriously depreciated in value by the proposed railway—that, in fact, it would render it altogether unfit for residence. As the property would be so seriously injured, he thought the Midland Railway Company should purchase it.

Mr. Hansell, surveyor, Huddersfield, and Mr. T. Fenwick, engineer and surveyor and arbitration expert, supported the petitioner.

Mr. Freeman submitted maps and photographs, and declared that on these he relied for a favourable decision on the part of the Committee. If the company did not buy Mr. Hirst's property, at least the Committee should give him a clause declaring that if the property were bought from Sir John Ramsden, who was the owner of the fields which would be affected, the disturbance should be compensated for under the Lands Clauses Act.

In the result the Committee decided that the preamble of the bill was passed, but that Mr. Hirst should not have a special clause.