CHAPTER cxlii.

An Act to provide for the working and rental of the East London Railway Whitechapel Junction and for other purposes. [14th July 1884.] A.D. 1884.

WHEREAS the East London Railway Acts 1882 and 1883 authorised the East London Railway Company (in this Act called "the Company") to construct the Whitechapel Junction Railway commencing by a junction with the East London Railway main line near the London Hospital and terminating by a junction with the City lines and extensions authorised by the Metropolitan and District Railways (City Lines and Extensions) Act 1879 (in this Act called "the Act of 1879") and to make a station and works at and near Meggs' Almshouses and which railway station and works are hereinafter called "the Whitechapel Junction Railway" And by the said Act of 1882 (section 23) the Company and the Metropolitan Railway Company and the Metropolitan District Railway Company (in this Act called "the two Companies") or either of them were empowered to enter into agreements as to the construction of junction works and maintenance working and use of the Whitechapel Junction Railway and the transfer to and exercise by the two Companies or either of them of the powers conferred upon the Company by the said Act of 1882 with reference thereto:

And whereas all questions of works and arrangements relating to the Whitechapel Junction Railway and the Joint Line No. 4 authorised by the Act of 1879 having been referred to Sir John Hawkshaw with power to settle in the interest of all the companies he by his award dated the 10th day of April 1883 awarded (inter alia) as follows (that is to say):—

1. The East London Railway Whitechapel Junction session 1882 hereafter called the Whitechapel Junction and the station upon it shall be completed by the East London Railway Company on or before the 1st January 1884 in accordance with the plans signed by me and with detailed plans to be

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submitted and approved by me with booking-offices and conveniences and some space for ventilation and with the bell mouth shown on the plan or as may be altered by me for the purpose of giving railway communication with the land on the north side of the Whitechapel Road:

2. That when made and connected by their railway along the Whitechapel Road with the Inner Circle Railway at Aldgate it shall be managed and used by the joint committee of the City lines (meaning the joint committee of the two Companies and herein called the joint committee) in all respects and with the same rights to charge for traffic over it as if the joint committee had themselves made it and it formed a continuous part of their undertaking:

3. The joint committee shall pay to the East London Railway Company in half-yearly payments in consideration of the latter Company incurring the cost of making the Whitechapel Junction an annual sum equal to five per cent. on one hundred and twenty-five thousand pounds to accrue from the 1st January 1884:

4. If before the railway communication is completed to Aldgate the East London Railway Company prefer to open and temporarily use the said branch for traffic they may do so but any earnings thereby from and after the 1st January 1884 shall go in diminution of the payment referred to in clause 3:

5. Should the East London Railway Company elect temporarily to use the Whitechapel branch they are not in virtue of having made the Whitechapel branch to exercise such right of user after railway communication is made with the Inner Circle Railway at Aldgate The Whitechapel branch when railway communication with the Inner Circle Railway at Aldgate is made is to be in all respects the same as regards all rights of charge user and management as it would have been had the joint committee made the Whitechapel branch themselves as a portion of their original undertaking:

And whereas the Whitechapel Junction station and other works and conveniences connected therewith mentioned in article 1 above recited of the said award have been completed in accordance with the said award and the railway has been worked for some time by the Company:

And whereas the Company did on the nineteenth day of July one thousand eight hundred and eighty-three seal an agreement

with the Metropolitan Railway Company by which they agreed to permit that company to have and enjoy for their own exclusive benefit the said Whitechapel Junction Railway and works subject to an option to the Metropolitan District Railway Company to join in the said agreement which option they have not exercised and it is proper and expedient that the said agreement should be cancelled:

And whereas the Whitechapel Junction with the station works and conveniences aforesaid was constructed by means of a separate capital to the amount of one hundred and twenty-five thousand pounds bearing dividend at the rate of five pounds per centum per annum raised by the Company for that purpose under the authority of the Act of 1882:

And whereas it is expedient that provision should be made in accordance with the said award with reference to the working maintenance and management of the Whitechapel Junction Railway and the levying of tolls and charges in respect of the use thereof and for the payment to be made to the Company in respect thereof as hereinafter contained:

And whereas the purposes of this Act 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:—

Short title.

1. This Act may be cited as the East London Railway Whitechapel Junction Act 1884.

Cancelling agreement of 19th July 1883.

2. The agreement between the Company and the Metropolitan Railway Company dated the nineteenth day of July one thousand eight hundred and eighty-three is hereby cancelled and declared to be null and void and of no effect.

As to payment of annual sum by the two Companies to the East London Company.

3. The two Companies shall jointly and severally pay to the Company an annual sum of six thousand two hundred and fifty pounds being equal to five per centum per annum on one hundred and twenty-five thousand pounds in two half-yearly sums of three thousand one hundred and twenty-five pounds payable on the first day of July and the first day of January in each year respectively and the first of such payments shall be due and shall be made on the first day of July one thousand eight hundred and eighty-four but the Company shall give credit to the joint committee for their net earnings from the Whitechapel Junction Railway since the first day of January one thousand eight hundred and eighty-four.

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Whitechapel Junction Railway to be worked by the joint committee.

4. The Whitechapel Junction Railway as sanctioned for opening by the Board of Trade shall be maintained and managed by the joint committee in all respects as if the same had been constructed by the joint committee as a portion of their original undertaking and subject in all respects to the rights powers authorities and privileges of the two Companies in respect of the user thereof and to all payments and other expenses of management and to the tolls rates and charges to be demanded and taken in respect of such user and otherwise as the same are defined and provided by the Metropolitan and District Railways (City Lines and Extensions) Act 1879.

Recovery of annual payment.

5. Every sum of money from time to time payable by the two Companies to the Company under the provisions of this Act shall be a debt from the two Companies jointly and each of them severally and may be recovered accordingly from the two Companies or either of them and if recovered from one only in default of the other the amount payable by the defaulting company shall become a debt from such company to the company making due payment.

Application of annual payment.

6. Every sum of money so paid by the two Companies or either of them to the Company shall be applied by the Company in payment of the half-yearly dividends upon the capital of one hundred and twenty-five thousand pounds raised by them under the authority of the Act of 1882 and to no other purpose whatever.

Provision as to general Railway Acts.

7. Nothing in this Act shall exempt the Company or the two Companies 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 to be taken by the said Companies or any of them.

Costs of Act.

8. All costs charges and expenses of and incident to the preparing obtaining and passing of this Act or otherwise in relation thereto shall be paid by the two Companies and the East London Company in equal third parts.

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