ANNO DECIMO TERTIO & DECIMO QUARTO

VICTORIÆ REGINÆ.

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Cap. XXX.

An Act for granting Facilities for the Use of certain Portions of the *Eastern Counties* Railways by the *London and Blackwall* Railway Company; and for amending the Acts relating to the *London and Blackwall* Railway. [25th *June* 1850.]

WHEREAS an Act was passed in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for making a Railway from the* 6 & 7 W. 4.
Minories *to* Blackwall, *with Branches, to be called* "*The* Commercial c. 123.
Railway:" And whereas an Act was passed in the First Year of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act to* 7 W. 4. &
amend the Act relating to the Commercial *Railway Company:* And 1 Vict. c. 133.
whereas an Act was passed in the Second and Third Years of the Reign of Her present Majesty, intituled *An Act for extending the* 2 & 3 Vict.
Line of the Railway between London *and* Blackwall, *called* "*The* c. 95.
Commercial *Railway,*" *and for amending the Acts relating thereto:* And whereas an Act was passed in the Fourth Year of the Reign of Her present Majesty, intituled *An Act for granting further Powers* 4 & 5 Vict.
to c. 12.

to the London and Blackwall *Railway Company*: And whereas an Act was passed in the Fifth Year of the Reign of Her present Majesty, intituled *An Act to alter, amend, and enlarge the Powers and Provisions of the Acts relating to the* London and Blackwall *Railway*: And whereas an Act was passed in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act for making a Railway from the* London and Blackwall *Railway at* Stepney *to the* Eastern Counties *Railway*: And whereas an Act was passed in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act for widening the Line of the* London and Blackwall *Railway, and for amending the Acts relating to the said Railway*: And whereas several other Acts of Parliament have been passed, intituled respectively "The *London and Blackwall* Railway, Improvement and Branches to *St. Katherine*'s and *London* Docks, Act, 1848," "The *London and Blackwall* Railway Amendment Act, 1848," and "The *London and Blackwall* Railway Amendment and Extension of Time Act, 1849:" And whereas by an Act passed in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for making a Railway from* London *to* Norwich *and* Yarmouth, *by* Romford, Chelmsford, Colchester, *and* Ipswich, *to be called* "*The* Eastern Counties *Railway*," the *Eastern Counties* Railway Company were incorporated, and by such Act, and by divers Acts subsequently passed, were enabled to make, maintain, lease, work, and use certain Railways in the several Counties of *Middlesex*, *Essex*, *Herts*, and *Cambridge*, and to take Tolls thereon, and to regulate the Traffic upon the same: And whereas the *London and Blackwall* Railway is connected with the *Eastern Counties* Railways by means of the Extension constructed by virtue of "The *London and Blackwall Extension* Railway Act, 1845," and forms an additional and convenient Entrance into the City of *London* from those Railways, and the Stations of the *London and Blackwall* Railway Company at *Fenchurch Street* and the *Minories* form desirable Stations for Passengers and Goods; and it would be attended with Advantage to the Inhabitants of the several Counties into or through which the *Eastern Counties* Railways are constructed or pass, and to other Persons using those Railways, if Facilities were afforded for the Carriage of Passengers and Goods from and upon the *Eastern Counties* Railways to and from the *Fenchurch Street* and other Stations of the said *London and Blackwall* Railway: And whereas, in order that the Public may be better enabled to use the said *London and Blackwall* Railway, and to have the Conveniences afforded by the central Situation of the said Stations, it has become expedient and necessary that Facilities should be granted for the Passage and Accommodation of the Carriages of the *London and Blackwall* Railway Company over the *Eastern Counties* Railways in the several Counties of *Middlesex* and Parts of

5 & 6 Vict. c. 34.

8 & 9 Vict. c. 203.

9 & 10 Vict. c. 273.

11 & 12 Vict. cc. 90. and 111.

12 & 13 Vict. c. 73.

6 & 7 W. 4. c. 106.

Essex

Essex and *Hertford*, under certain Limitations, Restrictions, and Regulations: And whereas it is expedient that some of the Powers and Provisions of the said recited Acts should be amended and enlarged, but 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, That the Provisions of this Act shall be considered as forming Part of and included in the Acts relating to the *London and Blackwall* Railway Company; and with reference to the *Eastern Counties* Railway Company it shall be considered that the Powers conferred by the *Eastern Counties* Railway Acts were so conferred subject to the Provisions in this Act contained.

Provisions of this Act extended to the London and Blackwall and Eastern Counties Railway Companies Acts.

II. And be it enacted, That the *Eastern Counties* Railway Company shall, Three Months after receiving Notice from the *London and Blackwall* Railway Company in Writing so to do, cause so many of the Down Passenger Trains of the *Eastern Counties* Railway Company passing between *London* and *Brentwood*, or any Station on the Line between *London* and *Brentwood*, not being Express or Mail Trains, as the *London and Blackwall* Railway Company require, to be stopped at the Junction of the said *London and Blackwall* Railway with the *Eastern Counties* Railway, for the Purpose of carrying on as far as *Brentwood*, and to any Stations nearer to *London*, the Passengers arriving by the Trains of the *London and Blackwall* Railway Company, to meet such Trains of the *Eastern Counties* Railway Company so to be stopped; and the Stoppage of each of the said Trains of the *Eastern Counties* Railway Company shall continue for One Minute after the Time for the Arrival thereof respectively specified in the Time Tables of the *Eastern Counties* Railway Company; and if at the Expiration of such One Minute the Train of the *London and Blackwall* Railway Company which ought to have met such a stopping Train shall not have arrived, then it shall be lawful for the same Train of the *Eastern Counties* Railway Company to proceed on its Journey.

Arrangement for stopping certain Down-trains of Eastern Counties Railway Company at Junction.

III. And be it enacted, That when the Train of the said *London and Blackwall* Railway Company shall duly arrive at the said Junction in Time to meet such a stopping Train of the *Eastern Counties* Railway Company, the latter Company shall, unless the *London and Blackwall* Railway Company shall otherwise desire, attach and carry on to the said Station at *Brentwood*, or such nearer Station as aforesaid, such of the Carriages of the *London and Blackwall* Railway Company's

The Eastern Counties Company to take forward with such Down-trains certain Carriages of Blackwall Company.

Company's Train so arriving as the Number of Passengers therein shall render necessary.

Regulating the attaching of Blackwall Carriages to certain Eastern Counties Up-trains.

IV. And be it enacted, That the *Eastern Counties* Railway Company shall, by the several daily Up-trains starting from or passing upwards through *Brentwood*, or any intermediate Station aforesaid, not being Express or Mail Trains, bring or haul or carry such Carriages of the *London and Blackwall* Railway Company as shall be necessary for the Number of Passengers requiring to pass on the *London and Blackwall* Railway from the Station at *Bow*, and shall cause to be attached to the said Up-trains such Carriages of the *London and Blackwall* Railway Company as are at the said Station at *Brentwood*, or any such nearer Station, in good and sufficient Condition to travel on the said Railway; and upon the Arrival of each of such Trains at the said *Bow* Station the said *Eastern Counties* Railway Company shall unhook the said *London and Blackwall* Railway Company's Carriages which shall be attached thereto, and the said *London and Blackwall* Railway Company shall forthwith within Two Minutes clear the *Eastern Counties* Line and Sidings of the Carriages so unhooked, and proceed with the same, whether full or partially filled or empty, to the *London and Blackwall* Railway.

All Expenses of Porters at Junction to be paid by Blackwall Company, and of chief Officers and Switchmen by Eastern Counties Company.

V. And be it enacted, That the Expenses of all Porters and Labourers at the said Junction for doing the Work and Labour thereat shall be borne and paid by the said *London and Blackwall* Railway Company, but the chief Officer at the said Junction having the Direction thereof, and the Servants having Charge of the Points, Switches, Crossings, and Signals at the said Junction, shall be appointed and paid by and be under the sole Direction of the *Eastern Counties* Railway Company.

The Charge for Traffic from the London and Blackwall Railway not to exceed the Mileage Rate charged in other Cases on Eastern Counties Line.

VI. And be it enacted, That the Rate of Toll and Charge payable to the *Eastern Counties* Railway Company in respect of Passengers or Goods using the *Eastern Counties* Railways from or to the said Junction with the *London and Blackwall Extension* Railway shall not exceed the Rate *per* Mile in respect of Passengers, or *per* Ton *per* Mile in respect of Goods, which the *Eastern Counties* Railway Company may for the Time being charge between their Station at *Shoreditch* and the same Station on the *Eastern Counties* Railways to or from which the Passengers and Goods using the *London and Blackwall Extension* Railway may have been or may require to be conveyed.

The Blackwall and Eastern

VII. And be it enacted, That the said *London and Blackwall* Railway Company shall bear, pay, and discharge all Losses, Costs,

Charges,

Charges, Damages, and Expenses which the said *Eastern Counties* Railway Company shall or may sustain or incur for or by reason of any Accident or Accidents happening at the said Junction from the Neglects, Omissions, or Defaults of the said *London and Blackwall* Railway Company; and the *Eastern Counties* Railway Company shall in like Manner bear, pay, and discharge all Losses, Costs, Charges, Damages, and Expenses which the *London and Blackwall* Railway Company shall or may sustain or incur for or by reason of any Accident or Accidents happening at the said Junction from the Neglects, Omissions, or Defaults of the said *Eastern Counties* Railway Company.

Counties Companies to pay Damages from Accidents at Junctions arising from their respective Neglects.

VIII. And be it enacted, That, except as in this Act expressly provided to the contrary, all the Clauses and Provisions in the said recited Act of Parliament of the Eighth and Ninth Years of the Reign of Her present Majesty, and Powers or Authorities thereby given for the Protection and Benefit of the said *Eastern Counties* Railway Company, shall remain in full force and virtue.

Continuing to Eastern Counties Company the Powers of the recited Act, 8 & 9 Vict. c. 203.

IX. And be it enacted, That all Matters in difference between the *Eastern Counties* Railway Company and the *London and Blackwall* Railway Company in reference to the Provisions in this Act contained, or the carrying out and Performance of the same by both the said Companies, shall from Time to Time be referred to the Engineers of such respective Companies; and if such Engineers shall disagree, or for the Space of One Month after Notice from either Company shall fail to determine the Matter in dispute, the same shall be referred to and determined by the Commissioners of Railways.

Reference in case of Disputes to the Engineers and Railway Commissioners.

X. And be it enacted, That, subject to the Regulations and Restrictions contained in the Railways Clauses Consolidation Act, 1845, the *London and Blackwall* Railway Company may from Time to Time enter into any Agreement or Contract with the *Eastern Counties* Railway Company, for carrying forward upon such last-mentioned Railway the Traffic carried by the *London and Blackwall* Railway Company, and passing or being intended to pass upon the herein-before mentioned Portion of the *Eastern Counties* Railways, and also for carrying forward by the said *London and Blackwall* Railway Company the Traffic which may have been carried over the same Portion of the *Eastern Counties* Railways, and intended to be carried over the *London and Blackwall* Railway, or any Parts of the same respectively; and such Contracts may be made under such Conditions and Restrictions as may be mutually agreed upon.

Agreements may be entered into for Interchange of Traffic.

Extending Provisions of firstly-recited Act to Capital raised under Extension Act.

XI. And whereas by the *London and Blackwall Extension* Railway Act, 1845, the *London and Blackwall* Railway Company are authorized to create such an additional Number of Shares and to borrow such Sum of Money as may be necessary for completing the Purchase thereby authorized for constructing and working the Railway by such Act authorized, provided that the Amount to be raised by such additional Shares should not exceed the Amount of Capital by that Act authorized to be raised for the Purposes of the Undertaking, and that the Amount to be borrowed should not exceed One Third the Amount of such Capital: And whereas the *London and Blackwall* Railway Company have created such additional Shares, and have proceeded to raise the same in like Manner as their original Capital is authorized to be raised, and it is expedient that further Provision should be made with reference thereto: Be it enacted, That all the Provisions contained in or referred to by the firstly-recited Act passed in the Sixth and Seventh Years of the Reign of His late Majesty with regard to the Capital and Monies thereby authorized to be raised by Shares or Mortgage, or to the Proprietors thereof, shall in all respects (except as otherwise provided for, and subject to any Order already made or hereafter to be made by a General or Special General Meeting authorizing the raising such Money) be especially applicable to the Capital and Monies by the said *London and Blackwall Extension* Railway Act, 1845, authorized to be raised by Shares or Mortgage, and to the Proprietors thereof.

Priority of Mortgages, &c. granted previous to passing of London and Blackwall Extension, 1845.

XII. And be it enacted, That all Mortgages or Bonds granted by the Company under the Powers of the several Acts passed prior to the said "*London and Blackwall Extension* Railway Act, 1845," shall have Priority over any Mortgages or Bonds created by virtue of such last-mentioned Act.

Dividends not to be paid out of Capital.

XIII. And be it enacted, That it shall not be lawful for the Company, out of any Money by "The *London and Blackwall Extension* Railway Act, 1845," or any other Act relating to the said Railway Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest or Dividend to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital by the said *London and Blackwall Extension* Railway Act authorized to be raised: Provided always, that nothing herein-before contained shall be deemed to prevent the said Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with the Provisions in the Companies Clauses Consolidation Act, 1845, in that Behalf contained.

XIV. And

Deposits for future Bills not to be paid out of the Company's Capital.

XIV. And be it enacted, That it shall not be lawful for the Company, out of any Money by any Act relating to the said Railway Company authorized to be raised for the Purposes of such Act or Acts, 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 Company to construct any other Railway, or execute any other Work or Undertaking.

Railway and Company to be subject to the Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., and 9 & 10 Vict. cc. 57. 105.

XV. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railways;* and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways;* and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops;* and another Act was passed in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways;* and Two Acts were passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her said Majesty, the one intituled *An Act for regulating the Gauge of Railways*, and the other intituled *An Act for constituting Commissioners of Railways:* Be it enacted, That nothing in this Act contained shall be held to exempt the Company or their said Railways from the Provisions of such several Acts respectively, but that such Provisions shall be in force in respect to the said Railways, so far as the same shall be applicable thereto.

Railway and Company not exempt from Provisions of future general Acts.

XVI. Provided always, and be it enacted, That nothing herein contained shall be deemed or construed to exempt the said Railway by this or the said recited Acts authorized to be made or widened, or the said Company, from the Provisions of any general Act relating to such Acts, or 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 authorized by such Acts.

Short Title.

XVII. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to describe it as "The *London and Blackwall* Railway Act, 1850."

XVIII. And

Expenses of Act.

XVIII. And be it enacted, That all the Costs, Charges, and Expenses of obtaining and passing this Act, or incident thereto, shall be paid out of the Funds of the said *London and Blackwall* Railway Company, in preference to all other Payments whatsoever.

Public Act.

XIX. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

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