CHAPTER xxxix.

An Act to enable the London and Blackwall Railway Company to enlarge certain of their stations; to authorise agreements with other companies; and for other purposes. A.D. 1874.

[30th June 1874.]

WHEREAS several Acts of Parliament have been passed relating to the London and Blackwall Railway and to the Millwall extension of the London and Blackwall Railway Company (who in this Act are referred to as the Company):

And whereas it is expedient that the Company be authorised to extend and improve several of their stations:

And whereas plans and sections showing the lines and levels of the works authorised by this Act, and the lands in or through which the same are intended to be made, and a book of reference to such plans containing the names of the owners and lessees, or reputed owners and lessees, and occupiers of the said lands, have been deposited with the clerk of the peace for the county of Middlesex, and those plans, sections, and books of reference are in this Act respectively referred to as "the deposited plans, sections, and books of reference":

And whereas it is expedient that some of the powers and provisions of the existing Acts relating to the Company be altered, amended, extended, and enlarged, and that such further powers be granted as are herein-after mentioned with reference to the general undertaking of the Company:

And whereas under "The London and Blackwall Railway (Steamboats) Act, 1873," the Company on the one hand, and the owners of Potter's Ferry on the other hand, are empowered to agree and have accordingly agreed for the purchase by the Company of the said ferry, but a difficulty has arisen as to the payment of the purchase money, owing to "The Lands Clauses Consolidation Act, 1845," not being expressly incorporated with the said Act of 1873, and it is expedient that this should be rectified:

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

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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,)

Short title.

1. This Act may be cited as "The London and Blackwall Railway Act, 1874."

Provisions of certain general Acts incorporated.

2. "The Lands Clauses Consolidation Acts, 1845, 1860, and 1869," "The Railways Clauses Consolidation Act, 1845," and Part I. and Part III. of "The Railways Clauses Act, 1863," (relating to construction of a railway and working agreements respectively,) are (so far as they are applicable, and except where expressly varied by this Act) incorporated with and form part of this Act.

Interpretation of terms.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings, unless there be something in the subject or context repugnant to such construction. The expressions "the works" and "the undertaking" mean respectively the new and altered stations and the works connected therewith respectively by this Act authorised; and the expressions "superior courts" or "court of competent jurisdiction," or any other like expression in this Act or any Act wholly or partially incorporated herewith, shall, for the purposes of this Act, be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt, and not a debt or demand created by statute.

Power to make new works.

4. Subject to the provisions of this Act the Company may make and maintain in the line and according to the levels shown on the deposited plans and sections the undertakings herein-after described, with all proper sidings, works, and conveniences connected therewith respectively, and may enter upon, take, and use such of the lands delineated on the said plans and described in the deposited books of reference as may be required by the Company, and may purchase and acquire any easement, right, or limited interest upon, over, through, or in any of the said lands.

Description of works.

5. The works herein-before referred to and authorised by this Act are the following, and will be wholly situate in the county of Middlesex:

1. The improvement and enlargement of their Leman Street, Shadwell, Limehouse, West India Dock, and Millwall Junction stations:

2. The extension of the platforms at the Stepney Station :
3. The construction of a new or improved station at Bow.

Not to take property of the North London Railway Company without consent.

6. Provided always, that it shall not be lawful for the Company for the purposes of this Act to take, enter upon, or otherwise interfere with any of the lands, houses, or other property numbered respectively on the plans deposited for this Act 7, 8, 9, 10, 13, 14, and 15 in the parish of All Saints, Poplar, and now belonging or claimed to belong to the North London Railway Company, or in which they are interested, without the consent of the North London Railway Company in writing under their common seal first had and obtained for that purpose.

Interpretation of terms "parish clerks," &c.

7. The expressions "parish clerks" and "clerks of the several parishes" in sections 7, 8, and 9 in "The Railways Clauses Consolidation Act, 1845," shall, with reference to the Company and in this Act, and as regards those parishes in which, by the standing orders of either House of Parliament, plans, sections, and other documents are required to be deposited with the clerk of the district board for the district in which the parish is included, mean the clerks of those district boards respectively.

Powers for compulsory purchases limited.

8. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of three years from the passing of this Act.

Period for completion of works.

9. If the works be not completed within five years from the passing of this Act, then, on the expiration of that period, the powers by this Act granted to the Company for making and completing the works, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as is then completed.

For protection of sewers of Metropolitan and other Boards.

10. Where any of the intended works to be done under or by virtue of this Act shall or may pass over, under, or by the side of or so as to interfere with any sewer, drain, watercourse, defence, or work under the jurisdiction or control of the Metropolitan Board of Works, or of any district board constituted under the "Metropolis Management Act, 1855," or any Act or Acts amending the same or extending the powers thereof, or with any sewers or works to be made or executed by the said boards or either of them, or shall or may in any way affect the sewerage or drainage of the districts under their or either of their control, the Company shall not commence such work until they shall have given to the said Metropolitan Board or to the district board, as the case may be, twenty-one days previous notice in writing of their intention to commence the same, by leaving such notice at the principal office of such board

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for the time being, with a plan and section showing the course and inclination thereof and other necessary particulars relating thereto, and until such board shall have signified their approval of the same, unless such board do not signify their approval, disapproval, or other directions within twenty-one days after service of the said plans, sections, and particulars as aforesaid, and the Company shall comply with and conform to all orders, directions, and regulations of the said Metropolitan Board, and of the respective boards in the execution of the said works, and shall provide by new, altered, or substituted works, in such manner as such boards may deem necessary, for the proper protection of and for preventing injury or impediment to the sewers and works herein-before referred to, by or by reason of the said intended works or any part thereof, and shall save harmless the said Metropolitan Board and district boards respectively against all and every the expense to be occasioned thereby, and all such works shall be done by or under the direction, superintendence, and control of the engineer or other officer or officers of the said Metropolitan Board or district boards, at the costs, charges, and expenses in all respects of the Company, and all costs, charges, and expenses which the Metropolitan Board or any district board may be put to by reason of the works of the Company, whether in the execution of works, the preparation or examination of plans or designs, superintendence, or otherwise, shall be paid to such boards by the Company on demand; and when any new, altered, or substituted works as aforesaid, or any works or defence connected therewith, shall be completed by or at the costs, charges, or expenses of the Company under the provisions of this Act, the same shall thereafter be as fully and completely under the direction, jurisdiction, and control of the said Metropolitan Board and district boards respectively as any sewers or works now are or hereafter may be; and nothing in this Act shall extend to prejudice, diminish, alter, or take away any of the rights, powers, or authorities vested or to be vested in the said Metropolitan Board and district boards or any or either of them, or of their successors, but all such rights, powers, and authorities shall be as valid and effectual as if this Act had not been passed.

Protecting works of Commercial Gas Company.

11. And whereas in the execution of any works by this Act authorised the mains, pipes, syphons, plugs, drains, and other works belonging to the Commercial Gas Company may be intersected or otherwise injuriously interfered with: Therefore, all works, matters, and things which the Company may be empowered or required to do or execute with reference to the mains, pipes, or other works of the Commercial Gas Company shall be done and executed by and

at the cost of the Company, and under the direction and to the reasonable satisfaction of the engineer for the time being of the Commercial Gas Company.

Works connected with the extension of the platforms of Stepney Station to be constructed to the satisfaction of the Limehouse Board of Works.

12. The extension of the platforms at the Stepney Station shall be carried over Regent Street of not less height than the existing platforms, and such platforms and all other works connected therewith, and all repairs and renewals of the same, shall be constructed under the direction and superintendence of the engineer for the time being of the Company, and to the reasonable satisfaction of the surveyor of the Board of Works for the Limehouse district, and the plans and designs for the said platforms and works shall respectively be as ornamental as shall be consistent with the nature and situation thereof, and to the reasonable satisfaction of the said surveyor, and previously to the commencement of the said platforms and works, plans, sections, and descriptions thereof shall be made by and at the expense of the Company, which shall be submitted for approval by the said surveyor: Provided always, that nothing in this Act contained shall authorise the Company to alter the present level of Regent Street, and, if any question shall arise between the said Board of Works and the Company as to the design or construction of the said platforms, such question shall be settled by arbitration, in accordance with the provisions contained in "The Companies Clauses Consolidation Act, 1845," with respect to the settlement of disputes by arbitration: Provided always, that the said platforms shall be water-tight, and so constructed that water shall not run or come through or drip from them upon the said street; and if at any time water shall run or come through or drip from any of the said platforms upon the said street, the Company shall in every case forfeit and pay the sum of five pounds for every day the same shall continue after fourteen days notice in writing has been given or left at the office of the secretary or any officer of the said Company: Provided also, that no part of the abutment piers, supports of the river platforms, or any other obstruction shall stand or encroach upon any part of the carriage or foot ways of Regent Street.

Company to keep in repair the platforms over Regent Street.

13. The Company shall and they are hereby required to keep the said platforms and works so to be constructed over the said Regent Street, at all times after the construction thereof respectively, in complete repair and water-tight, to the satisfaction of the surveyor of the said Board of Works for the Limehouse district; and in case of any want of repair to the said platforms and works (or any of them), and after notice thereof to the Company by or on

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behalf of the said Board of Works, if the Company shall not, for the space of fourteen days after the service of such notice, commence such repair, and proceed therein with reasonable expedition until the same shall be completed, it shall be lawful for the said Board of Works to proceed to repair and make good the same, causing as little obstruction to the said railway as may be; and all the reasonable costs, charges, and expenses incurred by the said Board of Works shall be paid on demand by the Company.

Company to hoard in ground.

14. If by reason of any of the works authorised any ground shall be thrown open by the Company to any road, street, or public place within the Limehouse district, the Company shall forthwith enclose and keep enclosed the same, in a line with the houses and piers in such road, street, or public places adjoining thereto, with good sufficient close hoarding or brick walls not less than seven feet in height; and the Company shall also enclose and keep enclosed in like manner the arches under the said railway which shall abut upon or open on to any street or public place, and in default, after ten days notice in writing by the Limehouse District Board of Works requiring the Company so to do, the said Board may so enclose the same, and recover the costs and expenses incurred thereby from the Company.

Company not to obstruct roads, and to guard and protect the works.

15. The Company shall not permit or suffer any materials, rubbish, or other matter or thing to be laid, shot, or placed by any of their contractors, agents, or workmen upon any of the roads, streets, or public ways within the Limehouse district, except so far as may be necessary for any of the works to be done under this Act, and so as not to obstruct the passing of carriages or to interfere with the footway on one side of any street or public way whilst the footway on the other side thereof is obstructed by the Company as aforesaid, and the Company shall forfeit to the Limehouse District Board of Works the sum of two pounds for every day that any material, rubbish, or other matter or thing shall be laid, shot, or placed as aforesaid, or any obstruction or any interference shall take place. And for the purpose of preventing accidents during the progress of the works to be done under this Act, the Company shall well and sufficiently guard and protect such works with lights, fences, and watchmen, and otherwise, and they shall forfeit to the said Board of Works the sum of two pounds for every day that such works shall not be lighted, guarded, and protected as aforesaid.

Company to pay Board of Works for

16. The Company shall on demand pay to the Board of Works for the Limehouse district all the reasonable costs, charges, and

expenses which they may incur by reason of the Company's works, or in the preparation or examination of plans or designs, superintendence, or otherwise, and the same may be recovered by action in any or either of the superior courts of common law at Westminster, as and for liquidated damages.

the Limehouse district costs which they may incur.

17. Excepting only as by this Act is expressly provided, this Act shall not take away, alter, lessen, prejudice, or affect any of the rights, powers, or authorities vested in the Board of Works for the Limehouse district, but all such rights, powers, and authorities shall be as valid and effectual to all intents and purposes as if this Act had not been passed.

General saving of rights of Board of Works for Limehouse district.

18. The Company may apply towards the construction of the works by this Act authorised any of the moneys which they are already authorised to raise, and which may not be required by them for the purposes for which the same were authorised to be raised.

Company may apply their funds towards purposes of Act.

19. The mode of raising and the expenditure of moneys required for carrying into execution the several powers of this Act shall be subject to the reasonable approval of the Great Eastern Railway Company.

Moneys raised, &c. under Act to be approved by Great Eastern Company.

20. All share capital raised for the purposes of this Act, or which has been raised and expended by the Company beyond the amount named in the sixth section of the London, Blackwall, and Millwall Extension Railway Act, 1870, or which may, with the concurrence of the Great Eastern Railway Company, be from time to time raised and expended by the Company, shall be deemed expended share capital or stock, entitled to four pounds ten shillings per centum per annum, under the lease of the London and Blackwall Railway to the Great Eastern Railway Company.

As to share capital raised for purposes of this Act.

21. All moneys borrowed by the Company for the purposes of this Act, or raised by debenture stock, shall be deemed and treated as though they formed part of the moneys raised upon the debentures mentioned in the before-mentioned lease.

As to moneys borrowed for purposes of this Act.

22. The Company on the one hand, and the Great Eastern Railway Company on the other, may enter into and carry into effect agreements as to the exercise by the Company of the powers of this Act, and as to the joint exercise by the two Companies of any of the said powers.

Power to enter into agreements with Great Eastern Railway Company.

23. "The Lands Clauses Consolidation Act, 1845," (except the provisions thereof with respect to the entry upon, purchase, and taking

Incorporation of Lands Clauses Act with London

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and Blackwall Railway (Steamboats) Act, 1873.

of lands otherwise than by agreement,) shall be incorporated with and form part of "The London and Blackwall Railway (Steamboats) Act, 1873."

Deposits for future Bills not to be paid out of capital.

24. The Company shall not, out of any money by this Act authorised to be raised, pay or deposit any sum which, by any standing order of either House of Parliament now or hereafter in force, may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act authorising the Company to construct any other railway, or to execute any other work or undertaking.

Company, &c. not exempt from provisions of present and future general Acts.

25. Nothing in this Act contained shall exempt the Company or the railways of the Company 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, authorised by this Act, or by any other Act relating to the Company.

Expenses of Act.

26. 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 out of the moneys authorised to be applied to the purposes of this Act.

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