CHAP. lxii.

An Act to enlarge the powers of the London and Blackwall Railway Company, and to enable them to abandon certain Railways authorised by "The London, Blackwall, and Millwall Extension Railway Act, 1865." [20th June 1870.]

A.D. 1870.

WHEREAS by "The London, Blackwall, and Millwall Extension Railway Act, 1865," (in this Act called the "Act of 1865,") the London and Blackwall Railway Company (in this Act referred to as the "Company") were authorised to make certain railways and works in the parishes of Stepney, Poplar, and Limehouse, which said railways are more particularly described in section 20 of the said Act, and are therein and upon the deposited plans referred to in that Act respectively designated as railways Nos. 2, 3, 4, 5, and 7:

28 & 29 Vict. c. cxvi.

And whereas it is expedient that the Company be empowered to abandon all of the said railways excepting railway No. 4:

And whereas under "The London and Blackwall Railway Extension Act, 1845," the Company were empowered to raise, for the purposes of that Act, two hundred thousand pounds by shares, but they only raised one hundred and seventy-six thousand nine hundred and twenty-five pounds, the remainder, namely, twenty-three thousand and seventy-five pounds, not having been required for the purposes of the said Act:

And whereas it is expedient that the Company should have power to raise and apply that sum towards defraying the cost of certain improvements in the line and works of the London and Blackwall Railway:

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,

A.D. 1870.

and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as "The London, Blackwall, and Millwall Extension Railway Act, 1870."

Interpretation of terms.

2. In this Act the several words and expressions to which meanings are assigned by the Act partially incorporated with this Act have the same respective meanings, unless there be something in the subject or context repugnant to such construction.

1. The expression "railway No. 4" means the railway in the Act of 1865 described as "No. 4. A railway wholly in the "parish of All Saints, Poplar, from and out of the London "and Blackwall Railway, commencing by a junction with "that railway at or near to a point one hundred and thir-"teen yards, or thereabouts, to the westward of a footbridge "over the London and Blackwall Railway at the south end "of Harrow Lane, and terminating at the quay or wharf "or river wall on the northern shore of the river Thames, "at or near to a point twenty-two yards, or thereabouts, to "the eastward of the draw dock or landing-place at the "southern end of Johnson Street."

2. And the expression "superior courts," or "a court of competent jurisdiction," or any other like expression in this Act or any Act wholly or partially incorporated herewith, shall be read and have effect as if the debt or demand with respect to which the expression is used were a common simple contract debt, and not a debt or demand created by statute.

Abandonment of certain railways.

3. The Company may and shall abandon the whole of the railways authorised by the Act of 1865 with the exception of railway No. 4.

Compensation for damage to land by entry, &c. for purposes of railways abandoned.

4. The abandonment by the Company, under the authority of this Act, of the said railways shall not prejudice or affect the right of the owner or occupier of any land to receive compensation, in accordance with the provisions in that behalf of "The Lands Clauses Consolidation Act, 1845," for any damage occasioned by the entry of the Company on such land for the purpose of surveying and taking levels, or probing or boring to ascertain the nature of the soil, or setting out the line of any of the railways to be so abandoned; and shall not prejudice or affect the right of the owner or occupier of any land which may have been temporarily occupied by the Company to receive compensation in accordance with the provisions in that behalf of "The Railways Clauses Con-

solidation Act, 1845," for such temporary occupation, or for any loss, damage, or injury which may have been sustained by such owner or occupier by reason thereof, or of the exercise, as regards such land, of any of the powers contained in the last-mentioned Act, the Act of 1865, or the Act of 1868.

Compensation to be made in respect of railways abandoned.

5. Where before the passing of this Act any contract or agreement may have been entered into or notice given by the Company for the purchasing of any lands for the purposes of or in relation to the railways, or any of the railways, which the Company are by this Act authorised to abandon, full compensation shall be made by the Company to the owners and occupiers of or other persons interested in such lands for all damage or injury sustained by them respectively by reason of the purchase not being completed pursuant to the contract, agreement, or notice, and the amount and application of the compensation shall be determined in manner provided by "The Lands Clauses Consolidation Act, 1845," for determining the amount and application of compensation paid for lands taken under the provisions thereof.

Company may raise and apply certain capital in and towards improvements and works connected with Company's railway.

6. The Company may, for the purpose of defraying the cost of the outlay required in altering and improving their railway and the works connected therewith, raise the before-mentioned capital of twenty-three thousand and seventy-five pounds by the issue of ordinary stock of that nominal amount, and apply the same to such alterations and improvements, the expense of which is properly chargeable to capital account; but all such outlay shall be made under the superintendence and to the satisfaction of the Great Eastern Railway Company; and the capital to be so raised and expended 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.

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

7. The Company shall not, out of any money which they are authorised to raise, 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 railway or to execute any work or undertaking.

Railway not exempt from provisions of present and future general Acts.

8. Nothing herein contained shall be deemed or construed to exempt railway No. 4, or any other railway of the Company, from the provisions of any general Act relating to railways, or the better

A.D. 1870.

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 to be taken by the Company.

Expenses of Act.

9. 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.

LONDON: Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1870.