CHAPTER xliv.

An Act to authorise the Port of London Authority to construct further works for the improvement of the Port of London and for other purposes. A.D. 1917.

[2nd August 1917.]

WHEREAS by the Port of London Act 1908 (hereinafter called "the Act of 1908") the Port of London Authority (hereinafter called "the Port Authority") was established for the purpose of administering preserving and improving the Port of London and for other purposes in the said Act set forth and by such Act the undertakings and powers of the London and India Docks Company the Surrey Commercial Dock Company and the Millwall Dock Company were transferred to and vested in the Port Authority and other provisions were made and other powers were conferred upon the Port Authority:

And whereas by the Act of 1908 all rights powers and duties of the Conservators of the River Thames in respect of the River Thames below the landward limit in that Act mentioned of the Port of London and all property and liabilities of the said conservators in respect of the River Thames below such landward limit were transferred to the Port Authority:

And whereas the Port Authority has executed divers works for the improvement of the Port of London:

And whereas by the Port of London (Port Rates on Goods) Order 1910 confirmed by the Port of London (Port Rates on Goods) Provisional Order Act 1910 the Port of London (Registration of Craft) Order 1910 confirmed by the Port of London (Registration of Craft) Order Confirmation Act 1910 the Port of London Act 1911 the Port of London Act 1912 the Port of London (Amendment) Act 1914 and the Port of London Act 1915 further powers were conferred upon the Port Authority:

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And whereas the number and size of the vessels and the volume of traffic resorting to and using the Port of London are constantly increasing and to provide proper accommodation and facilities therefor and for the trade of the said port it is expedient that the Port Authority should be empowered to enlarge and extend their dock works and to make the streets and diversions of streets and the diversion of railway and to execute the other works in this Act more particularly set forth:

And whereas it is expedient that further and better powers should be conferred upon the Port Authority for improving their undertaking and for dealing with wrecks and other obstructions in the waterways and better protecting the navigation of that part of the River Thames which is under their jurisdiction and for the recovery of river dues on vessels and other sums owing to the Port Authority:

And whereas it is expedient that such other powers rights duties and authorities as are in this Act mentioned should be conferred upon and vested in the Port Authority and that such amendments as in this Act are specified should be made in the enactments therein referred to relating to the powers rights duties and authorities of the Port Authority and that such other provisions should be made as are in this Act mentioned:

And whereas plans and sections showing the lines and levels of the works authorised by this Act and also a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the clerk of the peace for the county of London and are in this Act referred to as the deposited plans and sections and book of reference:

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 King'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:—

PRELIMINARY.

Short and collective titles.

1. This Act may be cited for all purposes as the Port of London Act 1917 and the Port of London Act 1908 the Port of London (Port Rates on Goods) Order 1910 the Port of

London (Registration of Craft) Order 1910 the Port of London Act 1911 the Port of London Act 1912 the Port of London (Amendment) Act 1914 the Port of London Act 1915 and this Act may be cited together as the Port of London Acts and Orders 1908 to 1917.

Incorporation of Acts.

2. The following Acts so far as the same are applicable for the purposes of and are not varied by or inconsistent with the provisions of this Act are incorporated with and form part of this Act (that is to say):—

The Lands Clauses Acts (except the words "with two "sufficient sureties to be approved of by two justices in "case the parties differ" in section 85 of the Lands Clauses Consolidation Act 1845) Provided that for the purposes of section 85 of the last-mentioned Act the Port Authority shall be deemed a railway company and that section 36 (except paragraph (4) thereof) of the Railway Companies Act 1867 shall apply accordingly and that notwithstanding anything contained in the said Act of 1845 any claim for compensation under this Act or any Act incorporated herewith by any person having or claiming in respect of any interest in the lands in respect of which compensation is claimed not greater than that of a lessee or tenant for any term of which not more than eighteen months remain unexpired at the time when the claim is made shall be determined by justices in the manner provided by section 121 of the said Act of 1845:

The provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof Provided that in the application of such provisions to the dock works the term "railway" shall mean the dock works and the expression "the centre of the railway" shall mean the dock works:

The Harbours Docks and Piers Clauses Act 1847 except sections 16 to 19 both inclusive and sections 22 25 26 29 and 50 thereof:

Provided that the following expressions used in the Harbours Docks and Piers Clauses Act 1847 shall have the following respective meanings (that is to say):—

The expressions "packet boat" and "post office packet" mean respectively a vessel employed by or under the

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Post Office or the Admiralty for the conveyance under contract of postal packets as defined by the Post Office Act 1908 and the expression "post office bag of letters" means a mail bag as defined by the same Act:

Provided also that nothing in the Harbours Docks and Piers Clauses Act 1847 or in this Act shall extend to exempt from rates or duties any such vessel as aforesaid if she also conveys passengers or goods for hire.

Interpretation.

3.—(1) In this Act unless there be something in the subject or context repugnant to such construction the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated with or applied to the purposes of this Act have the same respective meanings Provided that in and for the purposes of this Act the expressions "the undertakers" or "the promoters of the undertaking" or "the company" shall mean the Port Authority.

(2) In this Act unless the subject or context otherwise requires—

"The Port Authority" means the Port of London Authority established by the Act of 1908;

"The Act of 1908" means the Port of London Act 1908;

"The Act of 1894" means the Thames Conservancy Act 1894;

"The dock works" means the enlargement of basin improvement and extension of docks the entrance lock dry dock cut or passage and pier and the works in connexion therewith by this Act authorised;

"The street improvements" means the new streets and alterations and diversions of streets and works in connexion therewith by this Act authorised;

"The railway diversion" means the diversion of railway and the works in connexion therewith by this Act authorised;

"The works" means the dock works the street improvements and the railway diversion;

"The Thames" means so much of the River Thames as is included in the definition of "the Thames" in section 3 of the Act of 1894 as amended by section 7 of the Act of 1908 and as is within the Port of London; and

Expressions to which meanings are assigned by the Act of 1908 have the same respective meanings in this Act.

Works.

Power to execute works.

4. The Port Authority may subject to the provisions of this Act and in the lines and according to the levels shown on the deposited plans and sections construct the works in the county of London hereinafter described and may exercise the other powers in this section mentioned (that is to say):—

In the parish of Saint Paul Shadwell in the metropolitan borough of Stepney—

Work No. 1 An enlargement of the basin known as the Shadwell Old Basin commencing at the south-east corner of the south-east pier head of the lock leading from the basin known as the Shadwell New Basin into the dock known as the Eastern Dock and terminating at the western end of the inner lock gate recess on the south side of the lock known as the Entrance Lock between the said basin known as the Shadwell Old Basin and the River Thames:

In the parish of All Saints Poplar in the metropolitan borough of Poplar—

Work No. 2 An improvement and extension of the docks known as the West India Import Dock the West India Export Dock and the South Dock commencing at a point on the northern side of the cut connecting the basin known as the Blackwall Basin and the said West India Import Dock one chain or thereabouts measured in a south-easterly direction from the north-west corner of the said cut and terminating at a point four and a quarter chains or thereabouts measured in an easterly direction from the north-east corner of the dock known as the Millwall Inner Dock and six and three-quarter chains or thereabouts measured in a southerly direction from the south-east corner of the said dock known as the South Dock:

Work No. 3 A new entrance lock between the improvement and extension (Work No. 2) hereinbefore described and the River Thames commencing in the said river at a point on the centre line of the southernmost graving dock in the Canal Dockyard four and three-quarter chains or thereabouts measured in a north-easterly direction from

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the junction of Folly Street with Stewart Street and extending in a westerly direction for a distance of eighteen chains or thereabouts and terminating in the existing basin known as the South Dock Basin at a point two chains or thereabouts measured in a north-easterly direction from the south-west corner and four and a half chains or thereabouts measured in a south-easterly direction from the north-west corner of the said basin:

Work No. 4 A dry dock commencing at the centre of the swing bridge known as the Manchester Road Bridge and extending in a westerly direction for a distance of eleven and a half chains or thereabouts and terminating in the basin known as the South Dock Basin at a point three and three-quarter chains or thereabouts measured in a north-easterly direction from the south-west corner and two and a half chains or thereabouts measured in a south-easterly direction from the north-west corner of the said basin:

Work No. 5 A new cut or passage leading from the dock known as the South Dock to the dock known as the Millwall Inner Dock commencing at a point three and a quarter chains or thereabouts measured in an easterly direction from the north-east corner of the said Millwall Inner Dock and six and a half chains or thereabouts measured in a south-westerly direction from the south-east corner of the said South Dock and terminating at a point four chains or thereabouts measured in a southerly direction from the said north-east corner of the said Millwall Inner Dock along the edge of the eastern quay wall of that dock:

Work No. 6 A pier in the Thames commencing at the eastern end of the south side of the new entrance lock (Work No. 3) hereinbefore described and extending for a distance of four chains or thereabouts in a south-easterly direction and terminating at a point four chains or thereabouts measured in a south-easterly direction from the south-east corner of the pumping station of the London County Council:

In the parish of Saint George-in-the-East in the said metropolitan borough of Stepney—

Work No. 8 A new street commencing by a junction with Pearl Street at a point half a chain or thereabouts

measured in an easterly direction along Pearl Street from the junction of that street with Agatha Street and terminating by a junction with Pearl Street at a point one chain or thereabouts measured in a north-westerly direction from the junction of Pearl Street with Prusom Street:

And in connexion with the construction of the said new street the Port Authority may stop up so much of Pearl Street as lies between the commencement and termination of the said new street:

In the said parish of Saint Paul Shadwell—

Work No. 9 A new street partly on the site of the street known as New Gravel Lane commencing at the southern end of the swing bridge over the lock leading from the basin known as the Shadwell New Basin to the dock known as the Eastern Dock and terminating at the junction of New Gravel Lane with Prusom Street:

And in connexion with the construction of the said new street the Port Authority may stop up so much of New Gravel Lane as will be rendered unnecessary by such construction:

In the said parish of All Saints Poplar—

Work No. 10 A new street commencing by a junction with Cuba Street at a point seven and a half chains or thereabouts measured in an easterly direction from the junction of West Ferry Road with Cuba Street and terminating by a junction with Manilla Street at a point nine chains or thereabouts measured in an easterly direction from the junction of West Ferry Road with Manilla Street:

And in connexion with the construction of the said new street the Port Authority may stop up so much of Cuba Street as lies to the eastward of the junction of that street with the said new street and so much of Alpha Road as lies to the northward of Manilla Street:

Provided that notwithstanding the stopping up of the said portion of Cuba Street the Postmaster-General may if he so desires (without derogation from any other right vested in him) remove from the said portion of Cuba Street any telegraphic line of the Postmaster-General on or under the same and the Port Authority shall pay to

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the Postmaster-General the expenses incurred by him of and incidental to such removal and the substitution of a telegraphic line in such other place as the Postmaster-General may require:

Work No. 11 A diversion of the street known as Prestons Road commencing in the said street at a point four and a half chains or thereabouts measured in a southerly direction from the junction of Prestons Road with Managers Street and terminating at a point two chains or thereabouts measured in an easterly direction along the north quay of the lock known as the South Dock Entrance Lock from the centre of the swing bridge over the said lock:

And in connexion with the construction of such diversion the Port Authority may stop up so much of Prestons Road as lies between the commencement of the said diversion and Manchester Road:

Work No. 12 A diversion of the street known as Manchester Road commencing at the said point of termination of the last-mentioned street diversion (Work No. 11) and terminating in Manchester Road at the junction of that road with East Ferry Road:

And in connexion with the construction of such diversion the Port Authority may stop up so much of Manchester Road as lies between Prestons Road and the junction of Manchester Road with East Ferry Road:

Work No. 13 A diversion (5 furlongs and 7·62 chains or thereabouts in length) of the railway known as the London Blackwall and Millwall Extension Railway extending from a point nine and three-quarter chains or thereabouts measured in a southerly direction along the centre line of the said railway from a point on that line opposite the south-eastern end of the south platform at the Millwall Junction Station on that railway to a point on that line nine and a half chains or thereabouts measured in a northerly direction along the said centre line from a point opposite the northern end of the platform of the Millwall Docks Station on that railway:

Provided that the Port Authority shall not construct the said Work No. 13 so that the same shall cross any public carriage road on the level.

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Power to stop up certain streets without providing substitutes.

5. Subject to the provisions of this Act the Port Authority may in the parish of Saint Paul Shadwell stop up Milk Yard and so much of Monza Street as lies between Milk Yard and a point one hundred and forty-five feet or thereabouts measured in a southerly direction along the centre line of Monza Street from the junction of that street with Milk Yard and on the stopping up of the same respectively all rights of way thereover shall be extinguished and the site and soil thereof shall vest in the Port Authority but the Port Authority shall not stop up such street or part of a street unless the Port Authority are owners in possession of all houses and lands on both sides thereof except so far as the owners lessees and occupiers of such houses and lands may otherwise agree Provided that the Port Authority shall make full compensation to all parties interested in respect of any private rights of way extinguished by virtue of this section and such compensation shall failing agreement be settled in the manner provided by the Lands Clauses Acts with reference to the taking of lands otherwise than by agreement.

Alteration of certain streets.

6. The Port Authority may to the extent shown on the deposited plans and sections alter the levels of the following streets between the following points (that is to say):—

The street known as East Ferry Road between the junction of that street with Manchester Road and a point one and a quarter chains or thereabouts measured in a south-westerly direction along East Ferry Road from such junction:

The street known as Stewart Street between the northern end of that street and a point two and a half chains or thereabouts measured therefrom in a southerly direction along the said street.

Power to deviate.

7. Subject to the provisions of this Act the Port Authority may in constructing the works by this Act authorised deviate laterally from the lines of any of the works by this Act authorised to any extent within the limits of deviation defined on the deposited plans and may deviate vertically from the levels of any of the dock works defined on the deposited sections to any extent not exceeding ten feet and may deviate from the levels as so defined of any of the works by this Act authorised other than the dock works to any extent not exceeding three feet downwards and five feet upwards.

Subsidiary works.

8. Subject to the provisions of this Act the Port Authority within the limits of deviation defined on the deposited plans in

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addition to exercising any other powers conferred upon them by this Act may cross stop up interfere with alter or divert either temporarily or permanently and may make junctions with all roads streets passages highways bridges and footways water-courses waterways and other works which it may be necessary or convenient to cross stop up interfere with alter or divert for the purposes of the works or for other purposes of this Act Provided that the Port Authority shall afford reasonable access to all persons bonâ fide going to or returning from any house in any such road street passage highway or footway In the exercise of the powers conferred by this section the Port Authority shall cause as little detriment and inconvenience as circumstances admit to any company or person and shall make reasonable compensation for any damage caused to any company or person by the exercise of the powers aforesaid.

Subsidiary works in connexion with railway diversion.

9. Subject to the provisions of this Act the Port Authority may for the purposes of or in connexion with the construction and maintenance of the railway diversion make and maintain within the limits of deviation shown on the deposited plans all necessary and proper bridges railways sidings rails junctions approaches signals lifts cranes gutters sewers drains hydraulic telegraphic telephonic electric and other works equipment and conveniences and the Port Authority may appropriate and use for the purposes of their undertaking the site and soil of so much of the railway as is diverted under the powers of this Act.

Alteration of position of water gas and other pipes.

10. Subject to the provisions of this Act the Port Authority may for any purpose in connexion with the works within the limits of deviation defined on the deposited plans raise sink or otherwise alter the position of any watercourse water-pipe or gas-pipe belonging to or connected with any house or building and also any main pipe or apparatus laid down or used by any company body or person for carrying a supply of water or water for hydraulic power or gas and also any pipe tube wire or apparatus laid down or placed for telegraphic telephonic or other purposes or for supplying electricity (all of which mains pipes tubes wires and apparatus are in this section included in the expression "apparatus") and may remove any other obstruction making proper substituted works during any alteration and causing as little detriment and inconvenience as circumstances admit to any company body or person and making reasonable compensation to any company body or person for any damage caused by any such alteration Provided always that before the

Port Authority alter the position of any apparatus laid down or used by any such company body or person they shall (except in cases of emergency) give to the company body or person to whom the same belongs notice of their intention to do so specifying the time at which they will begin to do so such notice to be given seven days at least before the commencement of the work for effecting such alteration and such work shall be done under the superintendence (at the expense of the Port Authority) of the company body or person to whom such apparatus belongs unless such company body or person refuses or neglects to give such superintendence at the time specified in the notice for the commencement of such work or discontinues the same during the execution of such work and the Port Authority shall execute such work to the reasonable satisfaction of the engineer of such company body or person but if within seven days of the receipt of such notice any such company body or person shall give notice to the Port Authority of their desire themselves to execute such work they shall forthwith proceed to do so and the cost reasonably incurred by them in so doing shall be repaid to them by the Port Authority.

Notwithstanding the stopping up temporarily of any street or road in which any apparatus of any such company body or person shall be laid the said company body or person their engineers workmen and others in their employ shall at all times have full free and uninterrupted rights of access to all or any of such apparatus and shall be at liberty to do all such works in and upon any such street or road as aforesaid as may be necessary for inspecting repairing maintaining removing replacing or extending such apparatus.

If any difference arise between the Port Authority or their engineer and any such company body or person or their or his engineer touching the amount of any compensation costs expenses or charges under the provisions of this Act to be paid by the Port Authority to any such company body or person or touching any work matter or thing with reference to such apparatus under such provisions to be done or executed by the Port Authority or the mode of doing or executing the same such difference shall unless otherwise agreed be settled by an engineer to be agreed upon by the engineer of the Port Authority and any such company body or person respectively or failing agreement by such engineer as shall on the application of the engineer either of the Port Authority or of any such company body or

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person be named by the President of the Institution of Civil Engineers:

Provided that nothing in this Act shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electric Lighting Acts 1882 to 1909 to which the provisions of section 15 of the Electric Lighting Act 1882 apply except in accordance with and subject to the provisions of that section:

Provided also that the Port Authority shall not raise sink or otherwise alter the position of any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by the Postmaster-General except under and subject to the provisions of the said Act.

Temporary stopping up and interference with streets &c.

11. Subject to the provisions of this Act the Port Authority for the purposes of the powers granted to them by this Act and during the construction of the works may in or upon the lands shown in connexion therewith upon the deposited plans stop up interfere with alter or divert temporarily all or any part of any road street bridge stairs way stream or watercourse which they shall think it necessary for such purposes to stop up interfere with alter or divert and may put or cause to be put up sufficient palisades hoarding bars posts and other erections and may construct temporary works for keeping any such road street bridge stairs or way open for traffic and may subject to the rights powers and authorities of the Commissioner of Police of the Metropolis make such orders for regulating the traffic as to them shall seem proper Provided that the Port Authority shall afford reasonable access to all persons bonâ fide going to or returning from any house in any such road or street.

Sewers or drains to be removed arched over or filled up.

12. Subject to the provisions of this Act the Port Authority may cause to be removed arched over or filled up all such sewers or drains or parts thereof which shall be in or near the streets or roads to be interfered with for the purposes of this Act as shall appear necessary for executing the purposes of this Act so as that no sewer or drain (unless the same shall have become unnecessary) shall be in anywise disturbed injured or prejudiced without another sewer or drain being made in lieu thereof equally serviceable and convenient Provided always that before removing or filling up any sewer or drain or part thereof as aforesaid the Port Authority shall where necessary cause to be made and built other good and sufficient

sewers and drains in substitution for the sewers or drains which shall be removed or filled up and when made and completed the said sewers and drains shall be under the same jurisdiction care management and direction as the existing sewers or drains for which they are substituted.

Notice of works to Commissioner of Police of Metropolis.

13. Seven days before entering upon breaking up or interfering with any public streets or roads under the provisions of this Act the Port Authority shall serve notice in writing on the Commissioner of Police of the Metropolis and make such arrangements as he may reasonably require with regard to the position of the road works and hoardings and the continuous carrying on of the work in order to minimise the interference with the street traffic.

Stopping up streets in case of diversion.

14. Where this Act authorises a new street or the diversion of a street and the stopping up of an existing street or any portion thereof such stopping up shall not take place until the new street or diversion of street is completed to the satisfaction of the road authority and is open for public use or in case of difference between the Port Authority and the road authority until two justices shall have certified that the new street or diversion of street has been completed to their satisfaction and is open for public use.

Before applying to the justices for their certificate the Port Authority shall give to the road authority seven days' notice in writing of their intention to apply for the same.

As from the completion of the new street or diversion of street to the satisfaction of the road authority or as from the date of the said certificate as the case may be all rights of way over or along the existing street or portion thereof shall be extinguished and the Port Authority may appropriate and use for the purposes of their undertaking the site of the street or portion of street stopped up:

Provided that the Port Authority shall make full compensation to all parties interested in respect of any private rights of way extinguished by virtue of this section and such compensation shall failing agreement be settled in manner provided by the Lands Clauses Acts with reference to the taking of lands otherwise than by agreement.

Laying out of carriageways and footways.

15. Subject to the provisions of this Act the Port Authority may cause such parts of the street improvements to be laid out for carriageways and such parts thereof for footways as they

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may think proper and may upon the lands acquired by or vested in them respectively under the powers of this Act and within the limits of deviation defined on the deposited plans construct erect and provide such vaults cellars arches sewers drains subways and other works and conveniences as they may think proper for the purposes of the works by this Act authorised and in laying out or forming such carriageways and footways and works the Port Authority may in addition to the powers by this Act conferred exercise the same powers and authorities as are vested in and shall be subject to the same liabilities only in respect thereof as are imposed upon any metropolitan borough council when they stop up temporarily any road or thoroughfare or any part thereof in the repairing or repaving of any street:

Provided that nothing contained in this section shall take away prejudice or affect or authorise anything to be done which may take away prejudice lessen affect or interfere with any rights privileges or powers belonging to the mayor aldermen and councillors of the metropolitan borough of Poplar.

Agreements with London County Council and others.

16. Subject to the provisions of this Act the Port Authority and the London County Council local and road authorities owners of property or other persons interested in lands houses or property abutting on any portion of the works may enter into and carry into effect agreements with respect to the construction maintenance and use of any of the works and the sale or purchase by the Port Authority of any lands or property for such consideration being a sum of money in gross or a grant of land or partly money and partly land as may be agreed upon between the Port Authority and the London County Council and such local and road authorities owners or other persons:

Provided that if any of the works constructed by the London County Council or any local or road authority or person under any such agreement involves an alteration of a telegraphic line belonging to or used by the Postmaster-General the enactments contained in section 7 of the Telegraph Act 1878 shall apply to any such alteration as if the London County Council or such authority or person were "undertakers" within the meaning of that Act.

Excluding certain provisions as to dock walls.

17. Nothing contained in section 98 (Docks to be surrounded by a wall) of the London Docks Act 1828 shall be deemed to prohibit the erection or retention of any house or other building within the space of thirty feet of any wall surrounding or

enclosing the enlargement of Shadwell Old Basin (Work No. 1) by this Act authorised or within that distance of the wall of any warehouse forming the external boundary of the premises of the Port Authority adjoining the said Work No. 1 and nothing contained in that section or in section 44 (Directors to maintain certain walls &c.) of the West India Docks Act 1831 shall be deemed to prejudice or affect the exercise of the powers by this Act conferred upon the Port Authority.

Period for completion of works.

18. If the works be not completed within ten years from the passing of this Act then on the expiration of that period the powers of the Port Authority under this Act for the construction thereof shall cease except so far as the same shall have been completed.

Maintenance of new streets and street improvements.

19. Subject to the provisions of the section of this Act of which the marginal note is "Stopping up streets in case of diversion" when and so soon as the street improvements or any part thereof are or is completed the same shall be open to the public and shall vest in and shall be lighted and maintained by the council of the metropolitan borough in which the same shall respectively be situate but nothing in this Act shall be construed to take away from the Port Authority the control or maintenance of any bridge by which any of the street improvements may be carried over any works of the Port Authority.

Dock works to be part of undertaking of Port Authority.

20. The dock works shall for all purposes (including tolls rents rates dues and charges) be deemed part of the Port of London and of the undertaking of the Port Authority.

Dock-master's powers.

21. The limits within which the powers of any dock-master appointed by the Port Authority may be exercised under this Act shall be the dock works by this Act authorised and a distance of three hundred yards in every direction into the Thames from any part of such works.

Railway diversion to be part of London Blackwall and Millwall Railway.

22. The railway diversion shall for all purposes (including tolls rates and charges) be deemed part of the London Blackwall and Millwall Extension Railway.

Saving for agreements as to apparatus on Port Authority's property.

23. Nothing in this Act shall derogate from the provisions of any agreement relating to the laying down construction maintenance or removal of any pipes wires apparatus and appliances on or from any lands or property of the Port Authority.

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Subsidiary powers as to Port undertaking.

24.—(1) The Port Authority may for the purposes of the dock works by this Act authorised upon all or any of the lands shown on the deposited plans and described in the deposited book of reference when entered upon by the Port Authority under the powers of this Act from time to time make provide and maintain all necessary or convenient rails railways tramways sidings junctions stations signals platforms bridges approaches ways warehouses sheds buildings quays wharves hydraulic telegraphic telephonic and electric works sewers drains culverts gutters jetties shipping places landing places walls stages gantries gridirons cuts dams basins locks docks gates cranes caissons pumps lifts drops dolphins moorings mooring posts buoys and other works buildings apparatus equipment and conveniences:

Provided that nothing in this section shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electric Lighting Act 1882 except in accordance with and subject to the provisions of section 15 of that Act and that any difference which may arise under that section and any question as to the amount of compensation to be paid to any such undertakers shall be determined in manner provided by that Act:

Provided also that nothing contained in this section shall derogate from the provisions of any agreement relating to the laying down construction maintenance or removal of any pipes wires apparatus and appliances on or from any lands or property of the Port Authority.

(2) The Port Authority may for the purposes of the construction and maintenance of the dock works by this Act authorised deepen dredge or alter any existing work of the Port Authority and the banks bed shores and soil of the Thames in and near to the said dock works or any part or parts thereof:

Provided that nothing in this section shall extend to or authorise any deepening dredging or alteration of the dock known as the London Eastern Dock outside the limits of deviation shown on the deposited plans and sections of the enlargement of Shadwell Old Basin (Work No. 1) by this Act authorised:

Provided also that any works of deepening dredging or altering under the powers of this subsection which may interfere with or be within fifty yards of any part of any property of the

London County Council shall be executed under the supervision and to the reasonable satisfaction of the said council.

(3) The Port Authority may divert water from the Thames into any dock lock basin cut passage waterway or work intended to be covered by water made constructed enlarged improved or extended under the powers of this Act for the purposes of such construction enlargement improvement or extension or of the general maintenance and improvement of any such work or of any existing work of the Port Authority or for the purpose of maintaining and improving the level of the water in any such dock lock basin cut passage waterway or work.

For protection of Postmaster-General.

25. Any electric telegraphic or telephonic works made provided or maintained by the Port Authority under the provisions of this Act shall not be used in contravention of the exclusive privilege of the Postmaster-General under the Telegraph Act 1869 and shall be so constructed maintained and used as to prevent any interference with any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by the Postmaster-General or with telegraphic communication by means of any such line.

LANDS.

Power to take lands.

26. Subject to the provisions of this Act the Port Authority may enter upon take and use all or any of the lands shown on the deposited plans and described in the deposited book of reference which they may require for the purposes of this Act and for the purposes of recoupment and exchange and of providing space for the erection of buildings adjoining or near to the works.

Acquisition of lands for general purposes.

27. In addition to any other powers conferred by this Act the Port Authority may subject to the provisions of this Act purchase and take for the purposes of the works or for the general purposes of their undertaking the lands in the county of London hereinafter described which are delineated on the deposited plans and described in the deposited book of reference (namely) :—

(A) Lands in the parish of Saint Paul Shadwell lying to the south of the High Street in the said parish bounded on the north by the High Street on the south by property belonging or reputed to belong to

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the Port Authority on the east by an imaginary line drawn parallel with Glamis Road at a distance of two chains or thereabouts measured in a westerly direction therefrom and on the west by the eastern boundary wall of the churchyard of Saint Paul Shadwell:

(B) Lands in the parish of Saint George-in-the-East to the south-east of the dock known as the Eastern Dock bounded on the east and north by property belonging or reputed to belong to the Port Authority on the west by an imaginary line drawn in a southerly direction from the south-east corner of the building known as the Coffee Warehouse to the junction of Agatha Street with Pearl Street on the south and south-east by that portion of Pearl Street which lies between the last-mentioned junction and the junction of Pearl Street with Prusom Street and on the south-east by so much of Prusom Street as lies between the last-mentioned junction and property belonging or reputed to belong to the Port Authority in Prusom Street:

(C) Lands in the parish of All Saints Poplar lying between Cuba Street and Manilla Street bounded on the north by Cuba Street on the east by Alpha Road on the south by Manilla Street and on the west by an imaginary line drawn parallel to West Ferry Road at a distance of seven chains or thereabouts measured in an easterly direction therefrom:

(D) Lands in the parish of All Saints Poplar within the area known as the Millwall Docks bounded on the north and east by property belonging or reputed to belong to the Port Authority on the south by an imaginary line drawn parallel to Mellish Street at a distance of one and a half chains or thereabouts measured in a northerly direction therefrom and on the west by an imaginary line drawn parallel to Alpha Road at a distance of one and a half chains or thereabouts measured in an easterly direction therefrom.

Persons under disability may grant easements &c.

28. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may (if they think fit) subject to the provisions of those Acts and of this Act grant to the Port

Authority any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Owners may be required to sell parts only of certain lands and buildings.

29. And whereas in the construction of the works or otherwise in the exercise by the Port Authority of the powers of this Act it may happen that portions only of certain properties shown or partly shown on the deposited plans will be sufficient for the purposes of the Port Authority and that such portions or some other portions less than the whole can be severed from the remainder of the said properties without material detriment thereto Therefore the following provisions shall have effect:—

(1) The owner of and persons interested in any of the properties whereof the whole or part is described in the schedule to this Act and whereof a portion only is required for the purposes of the Port Authority or each or any of them are hereinafter included in the term "the owner" and the said properties are hereinafter referred to as "the scheduled properties":

(2) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the scheduled properties the owner shall fail to notify in writing to the Port Authority that he alleges that such portion cannot be severed from the remainder of the property without material detriment thereto he may be required to sell and convey to the Port Authority such portion only without the Port Authority being obliged or compellable to purchase the whole the Port Authority paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise:

(3) If within such twenty-one days the owner shall by notice in writing to the Port Authority allege that such portion cannot be so severed the jury arbitrators or other authority to whom the question of disputed compensation shall be submitted (hereinafter referred

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to as "the tribunal") shall in addition to the other questions required to be determined by it determine whether the portion of the scheduled property specified in the notice to treat can be severed from the remainder without material detriment thereto and if not whether any and what other portion less than the whole (but not exceeding the portion over which the Port Authority have compulsory powers of purchase) can be so severed:

(4) If the tribunal determine that the portion of the scheduled property specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder without material detriment thereto the owner may be required to sell and convey to the Port Authority the portion which the tribunal shall have determined to be so severable without the Port Authority being obliged or compellable to purchase the whole the Port Authority paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the tribunal:

(5) If the tribunal determine that the portion of the scheduled property specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder without material detriment thereto the tribunal may in its absolute discretion determine and order that the costs charges and expenses incurred by the owner incident to the determination of any matters under this section shall be borne and paid by the owner:

(6) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto (and whether or not they shall determine that any other portion can be so severed) the Port Authority may withdraw their notice to treat and thereupon they shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice:

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(7) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto but that any such other portion as aforesaid can be so severed the Port Authority in case they shall not withdraw the notice to treat shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice or such portion thereof as the tribunal shall having regard to the circumstances of the case and their final determination think fit.

The provisions of this section shall be in force notwithstanding anything in the Lands Clauses Consolidation Act 1845 contained and nothing contained in or done under this section shall be held as determining or as being or implying an admission that any of the scheduled properties or any part thereof is or is not or but for this section would or would not be subject to the provisions of section 92 of the Lands Clauses Consolidation Act 1845.

The provisions of this section shall be stated in every notice given thereunder to sell and convey any premises.

Compensation in case of recently altered buildings &c.

30. In settling any question of disputed purchase-money or compensation under this Act the court or person settling the same shall not award any sum of money for or in respect of any improvement alteration or building made or for or in respect of any interest in the lands created after the twenty-sixth day of October one thousand nine hundred and sixteen if in the opinion of such court or person the improvement alteration or building or the creation of the interest in respect of which the claim is made was not reasonably necessary and was made or created with a view to obtaining or increasing compensation under this Act.

Costs of arbitration &c. in certain cases.

31. The tribunal to whom any question of disputed purchase money or compensation under this Act is referred shall if so required by the Port Authority award and declare whether a statement in writing of the amount of compensation claimed has been delivered to the Port Authority by the claimant giving sufficient particulars and in sufficient time to enable the Port Authority to make a proper offer and if the tribunal shall be of opinion that no such statement giving sufficient particulars and in sufficient time shall have been delivered and that the

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Port Authority have been prejudiced thereby the tribunal shall have power to decide whether the claimant's costs or any part thereof shall be borne by the claimant:

Provided that it shall be lawful for any judge of the High Court to permit any claimant after seven days' notice to the Port Authority to amend the statement in writing of the claim delivered by him to the Port Authority in case of discovery of any error or mistake therein or for any other reasonable cause such error mistake or cause to be established to the satisfaction of the judge after hearing the Port Authority if they object to the amendment and such amendment shall be subject to such terms enabling the Port Authority to investigate the amended claim and to make an offer de novo and as to postponing the hearing of the claim and as to costs of the inquiry and otherwise as to such judge may seem just and proper under all the circumstances of the case:

Provided also that this section shall be applicable only in cases where the notice to treat under the Lands Clauses Consolidation Act 1845 either contained or was endorsed with a notice of the effect of this section.

As to private rights of way over lands taken compulsorily.

32. All private rights of way over any lands which shall under the powers of this Act be acquired compulsorily shall as from the date of such acquisition be extinguished Provided that the Port Authority shall make full compensation to all parties interested in respect of any such rights and such compensation shall be settled in manner provided by the Lands Clauses Acts with reference to the taking of lands otherwise than by agreement.

Correction of errors in deposited plans and book of reference.

33. If there be any omission misstatement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited book of reference the Port Authority after giving ten days' notice to the owners lessees and occupiers of the lands in question may apply to two justices acting for the county of London for the correction thereof and if it appear to the justices that the omission misstatement or wrong description arose from mistake they shall certify the same accordingly and they shall in their certificate state the particulars of the omission and in what respect any such matter is misstated or wrongly described and such certificate shall be deposited with the clerk of the peace for the county of London and shall be kept by such clerk

of the peace with the other documents to which it relates and thereupon the deposited plans and book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Port Authority to take the lands and execute the works in accordance with such certificate.

Entry upon property for survey and valuation.

34. The Port Authority and their engineer or other officer and any person duly authorised in writing under the hand of the secretary or the chief engineer of the Port Authority may at all reasonable times in the day upon giving in writing for the first time twenty-four hours' and afterwards twelve hours' previous notice enter upon and into the lands and buildings by this Act authorised to be taken and used as aforesaid or any of them for the purpose of surveying and valuing the said lands and buildings without being deemed trespassers and without being subject or liable to any fine penalty or punishment on account of entering or continuing upon any part of the said lands and buildings.

Period for compulsory purchase of lands.

35. The powers of the Port Authority for the compulsory purchase of lands under the powers of this Act shall cease after the expiration of three years from the passing of this Act.

Power to retain sell and lease lands &c.

36.—(1) Notwithstanding anything in the Lands Clauses Acts or in any other Act or Acts to the contrary the Port Authority may retain hold and use for such time as they may think fit lands or buildings acquired under the powers of this Act and may build on any such lands and may sell lease exchange or otherwise dispose of any such lands or buildings or any easement right privilege or interest in under through or over any such lands for such consideration and on such terms and conditions as they think fit and may make do and execute any deed act or thing proper for effectuating any such sale lease exchange or other disposition.

(2) All moneys received by the Port Authority as consideration for lands or buildings or any such easement right privilege or interest as aforesaid sold under the powers of this section shall be carried to the Port fund of the Port Authority and shall be applied only to purposes of the Port Authority to which capital is properly applicable.

Power to sell materials.

37. Subject to the provisions of this Act the Port Authority may sell or dispose of the building and other materials of any houses buildings or structures acquired by them under the

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powers of this Act which may not be required for the works and also all materials in under or upon so much of any railway road street or other place as is altered or diverted by them under any powers of this Act and any materials obtained in the alteration of or interference with any drain sewer or apparatus under any such powers.

PROTECTIVE PROVISIONS.

For protection of North London Railway Company.

38. The North London Railway Company and their tenants shall have at all times the same facilities and rights of user for the purpose of access to their docks of the new entrance lock (Work No. 3) and through the improvement and extension (Work No. 2) by this Act authorised as they now have in and over the South Dock lock and the entrance lock to the Blackwall Basin and the Junction Dock.

For protection of London County Council

39. The following provisions shall unless otherwise agreed have effect for the protection of the London County Council (in this section called "the council") (that is to say):—

(1) Notwithstanding anything contained in this Act or shown on the deposited plans the acquisition by the Port Authority of the lands numbered on the said plans 155a and 155b and 157 in the parish of All Saints Poplar shall be subject to the reservation by the council of the right for the council to construct sewers and works in connexion therewith in any portion of that part of those lands which is shown by blue colour on the signed plan in this section hereinafter referred to between the levels of twenty-five feet below and eight feet above Ordnance datum without making any payment to the Port Authority in respect of such right or the exercise thereof:

(2)—(A) The Port Authority shall not execute or construct any works in pursuance of powers contained in this Act which pass over under or by the side of or so as to interfere with the sewers of the council until they have given to the council twenty-eight days' notice in writing of their intention to commence the same by leaving such notice at the principal office of the council with plans and sections thereof as hereinafter defined and until the council have signified their approval of the same unless the council do not signify

their approval disapproval or other directions within twenty-eight days after service of the said notice plans and sections and the Port Authority shall comply with and conform to all reasonable orders directions and regulations of the council in the execution of the said works and shall provide by new altered or substituted works in such manner as the council reasonably require for the proper protection of and for preventing injury or impediment to the said sewers by reason of the intended works or any part thereof and shall save harmless the council against all expenses to be occasioned thereby and all such works shall be done by or under the direction superintendence and control of the council at the costs charges and expenses in all respects of the Port Authority and all reasonable costs charges and expenses which the council may be put to by reason of such works of the Port Authority whether in the execution of works the preparation or examination of plans or designs superintendence or otherwise shall be paid to the council by the Port Authority on demand and when any new altered or substituted sewers or sewer works or any works of defence connected therewith are completed by or at the costs charges or expenses of the Port Authority under the provisions of this Act the same shall thereafter form part of the council's main drainage system:

(b) As regards any works in respect of which the Port Authority are under the provisions of this subsection required to submit plans and sections to the council the council may require the Port Authority in constructing such works to make any reasonable deviation from the line or levels shown upon such plans or sections for the purpose of avoiding injury or risk of injury to the sewers of the council and the Port Authority shall in constructing such works deviate accordingly:

(c) The plans and sections to be submitted to the council for the purposes of this subsection shall be detailed plans drawings sections and specifications describing the exact position and manner in which and the levels at which the works are proposed to be constructed and shall accurately describe the position of all sewers of

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the council within the limits of deviation shown on the deposited plans (for which purpose the council shall allow the Port Authority access to plans in their possession and to any sewers in order to enable the Port Authority to obtain trustworthy information) and shall comprise detailed drawings of any alterations which the Port Authority propose to make in any such sewer:

(D) The council may require such modification to be made in the said plans drawings sections and specifications as may be reasonably necessary to secure the sewers and drainage system of London under the jurisdiction and control of the council against interference or risk of damage and to provide and secure a proper and convenient means of access to the said sewers:

(E) The Port Authority shall make good all injury or damage caused by or resulting from the construction or user by the Port Authority of any of their works to any sewers or works vested in the council and the council shall from time to time have power to recover the amount thereof from the Port Authority in any court of competent jurisdiction:

(F) All expenses including supervision and all incidental charges incurred by the council in maintaining repairing and renewing so much of the new altered deviated or substituted sewers or sewer works as is laid in or under the dock works shall from time to time be paid by the Port Authority to the council:

(G) The Port Authority shall at all times give to the council full free and uninterrupted access to the new altered deviated or substituted sewers or sewer works and every reasonable facility for the inspection maintenance alteration or repair thereof:

(H) Any additional cost to which the council may be put in consequence of the construction of the works by this Act authorised in the maintenance or management of the new altered deviated or substituted sewers or sewer works shall be paid from time to time to the council by the Port Authority:

Provided that the council may if they so elect within twenty-eight days after the receipt of any notice given by the Port Authority under paragraph (A) of this subsection themselves execute all or any of the works referred to in such notice with such new altered deviated or substituted works as they may think reasonably necessary and the costs of executing such works including supervision and all incidental charges shall be paid by the Port Authority to the council:

(3) The bridge carrying the road diversion (Work No. 12) by this Act authorised over the new entrance lock (Work No. 3) by this Act authorised shall be so constructed as to provide for a carriageway of a clear width between the main girders of the bridge of not less than twenty-five feet and two footways each of not less than seven feet and six inches in width and shall be of sufficient strength to carry a moving load on the carriageway not exceeding fifty-two tons of which the maximum axle loads shall not exceed sixteen tons at centres not less than twelve feet apart or a distributed load of eighty-four pounds per superficial foot whichever shall be the greater and shall be provided with suitable apparatus for opening and closing the bridge in the most expeditious manner and shall be at all times hereafter maintained by the Port Authority in good and substantial repair and condition:

The Port Authority shall deposit with the council for their information plans elevations sections and particulars of the said bridge not less than twenty-eight days before commencing the construction thereof with notice of their intention to commence the construction and shall not commence such construction until the council or in case of difference an arbitrator appointed as hereinafter provided has signified that the council or such arbitrator as the case may be are or is satisfied that the bridge when constructed in accordance with such plans elevations sections and particulars will comply with the foregoing requirements of this section in relation to such bridge Provided that if the council fail to signify that they are not so satisfied within twenty-eight days after delivery to

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them of the said plans elevations sections and particulars they shall be deemed to have signified that they are so satisfied The Port Authority shall not construct the said bridge otherwise than in accordance with plans elevations sections and particulars as to which satisfaction has been signified as aforesaid:

(4)—(i) The Port Authority shall at their own expense and notwithstanding anything contained in this Act or shown on the deposited plans—

(A) In constructing the new street (Work No. 10) by this Act authorised construct the same in the lines shown by full red lines on the signed plan in this section hereinafter referred to;

(B) In constructing the new or diverted streets (Works Nos. 9 11 and 12) by this Act authorised add to those streets respectively the areas shown by red colour on the said plan;

(C) If they acquire the lands numbered on the deposited plans 42 in the parish of All Saints Poplar and demolish the buildings thereon add to Prestons Road the area of land the boundaries whereof are shown by full red lines on the said plan:

(ii) The lands added to a street shall be deemed to form part of the highway and shall be paved and made up by the Port Authority to the satisfaction of the highway authority and thereafter maintained repaired cleansed and lighted by the highway authority:

(5) If the Port Authority acquire the lands numbered on the deposited plans 40 in the parish of Saint Paul Shadwell and demolish the buildings thereon the Port Authority shall if so required by the council within one year from such acquisition not erect any buildings or works on any part of so much of such lands as is necessary to widen the said High Street to forty feet clear along the whole frontage of such lands and the Port Authority shall in that event forthwith sell and the council shall forthwith purchase the lands necessary for such widening at such price as failing agreement may be fixed by an arbitrator to

be appointed in case of difference between the parties on the application of either party by the President of the Surveyors' Institution:

(6) The Port Authority shall not except where otherwise expressly provided in this section construct the street improvements or any part thereof in any other lines or at any other levels than those shown on the deposited plans and sections except in accordance with plans and sections submitted to and reasonably approved by the council:

(7) Nothing in this Act shall exempt the Port Authority from the provisions of the London Building Acts 1894 to 1915 and any Act amending the same and any byelaws and regulations in force thereunder except so far as the same may be expressly varied by this Act and the Port Authority shall be entitled to the benefit of any exemptions in favour of railway dock and canal companies and the Conservators of the River Thames in the said London Building Acts contained:

(8) The Port Authority shall not where any house or building has been wholly or in part demolished by them leave any adjoining structure or any portion of a partly demolished structure in an unsightly condition for a longer period than is reasonably necessary:

(9) If the Port Authority under the powers of this Act stop up any public street or thoroughfare they shall forthwith give notice in writing thereof to the council:

(10) The Port Authority shall carefully preserve and remove all objects of geological or antiquarian interest discovered by them in the execution of the works by this Act authorised and subject to the rights of the Crown and except so far as the same may be proved to be the property of any other person any such objects shall be subject to the disposal of the council and the Port Authority shall use all reasonable means for securing compliance with the provisions of this section:

(11) The Port Authority shall give facilities to any duly authorised officer of the council to make a survey of

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any building acquired under the powers of this Act which in the opinion of the council is of historical or antiquarian interest and any objects of interest discovered during such survey shall be subject to the disposal of the council:

(12) Nothing in this Act shall be deemed to exempt the Port Authority from any of the provisions of the Metropolis Management (Thames River Prevention of Floods) Act 1879 or any Act amending the same:

(13) The approval by the council of any plans sections or specifications or the superintendence by the council of any works under the provisions of this section shall not exonerate the Port Authority from any liability or affect any claim for damages under such section or otherwise:

(14) Except so far as is in this Act expressly provided nothing in this Act shall prejudice lessen affect or interfere with any of the powers rights authorities or privileges of the council under any Act now in force:

(15) The signed plan referred to in this section is a plan which has been signed in duplicate by John Joseph Mooney Esquire the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred (one copy of which has been deposited in the Private Bill Office of the House of Commons and one copy in the Parliament Office of the House of Lords):

(16) Any difference arising between the Port Authority and the council under subsections (3) (6) (8) and (10) of this section shall be referred to and determined by an engineer to be appointed failing agreement by the President of the Institution of Civil Engineers on the application of either party and the provisions of the Arbitration Act 1889 shall apply to any such reference.

For protection of Stepney Borough Council.

40. For the protection of the mayor aldermen and councillors of the metropolitan borough of Stepney (in this section called "the council") the following provisions with respect to the construction of the works under the powers of this Act in under or affecting highways streets roads or footways vested in

or under the jurisdiction of the council shall unless otherwise agreed apply and have effect:—

(1) The engineer or other duly authorised officer of the council may from time to time enter upon and inspect any works of the Port Authority under or immediately adjoining any such highway street or part of a street in or under which there are any sewers or works vested in the council:

(2) The Port Authority shall not permanently stop up nor break up or open the soil or pavement of any such highway street road or footway or commence any work the execution of which shall or may affect the traffic along any such highway street road or footway unless they shall have given to the council not less than seven days' notice in writing of their intention so to do and every such work shall be subject to the reasonable directions of the council or of their engineer to secure the free passage of traffic in the said highway street road or footway and to prevent any needless injury or inconvenience to or in the highway street road or footway or to persons residing or carrying on business therein:

(3) The Port Authority shall not where any house or building in the metropolitan borough of Stepney shall have been wholly or in part demolished by them leave any adjoining structures or any portions of a partly demolished structure in an unsightly condition and in a state inconsistent with the condition of the houses or buildings in the immediate vicinity:

(4) The Port Authority shall not stop up temporarily any such highway street road or footpath otherwise than with the consent of the council which consent shall not be unreasonably withheld Provided that if the council do not refuse their consent within a period of fourteen days from the receipt by them of the request of the Port Authority therefor their consent shall be deemed to have been given:

(5) Where the Port Authority break up or disturb the surface of any such highway street road or footway they shall restore such highway street road or footway to as good a condition as it was when it was

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broken up or disturbed and the Port Authority shall execute such work under the superintendence (if given) and to the reasonable satisfaction of the engineer of the council The Port Authority shall save harmless and keep indemnified the council against all actions claims expenses and demands arising out of or in consequence of any such works and if the Port Authority fail to comply with the requirements of this subsection the council may if they think fit restore such highway street road or footway broken up or disturbed and recover the reasonable cost and expense of such restoration from the Port Authority:

(6) Whenever the Port Authority shall open or break up the soil or pavement of any such highway street road or footway they shall cause the same to be fenced and guarded and shall cause lights to be kept there every night during which such soil or pavement shall continue to be open or broken up in accordance with the reasonable directions and to the reasonable satisfaction of the engineer of the council:

(7) The Port Authority shall for the period of twelve calendar months from the date of taking over by the council of any new diverted altered or substituted highway street or footway or any portion thereof repair and make good any subsidence therein or any damage caused thereto by subsidence of the foundations thereof and in the event of the Port Authority failing so to do the council may by themselves their agents or workmen repair and make good the same and may recover the reasonable cost and expense of so doing from the Port Authority:

(8) The Port Authority shall bear the reasonable cost of removing and replacing such public lamps and laying on the service thereto as may be moved by reason of the works executed under this Act:

(9) The Port Authority shall on demand pay to the council the reasonable charges incurred by them in connexion with the employment by them as may be reasonably necessary of any clerk of the works to superintend under the direction of their engineer any of the works aforesaid:

(10) So far as relates to all lands acquired by the Port Authority under the powers of this Act in the Metropolitan Borough of Stepney section 133 of the Lands Clauses Consolidation Act 1845 shall be read as if the words "general rate as defined by the London Government Act 1899" were included therein:

(11) If any difference shall arise between the Port Authority and the council or their engineer with respect to any of the matters referred to in this section the same shall be referred to an engineer agreed upon between the parties or failing such agreement appointed by the President of the Institution of Civil Engineers on the application of any of the parties interested and subject thereto the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

For protection of Poplar Borough Council.

41. For the protection of the mayor aldermen and councillors of the metropolitan borough of Poplar (in this section called "the council") the following provisions shall unless otherwise agreed between the Port Authority and the council apply and have effect (that is to say):—

(1)—(A) The Port Authority shall carry the street diversion (Work No. 12) by this Act authorised over the new entrance lock (Work No. 3) by this Act authorised by means of an opening bridge having a highway of a total width of not less than forty feet and so constructed as to be opened and closed in the most expeditious manner and to support when closed all the road traffic which may be reasonably expected to use the same The highway over the bridge shall consist of a carriageway having a clear width of twenty-five feet and a footway having a clear width of seven feet six inches on each side of the carriageway The highway over the opening bridge shall be maintained by the Port Authority to the reasonable satisfaction of the council:

(B) The Port Authority shall in addition construct a suitable bridge for foot passengers over Work No. 3 by this Act authorised on the east side thereof with proper approaches thereto from Work No. 12 by this Act authorised Such footbridge shall be available for the use of foot passengers when the opening

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bridge is closed to road traffic except only at times when it may be necessary to open the footbridge for the passage of any vessel through the same:

(2) The Port Authority shall operate the bridge carrying the diversion of Manchester Road over Work No. 3 by this Act authorised and the bridge carrying Prestons Road over the existing lock entrance to the Blackwall Basin in accordance with regulations to be made from time to time by the Port Authority in consultation with the council and approved by the Board of Trade for securing as little delay as possible (having regard to the requirements of navigation) to pedestrians and vehicular traffic thereover and for securing so far as may be practicable (without unduly interfering with navigation) that any vehicular traffic which may have been delayed by the opening of one bridge shall not be again delayed on reaching the other bridge:

(3) The Port Authority shall provide efficient means for the purpose of warning traffic of the opening of each bridge and the council shall give all reasonable facilities for providing and maintaining such apparatus on over or under the street as may be necessary:

(4) In constructing or executing the new street and diversions of streets (Works Nos. 10 11 and 12) by this Act authorised the Port Authority shall not without the consent of the council (which shall not be unreasonably withheld) deviate from the lines or levels thereof shown on the deposited plans and sections except that—

(A) The Port Authority shall construct Work No. 10 by this Act authorised of a width of not less than forty feet;

(B) When constructing Work No. 11 by this Act authorised the Port Authority shall widen Prestons Road on the east side thereof for a distance of twenty-five yards measured in a northerly direction from the northern side of the southern end of the street known as Cold Harbour so that the width thereof shall not be less than fifty feet over such distance:

(5) All street improvements and sewers drains and other works to be vested in and maintained by the council by and under the provisions of this Act and any alteration effected thereunder of or to any sewer drain pipe tube wire apparatus or other work under the jurisdiction of or belonging to the council (all of which are hereinafter included in the expression "work of the council") shall be constructed in such manner as the engineer of the council may reasonably require:

(6) The Port Authority shall not commence the construction of Works No. 10 11 or 12 or any other work by this Act authorised so far as the same affects any road street passage highway or footway under the jurisdiction of the council (all of which are hereinafter included in the expression "street in the borough") or any work of the council until they shall have submitted to the council's engineer detailed plans sections and specifications of such work and such plans sections and specifications shall have been agreed with or without modification or alteration between the Port Authority and such engineer or shall in case of difference between them have been settled by an arbitrator to be appointed as hereinafter mentioned Provided that if such engineer shall not within one month after the submission to him of such plans sections and specifications signify in writing his approval or disapproval thereof or his requirements in relation thereto he shall be deemed to have approved the same:

(7) Works Nos. 10 11 and 12 and any other work by this Act authorised so far as the same affects any street in the borough shall be constructed in accordance with the plans sections and specifications approved or settled as aforesaid and if required by the council under the superintendence if the same be given of their engineer and to his reasonable satisfaction:

(8) The Port Authority shall not permanently stop up Folly Street nor any street in the borough which is not marked "to be closed" or "to be diverted" on the deposited plans and the Port Authority shall not temporarily stop up interfere with alter or divert any street in the borough except such streets for such

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time in such manner and to such extent as the council may reasonably approve but if such approval shall not be given or refused within fourteen days from the receipt of a request of the Port Authority therefor the same shall be deemed to have been given:

(9) Before executing any work which will or may obstruct any street in the borough the Port Authority shall to the reasonable satisfaction of the council provide and thereafter so long as the same may be necessary to the like satisfaction maintain sufficient accommodation for the traffic along such street and access to all houses and property approached thereby and during the progress and until the completion of such works the Port Authority shall sufficiently fence light and watch the portions of the streets interfered with and the works in course of execution therein or adjacent thereto:

(10) The Port Authority shall to the reasonable satisfaction of the council's engineer demolish or effectively fill in any sewer within the limits of deviation shown on the deposited plans and belonging to the council which may be rendered unnecessary and the drains from any house which may be demolished by or in consequence of the execution of any of the works in the borough by this Act authorised:

(11) No vault cellar arch sewer drain subway or other work or convenience (other than any sewer or work to be vested in the London County Council) shall be constructed by the Port Authority under any street in the borough or any street improvement to be vested in the council under the provisions of this Act without the consent in writing of the council which shall not be unreasonably withheld:

(12) Any work of the council and any paving metalling and road material removed by the Port Authority under the powers of this Act and not required for the purposes of the street improvements in the borough by this Act authorised shall if required by the council be delivered by the Port Authority to the council at such depôt in the borough as their engineer may reasonably direct being within a radius of a mile of the place of removal:

(13) The Port Authority shall on demand pay to the council the reasonable charges incurred by them in connexion with the employment by them of any clerk of the works (not being a salaried officer already in the employ of the council) who may be reasonably necessary to superintend under the direction of their engineer any of the works aforesaid:

(14) The Port Authority shall for the period of twelve calendar months from the date of taking over by the council of any new diverted altered or substituted highway street footway sewer drain or other work or any portion thereof repair and make good any damage caused thereto by subsidence of the foundations thereof and in the event of the Port Authority failing so to do the council may by themselves their agents or workmen repair and make good the same and may recover the reasonable cost and expense of so doing from the Port Authority:

(15) So far as relates to all lands acquired by the Port Authority under the powers of this Act in the metropolitan borough of Poplar section 133 of the Lands Clauses Consolidation Act 1845 shall be read and have effect as if the words "general rate as defined by the London Government Act 1899" were included therein in addition to the words "land tax and poors rate":

(16) If any difference shall arise between the Port Authority and the council or their engineer with respect to any matters referred to in this section the same shall be referred to an engineer agreed upon between the parties or failing such agreement appointed by the President of the Institution of Civil Engineers on the application of either party and subject thereto the provisions of the Arbitration Act 1889 shall apply to such arbitration.

For protection of Metropolitan Water Board.

42. For the protection of the Metropolitan Water Board (in this section referred to as "the Board") the following provisions shall unless otherwise agreed in writing between the Board and the Port Authority have effect (that is to say):—

(1) In constructing the works by this Act authorised which are referred to in the first column of the next

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following table the Port Authority shall provide and lay therein respectively new mains of the internal diameter referred to in the second column of the said table in substitution for the mains referred to in the third column of the said table and shall connect such new mains with the existing mains of the Board (that is to say):—

(1) Work No.	(2) Substituted Mains. Internal Diameter.	(3) Mains to be replaced. Internal Diameter.	(3) Mains to be replaced. Name of Street.
		Inches.	
8	4 inches - - -	3	Part of Pearl Street to be abandoned.
1 and 9 or either of them.	18 inches - - -		
	Southwards from the most northerly point on the northernmost of the two mains crossing New Gravel Lane near the commencement of Work No. 9 to Prusom Street.	10	Under St. George's Lock.
		12	Under Shadwell Old Basin.
		6	Milk Yard.
		6	Monza Street.
		7	New Gravel Lane
10	6 inches - - -	6	Cuba Street.
		4	Alpha Road.
	4 inches - - -	3	Cuba Street.
11 and 12	15 inches - - -	12	Prestons Road and Manchester Road.
		18	Under existing lock.
	4 inches (400 feet only) -	3	Manchester Road.

(2) The Port Authority shall on demand repay to the Board the cost incurred by the Board in providing and laying a 12-inch main in New Gravel Lane from Prusom Street to Wapping Wall in continuation of the 18-inch main to be provided and laid by the Port Authority in New Gravel Lane and in connecting the same with the existing 6-inch main of the Board in Wapping Wall:

(3) For the purpose of carrying under the new entrance lock (Work No. 3) by this Act authorised the said new main to be laid in the diversions of Prestons Road and Manchester Road (Work No. 11 and Work No. 12) by this Act authorised the Port Authority shall construct under the said lock a subway lined with cast iron with an internal diameter of not less

than five feet and six inches in the clear and with a shaft at each end of such subway similarly lined and with a similar internal diameter forming an approach to the said subway and so much of the said new main as shall be laid in the said subway and in the said shafts shall consist of a steel pipe having an internal diameter of fifteen inches;

The said subway and the said shafts shall be so constructed as to be watertight and shall be provided by the Port Authority with such proper and convenient means of access as the chief engineer of the Board (in this section referred to as "the engineer") may reasonably approve or require;

The said subway and shafts and the said means of access shall be constructed and maintained by and at the expense of the Port Authority and to the reasonable satisfaction of the engineer but shall be retained for the sole use of the Board except that the Port Authority may lay or permit to be laid hydraulic telegraphic telephonic and electric mains and apparatus through the said subway and shafts in the portions thereof which are shown by red colour on the signed plan provided that no damage be thereby done to any mains or apparatus of the Board in the said subway or shafts and that the same are so laid as to ensure that no damage can thereby be caused to the property of the Board The Board shall at all times have unrestricted access to the said subway and shafts for the inspection repair and renewal of their mains and apparatus and the laying or placing of additional mains and apparatus:

(4) If at any time before the substituted main to be laid in the diversions of Prestons Road and Manchester Road (Work No. 11 and Work No. 12) by this Act authorised is laid as aforesaid the Board so require the Port Authority shall provide and lay in the said diversions (including the subway hereinbefore referred to) a main having an internal diameter of eighteen inches but in other respects in accordance with the foregoing provisions of this section and in that event the Board shall bear and pay the excess of the cost of providing and laying such 18-inch

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main over the cost of providing and laying a main having an internal diameter of fifteen inches:

(5) In constructing the diversion of Manchester Road (Work No. 12) by this Act authorised the Port Authority shall subject in all things to the reasonable directions of the Board disconnect and take up the waste water meter of the Board in Manchester Road near the junction therewith of East Ferry Road and refix and reconnect the same in such position and manner as the Board shall reasonably require:

(6) Every main to be provided or altered by the Port Authority under the foregoing provisions of this section shall include all such apparatus appliances connexions and conveniences as may reasonably be required by the Board or the engineer for the efficient use and maintenance of such main and of the mains with which the same are to be connected and all mains apparatus appliances connexions and conveniences to be so provided shall be of such character and material and shall be laid placed or constructed in such manner at such depth and in such position as shall be reasonably approved or required by and under the supervision and to the reasonable satisfaction of the engineer:

(7) The Port Authority shall not raise sink or otherwise alter the position of any main pipe work or apparatus of the Board (hereinafter in this section included in the expression "apparatus") in any street or road or alter the level of any street or road so as to leave over any such apparatus a covering of less than three feet or of more than five feet:

(8) Not less than twenty-eight days before commencing any of the works referred to in subsections (1) (3) (4) and (5) of this section or any work under over or affecting any street road or place in which any apparatus of the Board is situate or any other work under over or within twenty feet of any apparatus of the Board or commencing to raise sink or otherwise alter the position of any apparatus of the Board the Port Authority shall (notwithstanding anything contained in the section of this Act of which the marginal note is "Alteration of position of water

gas and other pipes") submit to the Board for their approval detailed plans sections and particulars of the proposed works and of all apparatus to be provided in connexion therewith Any difference between the Board and the Port Authority with respect to such plans sections and particulars as aforesaid shall be determined by arbitration as hereinafter provided Provided that if the Board shall not within twenty-eight days after the submission to them of the said plans sections and particulars have disapproved thereof or made any requirements with respect thereto to which the Port Authority shall have failed to agree they shall be deemed to have approved the said plans sections and particulars as submitted to them The works to which the said plans sections and particulars respectively relate shall be executed in strict accordance therewith as approved by the Board or as determined by arbitration as aforesaid:

(9) It shall be lawful for the Board at any time within twenty-eight days after the submission to them of any such plans sections and particulars as aforesaid to give to the Port Authority notice in writing of their intention themselves to provide and lay or construct the necessary new or substituted apparatus or any part thereof or to make the required alteration of any apparatus of the Board and in such case the Port Authority shall not provide lay or construct such new or substituted apparatus or make such alteration of such apparatus but the Board may themselves provide and lay or construct such apparatus or carry out such alteration and in that event the Port Authority shall repay to the Board on demand the cost incurred by the Board therein or in connexion therewith;

The Port Authority shall afford to the Board adequate facilities for the purpose of enabling the Board to carry out any works which the Board elect to carry out under the provisions of this subsection Provided that if for twenty-eight days after any such notice is given to the Port Authority by the Board the Board neglect to proceed with all practicable

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diligence to exercise the powers conferred on them by this subsection the Port Authority may forthwith proceed with any works as if such notice had not been given to them:

(10) The connexion between any new or altered main or pipe whether provided or laid by the Port Authority or by the Board and any existing main or pipe and any connexions between existing mains or pipes of the Board which may become necessary by reason or in consequence of the exercise by the Port Authority of any powers conferred upon them by this Act shall be made by the Board and the expense thereof shall be repaid to the Board by the Port Authority on demand Any new or altered main or pipe provided or laid by the Port Authority shall as from the completion of such connexion become and be the property of the Board and maintainable by them:

(11) The reasonable expense of all repairs or renewals of any apparatus of the Board or any works in connexion therewith which may during the construction of the works by this Act authorised or within twelve months after the completion thereof be rendered necessary by or in consequence of the acts or defaults of the Port Authority their contractors agents workmen or servants or any person in the employ of them or any of them or by reason or in consequence of any subsidence resulting from the works of the Port Authority shall be borne by the Port Authority and paid by them on demand to the Board:

(12)—(A) Where any new apparatus is under the provisions of this Act provided and laid in substitution for any existing apparatus of the Board such existing apparatus shall if taken up by the Port Authority be delivered to the Board but if not taken up shall become and be for all purposes the property of the Port Authority:

(B) The Port Authority shall pay to the Board the value of any apparatus of the Board which shall be rendered derelict (other than apparatus for which the Port Authority provide substituted apparatus) and the

apparatus the value of which is so paid by the Port Authority shall thereupon become the property of the Port Authority;

The value of any apparatus so rendered derelict shall be deemed to be the ascertained original capital cost of providing and laying such apparatus:

(13) In addition to any other payment to be made by the Port Authority to the Board under the provisions of this section the Port Authority shall pay to the Board—

(A) Their reasonable charges of and incidental to the cutting off (in connexion with the exercise of any of the powers of this Act) of any apparatus from any other apparatus of the Board and of and incidental to any other works or things which the Board may deem it necessary or expedient to execute or do by reason of any apparatus of the Board being rendered derelict by or in consequence of the exercise of such powers; and

(B) Any cost reasonably incurred by the Board in the provision and the laying or placing of any apparatus which may be necessary in order to re-establish any communication or connexion with existing apparatus which may be interrupted or severed by the Port Authority:

(14) The Board may if they think fit employ such watchmen and inspectors as they may reasonably deem necessary to watch and inspect the execution of any works under the powers of this Act so far as they affect in any way any apparatus of the Board and the reasonable wages of such watchmen and inspectors shall be borne by the Port Authority and be paid by them to the Board on demand:

(15) In executing the works by this Act authorised and in carrying out any removal or alteration of or interference with any apparatus of the Board the Port Authority shall not interrupt the continuous supply of water by means thereof and before removing altering or interfering with any such apparatus they shall provide to the reasonable satisfaction of the Board proper and sufficient substituted apparatus:

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(16) If any interruption in the supply of water by the Board shall without their written authority be in any way occasioned by the execution or failure of any of the works authorised by this Act or required by this section or by reason of any act or omission of the Port Authority or of any of their contractors agents workmen or servants or any person in the employ of them or any or either of them the Port Authority shall pay to the Board for the use and benefit of the Board by way of liquidated damages the sum of ten pounds for every hour during which such interruption shall continue:

(17) The Port Authority shall make good all damage done by them to any apparatus of the Board in the execution of the works by this Act authorised and shall indemnify the Board in respect of any actions claims or demands arising out of any interference with any such apparatus:

(18) If any difference shall arise under this section between the Board or the engineer and the Port Authority or their engineer the same shall be referred to and determined by an engineer to be agreed upon between them or failing such agreement to be appointed on the application of either party after notice in writing to the other by the President of the Institution of Civil Engineers and the Arbitration Act 1889 shall apply to any such reference:

(19) For the purposes of this section the expression "the signed plan" means the plan signed by John Joseph Mooney Esquire the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred of which plan one copy has been deposited in the Private Bill Office of the House of Commons and another copy in the Office of the Clerk of the Parliaments in the House of Lords.

For protection of London Hydraulic Power Company.

43. For the protection of the London Hydraulic Power Company (in this section called "the power company") the following provisions shall unless otherwise agreed between the Port Authority and the power company apply and have effect (that is to say):—

Notwithstanding anything contained in this Act or shown upon the deposited plans if the Port Authority take or

acquire under the powers of this Act any part of the lands numbered on the deposited plans 26 in the parish of Saint Paul Shadwell which lands are coloured blue on the plan signed by John Joseph Mooney Esquire the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred the Port Authority shall also take and acquire the whole of the said lands coloured blue and the lands coloured green on the said plan.

Certain properties not to be acquired.

44.—(1) Notwithstanding anything contained in this Act or shown on the deposited plans the Port Authority shall not otherwise than by agreement enter upon take or use any part of the properties numbered on the said plans 11 24 25 41 42 43 44 and 49 in the parish of Saint Paul Shadwell nor any part of the properties numbered on the said plans 10 and 23 in the said parish which lies to the south of an imaginary line drawn at a distance of one hundred and eighty feet to the south of and parallel with the southern boundary of the enlargement of the Shadwell Old Basin (Work No. 1) by this Act authorised as shown on the deposited plans nor shall the Port Authority under the powers of this Act enter upon take or use otherwise than by agreement any of the lands numbered on the said plans 10 12 13 14 20 21 22 and 23 in the said parish after the expiration of one year from the termination of the present war or of three years from the passing of this Act whichever shall be the shorter period.

(2) The Port Authority if required within one year from the termination of the present war or within three years from the passing of this Act whichever shall be the later by the owners of the said lands numbered on the deposited plans 10 in the said parish of Saint Paul Shadwell lying to the south of the said imaginary line hereinb ore described shall convey to such owners free of cost sufficient and suitable land for the formation by such owners at their own expense of a road nineteen feet wide giving access from the said lands to New Gravel Lane over the lands numbered 6 and 10 on the said plans and in the position shown on a plan thereof which has been signed by Cyril Reginald Sutton Kirkpatrick on behalf of the Port Authority and by Frank Anderson on behalf of such owners.

Amendments of Acts of 1894 and 1908.

Amendment of Act of 1894.

45. From and after the passing of this Act the provisions of the Act of 1894 so far as the same apply within the Port

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of London or relate to or affect any rights powers or authorities of or matters within the jurisdiction of the Port Authority and all enactments affected by such provisions so far as aforesaid shall be read and construed as if the Act of 1894 were amended as provided by this section (that is to say):—

(1) As if for sections 77 and 78 of the Act of 1894 there were substituted sections as follows namely:—

"As to vessels sunk or stranded.

"77. Whenever any vessel is sunk or stranded in the Thames the Port of London Authority shall cause such vessel to be raised or to be blown up or otherwise destroyed so as to clear the Thames therefrom and may recover from the body or person being the owner of such vessel at the time of the sinking or stranding thereof all expenses incurred by the Port of London Authority in or in connexion therewith or in raising or saving any furniture tackle and apparel of the said vessel or any goods chattels and effects raised or saved from such vessel or in watching or controlling such vessel in the same manner as a penalty imposed by this Act may be recovered or as a debt in any court of competent jurisdiction Provided always that the Port of London Authority may if they think fit and shall if so required by such owner cause any such vessel furniture tackle apparel goods chattels and effects or any part of the same respectively so raised or saved as aforesaid to be sold in such manner as they think fit and out of the proceeds of such sale may reimburse themselves for any such expenses and shall hold the surplus if any of such proceeds in trust for the persons entitled thereto and in case such proceeds shall be insufficient to reimburse the Port of London Authority such expenses the deficiency shall be paid to the Port of London Authority by such owner upon demand and in default of payment may be recovered as aforesaid;

"Obstruction may be removed.

"78. Subject to the provisions of this Act the Port of London Authority may remove anything causing an obstruction in the Thames or to the proper use of any towpath thereof and also any floating timber which impedes the navigation thereof

and the expense of removing any such thing or floating timber may be recovered in the same manner as any penalty imposed by this Act may be recovered or may be recovered as a debt in any court of competent jurisdiction Provided always that the Port of London Authority may if they think fit detain such thing or floating timber for securing reimbursement to themselves for such expenses and on non-payment thereof on demand may sell such thing or floating timber and out of the proceeds reimburse themselves for such expenses rendering the surplus if any to the owner on demand and in case such proceeds shall be insufficient to reimburse the Port of London Authority such expenses the deficiency shall be paid to the Port of London Authority by such owner on demand and in default of payment may be recovered as aforesaid":

(2) As if section 108 of the Act of 1894 were repealed.

Extension of section 167 of Act of 1894.

46. Any powers exerciseable by the Port Authority or any officer of the Port Authority under section 167 of the Act of 1894 shall be exerciseable by the Port Authority or any such officer at any dock or other place within the Port of London.

Amendment of section 196 of Act of 1894.

47. Notwithstanding anything contained in section 196 of the Act of 1894 any such damages as are mentioned in that section may be recovered by the Port Authority from the owner of any such vessel as is therein mentioned in any court of competent jurisdiction as a civil debt and that without prejudice to any remedy provided for by that section and may be so recovered or may be recovered in manner provided for by that section without any such conviction as is therein mentioned having taken place.

Penalties for offences against Act of 1894.

48. Any person who contravenes or fails or neglects to comply with any provision of section 111 or of section 114 of the Act of 1894 so far as the same applies within the Port of London or is enforceable by or on behalf of the Port Authority shall be liable on summary conviction to a penalty not exceeding ten pounds and in the case of a continuing offence to a penalty of ten pounds for each day on which the offence is continued after conviction thereof.

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Amendment of sections 7 10 and 11 of Act of 1908.

49.—(1) From and after the passing of this Act—

Paragraph (*g*) of the proviso to subsection (2) of section 7 of the Act of 1908 shall be read and construed as if the words "the registration of" were substituted in that paragraph for the words "powers and duties as to";

Paragraph (*f*) of the proviso to subsection (2) of section 11 of the Act of 1908 shall be read and construed as if the steam tugs referred to in sub-paragraph (i) of that paragraph were tugs propelled by steam or any other motive power.

(2) Subsection (2) of section 10 of the Act of 1908 is hereby repealed.

Amendment of section 24 of Act of 1908.

50. As from such date as the Port Authority and the Association of Public Wharfingers of the Port of London agree all or any provisions of any regulation made by the Board of Trade under paragraph (*a*) of the proviso to subsection (1) of section 24 of the Act of 1908 shall cease to have effect or shall cease to have effect for such period as may be provided for by such agreement.

INSURANCE FUND.

Insurance fund.

51.—(1) The Port Authority may if they think fit but without prejudice to the right of the Port Authority to effect insurances establish an insurance fund for the purpose of meeting or making good any loss or liability of the Port Authority arising by the loss or destruction of or damage to any buildings or other works or goods or any loss or destruction of or damage to or caused by any vessels or craft or fixed or floating cranes belonging or on loan to or under the care custody or control of the Port Authority and the Port Authority may pay into such fund in any year such sum as the Port Authority may think fit out of the receipts of the Port Authority on revenue account and as part of the working and establishment expenses and the cost of the maintenance of the Port of London.

(2) All moneys for the time being standing to the credit of the said fund shall be invested in any securities in which the reserve fund provided for by the Act of 1908 may for the time being be invested and the interest and annual proceeds arising from such securities shall be invested and accumulated in the fund.

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Registration of craft used for special purposes.

52.—(1) From and after the passing of this Act whenever application shall be made to the Port Authority under any statutory provisions in that behalf to register or to renew the certificate of registration of any vessel or craft which is designed or fitted or likely to be used for the purpose of the conveyance of frozen or chilled produce or any vessel or craft which is fitted designed or intended or likely to be used for the purpose of the conveyance of any goods or merchandise requiring special stowage accommodation for their proper preservation or for the prevention of danger to persons or other goods on or in the vicinity of such vessel or craft the Port Authority may require the person making such application to satisfy the Port Authority in such manner as the Port Authority may require that such vessel or craft is fit and suitable for use for such purpose and the Port Authority may in default of their being so satisfied refuse to register or to renew the certificate of registration of such vessel or craft:

Provided always that the fees payable by the owner of any vessel or craft for the conveyance of frozen or chilled produce for any survey and certificate required by the Port Authority for the purpose of satisfying them that the vessel or craft is so fit and suitable as aforesaid shall not exceed in any year in respect of each vessel or craft the fees following (that is to say):—

Upon the first survey of any vessel or craft of less weight carrying capacity or burden tonnage than forty tons - - - -	Two guineas.
Upon the first survey of any vessel or craft of weight carrying capacity or burden tonnage of forty tons and upwards - -	Three guineas.
For each subsequent periodical survey -	One guinea.

(2) If the Port Authority shall at any time be satisfied that any vessel or craft which has been registered or the certificate of registration whereof has been renewed by the Port Authority under any such statutory provisions is or has become unfit or unsuitable for the purpose for which the same is used or for which it is fitted designed or intended or likely to be used and shall so state by a notice sent by registered post and addressed to the owner of such vessel or craft at the address of such owner as appearing in the books of the Port Authority relating to such registration or certificate then as from the giving of such notice

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every certificate granted by the Port Authority under such statutory provisions in respect of such vessel or craft shall cease to be in force and every registration thereunder in respect of such vessel or craft shall be deemed to have been cancelled.

(3) Any person who considers himself aggrieved by any such requirement or by any such refusal of the Port Authority to register any such vessel or craft or to renew any such certificate of registration or by the giving of any such notice by the Port Authority may on giving to the Port Authority four days' previous notice in writing of his intention so to do appeal to the Board of Trade within fourteen days after such requirement refusal or the giving of such notice and the Board of Trade may confirm such requirement refusal or notice or direct the Port Authority to register or to grant a certificate of renewal of registration of such vessel or craft or to withdraw their requirement or notice and the Port Authority shall thereupon give effect to any such direction.

Application of penalties under Watermen's Acts.

53. Notwithstanding anything contained in the Metropolitan Police Courts Act 1839 or in any other Act or Acts to the contrary all penalties fines and forfeitures imposed or recovered for offences against the Watermen's and Lightermen's Amendment Act 1859 and the Thames Watermen's and Lightermen's Act 1893 or either of those Acts or any byelaws for the time being in force under those Acts or either of them shall be payable and paid to the Port Authority.

Police of Port Authority.

54. The powers rights protection privileges and liabilities of any officer of the Port Authority who has been or shall hereafter be duly appointed a police officer or special constable under the statutory provisions in that behalf relating to any harbour dock pier warehouse or premises of the Port Authority shall be deemed to extend and apply as if such statutory provisions related to all the harbours docks piers warehouses and premises of the Port Authority.

Unlawful possession of goods.

55. The provisions of section 66 of the Metropolitan Police Act 1839 and any Acts amending the same with regard to the search and arrest of certain offenders shall apply to any person who is found upon or within one mile of any harbour dock pier warehouse or premises of the Port Authority whether within the metropolitan police district or not and may be reasonably suspected of having or conveying in any manner anything stolen or unlawfully obtained on or from any harbour dock pier warehouse or

premises of the Port Authority and any court of summary jurisdiction sitting in a district for which no metropolitan police court has been established shall have the same jurisdiction to deal with any person brought before it in pursuance of such provisions as is vested in a magistrate of the metropolitan police courts by section 24 of the Metropolitan Police Courts Act 1839.

Extending section 18 of Act of 1908.

56. The works by this Act authorised shall be deemed to be works constructed for improving the accommodation and facilities of the Port of London and any lands acquired under the powers of this Act shall be deemed to be lands acquired for such works within the meaning of paragraph (*e*) of subsection (1) of section 18 of the Act of 1908.

Saving rights of the Temples.

57. Except only as is by this Act expressly enacted this Act or anything therein contained shall not take away lessen prejudice alter or affect any of the estates rights interests jurisdictions franchises powers authorities immunities or privileges of the Inner Temple and the Middle Temple or either of them.

Saving rights of Crown and for His Majesty's ships and moorings.

58. Sections 212 and 213 of the Act of 1894 shall be deemed to be re-enacted in and to form part of this Act and the expression "this Act" whenever used in those sections shall include the Act of 1894 and this Act.

Costs of Act.

59. The costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act shall be defrayed by the Port Authority out of the Port fund.

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The SCHEDULE referred to in the foregoing Act.

Describing Properties of which Portions only are required to be taken.

Parish.	Nos. on deposited Plans.
All Saints Poplar - - - - -	4A 5 6 40 41 42 43 53 60 62 63 64 66 114 115 116 139 155 157 162 232 233 234
Saint Paul Shadwell - - - -	1 3 3A 5 34 35
St. George-in-the-East - - - -	4 5 6 7

Printed by Eyre and Spottiswoode, Limited,
for
Sir Frederick Atterbury, K.C.B., the King's Printer of Acts of Parliament.

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