



ANNO UNDECIMO & DUODECIMO

# VICTORIÆ REGINÆ.

\*\*\*\*\*

## Cap. xc.

An Act to amend the Acts relating to the *London and Blackwall* Railway, and to authorize the Company to alter the Gauge of their Railway, and to make certain Improvements in the Approaches to the said Railway, and to make Branches to the *London and Saint Katherine's Docks*. [22d July 1848.]

**W**HEREAS an Act was passed in the Seventh Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for making a Railway from the Minories to Blackwall, with Branches, to be called "The Commercial Railway;"* 6 & 7 W. 4. c. 123.  
 And whereas an Act was passed in the First Year of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act to amend the Act relating to the Commercial Railway Company:* And whereas an Act 7 W. 4. & 1 Vict. c. 133.  
 was passed in the Third Year of the Reign of Her present Majesty, intituled *An Act for extending the Line of the Railway between London and Blackwall, called "The Commercial Railway," and for amending the Acts relating thereto:* And whereas an Act was passed 2 & 3 Vict. c. 95.  
 in the Fourth Year of the Reign of Her present Majesty, intituled  
 [Local.] 11 X An

4 & 5 Vict.  
c. 12.5 & 6 Vict.  
c. 34.9 & 10 Vict.  
c. 273.9 & 10 Vict.  
c. 57.8 & 9 Vict.  
cc. 18. and 20.  
incorporated  
with this Act.

*An Act for granting further Powers to the London and Blackwall Railway Company*: And whereas another Act was passed in the Fifth Year of the Reign of Her present Majesty, intituled *An Act to alter, amend, and enlarge the Powers and Provisions of the Acts relating to the London and Blackwall Railway*: And whereas an Act was passed in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act for widening the Line of the London and Blackwall Railway, and for amending the Acts relating to the said Railway*: And whereas another Act was passed in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act for regulating the Gauge of Railways*, whereby it was enacted that it should not be lawful, after the passing of that Act, to alter the Gauge of any Railway used for the Conveyance of Passengers: And whereas the *London and Blackwall Railway* is constructed on a Gauge of Five Feet One Inch, and the *London and Blackwall Railway Company* are desirous of altering the same to the Gauge prescribed in the said Act for other Railways, namely, Four Feet Eight Inches and a Half, and it is expedient that they should be authorized so to do: And whereas the Construction of Branch Railways to connect the *London and Blackwall Railway* with the *London and Saint Katherine's Docks* would be of public Advantage: And whereas it is expedient that certain Improvements should be made in the Approaches to the said Railway in or near to *London Street, Fenchurch Street, and Crutched Friars*, in the City of *London*, and that the Company should be authorized to purchase additional Property for that and other Purposes: And whereas it is expedient that some of the Powers and Provisions of the said recited Acts should be amended and enlarged; but the Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Lands Clauses Consolidation Act, 1845, and so much of the Railway Clauses Consolidation Act, 1845, as relates to the Construction and working of Railways, the temporary Use of Lands during the Construction of Railways, to the taking of Lands for additional Stations, as to the Mode of crossing of Roads and Construction of Bridges, and to the Construction of Arches, Culverts, and Works for the Protection and Accommodation of Lands adjoining the Railways, shall respectively, except so far as the same may by this Act be otherwise provided for, and except such of the Provisions thereof as may be inconsistent with the Provisions herein contained, be incorporated with and form Part of this Act; and the Purchase and taking of Land, and the Construction, working, and Use of the Works hereby authorized, shall be subject only to the Provisions, Regulations, and Restrictions of the said Lands Clauses Consolidation Act and Railways Clauses Consolidation Act.

Certain  
Powers of  
recited Acts  
extended to  
this Act.

II. And be it enacted, That all the Provisions, Matters, and Things contained in the said recited Acts relating to the *London and Blackwall Railway*, or any of them, so far as the same are now unrepealed, and except such as have expired by Effluxion of Time,

or

or are inapplicable to this Act, or inconsistent with or provided for by this Act or by the said Lands Clauses Consolidation Act, or with or by such of the Clauses and Provisions of the Railway Clauses Consolidation Act as are made applicable to this Act, shall extend to this Act and to the several Purposes and Things hereby authorized, as fully and effectually as if the same Provisions, Matters, and Things were re-enacted in this Act with reference to the Objects and Purposes thereof.

III. And be it enacted, That, notwithstanding anything contained in the said Act for regulating the Gauge of Railways, it shall be lawful for the *London and Blackwall* Railway Company to alter the Gauge of their Railway, and the same shall, if altered, be on the Gauge of Four Feet Eight Inches and a Half; and the *London and Blackwall* Railway Company shall not, for or on account of such Alteration of Gauge, be liable to the Penalties and Forfeitures imposed by the said Act.

As to Gauge of Railway.

IV. And whereas Plans of the said Improvements and Plans and Sections of the said Branches showing the Line and Levels thereof, and also Books of Reference to such respective Plans containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of the Lands in, upon, or through which the same Works are intended to pass or be made, have been deposited with the respective Clerks of the Peace for the County of *Middlesex* and for the City of *London*; be it enacted, That, subject to the Provisions in this Act and in the Lands Clauses Consolidation Act, 1845, and the Railway Clauses Consolidation Act, 1845, contained, and to the Powers of Deviation in the said last-mentioned Act contained, it shall be lawful for the Company to make the said Improvements and Branch Railways in the Line and upon the Lands delineated on the said Plans and described in the said Books of Reference, and according to the Levels described on the said Sections, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose.

Power to make Improvements and Branches according to deposited Plans.

V. And be it enacted, That it shall be lawful for the *London and Blackwall* Railway Company to make and maintain a Branch Railway from and out of the *London and Blackwall* Railway at or near to *White Lion Street* otherwise *Leman Street* in the Parish of *Saint Mary Matfelon* otherwise *Whitechapel* in the County of *Middlesex*, passing thence through or into the Parishes and Places of *Saint Mary Matfelon* otherwise *Whitechapel*, *Saint Botolph without Aldgate*, the *Tower* Liberties and Precincts, *Saint Katherine near the Tower*, and *Saint John of Wapping*, or some of them, in the County of *Middlesex*, and terminating in or near the *London Docks* in the said Parish of *Saint John of Wapping*; also a Branch Railway from and out of such last-mentioned Branch Railway at or near to the Street called *Upper East Smithfield* in the said Parish of *Saint John of Wapping* and *Saint Botolph without Aldgate*, or One of them, and terminating in or near the *Saint Katherine's Docks*, in the last-mentioned Parish; and it shall also be lawful for the *London and Blackwall* Railway Company to take certain Property in or near to certain Streets called

Description of Works authorized by this Act.

*Crutched*

*Crutched Friars, Railway Place, Church Row, and London Street, or some of them, in the Parishes of Saint Olave Hart Street, Saint Katherine Coleman, Allhallows Staining, and Allhallows Barking, or some of them, in the City of London, described upon the Plans herein-before referred to.*

Compulsory  
Purchase of  
Lands  
limited.

VI. And be it enacted, That the Powers of the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing of this Act.

Period for  
Completion  
of Works.

VII. And be it enacted, That the said Branch Railways and other Works hereby authorized shall be completed within Seven Years from the passing of this Act, and on the Expiration of such Period the Powers by this or the recited Acts granted to the Company for executing the same shall cease to be exercised, except as to so much of the same as shall then be completed.

Questions of  
disputed  
Compensa-  
tion in Lon-  
don to be  
heard in the  
Lord Mayor's  
Court.

VIII. Provided always, and be it enacted, That in every Case in which any Question of disputed Compensation shall be required to be determined by the Verdict of a Jury in the City of *London*, or the Liberties thereof, the Jury shall be required to appear before the Court of the Mayor and Aldermen of the City of *London*, to be holden in the outer Chamber of the *Guildhall* of the said City, according to the Custom of the said City, at a Time to be appointed by the said Court, and all the Directions and Provisions contained in the said Lands Clauses Consolidation Act, 1845, in respect to the Settlement of Questions of disputed Compensation by Juries appearing before the Sheriff, Coroner, or other Person shall extend and be applied with respect to the Settlement of any such Question of disputed Compensation under this Act by Juries appearing before the said Court of Mayor and Aldermen as aforesaid, and the said Court shall give Judgment for the Purchase Money or Compensation assessed by such Jury, and the Verdict and Judgment shall be signed by the Registrar of the said Court of Mayor and Aldermen and entered among the Records of the said Court.

Same Tolls to  
be taken as  
authorized by  
recited Acts.

IX. And be it enacted, That it shall be lawful for the Company to demand and receive for and in respect of the Use of the said Branch Railways the same Tolls and Charges as they are by the said recited Acts, or some of them, authorized to collect upon the said *London and Blackwall* Railway; but the maximum Charges shall not exceed the maximum Charges allowed by the Act passed in the Ninth and Tenth Years of the Reign of Her present Majesty for widening the said Railway.

Power to  
raise addi-  
tional Capital  
by Creation  
of new  
Shares.

X. And whereas the estimated Expense of the proposed new Works is One hundred thousand Pounds; be it therefore enacted, That it shall be lawful for the Company to raise by creating new Shares, in addition to the Sums of Money which they are authorized to raise under and by virtue of the said recited Acts, or any of them, any further Sum of Money not exceeding in the whole the Sum of One hundred thousand Pounds: Provided always, that all and every Part  
of

of such Sum of Money so to be raised shall be applicable only to the Objects and Purposes by this Act authorized.

XI. And be it enacted, That the Capital so to be raised by the Creation of new Shares shall be divided into Shares of such Amount as will conveniently allow the same to be apportioned according to the Order of any General or Special General Meeting of the Company, and shall be considered as Part of the general Capital of the Company, and shall be subject to the same Provisions in all respects, whether with reference to the Payment of Calls or the Forfeiture of Shares on Nonpayment of Calls or otherwise, as if it had been Part of the original Capital, except as to the Amount of such Shares and the Times of making Calls thereon, and the Amount of such Calls, which respectively it shall be lawful for the Directors of the Company from Time to Time to fix as they shall think fit: Provided always, that Three Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on such new Shares, and that there shall be an Interval of Three Calendar Months at least between the Time fixed for the Payment of One Call and the Time fixed for the Payment of the next succeeding Call.

New Shares to be considered same as original Shares.

XII. And be it enacted, That when and so soon as the additional Capital of the Company hereby authorized to be raised shall have been so subscribed for, and One Half thereof paid up, it shall be lawful for the Company to borrow on Mortgage or Bond any further Sums of Money not exceeding in the whole the Sum of Thirty-three thousand Pounds: Provided always, that all and every Part of such Sum of Money so to be borrowed shall be applicable only to the Objects and Purposes by this Act authorized.

Power to borrow Money on Mortgage.

XIII. Provided always, and be it enacted, That all Mortgages already executed under the Powers of the said recited Acts, any or either of them, shall have Priority over the Mortgages and Bonds by this Act authorized to be given.

Mortgages under former Acts to have Priority.

XIV. And be it enacted, That every Mortgage to be granted or made by virtue of the said recited Acts or this Act shall be by Deed under the Common Seal of the Company duly stamped, and wherein the Consideration shall be truly stated.

Mortgages, &c. to be duly stamped.

XV. And be it enacted, That from Time to Time any Party entitled to any Mortgage granted under the Powers of the said recited Acts and this Act, or any of them, may transfer his Right and Interest therein to any other Person, and every such Transfer shall be by Deed duly stamped, wherein the Consideration shall be truly stated.

Transfers of Mortgages to be by Deed duly stamped.

XVI. And be it enacted, That the Interest on any Mortgage shall not be transferable except by Deed duly stamped.

Transfers of Interest to be stamped.

XVII. And be it enacted, That, notwithstanding anything in the recited Acts contained, the Quorum of Directors shall be Three.

Quorum of Directors.

[*Local.*]

11 Y

XVIII. Pro-

Provisions of  
3 Vict. c. 95.  
as to Pavement,  
&c. in  
London  
extended to  
this Act.

XVIII. Provided always, and be it enacted, That, notwithstanding any Enactment in the said Lands Clauses Consolidation Act, 1845, or in the said Railways Clauses Consolidation Act, 1845, contained, all the Clauses and Provisions in the said Act of the Third Year of the Reign of Her present Majesty, prescribing the Manner of crossing the Streets and regulating the breaking up of Pavements and the Reinstatement thereof, and the Recovery of the Expenses of such Reinstatement, and as to filling up Sewers and Drains and providing others, and altering Steps and Pipes in the City of *London* and the Liberties thereof, and for providing for Deficiencies in Land Tax and in parochial and other Rates, and for indemnifying Rectors and Impropiators of Tithes in the said City and the Liberties thereof, and for the Compensation of Persons entitled to Houses and Lands within a certain Distance of the said Railway, shall be and the same are hereby extended to this Act in the same Manner as if the same Clauses and Provisions were repeated and re-enacted in this Act.

For protect-  
ing Metro-  
politan Com-  
missioners  
of Sewers.

XIX. And be it enacted, That in any Case where the intended Works to be done under this Act would pass over or under or by the Side of or in any other Manner so as in any way whatever to interfere with any Sewer, Drain, or Watercourse under the Management or Control of the Metropolis Commissioners of Sewers, or of the Commissioners of Sewers for any District or Place through which any Line of Railway and Works hereby authorized, or any Part thereof, shall pass, the said Company shall not proceed therein until the said Company shall have given to the said Commissioners Twenty-one Days previous Notice in Writing of their Desire, and a full Particular and Plan of the Works as affecting any Sewers, Drains, or Watercourses, and until the said Commissioners shall have sanctioned and approved the Mode of crossing or passing by such Sewer, Drain, or Watercourse; and the said Company shall and they are hereby required to comply with all such Orders and Regulations as the said Commissioners may make with reference to the Company providing by new, altered, or substituted Works for the proper Drainage of and the preventing Injury to the Sewage of the District, and for guarding against any Obstruction or Impediment to the Drainage of the District, and also for saving harmless the said Commissioners against Expense; and all such Works as shall be so required shall be done under the Direction and Control of the Surveyor or other Officer of the said Commissioners to be appointed for that Purpose; and when any new, altered, or substituted Sewers as aforesaid, or any other Works connected with Sewage shall be completed by the said Company, the same shall be thereafter as fully and completely under the Direction, Control, and Management of the said Commissioners as any other Sewers, Drains, and Watercourses are or may be; and all the Rights, Powers, Privileges, and Authority of the said Commissioners shall remain in full force and virtue with reference to all such Sewers, Drains, and Watercourses for all Purposes, and shall not be prejudiced or affected by this Act.

Lands be-  
loving to  
the London  
Dock Com-

XX. Provided always, and be it enacted, That nothing in this Act contained shall give or be deemed or construed to give Power to the *London and Blackwall* Railway Company to take any Land or Premises

mises belonging to the *London Dock Company* situate on the South Side of the Street called *Upper East Smithfield* or in *Nightingale Lane*, or to make or extend the said Railway or any Branch Railway, or any Works or Buildings connected with such Railway or Branch Railway, through, over, or within the Boundary Wall or Walls of the *London Docks*, without the Consent in Writing of the said *London Dock Company*, under their Common Seal, or to take any Lands or Tenements belonging to the *Saint Katherine Dock Company* situate on the South Side of the said Street or in *Nightingale Lane* aforesaid, or to make or extend the said Railway or any Branch Railway, or any Works or Buildings connected with such Railway or Branch Railway, through, over, or within the Boundary Wall or Walls of the *Saint Katherine Docks*, without the Consent in Writing of the *Saint Katherine Dock Company*, under their Common Seal.

pany, or to the Saint Katherine's Dock Company, not to be taken without Consent.

XXI. And be it enacted, That in case of such Consent as aforesaid being given, such Part of the said Railway and the Works connected therewith as shall be within the Boundary Walls of the said Docks respectively shall be constructed and made in all respects according to the Directions and subject to the Superintendence and to the Satisfaction of the Dock Company giving such Consent, and their Architects and Surveyors for the Time being.

If Consent given, Works within the Dock Walls subject to Superintendence of Dock Company ;

XXII. And be it enacted, That such Part of the said Railway, and such of the Works connected therewith as shall be situate within the Boundary Walls of the said Docks respectively, shall at all Times and in all respects after the same shall be completed be subject to the Control of the Dock Company within whose Boundary the same shall be formed, and to such Rules and Regulations as such Dock Company shall from Time to Time make and prescribe pursuant to the Provisions contained with respect to the regulating, governing, and managing their Docks and Works, and the Traffic and Business thereof, in the Acts of Parliament relating to the said respective Dock Companies, or any or either of such Acts ; and that the said Railway Company shall, in respect of so much of their Railway and Works as shall be situate within the said Boundary Walls respectively, and all Persons, Goods, and Merchandize resorting to or conveyed by the said Railway and Works, (whilst within and also in respect of any Acts, Matters, and Things done within the said Boundary Walls respectively,) shall be subject in all respects to the Provisions of such Acts.

and to be subject to Provisions in Dock Companies Acts.

XXIII. And be it enacted, That it shall be lawful for the said respective Dock Companies and the said Railway Company to make under their respective Common Seals, and give Effect to such Agreements respecting so much of the said Railway and Works as shall be within the respective Boundary Walls aforesaid as the said Companies shall from Time to Time deem expedient.

Dock Companies and Railway Company may make Agreements.

XXIV. And whereas the *Saint Katherine Dock Company* is possessed of certain outlying uptown Warehouses, Buildings, Lands, Ground, and Hereditaments situate in or near *Haydon Square*, *Minories*, in the Parishes of *Trinity*, *Minories*, *Saint Botolph without Aldgate*,

Company empowered to purchase Warehouses of Saint Katherine

Dock Com-  
pany with  
their Consent.

*Aldgate*, and *Saint Mary Whitechapel*, in the City of *London* and County of *Middlesex*: And whereas the *London and Blackwall Railway Company* may be desirous, in furtherance of their Works and Undertakings, to purchase such Hereditaments, or some Parts thereof, for additional Works or other Purposes of the said Railway; be it enacted, That it shall be lawful for the *London and Blackwall Railway Company* to contract with the *Saint Katherine Dock Company*, if the last-mentioned Company shall be willing to sell the same, for the Purchase of the said Warehouses, Buildings, Lands, Ground, and Hereditaments, or any Part thereof, for the Purposes of the Undertakings of the said Railway Company, and to accept a Conveyance of the Hereditaments so contracted for, and to apply any Money which may be at the Disposal of the said Railway Company for completing such Purchase; and that it shall be lawful for the *Saint Katherine Dock Company*, with the Consent of any General Meeting of Proprietors of such Company, to contract for, sell, and by Deed under their Common Seal to convey the same Hereditaments, or any Part thereof, to the said Railway Company.

Nothing to  
prejudice  
Provisions of  
Dock Com-  
panies Acts.

XXV. Provided always, and be it enacted, That nothing in this Act contained shall prejudice any of the Provisions contained in any of the Acts of Parliament relating to the said *London Dock Company* or the said *Saint Katherine Dock Company*, or either of them.

Bridge across  
Upper East  
Smithfield to  
be con-  
structed as  
approved by  
Commis-  
sioners of  
Woods, &c.

XXVI. And be it enacted, That the Bridge to be erected by the said Company for carrying the said Railway across the Street called *Upper East Smithfield* shall be constructed according to the Designs, Plans, and Sections to be previously approved in Writing by the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or any Two of them, and not otherwise.

As to cross-  
ing *Rosemary  
Lane*.

XXVII. And be it enacted, That the said Railway shall be carried over and across the Street called *Rosemary Lane* by means of a straight Girder Bridge.

Interest not  
to be paid on  
Calls paid up.

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

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

XXIX. And be it enacted, That it shall not be lawful for the said Company, out of any Money by this Act or any other Act relating to the said Railway Company authorized to be raised for the Purposes of such Act or Acts, to pay or deposit any Sum of Money which



which by any Standing Order of either House of Parliament, now in force or hereafter to be in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the said Company to construct any other Railway, or execute any other Work or Undertaking.

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

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

XXXI. Provided always, and be it enacted, That nothing herein contained shall be deemed or construed to exempt the said Railway or Branch Railway by this Act or the recited Acts authorized to be made from the Provisions of any general Act relating to this Act, or of any general Act relating to Railways now in force, or which may hereafter pass during the present or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by the recited Acts or this Act.

Railways to be subject to Provisions of future general Acts.

XXXII. And be it enacted, That all Costs, Charges, and Expenses of applying for, obtaining, and passing this Act, or preparatory or incident thereto, shall be paid and discharged, out of the Funds of the Company, in preference to all other Payments whatsoever.

Expenses of Act.

XXXIII. And be it enacted, That the Term "the Company" in this Act shall mean "The *London and Blackwall Railway Company*."

Interpretation of Act.

XXXIV. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to describe it as "The *London and Blackwall Railway Improvement and Branches to Saint Katherine's and London Docks Act, 1848*."

Short Title.

Public Act.

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

---

LONDON : Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE,  
Printers to the Queen's most Excellent Majesty. 1848.