



## CHAPTER lxxiv.

An Act to empower the Owners of Columbia Market to make certain Railways and acquire certain Lands for the Convenience of the Market and for other purposes. A.D. 1885.

[16th July 1885.]

**W**HEREAS by the Columbia (Bethnal Green) Market and Approaches Act 1866 (in this Act called "the Act of 1866") it was enacted (among other things) to the effect following (namely):— 29 & 30 Vict.,  
c. ii.

That the term "promoter" in that Act should mean Angela Georgina now Baroness Burdett-Coutts her heirs and assigns or any of them as the case might require (section 4):

That subject to the provisions of that Act the promoter might in the market place and market houses provided by her hold a market for the sale of fruit vegetables fish meat poultry and other provisions articles and commodities (section 5):

That the market when provided by the promoter should be and continue a public market for the purposes and subject to the provisions of that Act so far as they related to the market (section 6):

That the limits of the Act as far as it related to the market purposes should be co-extensive with the limits for the time being of the market place and market houses and the buildings and conveniences connected therewith (section 7):

That the promoter might from time to time demand and receive stallages rents and tolls in respect of the market not exceeding those specified in the schedule to that Act (section 8):

That the promoter should be entitled for her own use to all money received from any stallages rents and tolls by that Act authorised (section 9):

And whereas the same Act further empowered the promoter to make and maintain the new street and improvements of streets therein described:

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And whereas the same Act further enacted (section 26) that all powers authorities rights and duties by that Act conferred or imposed on the promoter should pass and belong to and be performed by the heirs and assigns of the promoter :

And whereas under the Act of 1866 the promoter expended a very large sum of money in providing the site and buildings for and establishing the market thereby authorised known as Columbia Market :

And whereas after the passing of the Act of 1866 and before the passing of the Act next herein-after mentioned the promoter was created Baroness Burdett-Coutts :

34 & 35 Vict.,  
c. clii.

And whereas by the Columbia Market Approaches and Tramways Act 1871 (in this Act called "the Act of 1871") the promoter of Columbia Market her heirs and assigns were empowered to make and maintain the new street widening of streets and tramways therein described and to take tolls and charges for the use of such tramways :

Indenture,  
2nd Decem-  
ber, 1871.

And whereas under an indenture bearing date the second day of December one thousand eight hundred and seventy-one and made between the said Baroness of the one part and the mayor and commonalty and citizens of the city of London (in this Act called "the corporation") of the other part and duly enrolled in the Court of Chancery on the tenth day of January one thousand eight hundred and seventy-two the said market with all the powers authorities rights and duties of the promoter relative thereto were conveyed and transferred to the corporation :

36 & 37 Vict.,  
c. cxxxiii.

And whereas the said indenture was scheduled to and confirmed by the Columbia Market Act 1873 (in this Act called "the Act of 1873") and the market and all the powers authorities rights and duties of the said Baroness her heirs and assigns as the promoter named in the Acts of 1866 and 1871 as far as the same were at the passing of the Act of 1873 capable of being exercised and enforced were transferred to and conferred and imposed on the corporation and they were authorised to make the additional tramways therein described :

And whereas under another indenture bearing date the second day of August one thousand eight hundred and seventy-three and made between the same parties as the last-mentioned indenture the said Baroness conveyed to the corporation for the purposes of Columbia Market two pieces of land situate near thereto and in the parish of Bethnal Green :

Indenture,  
17th Sep-  
tember,  
1874.

And whereas under an indenture bearing date the seventeenth day of September one thousand eight hundred and seventy-four and made between the corporation of the one part and the said Baroness of the other part the said market and lands and all the powers



authorities rights and duties of the corporation so transferred to the corporation were re-transferred to the Baroness : A.D. 1885.

And whereas by the Columbia Market Act 1875 (in this Act called " the Act of 1875 ") the said last-mentioned indenture was confirmed and the said market and all the powers authorities rights and duties of the corporation under the Act of 1866 the Act of 1871 and the Act of 1873 so far as the same were subsisting at the passing of the Act of 1875 were re-transferred to the Baroness her heirs and assigns : 38 & 39 Vict.,  
c. iii.

And whereas under an indenture bearing date the eleventh day of February one thousand eight hundred and eighty-one and expressed to be made between the Baroness of the one part and William Lehman Ashmead Burdett-Coutts-Bartlett of the second part and George Thomas Gordon and Francis Walter de Winton of the third part and under a deed poll dated the fourth day of August one thousand eight hundred and eighty-three and endorsed on the last recited indenture of the eleventh day of February one thousand eight hundred and eighty-one and under the hands and seals of the said Baroness (then the wife of William Lehman Ashmead Bartlett Burdett-Coutts formerly William Lehman Ashmead Burdett-Coutts-Bartlett) and of the said William Lehman Ashmead Bartlett Burdett-Coutts and under an indenture dated the twelfth day of November one thousand eight hundred and eighty-four and made between the said William Lehman Ashmead Bartlett Burdett-Coutts of the one part and the said Baroness of the other part supplemental to the herein-before lastly-recited indenture and deed poll all the market and lands tolls profits powers authorities rights and duties which on the passing of the Act of 1875 became re-transferred as aforesaid to the said Baroness are or are claimed to be vested in the said Baroness and the said William Lehman Ashmead Bartlett Burdett-Coutts in fee simple as joint tenants : Indenture,  
11th Feb-  
ruary, 1881.  
  
Deed poll,  
4th August,  
1883.  
  
Indenture,  
12th No-  
vember,  
1884.

And whereas the construction of the railways and new street in this Act particularly described would facilitate the traffic and access to and from the said market and be of public and local advantage and the said Baroness and the said William Lehman Ashmead Bartlett Burdett-Coutts as the Market Owners if empowered in that behalf are willing at their own expense to make such railways and new street :

And whereas the construction of such railways and of the special machinery required for lowering and raising goods to and from the lower level of the market requires large expenditure in construction and a considerable annual expenditure in maintenance and working and will at the same time effect a great saving to traders in cartage and transshipment :



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And whereas it is expedient that the powers by this Act conferred should be given to the Market Owners to acquire the lands in this Act particularly described :

And whereas it is expedient that the Market Owners should be empowered to enter into and carry into effect agreements with certain railway companies as herein-after provided :

And whereas the purposes of this Act cannot be effected without the authority of Parliament :

And whereas plans and sections showing the lines and levels of the railways 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 Middlesex and are herein-after respectively referred to as the deposited plans sections and book of reference :

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows :—

Short title.

1. This Act may be cited as the Columbia Market Act 1885 and the Acts of 1866, 1871, 1873, 1875 and this Act may be cited together as the Columbia Market Acts 1866 to 1885.

Incorporation of Acts.

2. The following Acts and parts of Acts (that is to say) :—  
The Lands Clauses Consolidation Acts 1845 1860 and 1869 as amended by the Lands Clauses (Umpire) Act 1883 ;  
The Railways Clauses Consolidation Act 1845 ; and  
Part I. (relating to the construction of a railway) Part III. (relating to working agreements) and Part V. (amalgamation) of the Railways Clauses Act 1863 :  
are (except where expressly varied by this Act) incorporated with and form part of this Act.

Interpretation.

3. In this Act unless the subject or context otherwise requires :  
The several words and expressions to which meanings are assigned by the Acts wholly or partly incorporated herewith have the same respective meanings :  
“ The market ” means Columbia Market :  
“ The Market Owners ” means the Baroness Burdett-Coutts and the said William Lehman Ashmead Bartlett Burdett-Coutts or other the owners or owner for the time being of the market :  
“ The undertaking ” means the Columbia Market undertaking :

“The railways” means the railways and undertaking by this Act authorised:

“Parish clerks” and “clerks of the several parishes” in sections 7 8 and 9 of the Railways Clauses Consolidation Act 1845 shall with reference to the Market Owners and as regards the parishes in which by the standing orders of either House of Parliament plans sections and other documents are required to be deposited with the clerk of the vestry of the parish mean the vestry clerk of the parish.

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

4. Subject to the provisions of this Act the Market Owners may in the lines and according to the levels shown on the deposited plans and sections make and maintain the railways herein-after described with all proper stations sidings approaches works and conveniences connected therewith and may enter upon take and use such of the lands delineated on the said plans and described in the deposited books of reference as may be required for those purposes. The railways herein-before referred to and authorised by this Act will be wholly situate in the county of Middlesex and are:

Power to  
make  
railways.

A railway (No. 1) one furlong and 0·70 chains in length wholly in the parish of Saint Leonard Shoreditch commencing in a yard adjoining No. 30A Harwar Street and terminating in the house numbered 25 Long Street.

A railway (No. 2) 4·10 chains in length situate in the parishes of Saint Leonard Shoreditch and Saint Matthew Bethnal Green commencing in the parish of Saint Leonard Shoreditch by a junction with Railway No. 1 and terminating in the parish of Saint Matthew Bethnal Green in the house numbered 102 Hackney Road.

5. Subject to the provisions of this Act the Market Owners may in the parish of Saint Leonard Shoreditch make and maintain in the lines and according to the levels shown on the deposited plans and sections the new street herein-after described and may exercise the powers herein-after mentioned and may for the purposes aforesaid make such alterations in the levels of the streets and roads affected thereby as are shown upon the deposited plans and sections making compensation to all parties whose property is injuriously affected

Further  
works.



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by such alterations and in addition to any other lands which they are by this Act or otherwise authorised to acquire may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited books of reference as may be required for those purposes :

The new street herein-before referred to is a new street in the said parish of Saint Leonard Shoreditch commencing at the southern end of Saint John's Terrace and terminating in Long Street at a point about ten yards north of the junction with that street of Union Buildings :

The Market Owners if and when they or they together with the North London Railway Company under the powers of this Act or of any other Act already passed or to be passed in this session or otherwise become owners of the lands on both sides of the following streets in the said parishes of Saint Leonard Shoreditch and Saint Matthew Bethnal Green may stop up and extinguish all rights of way over such streets (that is to say) :

Long Street between Union Buildings and the North London Railway;

The road from Long Street under the North London Railway to Harwar Street ;

The northern branch of Columbia Road between Hackney Road and Crescent Place ; and

The three streets known each as Crescent Place.

As to vesting of site and soil of portions of streets, &c., stopped up.

6. The site and soil of the several streets and footways or portions thereof by this Act authorised to be stopped up and discontinued and the fee simple and inheritance thereof shall (except where by this Act otherwise provided) if the Market Owners are or if and when under the powers of this Act or of any other Act relating to the said market already passed or to be passed in this session or otherwise they become the owners of the lands on both sides thereof be from the time of the stopping up thereof respectively absolutely vested in the Market Owners.

New street to vest in and be repaired by vestry.

7. Subject to the provisions of section 46 of the Railways Clauses Consolidation Act 1845 the said new street constructed by the Market Owners under the powers of this Act may be acquired by and when acquired shall vest in and be repaired and maintained by the vestry of the parish of Saint Leonard Shoreditch and the Market Owners may agree with the said vestry concerning such acquisition construction and maintenance.

Period for completion

8. If the railways and new street herein-before authorised by this Act are not completed within five years from the passing of this

Act then on the expiration of that period the powers by this Act granted for making and completing the railways and new street or otherwise in relation thereto shall cease to be exercised except as to so much thereof as is then completed.

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of railways  
and new  
street.

9. Subject to the provisions of this Act the Market Owners in addition to the other lands which they are by this Act or otherwise authorised to acquire may enter upon and take compulsorily for the construction of stations buildings and sidings and other the purposes of the undertaking the lands herein-after described which are delineated upon the deposited plans and described in the deposited books of reference :

Power to  
purchase  
additional  
lands.

Certain lands in the said parish of Saint Leonard Shoreditch lying between the North London Railway a stable occupied by Caroline Kite No. 64 Nichol's Square and No. 26 Harwar Street and the north side of Harwar Street :

Certain lands in the said parish of Saint Leonard Shoreditch bounded on the east by No. 21 Harwar Street the west side of Saint John's Terrace the west side of Hackney Road the west side of Axe Place a disused burial ground of the said parish of Saint Leonard Shoreditch and No. 27 Union Street on the west by the viaduct of the North London Railway and the east side of Long Street on the south by Union Buildings Union Street the said disused burial ground and the entry or passage into Axe Place from Hackney Road and on the north by Harwar Street the gardens or yards of Nos. 19 and 21 Harwar Street and No. 87 Hackney Road :

Certain lands in the said parish of Saint Matthew Bethnal Green lying between the Hackney Road Baroness Road Columbia Market and Columbia Road :

Certain lands in the said parish of Saint Matthew Bethnal Green lying between Columbia Road Gascoigne Place Virginia Road and Brick Lane.

10. The Market Owners shall not for any of the purposes of this Act take enter upon or otherwise interfere with any part of the lands numbered respectively on the deposited plans 61 and 68 in the parish of St. Leonard, Shoreditch and now belonging or claimed to belong to the North London Railway Company or in which they are interested without the consent of the North London Railway Company in writing under their common seal first had and obtained for that purpose.

Certain lands  
belonging to  
the North  
London Rail-  
way Company  
not to be  
taken without  
their consent.

11. And whereas in order to avoid in the execution and maintenance of any works authorised by this Act injury to the houses and buildings within one hundred feet of the railways it may be

Market  
owners  
empowered  
to underpin



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—  
or otherwise  
strengthen  
houses near  
railways.

necessary to underpin or otherwise strengthen the same: Therefore the Market Owners at their own costs and charges may and if required by the owners and lessees thereof shall subject as hereinafter provided underpin or otherwise strengthen any such house or building and the following provisions shall have effect (that is to say):—

- (1.) At least ten days notice shall unless in case of emergency be given to or by the owners lessees and occupiers of the house or building so intended or so required to be underpinned or otherwise strengthened:
- (2.) Each such notice if given by the Market Owners shall be left on the premises to be underpinned or strengthened and if given by the owners and lessees thereof shall be sent to the office of the Market Owners at the market:
- (3.) If any owner lessee or occupier of any such house or building or the Market Owners as the case may require shall within seven days after the giving of such notice give a counter notice in writing that he or they dispute the necessity of such underpinning or strengthening the question of the necessity shall be referred to an engineer to be agreed upon or in the case of difference to an engineer to be appointed at the instance of either party by the Board of Trade:
- (4.) Such referee shall forthwith upon the application of either party proceed to inspect such house or building and determine the matter referred to him and in the event of his deciding that such underpinning or strengthening is necessary he may and if so required by such owner lessee or occupier shall prescribe the mode in which the same shall be executed and the Market Owners may and shall proceed forthwith so to underpin or strengthen the said house or building:
- (5.) The cost of the reference shall be in the discretion of the referee:
- (6.) The Market Owners shall be liable to compensate the owners lessees and occupiers of every such house or building for any inconvenience loss or damage which may result to them by reason of the exercise of the powers granted by this enactment:
- (7.) If in any case in which any house or building shall have been underpinned or strengthened on the requisition of the Market Owners such underpinning or strengthening shall prove inadequate for the support or protection of the house or building against further injury arising from the execution or use of the railways then and in every such case unless such underpinning or strengthening shall have been done in pursuance of and in the



mode prescribed by the referee the Market Owners shall make compensation to the owners lessees and occupiers of such house or building for such injury provided the claim for compensation in respect thereof be made within six months from the discovery thereof :

(8.) Nothing in this enactment contained nor any dealing with any property in pursuance of this enactment shall relieve the Market Owners from the liability to compensation under the sixty-eighth section of the Lands Clauses Consolidation Act 1845 or under any other Act :

(9.) Every case of compensation to be ascertained under this enactment shall be ascertained according to the provisions contained in the Lands Clauses Consolidation Act 1845 :

(10.) Nothing in this section shall repeal or affect the application of the ninety-second section of the Lands Clauses Consolidation Act 1845.

**12.** Where any of the intended works to be done under or by virtue of this Act shall or may pass over under or by the side of or so as to interfere with any sewer drain watercourse defence or work under the jurisdiction or control of the Metropolitan Board of Works or of any vestry constituted under the Metropolis Management Act 1855 or any Act or Acts amending the same or extending the powers thereof or with any sewers or works to be made or executed by the said board or vestries or any of them or shall or may in any way affect the sewerage or drainage of the districts under their or either of their control the Market Owners shall not commence such works until they shall have given to the engineer of the said Metropolitan Board or to the vestry as the case may be twenty-one days previous notice in writing of their intention to commence the same by leaving such notice at the principal office of such board or vestry as the case may be for the time being with a plan and section showing the course and inclination thereof and other necessary particulars relating thereto and until such board or vestry respectively shall have signified their approval of the same unless such board or vestry as the case may be do not signify their approval disapproval or other directions within twenty-one days after service of the said plan section and particulars as aforesaid and the Market Owners shall comply with and conform to all orders directions and regulations of the said Metropolitan Board and of the vestry as the case may be in the execution of the said works and shall provide by new altered or substituted works in such manner as such board or vestries respectively shall reasonably require for the proper protection of and for preventing injury or impediment to the sewers and works hereinbefore referred to by reason of the said intended works or any part

For protection of sewers in the metropolis.



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thereof and shall save harmless the said board and vestries respectively against all and every the expense to be occasioned thereby and all such works shall be done by or under the direction superintendence and control of the engineer or other officer or officers of the said board or vestry as the case may be at the costs charges and expenses in all respects of the Market Owners and all reasonable costs charges and expenses which the said Metropolitan Board or any vestry may be put to by reason of such works of the Market Owners whether in the execution of works the preparation or examination of plans or designs superintendence or otherwise shall be paid to such board or vestry by the Market Owners on demand and when any new altered or substituted works as aforesaid or any works or defence connected therewith shall be completed by or at the costs charges or expenses of the Market Owners under the provisions of this Act the same shall thereafter be as fully and completely under the direction jurisdiction and control of the said board or vestry as the case may be respectively as any sewers or works now or hereafter may be: And nothing in this Act shall extend to prejudice diminish alter or take away any of the rights powers or authorities vested or to be vested in the said respective board or vestries or any or either of them or of their successors but all such rights powers and authorities shall be as valid and effectual as if this Act had not been passed.

Height and  
span of  
bridges &c.

**13.** (1.) The bridge carrying the railway over the Hackney Road shall be constructed so as to leave a clear headway throughout of not less than eighteen feet and a clear span throughout of not less than seventy-six feet and six inches measured on the square.

(2.) The bridge carrying the railway over Harwar Street shall be constructed so as to leave a clear headway throughout of not less than eighteen feet and a clear span throughout of a width not less than the width of the existing bridge of the North London Railway Company over the same street.

(3.) All bridges and works constructed under the powers of this Act shall be of a reasonably ornamental character and design and shall be made and maintained so as to prevent the dripping of water therefrom on any part of such street or road footway area or forecourt and so as to deaden so far as is practicable the sound of engines carriages and traffic passing over them and the parapets of such bridges and works shall be carried up to a height sufficient effectually to hide from view of the street or road trains passing over such bridges or works.

(4.) The Market Owners shall not execute or commence the erection of any such bridge or works as aforesaid until they shall have given to the Metropolitan Board of Works twenty-one days



notice in writing of their intention to commence the same by leaving such notice at the office of the said board with plans elevations sections and other necessary particulars of the construction of the said bridge and works and until that board shall have signified their approval of the same unless that board fail to signify such approval or their disapproval or other directions within twenty-one days after service of the said notice and delivery of the said plans elevations sections and other particulars as aforesaid and the Market Owners shall comply with and conform to all reasonable directions and regulations of the said board in the execution and subsequent maintenance of every such bridge and the works connected therewith and shall save harmless the said board against all and every expense to be occasioned thereby and all such works shall be done to the reasonable satisfaction of the engineer or other officer of the said board at the reasonable costs charges and expenses in all respects of the Market Owners and all reasonable costs charges and expenses which the said board may be put to by reason of the works of the Market Owners whether in the execution of the works the preparation or examination of plans or designs superintendence or otherwise shall be paid to the said board by the Market Owners on demand.

14. The Market Owners shall not affix or exhibit or permit to be affixed or exhibited upon any part of the works authorised by this Act within view of any public street within the metropolis any placards or advertisements except such as shall have been approved in writing by the clerk or other officer of the Metropolitan Board of Works and if any such placard or advertisement be affixed or exhibited the said Metropolitan Board of Works and their authorised officers may remove the same but this provision shall not prevent the Market Owners from exhibiting on the front of any station placards giving information to the public as to the traffic of the Market Owners at to or from the market undertaking.

Exhibition  
of placards.

15. (1.) The bridge to be constructed to carry Railway No. 2 over the Hackney Road shall be of a single span of the full width of the road and of a clear height of not less than eighteen feet from the surface of the carriageway and shall be made to prevent the dripping of water therefrom on any part of the street and so as to deaden as far as practicable the sound of carriages engines and traffic passing over the same and shall be of ornamental design to be reasonably approved by the engineer for the time being of the Metropolitan Board of Works.

As to the  
bridge over  
Hackney  
Road.

(2.) No part of the bridge parapets piers or abutments or walls of the said railways shall be used for advertising purposes without the permission of the vestry or vestries of the respective parishes in which the same are situate.

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For the  
protection  
of the  
vestry of  
the parish of  
St. Leonard  
Shoreditch.

**16.** For the protection of the vestry of the parish of St. Leonard Shoreditch in this section called the vestry the following provisions shall have effect :

- (1.) The Market Owners shall widen the public way now known as Perry's Place leading from Hackney Road to St. John's Terrace so as to have a clear width of not less than thirty feet and shall sewer pave and flag the same when widened to the reasonable satisfaction of the surveyor for the time being to the vestry and the said way so widened shall when certified by the surveyor to the vestry as complete be a public highway.
- (2.) The provisions of the one hundred and thirty-third section of the Lands Clauses Consolidation Act 1845 with respect to the payment of the land and poor's rate shall as to any lands or properties to be acquired under the authority of this Act in the parish of St. Leonard Shoreditch extend to all rates now chargeable upon property or the occupiers thereof in the said parish.

For the pro-  
tection of  
the Gaslight  
and Coke  
Company.

**17.** For the protection of the Gaslight and Coke Company in this section referred to as "the gas company" the following provisions shall have effect (that is to say) :—

- (a.) Whereas in the execution of the works by this Act authorised the mains pipes syphons and other works belonging to the gas company may be intersected or otherwise interfered with and it is expedient that the gas company should have full control over the execution of all works in any way affecting the supply by them of gas so as effectually to provide against the supply thereof being impeded: Therefore all works matters or things which under the provisions of the Railways Clauses Consolidation Act 1845 or this Act the Market Owners may be empowered or required to do or execute with reference to the mains pipes syphons or other works of the gas company shall be done and executed by and at the cost of the Market Owners but to the reasonable satisfaction and under the direction of and in such manner as shall be required by the engineer for the time being of the gas company and such works matters or other things shall not be commenced until after fourteen days previous notice thereof in writing shall have been given to the gas company and the Market Owners shall not lay down any such mains pipes syphons or other works contrary to the regulations of any Act of Parliament relating to the gas company: Provided always that if the gas company shall elect themselves to execute any portion of the works matters and things which the Market Owners may by this Act be empowered or required to do or exercise with reference



to or affecting the mains pipes syphons apparatus or other works of the gas company and of such their election shall give seven days notice in writing to the Market Owners by leaving the same at their head office the gas company may themselves execute that portion of the said works matters and things and the reasonable expense of and incident to the executing the same shall be repaid by the Market Owners to the gas company on demand and such expense may be recovered from the Market Owners in any court of competent jurisdiction.

- (b.) And whereas there are divers mains pipes syphons and other apparatus belonging to the gas company in divers streets highways roads footpaths lanes courts passages and other places within the limits shown on the deposited plans which are now used by the gas company for supplying gas to the streets highways roads footpaths lanes courts passages and other places as aforesaid and such streets or other places or some of them will or may be done away with under the powers of this Act Therefore when the Market Owners for any purposes of this Act take any of those mains pipes syphons or other apparatus they shall pay to the gas company the value thereof and the same shall thereupon become the property of the Market Owners and the Market Owners shall also pay to the gas company their reasonable charges of removing or altering any of the mains pipes syphons or other apparatus in immediate communication therewith which the works of the Market Owners shall render useless or which shall require to be altered.
- (c.) If any interruption whatsoever in the supply of gas by the gas company or any loss of gas shall be in any way occasioned or sustained by any act or omission of the Market Owners or by the acts of any of their contractors agents workmen or servants or any person in the employ of them or any or either of them the Market Owners shall forfeit and pay to the gas company for such interruption for the use and benefit of the gas company the sum of ten pounds for every hour during which such interruption shall continue and in addition shall pay to the gas company the value of the gas so lost such sum or sums of money to be recovered by the gas company in any court of competent jurisdiction. If the Market Owners shall find it necessary to undermine but not otherwise alter the position of any main pipe syphon or other work belonging to the gas company they shall temporarily support the same in its position during the execution of their works and on their completion shall provide a good and suitable foundation for every main pipe syphon or other work so undermined.



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(d.) Notwithstanding anything in this Act contained the Market Owners shall be responsible for and make good to the gas company all costs losses damages and expenses which may be occasioned to the gas company or to any of their mains pipes syphons apparatus property works and conveniences or by any loss of gas or interruption in the supply of gas by the gas company or otherwise including injury and loss by explosion through by reason of or consequent on the execution or failure of any of the intended works or of any act or omission of the Market Owners or of any of their contractors agents workmen or servants or any of the persons in their employ or in the employ of their contractors or others and the Market Owners will effectually indemnify and hold harmless the gas company from all claims and demands upon or against them by reason of such execution or failure or of any such act or omission.

(e.) Any difference arising between the Market Owners and the gas company respecting any of the matters referred to in this enactment shall be settled at the request of either party by an engineer to be appointed by the President for the time being of the Institution of Civil Engineers and the costs and expenses attending any such reference shall be borne and paid as he may direct.

(f.) Provided always that except as is by this Act expressly provided this Act or anything herein contained shall not take away diminish alter or prejudice any of the rights powers privileges or authorities of the gas company.

For the protection of the East London Waterworks Company.

**18.** Whereas divers main pipes services and other works belonging to and now in use by the East London Waterworks Company (in this section called "the water company") for the purpose of their water supply will or may in the execution of the works by this Act authorised be intersected or otherwise interfered with and divers other mains pipes services and works belonging to and now in use as aforesaid by the water company will or may be destroyed or rendered useless by the acquisition and appropriation by the Market Owners of the lands houses and buildings which they are by this Act authorised to enter upon take and use : Therefore the following provisions shall have effect :—

(a.) Before commencing any works by this Act authorised which may interfere with or affect any mains pipes services or other works of the water company the Market Owners shall if such works involve the interference with any street road bridge or other place or land in along or under which any mains pipes services or other works of the water company may be placed and whether they contemplate altering the position of any such mains pipes



services or other works or not give to the water company fourteen days notice of their intention to commence such works and shall at the same time deliver a plan and section of the proposed works. If it should appear to the water company that such works would endanger any of their mains' pipes services or works or interfere with or impede the supply of water the water company may give notice to the Market Owners to lower or otherwise alter the position of such mains pipes services or works or to substitute temporarily or otherwise other mains pipes services or works in such manner as may be considered necessary and any difference as to the necessity of such lowering alteration or substitution shall be settled by arbitration as herein-after provided and all such works shall be done and executed by and at the expense of the Market Owners but to the reasonable satisfaction and under the direction of and in such manner as shall be required by the engineer of the water company: And if the water company by notice in writing to the Market Owners within seven days after the receipt by them of notice of the intended commencement by the Market Owners of any such works so require the water company may by their own engineer or workmen do or execute such works on the expiration of the first-mentioned notice to the reasonable satisfaction of the engineer of the Market Owners and the Market Owners shall on the completion thereof pay to the water company the reasonable expenses incurred by them in the execution thereof.

- (b.) The Market Owners shall bear the reasonable expenses of and incident to the superintendence and watching by the water company or their engineer or officers of all or any of the works by this Act authorised during the progress and until the completion of the same and by which any main pipe service or work of the water company may be interfered with.
- (c.) If any interruption whatsoever in the supply of water by the water company shall be in any way occasioned by the Market Owners or by the acts of any of their contractors agents workmen or servants or any person in the employ of them or any of them the Market Owners shall forfeit and pay to the water company for the use and benefit of the water company the sum of ten pounds for every hour during which such interruption shall continue such sum to be recovered by the water company in any court of competent jurisdiction.
- (d.) The expense of all repairs or renewals of any main pipe or service of the water company or any works in connexion therewith which may at any time hereafter be rendered necessary by



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the acts or defaults of the Market Owners their contractors agents workmen or servants or any person in the employ of them or any of them shall be borne and paid by the Market Owners and may be recovered against them by the water company in any court of competent jurisdiction.

(e.) The water company and their engineer and workmen may at all reasonable times when necessary enter upon the railways and works by this Act authorised for the purpose of laying and maintaining and may lay and maintain any mains pipes services or other works needful or proper for carrying on their supply of water into through under or over the said railways and works where such mains pipes services or works now exist and in every case in which the works of the Market Owners shall interfere with the mains and pipes of the water company the Market Owners shall give every reasonable facility for provision being made so as to allow such mains and pipes to be replaced by mains and pipes of a larger size Provided always that the water company shall in the exercise of these powers do as little damage as possible to the said railways and works and shall not interfere with the traffic passing on the railways or other property of the Market Owners and that all such works shall be executed under the superintendence and to the satisfaction of the engineer of the Market Owners.

(f.) If and when the Market Owners under the powers of this Act acquire and appropriate any lands houses and buildings which are served with water by the mains pipes services or works of the water company laid down and maintained by them in any road street highway or place or stop up any such road street highway or place so that the same mains pipes services and works or any of them or any part thereof respectively become useless for supplying water the Market Owners shall pay to the water company the cost to the water company of such mains pipes services and works and their expenses in and about the laying down of the same in their then position and the same shall thereupon become the property of the Market Owners and the Market Owners shall also pay to the water company their reasonable charges for removing any of their mains pipes services and works in immediate communication therewith and which the works of the Market Owners shall render useless.

(g.) If any difference shall arise between the Market Owners or their engineer and the water company or their engineer on any question matter or thing under the provisions of this Act or any Act incorporated therewith such difference shall be referred



to and determined by an engineer to be agreed upon by the engineer of the Market Owners and the engineer of the water company or failing agreement shall be referred to and determined by an engineer to be appointed on the application of the Market Owners or the water company or the engineer of either of them by the President for the time being of the Institution of Civil Engineers and the costs and expenses of the reference shall be borne and paid as the engineer agreed upon or appointed as aforesaid shall direct.

(h.) Except as in this Act specially provided nothing in this Act shall prejudice diminish alter or take away any of the rights privileges powers or authorities of the water company.

**19.** With respect to works in the parish of Saint Matthew Bethnal Green the following provisions shall apply:—

(1.) The bridge to be constructed to carry Railway No. 2 over the Hackney Road shall be an iron girder bridge of a single span of the full width of the road and of a clear height of not less than 18 feet from the surface of the carriageway and shall be of reasonably ornamental design to be previously submitted to and approved by the vestry of the parish of Saint Matthew Bethnal Green and the Metropolitan Board of Works. The bridge shall be made and rendered watertight so that water shall not drip from or run through the same and if contrary to the provisions of this section any water shall be allowed by the Market Owners to drip from or through such bridge upon the road or footway underneath the Market Owners shall be liable to a penalty of forty shillings per day to be recovered in a summary manner before a police magistrate. The said bridge shall be so made as to deaden so far as possible the sound of carriages engines and traffic passing over the same.

(2.) All kerb paving pitching lamps lamp-posts or other property of the vestry disturbed by the Market Owners in the construction of the works authorised by this Act shall be carted at the expense of the Market Owners to any place within the parish of Saint Matthew Bethnal Green as directed by the surveyor for the time being of the vestry of the said parish.

(3.) Whereas by reason of the powers of this Act certain lands and buildings in the parish of Saint Matthew Bethnal Green may be acquired compulsorily by the Market Owners and may be unoccupied pending their utilisation by the Market Owners for the purposes of this Act or the Act of 1866 by reason whereof a deficiency may arise in the assessments of the poor and district rates in the said parish: Therefore the Market Owners shall from and after the period when they shall have

For the protection of the vestry of the parish of St. Matthew Bethnal Green.



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so acquired any of the said lands or buildings and during the time while the same respectively shall be so unoccupied be assessed and rated in respect of such of the said lands and buildings as are for the time being so unoccupied in such sums of money as those lands and buildings were assessed and rated at at the passing of this Act: And the Market Owners shall pay and make good to and in aid of such parish all such rates as aforesaid and in default of payment thereof the same shall and may be levied and recovered from the Market Owners in the same manner as the same could or might have been recovered from the owners or occupiers of the same premises in case this Act had not been passed.

- (4.) As consideration for the stopping up of the northern branch of Columbia Road the Market Owners shall dedicate to the use of the public the triangular piece of land now belonging to the Market Owners adjoining Columbia Road and the Hackney Road coloured blue on a plan signed in duplicate by the surveyor for the time being of the vestry on behalf of the vestry and by the engineer of the Market Owners on behalf of the Market Owners and the same shall forthwith be paved and kerbed by the vestry at the expense of the Market Owners and when so paved and kerbed shall be repaired and maintained by and at the expense of the vestry as a public highway.
- (5.) Except as is by this Act otherwise expressly provided nothing in this Act shall take away abridge or alter any of the rights privileges or authorities of the vestry.

Power to  
take ease-  
ments by  
agreement.

**20.** Persons empowered by the Lands Clauses Consolidation Act 1845 to sell and convey or release lands may if they think fit subject to the provisions of that Act and of the Lands Clauses Consolidation Acts Amendment Act 1860 and of this Act grant to the Market Owners any easement right or privilege not being an easement of water required for the purposes of this Act or any of the purposes of the said market in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges as far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights or privileges as aforesaid respectively.

As to  
service of  
notices by  
owners &c.

**21.** All notices given by or on behalf of the owners lessees or occupiers of any lands liable to be acquired compulsorily under the powers of this Act may be addressed to "The Manager of Columbia Market, Bethnal Green," and if so addressed shall be deemed to be addressed to the Market Owners. Notice of the provisions of this section shall be indorsed on every notice of intention to take any of the said lands.



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**22.** The powers 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 compulsory purchase of lands.

As to taking houses of labouring class.

**23.** (1.) The Market Owners shall not under the powers of this Act purchase or acquire in any parish or part of a parish twenty or more houses which after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until

(a.) They shall have obtained the approval of the Secretary of State for the Home Department to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last or for such number of persons as the Secretary of State for the Home Department shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case; and

(b.) They shall have given security to the satisfaction of the Secretary of State for the Home Department for the carrying out of the scheme.

(2.) The approval of the Secretary of State for the Home Department to any scheme under this section may be given either absolutely or conditionally and after the Secretary of State for the Home Department has approved of any such scheme he may from time to time approve either absolutely or conditionally of any modifications in the scheme.

(3.) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced;

Provided that the Secretary of State for the Home Department may dispense with the last-mentioned requirement subject to such conditions if any as he may see fit.

(4.) Any conditions subject to which the Secretary of State for the Home Department may have approved of any scheme under this section or of any modifications of any scheme or subject to which he may have dispensed with the above-mentioned requirement shall be enforceable by a writ of Mandamus to be obtained by the

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Secretary of State for the Home Department out of the Queen's Bench Division of the High Court of Justice.

(5.) If the Market Owners acquire or appropriate any house or houses for the purposes of this Act in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Secretary of State for the Home Department by action in the High Court of Justice and shall be carried to and form part of the Consolidated Fund of the United Kingdom ;

Provided that the court may if it think fit reduce such penalty.

(6.) For the purpose of carrying out any scheme under this section the Market Owners may appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase such further lands as they may require.

(7.) The Market Owners may on any lands belonging to them or purchased or acquired under this section erect such dwellings for persons of the labouring class as may be necessary for the purpose of any scheme under this section and may sell demise or let or otherwise dispose of such dwellings and any lands purchased or acquired as aforesaid ;

Provided that all lands on which any buildings have been erected or provided by the Market Owners in pursuance of any scheme under this section shall for a period of twenty-five years from the passing of this Act be appropriated for the purpose of dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this enactment ;

Provided also that the Secretary of State for the Home Department may at any time dispense with all or any of the requirements of this sub-section subject to such conditions if any as he may see fit.

(8.) All buildings erected or provided by the Market Owners for the purpose of any scheme under this section shall be subject to the provisions of the Metropolitan Building Act 1855 and the Metropolis Management Act 1855 and any Act amending those Acts respectively.

(9.) The Secretary of State for the Home Department may direct any inquiries to be held by any persons appointed by him as inspectors which he may deem necessary in relation to any scheme under this section and for giving effect to any of the provisions of this section and every such inspector shall for the purposes of any such inquiry have all such powers as inspectors of the Local Government Board have for the purposes of inquiries directed by that board under the Public Health Act 1875.



(10.) The Market Owners shall pay to the Secretary of State for the Home Department a sum to be fixed by him in respect of any expenses incurred by him in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector and a reasonable sum to be fixed by the said Secretary of State for the services of such inspector.

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(11.) For the purposes of this section the expression "labouring class" includes mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them.

**24.** Whereas pursuant to the standing orders of both Houses of Parliament and to an Act of the ninth year of the reign of Her present Majesty chapter. 20 a sum of four thousand one hundred and fifty pounds consolidated three per centum annuities being five per centum upon the amount of the estimate in respect of the railways has been deposited with the Paymaster-General for and on behalf of the Supreme Court of Judicature in England in respect of the application to Parliament for this Act which sum is referred to in this Act as the "deposit fund": Be it enacted that notwithstanding anything contained in the said Act the said deposit fund shall not be paid or transferred to or on the application of the person named in the warrant or order issued in pursuance of the said Act which person is in this Act referred to as "the depositor" unless the Market Owners shall previously to the expiration of the period limited by this Act for completion of the railways open the same for the public conveyance of traffic: Provided that if within such period as aforesaid the Market Owners open any portion of the railway for the public conveyance of traffic then on the production of a certificate of the Board of Trade specifying the length of the portion of the railways opened as aforesaid and the portion of the deposit fund which bears to the whole of the deposit fund the same proportion as the length of the railways so opened bears to the entire length of the railways the Chancery Division of the High Court of Justice in England shall on the application of the depositor order the portion of the deposit fund specified in the certificate to be paid or transferred to him or as he shall direct and the certificate of the Board of Trade shall be sufficient evidence of the facts therein certified and it shall not be necessary to produce

Deposit money not to be repaid except so far as railways are opened.



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any certificate of this Act having passed anything in the above mentioned Act to the contrary notwithstanding.

Application  
of deposit.

**25.** If the Market Owners do not previously to the expiration of the period limited for the completion of the railways complete the same and open them for the public conveyance of traffic then and in every such case the deposit fund or so much thereof as shall not have been paid to the depositor shall be applicable and after due notice in the "London Gazette" shall be applied towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the railways or any portion thereof or who have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Market Owners by this Act and for which injury or loss no compensation or inadequate compensation has been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Chancery Division of the High Court of Justice in England may seem fit and if no such compensation is payable or if a portion of the deposit fund has been found sufficient to satisfy all just claims in respect to such compensation then the deposit fund or such portion thereof as may not be required as aforesaid shall either be forfeited to Her Majesty and accordingly be paid or transferred to or for the account of Her Majesty's Exchequer in such manner as the Chancery Division thinks fit to order on the application of the solicitor to Her Majesty's Treasury and shall be carried to and form part of the Consolidated Fund of the United Kingdom or in the discretion of the court shall be paid to or on the application of the depositor provided that until the deposit fund has been repaid to the depositor or has become otherwise applicable as herein-before mentioned any interest or dividends accruing thereon shall from time to time and as often as the same shall become payable be paid to or on the application of the depositor.

Maximum  
rates for  
goods.

**26.** The maximum rates of charge which the Market Owners are hereby authorised to demand and receive in respect of the use of the railways and of any hydraulic lift or lifts for waggons or trucks and of tramways which may hereafter be laid upon and within the market on the lower level or any of them and for conveyance thereon or upon any part thereof of animals and goods including tolls for the use of the railways and tramways and for waggons or trucks and for locomotive or fixed power for moving or lifting waggons or trucks and for every other expense incidental to conveyance upon the railways or tramways except a reasonable charge for loading or unloading or for collection or delivery and any other



service incidental to the duty or business of a carrier or warehouseman where any such service is provided by the Market Owners and except stallages rents and tolls in respect of the market authorised by the Act of 1866 shall not exceed the following sums (that is to say):—

CLASS I.—For coal coke culm dung compost market-refuse ashes cinders timber and stone two shillings per ton :

CLASS II.—For grain flour meal mangels parsnips turnips carrots and all other roots loose or in bulk used for horse or cattle feeding purposes three shillings per ton :

CLASS III.—For potatoès (old) carrots onions parsnips turnips and other roots used for domestic consumption four shillings per ton :

CLASS IV.—For cabbages cauliflowers celery marrows new potatoès bacon ale beer porter and stout dried fruits oranges and lemons hay and straw five shillings per ton :

CLASS V.—For fish meat poultry all kinds of perishable fruit (not previously mentioned) flower-roots and bulbs sausages venison game yeast milk eggs and all other articles six shillings per ton :

CLASS VI.—For every horse ass mule or other beast of draught or burden one shilling :

CLASS VII.—For every ox cow bull or head of neat cattle sixpence :

CLASS VIII.—For every calf pig sheep lamb or other small animal threepence.

**27.** The following provisions and regulations shall apply to the fixing of all tolls and charges payable under this Act (that is to say):—

Regulations as to tolls.

For a fraction of a ton the Market Owners may demand tolls according to the number of quarters of a ton in such fraction and if there be a fraction of a quarter of a ton such fraction shall be deemed a quarter of a ton :

Fractional parts of a ton.

With respect to all articles except stone and timber the weight shall be determined according to the imperial avoirdupois weight :

General weight.

With respect to stone and timber fourteen cubic feet of stone forty cubic feet of oak mahogany teak beech or ash and fifty cubic feet of any other timber shall be deemed one ton weight and so in proportion for any smaller quantity.

Weight of stone and timber.

**28.** With respect to small parcels not exceeding five hundred pounds in weight and single articles of great weight notwithstanding the rates prescribed by this Act the Market Owners may

Tolls for small parcels and articles of great weight.

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demand and take any tolls not exceeding the following (that is to say) :

For the carriage of small parcels on the railways or any part thereof as follows :

For any parcel not exceeding seven pounds in weight three-pence ;

For any parcel exceeding seven pounds but not exceeding fourteen pounds in weight fivepence ;

For any parcel exceeding fourteen pounds but not exceeding twenty-eight pounds in weight sevenpence ;

For any parcel exceeding twenty-eight pounds but not exceeding fifty-six pounds in weight ninepence ;

For any parcel exceeding fifty-six pounds but not exceeding five hundred pounds in weight the Market Owners may demand any sum which they think fit :

Provided always that articles sent in large aggregate quantities although made up in separate parcels such as bags of sugar coffee meal and the like shall not be deemed small parcels but that term shall apply only to single parcels in separate packages.

For the carriage of single articles of great weight as follows :—

For any one boiler cylinder or single piece of machinery or single piece of timber or stone or other single article the weight of which including the carriage shall exceed four tons but shall not exceed eight tons the Market Owners may demand such sums as they think fit not exceeding six shillings per ton.

For the carriage of any single piece of timber stone machinery or other single article the weight of which with the carriage shall exceed eight tons the Market Owners may demand such sums as they think fit.

For every carriage of whatever description not being a carriage adapted and used for travelling on a railway and not weighing more than one ton carried on a truck or platform three shillings and for every additional quarter of a ton in weight sixpence.

Market Owners may take increased charges by agreement.

**29.** Nothing in this Act shall prevent the Market Owners from taking any increased charges over and above the charges by this Act limited for the conveyance of animals or goods of any description by agreement with the owners or persons in charge thereof by reason of any special service performed by the Market Owners in relation thereto.

Demurrage, &c.

**30.** The Market Owners may demand and take a reasonable sum for the occupation of any of their market tramways or sidings by waggons beyond such a period as shall be reasonably necessary for



the purpose of loading or unloading and in respect of waggons supplied by the Market Owners a reasonable sum for the detention of such waggons beyond such period: Provided that nothing in this section shall be deemed to confer any right to use any such tramways or sidings for a longer time than is reasonably necessary for such loading or unloading.

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**31.** The book tables or other document in use for the time being containing the general classification of goods carried by goods or merchandise train on the railways shall during all reasonable hours be open to the inspection of any person without the payment of any fee at the market and such book tables or other document as annually revised shall be kept on sale at the office of the Market Owners at the market at a price not exceeding one shilling. The Market Owners shall within one week after application in writing made to them by any person interested in the carriage of any goods which may have been or are intended to be carried over the railways render an account to the person so applying in which the charge made or claimed by the Market Owners for the carriage of such goods shall be divided and the charge for conveyance over the railways shall be distinguished from the terminal charges (if any) and if any terminal charge is included in such account the nature and detail of the terminal expenses in respect of which it is made shall be specified. If the Market Owners fail to comply with the provisions of this section they shall for each offence and in the case of a continuing offence for every day during which the offence continues be liable to a penalty not exceeding five pounds which penalty shall be recovered and applied in the same manner as penalties imposed by the Regulation of Railways Act 1873 section 14.

Classification table to be open for inspection. Copies to be sold.

**32.** The Market Owners on the one hand and the North London Railway Company and any company lawfully using the railway of that company or any one or more of those companies (herein-after referred to as the "contracting companies") on the other hand may subject to the provisions of Part III. of the Railways Clauses Act 1863 as amended or varied by the Regulation of Railways Act 1873 from time to time enter into agreements with respect to the following purposes or any of them (that is to say) :—

Power to enter into working agreements with railway companies.

The working use management and maintenance of the railways or either of them or any part or parts thereof respectively and of the works connected therewith respectively and the conveyance of traffic thereon.

The supply by any of the contracting companies (under any agreement for the railway being so worked and used) of rolling stock and machinery necessary for the purposes of such agreement and of officers and servants for the conduct of the traffic of the

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railways or either of the railways or any part or parts thereof as the case may be.

The payments to be made and the conditions to be performed with respect to such working use management and maintenance; and

The interchange accommodation and conveyance of traffic coming from or destined for the respective undertakings of the Market Owners and of the contracting companies and the division and appropriation of the revenue arising from that traffic.

North London Railway Company may give facilities for traffic.

**33.** The North London Railway Company may receive book through forward accommodate and deliver on and from their undertaking and at the stations warehouses and booking offices thereof all traffic of every description destined for or coming from the said market upon such terms as may be agreed on between that company and the Market Owners.

Agreements as to rebates, &c.

**34.** The Market Owners on the one hand and the North London the Great Eastern the Great Western the Great Northern the London and North-western the Midland the London Tilbury and Southend the London and South-western the London Brighton and South Coast the North and South-western Junction the London Chatham and Doyer and the East London Railway Companies respectively or any of those companies on the other hand may enter into and fulfil contracts agreements and arrangements for and in relation to payments allowances drawbacks or rebates on traffic destined for or coming from the said market.

Limits of market franchise not extended by Act.

**35.** Nothing in this Act contained shall be deemed to extend the limits of the franchise of market conferred by the Act of 1866.

Provisions as to general railway Acts.

**36.** Nothing in this Act contained shall exempt the Market Owners or the railways from the provisions of any general Act relating to railways or the better and more impartial audit of the accounts of railway companies now in force or which may hereafter pass during this or any future session of Parliament or from any future revision or alteration under the authority of Parliament of the maximum rates of fares and charges or of the rates for small parcels authorised by this Act.

Costs of Act.

**37.** All the costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Market Owners.