



## CHAPTER viii.

An Act for empowering the Mayor and Commonalty and Citizens of the City of London to make further and better provisions with reference to the London Central Markets and for other purposes. [16th April 1886.]

A.D. 1886.

**W**HEREAS by the London Central Markets Act 1875 (in this Act referred to as the Act of 1875) the mayor and commonalty and citizens of the city of London (in this Act referred to as the Corporation) were empowered to establish a fruit vegetable and flower market and it was provided that from the day therein specified Farringdon Market should be discontinued:

And whereas by the Metropolitan Markets (Fish &c.) Act 1882 (in this Act referred to as the Act of 1882) the Corporation were empowered to convert the London Central Fruit Vegetable and Flower Market (which had been established under the powers of the Act of 1875) into an inland fish market and it was provided that notwithstanding anything in the Act of 1875 Farringdon Market should not be discontinued:

And whereas under the powers of the Act of 1882 the Corporation converted the London Central Fruit Vegetable and Flower Market into the London Central Fish Market:

And whereas it is expedient that the Corporation be empowered to so re-arrange and extend the London Central Fish Market as to make it available for the sale of fruit flowers vegetables and other marketable commodities as well as for fish and for that purpose to enlarge the area of such market as in this Act provided:

And whereas it is expedient that Farringdon Market be discontinued as originally provided by the Act of 1875:

And whereas no sums of money have been borrowed under section 9 of the Act of 1882:

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

And whereas plans and sections describing the lines and levels of works authorised by this Act and books of reference to those plans

A.D. 1886. containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of the lands required or which may be taken for the purpose or under the powers of this Act were duly deposited with the clerks of the peace for the city of London and county of Middlesex and are herein-after respectively referred to as the deposited plans sections and books 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 (that is to say) :

Short title.

1. This Act may be cited as the London Central Markets Act 1886.

Power to cover over railways and acquire easements for that purpose.

2. Subject to the provisions of this Act the Corporation may in the lines and according to the levels shown on the deposited plans and sections cover over parts of the London Chatham and Dover Railway and the Metropolitan Railway respectively and of the lands and premises forming parts of such railways respectively and may purchase take and acquire such easements or rights of constructing and maintaining in over and affecting the same such works and conveniences as may be necessary for effecting the objects of this Act and the Corporation may construct and maintain such works and conveniences accordingly and may in connexion therewith throw one or more girders across the adjoining railways of the two companies or either of them.

Power to take easements &c. by agreement.

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

Powers of 10 & 11 Vict. c. cclxxx. &c. extended to this Act.

4. All the powers authorities provisions restrictions and savings contained in the London (City) Improvement Act 1847 (in this Act referred to as the Act of 1847) excepting therefrom sections three and four sections fifteen and eighteen sections forty-two to forty-five both inclusive and sections fifty to fifty-five both inclusive and in the Lands Clauses Consolidation Act 1845 incorporated with the Act of 1847 (excepting therefrom sections one hundred and twenty-seven to one hundred and thirty-one both inclusive) and in the



Lands Clauses Consolidation Acts Amendment Act 1860 and in A.D. 1886.  
 section five of the Act of 1875 shall extend and apply to this  
 Act with reference to the acquisition of any easements in on or  
 over the lands in this Act before referred to and the construction  
 and execution of the works and conveniences by this Act authorised  
 and shall for the purposes of this Act be of as full force and effect  
 as if the same had been in this Act repeated and re-enacted mutatis  
 mutandis and made applicable to the subject matter of this Act  
 except only so far as the same or any of them are altered or varied  
 by or are inconsistent with any of the provisions of this Act and for  
 the purposes of such extension application and incorporation the  
 term "this Act" throughout the Act of 1847 shall be read and have  
 effect as meaning the present Act and the Act of 1847 shall have  
 effect subject and according to the following modifications and  
 provisions namely :

- (1.) The expression in that Act "the mayor aldermen and commons" shall mean the mayor commonalty and citizens of the city of London.
- (2.) "Schedule" in that Act shall mean the deposited books of reference and the provisions of that Act relating to the map or plan deposited for the purposes thereof shall apply to the deposited plans.
- (3.) The persons to be summoned under section twenty-one of that Act shall be persons qualified to serve as special jurors and their numbers shall be reduced to twenty-four and the jury shall be struck in like manner as special juries may now be struck in Her Majesty's High Court of Justice under an order of the court or a judge thereof..

5. The Corporation may use for the purposes of this Act the piece or parcel of land and premises in the parish of Saint Sepulchre in the city of London belonging to the Corporation and situate to the south of the London Central Fish Market and bounded on the northerly side by the roadway known as the southern roadway on the easterly side by the London Chatham and Dover Railway and the Metropolitan Railway and the approach road to the basement of the London Central Poultry and Provision Market and on the south-westerly side by Snow Hill and also any land or easements in over or affecting any land belonging to the Corporation at the time of the passing of this Act or acquired by them under this Act or the Act of 1875 as well as the London Central Fish Market and the site thereof.

Power to appropriate land.

6. The Corporation may on any land authorised to be used for the purposes of this Act and on and over any land in over or affecting which they shall have acquired any easement authorised to be used

Power to convert London Central Fish



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Market into  
a general  
market.

for the purposes of this Act to the extent of such easement and in the buildings erected or to be erected thereon and thereover respectively establish and maintain a general market for the sale both wholesale and retail of fruit flowers vegetables fish meat poultry corn hay straw provisions goods wares merchandize and other marketable commodities and things and may thereon and in connexion therewith erect and do all buildings and works necessary and convenient for the establishment maintenance and management of that market.

Application  
of Act of  
1875.

7. All the provisions of the Act of 1875 relative or applicable to the fruit vegetable and flower market by that Act authorised to be established shall as far as the same are applicable and are not repealed or varied by or inconsistent with this Act extend and apply mutatis mutandis to the market by this Act authorised to be established as fully as if such market had been established under the Act of 1875 and had been named therein instead of such fruit vegetable and flower market and as if the mayor commonalty and citizens of the city of London had been mentioned in the said Act instead of the mayor aldermen and commons of the city of London and the market by this Act authorised to be established and in this Act referred to as the market shall be one of the London central markets within that Act with such distinguishing name or names as the corporation may from time to time by act of Common Council determine.

Discontinu-  
ance of  
Farringdon  
Market.

8. All the provisions of the Act of 1875 relative to Farringdon Market shall as far as the same are applicable and are not repealed or varied by or inconsistent with this Act extend and apply to Farringdon Market as fully as they applied thereto before the passing of the Act of 1882 and as if the market by this Act authorised to be established had been named in the Act of 1875 instead of the fruit vegetable and flower market therein mentioned.

Repeal of  
sections 7 to  
10 of Act of  
1882.

9. Sections seven to ten both inclusive of the Act of 1882 shall be and the same are hereby repealed.

For the pro-  
tection of  
London  
Chatham  
and Dover  
Railway  
Company.

10. For the protection of the London Chatham and Dover Railway Company and their railway (herein-after respectively called "the Chatham Company" and "the Chatham Railway") be it enacted as follows:

(a.) The Corporation shall not acquire except with the consent of the Chatham Company any further or greater ownership of or in any land or property being land belonging to or forming part of the undertaking or works of that company than an easement or right for the purpose of making maintaining and using the intended works of the Corporation and the Corpora-



tion shall not enter upon or interfere with the Chatham Railway or any of the works or lands of the Chatham Company or execute any works whatever over under or affecting the same unless and until they have submitted and delivered to the Chatham Company plans drawings and specifications to describe the manner of executing the intended works and the materials to be used for the same and until these plans drawings and specifications have been examined and approved in writing under the hand of the principal engineer of the Chatham Company provided that if no notice of any disapproval be given to the Corporation within one calendar month after the plans drawings and specifications have been delivered to that company then the Corporation may proceed to execute the works according to such plans drawings and specifications but if the said engineer shall disapprove such plans drawings and specifications then the question in difference shall be referred to an engineer to be appointed by the Board of Trade on the application of either party whose decision shall be final and the said intended works shall be executed by the Corporation at their sole expense and together with the works over the Chatham Railway authorised by the Act of 1875 shall be subsequently maintained by them in all time coming according to the approved plans drawings and specifications under the superintendence and to the reasonable satisfaction of the principal engineer for the time being of the Chatham Company:

- (b.) In executing and subsequently maintaining the intended new works the Corporation shall at all times conform to the reasonable regulations of the Chatham Company as to the time and method of executing the work so as to avoid any interference with or delay to the traffic of that company:
- (c.) The works shall be so devised and constructed as not to interfere with or to contract superficially the area of the Chatham Railway and no column buttress or support of any kind for supporting the proposed market and any buildings connected therewith whether upon the lands over which an easement is by this Act authorised to be taken or upon the land which the Corporation may cover over under the agreement between them and the company dated the eighteenth day of November one thousand eight hundred and eighty shall be placed for its whole perpendicular height nearer than a distance of not less than four feet six inches from any rail of the Chatham Company as now laid and every girder or other support used for covering in the said lands or for carrying the

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proposed market shall be so placed as to leave a clear headway of not less than fourteen feet throughout from the level of the Chatham Railway:

(d.) The Corporation shall bear and on demand pay to the Chatham Company the expense of the employment by them during the erection of the said intended works or any subsequent repairs thereof of a sufficient number of inspectors or watchmen to be appointed by the company for watching their railway with reference to and during the execution or repair of the said intended works and for preventing as far as possible all interference obstruction danger and accident with and to the persons using the Chatham Railway and the traffic thereon by reason of the operations or of the acts or defaults of any person or persons in the employ of the Corporation with reference thereto or otherwise:

(e.) If by reason of any works or proceedings of the Corporation there shall be any obstruction of or interference with the Chatham Railway so as to prevent or impede the free and convenient passage of engines carriages and vehicles of every description along the same the Corporation shall pay to the Chatham Company the sum of fifty pounds by way of ascertained damages for every hour or part of an hour during which such obstruction or interference continues:

(f.) The Corporation shall from time to time be responsible for and make good to the Chatham Company all costs losses damages and expenses not provided for by the immediately preceding subsection from time to time occasioned to the Chatham Railway or any of the works and property of the Chatham Company or to any person or persons using that railway or otherwise by reason of the execution or failure of any of the said intended works or of any acts or omissions of the Corporation or their contractors or any of the persons in their respective employ and the Corporation shall effectually indemnify the Chatham Company from all claims and demands upon or against them by reason of any such execution or failure or of any such act or omission.

For the  
protection of  
the Metro-  
politan  
Railway  
Company.

11. For the protection of the Metropolitan Railway Company (herein-after called the company) the following provisions shall have effect:

(1.) The Corporation shall not otherwise than by agreement purchase or take any of the railways works or lands belonging to the company but the Corporation may purchase and take and the company shall sell and grant accordingly an easement



or right of using so much of the railways works or lands of the company as are numbered 1 and 2 on the deposited plans : A.D. 1886.

- (2.) The Corporation shall construct the said works by this Act authorised and all the works necessary and incident to the construction thereof or otherwise affecting the railways works or lands of the company according to plans sections and specifications and of such quality and strength of materials and in every other respect as shall be previously submitted to and approved in writing by the engineer for the time being of the company and the Corporation shall not commence the construction of the works or enter upon or interfere with the buildings works or lands of the company until such plans sections and specifications have been so submitted and approved :
- (3.) The said works by this Act authorised and all works necessary or incident to the construction thereof or affecting the railways works or lands of the company shall be executed by and in all things at the expense of the Corporation and under the superintendence and to the reasonable satisfaction of the said engineer :
- (4.) During the construction of the said works the Corporation shall bear and on demand pay to the company all expense of employment by them of a sufficient number of inspectors or watchmen to be appointed by them for watching their railways and the works thereof with reference to and during the execution of the intended works and for preventing as far as may be all interference obstruction danger and accident which may arise from any of the operations or from the acts or defaults of the Corporation or their contractors or any person or persons in the employment of the Corporation or their contractors with reference thereto or otherwise :
- (5.) The Corporation shall at all times save harmless and keep indemnified the company from and against all claims losses liabilities costs and expenses which the company may sustain or be put to or which may be occasioned to the railways works or property of the company or to the traffic on their railways or otherwise by reason of the construction of the said intended works and the maintenance of the same or of any act or omission of the Corporation and of any of the persons in their employ or of their contractors and others and if thereby the free use of such railways by the company or the other railway companies running over the same shall be obstructed the corporation shall pay the company as or by way of ascertained or liquidated damages the sum of fifty pounds for every hour

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during which any such obstruction shall continue and so in proportion for any less period than one hour and in default of payment of any such sum or any such losses liabilities costs or expenses as aforesaid on demand made on the Corporation by the company the company may recover the same with full costs in any court of competent jurisdiction. Provided always that nothing in this Act contained shall take away or in any manner affect any other right if any to compensation to which under the provisions of the Railways Clauses Consolidation Act 1845 or the Lands Clauses Consolidation Act 1845 or otherwise the company are or may be entitled by reason of the execution of the said works :

- (6.) The Corporation shall at all times maintain the said works by this Act authorised in substantial repair and good order to the reasonable satisfaction in all respects of the said engineer and if and whenever after fourteen days notice from the company the Corporation fail so to do the company may make or do in and upon as well the lands of the Corporation as their own lands all such works repairs and things as they may reasonably think requisite in that behalf and the sum from time to time certified by such engineer to be the reasonable amount of the expenditure thereby incurred by the company shall be repaid to the company and in default of payment may be recovered by them from the Corporation with full costs in any court of competent jurisdiction :
- (7.) If by reason of the works by this Act authorised it shall in the judgment of the company become necessary to add to or alter either permanently or during the construction of such works any signal or signals upon the railways of the company the same shall be so added to or altered by the company and the reasonable expense thereof shall be repaid to them by the Corporation :
- (8.) Nothing in this Act contained shall extend to prejudice alter or take away any of the rights privileges or powers of the company otherwise than is herein expressly provided :
- (9.) All questions and differences which may at any time arise between the company and the Corporation as to the construction or effect performance observance non-performance or non-observance of any of the foregoing provisions or any matters connected therewith or consequent thereon shall be determined by an arbitrator to be appointed on the application of either party by the Board of Trade and the decision of such arbitrator shall be binding and conclusive and the costs of the arbitration shall be in his absolute discretion.



**12.** All money borrowed by the Corporation before the passing of this Act for the purposes of the London Central Fish Market on the credit of the stallages rents and tolls of and other receipts from that market shall by virtue of this Act be transferred as a charge to the stallages rents and tolls of and other receipts from the market and be secured thereon or in case the last-mentioned stallages rents tolls and receipts are insufficient for that purpose then the money so borrowed shall be charged on and paid out of the estates and revenues of the Corporation and if at any time within six months after the passing of this Act the holder of any bond for securing any part of the money so borrowed gives notice in writing to the Corporation of his desire to have the amount secured by the bond repaid to him the Corporation shall within three months after receipt of that notice repay the same with interest up to the date of repayment accordingly.

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Transfer of  
debt to  
market with  
option to  
bondholders.

**13.** For the purposes of defraying the expenses incurred by them in purchasing the land or easements and executing the works for and extending the market the Corporation may from time to time borrow at interest on the credit of the stallages rents and tolls of and other receipts from that market and on the credit of their estates and revenues so much money as they from time to time think requisite not exceeding the sum of fifty thousand pounds.

Power to  
borrow for  
completion of  
market.

**14.** The Corporation shall within six years after the passing of this Act dispose of the site of Farringdon Market and shall after satisfying any liabilities thereon apply the proceeds thereof towards the extinguishment of the debt on the London Central Markets.

As to dis-  
posal of site  
of Farring-  
don Market.

**15.** All money borrowed under this Act shall be secured by bonds under the common seal of the Corporation which bonds shall be in such form and shall contain such stipulations and conditions if any respecting the payment of the money thereby secured at a fixed time or otherwise or respecting any other matter or thing relative to the security as the Corporation from time to time think expedient and shall be assignable by indorsement.

Bonds for  
money  
borrowed.

**16.** The Corporation may from time to time pay off any money borrowed under this Act and may in manner aforesaid re-borrow the same or any other amount within the limit of their borrowing power under this Act.

Power to  
pay off and  
re-borrow.

**17.** Any person paying any sum of money borrowed under this Act to the Corporation or to any person appointed by them to receive the same shall not be answerable or accountable for the non-application or misapplication thereof.

Protection  
of persons  
paying  
money to  
Corporation.

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Register  
of bonds and  
assignments.

**18.** The Chamberlain for the time being of the city of London shall enter in a book to be kept for that purpose a list of bonds issued under this Act and of such assignments thereof as may be tendered to him for registration and such list shall express the names surnames descriptions and places of business or residence of the persons to whom such bonds shall be originally issued and of the persons named assignees in the respective assignments which book all persons entitled to or interested in any such bond may at all reasonable times inspect without fee or reward.

Amalgama-  
tion of  
market  
accounts  
with respect  
to borrow-  
ing &c.

**19.** From and after the passing of this Act section twenty-three of the Act of 1875 shall be read and have effect as if the Act of 1875 the Act of 1882 and this Act had respectively been named in that section and included amongst the Acts therein mentioned. Provided that the provisions of that section with respect to existing charges and priorities and the keeping of accounts until such charges shall be paid and discharged shall when applicable to charges or priorities secured under the Act of 1875 the Act of 1882 or this Act as the case may be be read and have effect as if instead of the words "this Act" wherever they occur in such provisions the words "the London Central Markets Act 1886" were used.

Powers  
exercisable  
by Common  
Council &c.

**20.** The powers of the Corporation under this Act may be exercised by the mayor aldermen and commons of the city of London in Common Council assembled and an alderman of the city of London if and so long as he is a member of a committee of the Common Council appointed to act for the purposes of this Act shall be disqualified from acting as a justice for any purpose of this Act but he shall be so disqualified only if and as long as he is a member of such committee.

Costs of Act.

**21.** The costs charges and expenses preliminary to and of and incidental to the preparing of and applying for and the obtaining and passing of this Act shall be paid by the Corporation.