



CHAPTER clxvi.

An Act to enable Her Majesty's Postmaster-General to
acquire Lands in London Brighton Norwich Plymouth
Southampton Oban and Cork for the Public Service
and for other purposes. A.D. 1897.
[6th August 1897.]

WHEREAS further accommodation for the purposes of the public service is required by the Postmaster-General in London Brighton Norwich Plymouth Southampton Oban and Cork and it is expedient that he be empowered to acquire certain lands and buildings in those places for the purposes aforesaid and to erect buildings on any lands so acquired :

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

And whereas plans showing the respective lands to be acquired by the Postmaster-General for the purposes of the public service under the authority of this Act with books of reference containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of the lands which may be taken compulsorily under this Act have been deposited with the respective clerks of the peace for the city and county of London and for the counties of Sussex Norfolk Devon Hants Argyll and Cork which plans and books of reference are in this Act respectively referred to as "the deposited plans and books of reference" :

Be it therefore 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 :—

1. The Lands Clauses Acts are subject to the provisions of this Act incorporated with this Act with the following exceptions and modifications viz. :—

(a.) The provisions relating to the sale of superfluous land and access to the special Act and section one hundred and thirty-three
[Price 6d.] A 1

Incorporation of
8 & 9 Vict.
c. 18.
8 & 9 Vict.
c. 19.
23 & 24 Vict.
c. 106 and

A.D. 1897.
32 & 33 Vict.
c. 18 &c.

of the Lands Clauses Consolidation Act 1845 and section one hundred and twenty-seven of the Lands Clauses Consolidation (Scotland) Act 1845 (both sections relating to land tax and poor rate) shall not be incorporated with this Act.

(b.) In the construction of this Act and the Lands Clauses Acts this Act shall be deemed to be the special Act and the Postmaster-General shall be deemed to be the promoter of the undertaking.

(c.) The bond required by section eighty-five of the Lands Clauses Consolidation Act 1845 and by section eighty-four of the Lands Clauses Consolidation (Scotland) Act 1845 shall be under the corporate seal of the Postmaster-General and shall be sufficient without the addition of the sureties in the said sections mentioned.

Power to
acquire
lands.

2. Subject to the provisions of this Act it shall be lawful for the Postmaster-General to purchase and acquire for the purposes of this Act all or any of the lands shown on the deposited plans and described in the deposited books of reference.

Any lands acquired by the Postmaster-General for the purposes of the public service under the authority of this Act shall be vested in and be held by him in his corporate capacity and by his successors on behalf of Her Majesty her heirs and successors for the service of the Post Office.

Correction of
errors &c.

3. If any omission mis-statement or erroneous description is found to have been made of any lands or of any owners lessees or occupiers of any lands shown or intended to be shown on the deposited plans or described in the deposited books of reference the Postmaster-General may apply to two justices for the correction thereof after giving ten days notice to the owners lessees or occupiers of the lands affected by the proposed correction and if it appears to the justices that such omission mis-statement or erroneous description arose from mistake they shall so certify stating the particulars thereof and their certificate shall be deposited as if the same had originally formed part of the deposited plans or deposited books of reference (as the case may be) and shall be kept therewith and shall be deemed to be part thereof and thereupon the deposited plans or deposited books of reference (as the case requires) shall be deemed to be corrected according to the certificate and the Postmaster-General may enter on purchase take hold and use the lands to which the certificate relates accordingly.

Power to
Postmaster-
General to

4. It shall be lawful for the Postmaster-General and for his surveyors officers and workmen at all reasonable times in the day-

time to enter into and upon any of the lands shown on the deposited plans and described in the deposited books of reference for the purpose of surveying or valuing such lands on giving for the first time twenty-four hours and afterwards from time to time twelve hours previous notice in writing to the owners or occupiers thereof.

A.D. 1897.

enter lands
for the
purpose of
surveying.

5.—(1.) It shall be lawful for the Postmaster-General to pull down and remove all or any buildings erected on any lands shown on the deposited plans which are purchased by him and on the lands so purchased to construct buildings and works for the service of the Post Office and to make such approaches and widening and alterations of thoroughfares and do all such other things as in his opinion are necessary or expedient for the execution of any of the purposes of this Act.

Power to
erect build-
ings and
form roads.

(2.) The Postmaster-General (with the consent of the Treasury) and any local authority may enter into contracts and agreements with reference to the formation diversion or alteration of streets and highways within the towns and places to which this Act refers and with reference to a sale lease or exchange of land therein and may make money payments in respect thereof.

6.—(1.) The Postmaster-General may divert alter and stop up any street roadway or passage within the limits of any of the lands shown on the deposited plans so soon as such lands are acquired by him And in particular so soon as the Postmaster-General has purchased or acquired the lands situate in the city of Norwich numbered respectively 1 2 3 and 4 on the deposited plan relating to such lands and in the deposited books of reference thereto he may divert and alter or stop up and close the public passage numbered 5 on the said plan.

Diversion,
&c. of
streets and
extinction of
rights of
laying pipes
and other
easements.

(2.) All rights of way rights of laying down or continuing pipes sewers or drains on through or under any of the lands shown on the deposited plans and all other public or private rights or easements in or relating to such lands or any part thereof shall as from the date of the acquisition by the Postmaster-General of such lands respectively be extinguished and all the soil of those ways and the property in such pipes sewers or drains shall be vested in the Postmaster-General in such capacity and for such purpose as aforesaid.

(3.) Any person may recover from the Postmaster-General such compensation (if any) as he may be entitled to under the provisions of the Lands Clauses Acts for any private rights or private property of which he may be deprived in pursuance of this section the amount of such compensation to be determined in

8 & 9 Vict.
c. 18.
23 & 24 Vict.
c. 106 and
32 & 33 Vict.
c. 18.

A.D. 1897. — manner provided by the Lands Clauses Acts or the Postmaster-General may at his discretion grant rights and easements in lieu of any rights or easements extinguished under this Act and in substitution for money payments or other considerations and if any person is dissatisfied with the exercise of such power he may proceed in the manner prescribed by the Lands Clauses Acts in relation to the injurious affecting of lands.

For protection of Commissioners of Sewers.

7. When any of the works to be executed by virtue of this Act shall pass over under or by the side of so as to damage or interfere with any sewer drain watercourse defence or works under the jurisdiction of the Commissioners of Sewers of the City of London or with any sewers or works to be made or executed by the said Commissioners such works so to be executed by the Postmaster-General in pursuance of this Act shall be so carried out under the following conditions:—

- (1.) Before commencing such works the Postmaster-General shall give the engineer or surveyor of the said Commissioners twenty-eight days notice in writing of his intention to commence such works and with such notice shall be left a plan and section showing the course and inclination of such proposed works.
- (2.) In case the Commissioners of Sewers shall require any alteration to be made therein they shall give before the expiration of the said twenty-eight days written notice of such requirement to the Postmaster-General and the Postmaster-General shall subject to the provisions herein-after stated with respect to arbitration comply therewith.
- (3.) The alterations so required by the said Commissioners shall be executed by or under the superintendence and control of the engineer or surveyor or other officer of the said Commissioners.
- (4.) All reasonable costs charges and expenses which the Commissioners may be put to or incur in the execution of such alterations shall be paid to the said Commissioners by the Postmaster-General.
- (5.) In case of disputes between the Postmaster-General and the said Commissioners of Sewers either as to the alterations required by such Commissioners or as to the costs charges and expenses of such alterations or any other matter or thing relating thereto the same shall be settled by an arbitrator to be agreed upon by the Postmaster-General and the said Commissioners of Sewers or failing such agreement by an arbitrator to be appointed by the Board of Trade.

(6.) Any works whether altered or substituted or any defence connected with such works whether altered or substituted shall be as fully and completely under the jurisdiction and control of the said Commissioners as any sewers or works now are. A.D. 1897.
-- --

8. The Postmaster-General shall not break up or disturb any street or place other than a street or place which he is authorised by this Act to stop up or the pavement thereof under the control or direction of the Commissioners of Sewers of the City of London unless at least twenty-eight days previous notice in writing of his intention so to do specifying the street place or pavement intended to be broken up or disturbed be given to the engineer or surveyor of such Commissioners or left for him at his office or at the office of such Commissioners and the Postmaster-General shall attend to the directions of such engineer or surveyor with a view to secure a free passage of traffic in such streets and places and to prevent needless injury to the street and shall not open more of such streets or places at one time than such engineer or surveyor shall in writing authorise and when the Postmaster-General shall break up or disturb any such street place or pavement he shall so soon as the works affecting it are completed and at the furthest within three months or such extended period as may be agreed upon between the Postmaster-General and such Commissioners from the day on which those works were begun restore the street place or pavement to as good a condition as it was in when it was broken up or disturbed under the superintendence and to the reasonable satisfaction of the engineer or surveyor of the Commissioners and the Postmaster-General shall save harmless and keep indemnified the said Commissioners and their successors against any expenses consequent on any such works Provided always that in the event of difference arising between the Postmaster-General and the Commissioners as to any matter or thing in this clause contained the same shall be determined by an arbitrator to be mutually agreed upon or failing such agreement by an arbitrator to be named by the Board of Trade. For the protection of the streets of the city of London.

9. The limit of time for the compulsory purchase of lands under this Act shall be three years. Time for compulsory purchase.

10. If the Postmaster-General should at any time hereafter desire to abandon the land numbered 1 on the deposited plan relating to the Southampton new post office he shall in the first instance offer the same for sale to the London and South Western Railway Company. For the protection of the London and South Western Railway Company.

A.D. 1897. — Railway Company (herein-after called the South Western Company) and the following provisions shall thereupon apply :—

- (a.) If the South Western Company are desirous of purchasing such land then within six weeks after such offer of sale they shall signify in writing their desire in that behalf to the Postmaster-General.
- (b.) If they decline such offer or if for six weeks they neglect to signify their desire to purchase such land the right of purchase conferred by this Act shall cease and a declaration in writing made before a justice of the peace by a secretary to the Post Office stating that such offer was made and was refused or not accepted for six weeks from the time of making the same shall be in all courts sufficient evidence of the facts therein stated.
- (c.) If the South Western Company be desirous of purchasing the land and the Company and the Postmaster-General do not agree as to the price thereof then such price shall be ascertained by arbitration in accordance with the provisions of the Arbitration Act 1889 or any statutory re-enactment or modification thereof :
- (d.) Upon any such sale the South Western Company shall not require any proof of the title of the Postmaster-General to the said land.

For the protection of the Callander and Oban and the Caledonian Railway Companies.

11. Whereas litigation is pending with reference to the ownership of the land numbered 1. on the deposited plan relating to the Oban new post office :

Be it enacted that if it should be decided that the said piece of land is in the ownership of the Callander and Oban Railway Company or of the Caledonian Railway Company then the Postmaster-General shall not purchase or acquire the said land for the purposes of this Act save with the consent of the Callander and Oban Railway Company or of the Caledonian Railway Company as the case may be provided that nothing in this Act contained shall prejudice or affect the said litigation.

Sanction of Treasury required to purchase under this Act.

12.—(1.) No purchase shall be made by the Postmaster-General under the authority of this Act without the sanction of the Treasury.

(2.) Any such sanction may be given either generally or in respect of any particular purchase contract or agreement and a vendor to or purchaser from or person contracting with the Postmaster-General shall not be bound or entitled to inquire whether such sanction has been given.

[60 & 61 VICT.] *Post Office (Sites) Act, 1897.* [Ch. clxvi.] A.D. 1897.

13. All moneys payable by the Postmaster-General with respect to the purchase and acquisition of lands under this Act and all costs charges and expenses incurred by the Postmaster-General in or connected with the carrying into effect of the provisions of this Act shall be paid out of moneys provided by Parliament. Act to be carried out by means of moneys provided by Parliament.

14. This Act may be cited as the Post Office (Sites) Act 1897. Short title.

Printed by EYRE and SPOTTISWOODE,

FOR

T. DIGBY FIGOTT, Esq., C.B., the Queen's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from
EYRE AND SPOTTISWOODE, EAST HARDING STREET, FLEET STREET, E.C.; or
JOHN MENZIES & Co., 12, HANOVER STREET, EDINBURGH, and
90, WEST NILE STREET, GLASGOW; or
HODGES, FIGGIS, & Co., LIMITED, 104, GRAFTON STREET, DUBLIN