



ANNO VICESIMO SEXTO & VICESIMO SEPTIMO

VICTORIÆ REGINÆ.

Cap. clxv.

An Act to enable the *Metropolitan* Railway Company to acquire certain additional Lands for the Purposes of their Undertaking; and for other Purposes. [21st July 1863.]

WHEREAS the *Metropolitan* Railway Company, in this Act called "the Company," have completed that Portion of their Undertaking which extends from the *Great Western* Railway at *Paddington* to *Victoria Street*, and the same is opened for public Traffic: And whereas the incomplete Portions of the Undertaking comprise the Line of Railway to the intended Metropolitan Meat and Poultry Market and the *Finsbury Circus* Extension, and also that Portion of the Western Extension in the Parish of *Paddington* from or near the Junction of *South Wharf Road* with *Praed Street* to the Southern End of *Eastbourne Terrace* where it forms a Junction with *Conduit Street East*: And whereas it is expedient that the Company should be enabled to purchase additional Lands for the Purposes of their Undertaking, and also that in respect of the incomplete Portion of the Western Extension the Powers of compulsory Purchase should be enlarged: And whereas Plans have been deposited with the Clerk of the Peace for the County of *Middlesex* and with the Clerk of

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the Peace for the City of *London*, on which Plans are delineated, and in the Books of Reference thereto are described, the additional Lands which it is expedient the Company should be authorized to acquire, and also the Lands already authorized to be taken in respect of which compulsory Powers of Purchase are given or enlarged by this Act, and such Plans are in this Act referred to as the deposited Plans: And whereas it is expedient to provide for the Settlement of certain Claims for Compensation: And whereas the several Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Interpre-
tation of
Terms.

1. In this Act the Expression "the Railway" means the *Metropolitan Railway*, and the Railways, Branches, and Works connected therewith, as authorized to be made under the Provisions of the *Metropolitan Railway Acts* as altered by this Act; and the Expression "The *Metropolitan Railway Acts*" means the *Metropolitan Railway Act, 1854*, in this Act referred to as the Act of 1854, and the several other Acts relating to the *Metropolitan Railway*.

Short Title.

2. In citing this Act for any Purpose it shall be sufficient to use the Expression "The *Metropolitan Railway Act, 1863.*"

8 & 9 Vict.
cc. 18 & 20.
and
23 & 24 Vict.
c. 106. in-
corporated.

3. "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," and "The Railways Clauses Consolidation Act, 1845," are incorporated with and form Part of this Act.

Same Mean-
ings to
Words, &c.
in incorpo-
rated Acts
as in this
Act.

4. The several Words and Expressions to which by the Acts incorporated herewith Meanings are assigned have in this Act the same respective Meanings, unless there be in the Subject or Context something repugnant to or inconsistent with such Construction.

Power to
make Works
according
to depo-
sited Plans.

5. Subject to the Provisions in this Act contained, it shall be lawful for the Company to enter upon, take, and use such of the Lands within the Parishes next herein-after mentioned described upon the deposited Plans and in the Books of Reference thereto, and to appropriate and use the Subsoil of the Streets and Ways described therein within those Parishes, as may be necessary for the Purposes of the Railway and Works authorized by the *Metropolitan Railway Acts*.

Describing
the Lands.

6. Subject to the Provisions of this Act, the Lands delineated on the deposited Plans and described in the Books of Reference thereto which
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the Company may purchase and take under the Powers of this Act for any of the Purposes of the *Metropolitan Railway Acts* are the following; (that is to say,)

Lands, Houses, and Buildings in the Parish of *Saint Giles Without Cripplegate* in the City of *London* situate to the West of the Street called *Milton Street* on the Northern Side of the authorized centre Line of the Extension Railway, and between *Whitecross Street*, *Milton Street*, and *Moor Lane* on the Southern Side of the authorized centre Line of the Extension Railway, and between *Vine Court* and *Maidenhead Court* adjacent to *Moor Lane* aforesaid:

Lands, Houses, and Buildings in the Parish of *Saint Sepulchre* and Liberty of *Glasshouse Yard* in the County of *Middlesex* situate in and near the Streets called *Cow Cross Street* and *Sharp's Alley*, and in or near the Streets called *Charter House Lane* and *Charter House Square*, and lying adjacent or near to and Northward of the Limits of Deviation shown upon the Plans referred to in "The *Metropolitan Railway Act, 1861*," and "The *Metropolitan Railway (Finsbury Circus Extension) Act, 1861*:"

Lands, Houses, and Buildings in the Parish of *Paddington* in the County of *Middlesex* situate in or near and between the Streets called *Conduit Street*, *Spring Street*, *London Street*, and *Conduit Place*.

7. The Company may, for the Purpose of making the authorized Portion of the Western Extension Railway commencing from the same Western Extension Railway as now made under *Praed Street* in the Parish of *Paddington* in the County of *Middlesex* to the authorized Termination of such Western Extension at or near the Southern End of *Eastbourne Terrace*, where it forms a Junction with *Conduit Street East* in the Parish of *Paddington*, purchase and take the Lands and Houses delineated on the deposited Plans and in the Book of Reference thereto.

Powers for compulsory Purchases under recited Acts extended.

8. And whereas by "The Railways Clauses Consolidation Act, 1845," it is provided that a Certificate of any Omissions, Mis-statement, or erroneous Description in certain Plans and Books of Reference therein referred to should be deposited with the Parish Clerks of the several Parishes in *England* in which the Lands affected thereby should be situate; and it is also provided that certain Plans and Sections of such Alterations in the original Plans and Sections as shall have been approved of by Parliament should also be deposited with the Clerks of the several Parishes, and be retained and produced by them for Inspection in manner therein mentioned: And whereas in compliance with the present Standing Orders of both Houses of Parliament the several Plans, Sections, and other Documents heretofore required to be deposited with the Parish Clerks

Deposit of Plans with Parish Clerks.

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Clerks are in respect of Lands in any Parish comprised in "The Metropolis Management Act, 1855," to be deposited with the Vestry Clerk if the Parish be in Schedule (A.) to that Act, and with the Clerk of the Board of Works for the District if the Parish be in Schedule (B.) of such Act: Therefore, with reference to and for all the Purposes of this Act, in all the Provisions of "The Railways Clauses Consolidation Act, 1845," relating to the Matters aforesaid, the Expression "Parish Clerks of the several Parishes" or "Clerks of the several Parishes" shall be read and construed as if in that Act the Expression "Vestry Clerk of the Parish" (if the Parish be in the said Schedule (A.), and "Clerk of the Board of Works of the District" if the Parish be in Schedule (B.) of the said Metropolis Management Act), as the Case may be, had been used and inserted in lieu of the Expression "Parish Clerks" or "Clerks of the several Parishes," as the Case may be.

Powers for compulsory Purchases limited.

9. The Powers by this Act granted to the Company for the compulsory Purchase of Lands authorized to be taken by this Act shall not be exercised after the Expiration of Three Years from the passing of this Act.

Company not to take certain Lands in the Parish of Saint Giles Without Cripplegate.

10. The Company shall not, under the Powers of this Act, purchase or take the Lands in the Parish of *Saint Giles Without Cripplegate* between *Milton Street* and *Little Moorfields* North of the Northern Limits of Deviation authorized by "The Metropolitan Railway (*Finsbury Circus* Extension) Act, 1861," shown on the deposited Plans, although the same Lands are delineated on the deposited Plans and described in the Books of Reference thereto.

Company not to take Property (No. 22) in Saint Giles Without Cripplegate although on Plans deposited.

11. The Company shall not, under the Powers of this Act, purchase or take otherwise than by Agreement the Property in the Parish of *Saint Giles Without Cripplegate* numbered on the deposited Plans 22 in that Parish, although the same Property is delineated on the deposited Plans, and described in the Books of Reference thereto.

Extension of Time for completing Works.

12. The Time limited by the *Metropolitan* Railway Acts for the Completion of the said Portion of the Western Extension Railway shall be extended and enlarged for the Period of Three Years, to be computed from the passing of this Act.

For securing the Completion of the Western Extension.

13. If the Company fail within the Period by this Act limited to complete the Portion of the Western Extension for the Completion of which the Time is by this Act extended, the Company shall be liable to a Penalty of Fifty Pounds for every Day after the Period so limited until such

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such Portion of the Western Extension shall be completed and opened for public Traffic, such Sum to be recoverable as a Debt due to the Crown ; but no Penalty shall accrue in respect of any Time during which it shall appear by a Certificate to be obtained from the Board of Trade that the Company was prevented from completing or opening such Line by unforeseen Accident or Circumstances beyond their Control, but the Want of sufficient Funds shall not be held to be a Circumstance beyond their Control.

14. The following Sections of the *Metropolitan Railway Acts* shall extend and apply to this Act in as full and ample a Manner as if they were re-incorporated in this Act ; (that is to say,)

Of the Act of 1854, Sections One hundred and six, One hundred and seven, and One hundred and eight, relating to Gas and Water Pipes :

Of "The *Metropolitan Railway Deviation Act, 1855*," Section Sixteen, with respect to Questions of disputed Compensation in the City of *London* :

Of "The *Metropolitan Railway Act, 1861*," Section Twenty-five, as to certain Streets, *et cætera*, in *Holborn* District ; and Section Twenty-six, as to the Restoration of certain Streets in *Holborn* District ; and Section Twenty-eight, for Protection of Sewers in the City of *London* ; and Section Twenty-nine, Company to restore Streets ; and Section Twenty-four, as to certain local Rates :

Of "The *Metropolitan Railway (Finsbury Circus Extension) Act, 1861*," Section Nineteen, local Rates to be made good.

Certain Sections of the *Metropolitan Railway Acts* to apply to Works authorized by this Act.

15. 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 or District Board constituted under "The *Metropolis Management Act, 1855*," "The *Metropolis Management Amendment Act, 1862*," 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 Boards or Vestry or either 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 Company shall not commence such Work until they shall have given to the said Metropolitan Board or to the District Board or Vestry, as the Case may be, Fourteen 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

For Protection of Sewers of Metropolitan and other Boards.

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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 Fourteen Days after Service of the said Plan, Sections, and Particulars as aforesaid, and the Company shall comply with and conform to all Orders, Directions, and Regulations of the said Metropolitan Board and of the respective Boards or Vestries in the Execution of the said Works, and shall provide by new, altered, or substituted Works in such Manner as such Boards or Vestries respectively may deem necessary for the proper Protection of, and for preventing Injury or Impediment to, the Sewers and Works herein-before referred to, by or by reason of the said intended Works or any Part thereof, and shall save harmless the said Metropolitan Board, District Board, and Vestry 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 Metropolitan Board, District Board, or Vestry, as the Case may be, at the Costs, Charges, and Expenses in all respects of the Company; and all Costs, Charges, and Expenses which the said Metropolitan Board or any District Board or Vestry may be put to by reason of the Works of the Company, whether in the Execution of Works, the Preparation or Examination of Plans or Designs, Superintendence, or otherwise, shall be paid to such Boards or Vestry by the Company, 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 Company under the Provisions of this Act, the same shall thereafter be as fully and completely under the Direction, Jurisdiction, and Control of the said Metropolitan Board, District Boards, and Vestry respectively, as the Case may be, as any Sewers or Works now are 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 Metropolitan Board, District Boards, and 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.

As to widening of Praed Street.

16. Inasmuch as it may be necessary for the Construction of the Portion of the Railway between the Junction of *South Wharf Road* and *Praed Street* in the Parish of *Paddington* to the Termination of the Western Extension that the Company should purchase the Property on one or both Sides of *Praed Street*, and the Vestry of the Parish of *Paddington* may be desirous of improving *Praed Street*: Therefore the Vestry (subject to the Provisions of the Metropolis Management Acts) and the Company may enter into and carry into effect any Agreement for
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the Improvement of *Praed Street*, and the setting back of the Houses or Buildings purchased by the Company for the Purpose of the Railway, and with reference to the Payments to be made by either Party to the other in respect of any such Houses or Property, or the Arrangements for setting back the Buildings and widening the Street.

17. All Works to be executed under the Powers of this Act within the Parish of *Paddington* shall, as between the Company and the Vestry of that Parish, be executed subject to the several Provisions, Restrictions, and Obligations contained in the *Metropolitan Railway Acts*, and such several Provisions, Restrictions, and Obligations, including the Obligation of giving a Bond to the Vestry, shall apply to the Construction of the authorized Portion of the Western Extension from the Junction of *South Wharf Road* and *Praed Street* to the authorized Termination of the said Extension near *Eastbourne Terrace*.

Provisions of Metropolitan Railway Acts applicable to Vestry of Paddington to extend to Works under this Act.

18. All Claims for Compensation made upon the Company under the Provisions of the *Metropolitan Railway Acts*, or any of them, or any Act incorporated therewith, shall, if the Person claiming to be entitled to Compensation has no greater Interest than as Tenant for a Year, or from Year to Year, in the Lands in respect of which the Compensation is claimed, be determined in manner provided by the One hundred and twenty-first Section of "The Lands Clauses Consolidation Act, 1845."

Mode of Settlement prescribed in Sect. 21 of 8 & 9 Vict. c. 18. to apply to certain Claims.

19. It shall not be lawful for the Company, out of any Money by this Act or any other Act relating to the Company authorized to be raised for the Purposes of such Act or Acts, to pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament now in force or hereafter to be in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the Company to construct any other Railway, or to execute any other Work or Undertaking.

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

20. Nothing herein contained shall be deemed or construed to exempt the Railway and Works by the said recited Acts or any of them or this Act authorized to be made, or the said Company, from the Provisions of any General Act relating to Railways, or to 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 and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by the said recited Acts, or of the Rates for small Parcels.

Railway, &c. not exempt from Provisions of present and future General Acts.

21. All

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Expenses
of Act.

21. All the Costs, Charges, and Expenses of applying for and obtaining this Act or incident thereto shall be paid by the Company.

LONDON :

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