



ANNO VICESIMO SEPTIMO & VICESIMO OCTAVO

# VICTORIÆ REGINÆ.

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## *Cap. cxxx.*

An Act for enabling the Pneumatic Despatch Company (Limited) to purchase Lands and extend their Works. [30th June 1864.]

**W**HEREAS by an Act passed in the Year One thousand eight hundred and fifty-nine “to confer certain Powers upon the Pneumatic Despatch Company (Limited)” the Company were authorized to lay down and maintain their Tubes, Pipes, and other Apparatus under any Street in the Metropolis, and for that Purpose to open and break up any such Street subject to the Restrictions in the said Act contained; and certain Powers are conferred by the 19th, 20th, and 21st Sections of the same Act on Her Majesty’s Postmaster General with relation to the Undertaking of the Company: And whereas by the 22d Section of the said Act the Powers of the Company to open and break up any Street for the Purpose of extending their Tubes, Pipes, and other Apparatus are limited to the Period of Five Years from the passing of the Act, excepting for any Works required to be executed by the Company for the Service of the Post Office; and it is expedient that the said Period of Five Years should be continued, and that the Company should be authorized to purchase certain Lands and Property for the Purposes of Stations, and should be enabled to extend their Tubes through  
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22 & 23 Vict.  
c. cxxxvii.

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certain other Lands and Property herein-after described, and that the other Powers herein-after contained should be granted to the Company with a view to facilitate their Undertaking: And whereas Plans showing the Property intended to be taken under the Powers of this Act, and the Lands and other Property or in or through which certain of the Tubes are intended to be compulsorily laid, together with a Book of Reference to such Plans containing the Names of the Owners and Lessees or reputed Owners and Lessees, and of the Occupiers of such Properties, have been deposited with the Clerks of the Peace for *Middlesex* and for the City of *London* respectively: And whereas the Objects of this Act cannot be attained 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:

Interpre-  
tation of  
Terms.

1. The Word "Apparatus," when used in this Act, shall be deemed to include Tubes and Pipes; and the Words "the Company," "Street," "Metropolis," and "Justice" shall have the same Meanings as they have in the recited Act, except that the Words "Street" and "Metropolis" shall not for the Purposes of this or the recited Act include any Portion of the Places called respectively "*Inner Temple*" and "*Middle Temple*" in Schedule C. to the "*Metropolis Local Management Act, 1855.*"

Period for  
opening  
Streets ex-  
tended.

2. The Powers granted to the Company by the Second Section of the recited Act may be exercised for Five Years after the passing of this Act for the Purpose of extending their Tubes, Pipes, and other Apparatus, as well as for the Purpose of repairing, renewing, or maintaining the same; and all the Conditions and Restrictions contained in the said Act as to the opening of Streets or otherwise, and all the Provisions therein contained for the Protection of any Bodies, Persons, or Property, shall be as binding upon the Company for the said additional Period of Five Years as for the Period of Five Years granted by the said Act.

Power to  
Company to  
take certain  
Lands.

3. It shall be lawful for the Company, for the Purposes of their Undertaking, to purchase and hold Land not exceeding in the whole Seven Acres, and it shall be lawful for them especially to enter upon, purchase, and hold as Part of the Seven Acres the Lands, Houses, and other Property shown upon the said deposited Plans and described in the said Book of Reference as intended to be taken, namely:

Land and Houses in the Parish of *Saint Pancras, Middlesex*, in the *Hampstead Road*:

Land,

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Land, Houses, and other Property in *Upper Seymour Street* in the same Parish :

Land, Houses, and other Property in the Parish of *Saint Giles in the Fields* in *Middlesex*, bounded on the North by *High Holborn* and on the South by *Lincoln's Inn Fields*, subject to the Restriction herein-after contained as to the House and Premises numbered Six in *Lincoln's Inn Fields* :

Lands, Houses, and other Property in the Parish of *Christ Church* in the City of *London*, at the Corner of *Newgate Street* and *Saint Martin's le Grand*.

4. Provided always, That the Company shall not purchase by Compulsion any Lands, Houses, or other Property, or lay compulsorily, in pursuance of the last preceding Enactment, their Apparatus in, through, or under any Lands not shown on the said deposited Plans and described in the said Book of Reference; and the Provisions of "The Lands Clauses Consolidation Act, 1845," and of "The Lands Clauses Acts Amendment Act, 1860," shall apply to any Lands, Houses, and other Property which the Company, under the Powers of this Act, shall be empowered to enter, take, or use, or which may hereafter be injuriously affected in a permanent Manner by the Works of the Company, or by the Execution of the Works being delayed beyond the Period of Twenty-one Days prescribed by this Act: Provided also, that notwithstanding anything in the said Plan or Book of Reference thereto contained, it shall not be lawful for the Company to enter upon, take, or use any of the following Lands, Houses, or Property shown on the said Plans, unless with the previous Consent in Writing of the Owners, Lessees, and Occupiers of the said Properties respectively, namely :

Powers for compulsory Purchases limited.

*Eversholt Mews* in the said Parish of *Saint Pancras* :

Lands, Houses, and Property in the Parish of *Saint Paul, Covent Garden*, in *Middlesex*, at the Corner of *Upper Wellington Street* and *Great Russell Street* :

Certain vacant Land at the East of *Giltspur Street* in the Parish of *Saint Sepulchre*, and certain Lands belonging to the City of *London* and to *Christ's Hospital* in the same Parish, and in the Parish of *Saint Martin le Grand*, both in the City of *London* :

Lands, Houses, and other Property at the Corner of *King Street, Holborn*, and in the Parish of *Saint George, Bloomsbury*, in *Middlesex* :

A House and Premises, being No. 6 in *Lincoln's Inn Fields*, and numbered on the deposited Plans 21, in the Parish of *Saint Giles in the Fields* : Provided also, that it shall not be lawful for the Company, without the Consent in Writing of Her Majesty's Postmaster General, or the Secretary of the General Post Office, in any manner to obstruct or interfere with any  
Right

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Right of Way or other Easement now enjoyed by Her Majesty's Postmaster General in or over *Eversholt Mews* aforesaid, or any Part thereof, or in or over the Passage leading between *Eversholt Mews* aforesaid and *Eversholt Street* in the said Parish of *Saint Pancras*, or any Part of such Passage :

Apparatus not to be laid down in the Temples.

And that nothing in this Act or in the recited Act shall authorize the Company to lay down the Apparatus of the said Company within or through any Part of the *Inner* and *Middle Temple*.

Power to Company to purchase Easements.

5. Subject to the Provisions and Restrictions herein contained it shall be lawful for the Company, if so required by the Owner or if they so prefer, to purchase by Agreement the Right to lay down and maintain their Apparatus under any Property within the Metropolis, the Company only acquiring an Easement in the said Property instead of purchasing the said Property absolutely ; and all Parties seised, possessed of, or entitled to any such Lands who would be enabled under the Provisions of the above-recited Lands Clauses Consolidation Acts, or either of them, to sell, convey, or release, may, if they so think fit, grant such Easements: Provided always, that it shall not be lawful for the Company to enter upon or use any Cellars or Vaults belonging to or occupied by Her Majesty's Postmaster General without the Consent in Writing of the said Postmaster General or the said Secretary first had and obtained.

Certain Disputes to be settled by Arbitration.

6. If any Difference shall arise between the Company and the Commissioners of Sewers for the City of *London*, or between the Company and the Metropolitan Board of Works, or any District Board or Vestry as to the Extent to which it is necessary to take up the Pavement or Soil of any Street for laying the Apparatus of the Company, or as to the Manner in which the Apparatus shall be laid or any Sewer may be interfered with (or as to any Matter specifically provided for in this Act), such Difference shall be referred to the Decision of an Engineer to be appointed by the Board of Trade, and such Board by Writing under the Hand of One of their Secretaries may, on the Application of either Party, appoint an Engineer for that Purpose.

Company not to break up Streets without Notice to Gas and Water Companies.

7. Before the Ground within Fifty Feet of any Portion of any Street or Place wherein may be laid any Watercourse, Main, or Pipe, other than Service Pipes, belonging to any Body Corporate, Company, or Society authorized to supply Water or Gas, shall be broken up by the Company for any of the Purposes of this Act, the Company shall give to such Body Corporate, Company, or Society, or to their Secretary, Notice in Writing of the Intention of the Company to break up such Portion Fourteen Days at least before the Commencement of such Operation ; and if the Company shall offend against this Provi-

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sion they shall for every such Offence forfeit and pay a Sum not exceeding Fifty Pounds for every Day or Part of a Day during which such Operation shall be performing.

8. It shall not be lawful for the Company, unless with the Consent in Writing of Her Majesty's Postmaster General or the Secretary of the General Post Office first had and obtained, at any Time or for any Purpose to open or break up any Street or public or private Road, or to deposit any Materials, Rubbish, or Spoil in any such Street or public or private Road in such Manner as to obstruct the free Access by the Postmaster General, his Agents, or Servants, with or without Carts, Waggon, or Carriages, to and from the General Post Office in *Saint Martin's le Grand*.

Access to  
Post Office  
not to be  
interrupted.

9. Provided, That nothing in this Act shall extend or be construed to extend to authorize the laying down the Apparatus of the said Company, or any Pneumatic Railway or Tube, through or under or to take down or remove any Bar, Gate, Rail, or other Fence fixed for preventing the Passage of the Public through any Thoroughfare into or from any Square, Street, or Way without the Consent of the Proprietor of the Estate or Property upon which such Bar, Gate, Rail, or other Fence shall be situate.

Protecting  
Bars in  
Streets.

10. Before any Street shall be opened or broken up by the Company they shall deposit with the Board of Trade and with the Chief Surveyor or Clerk of the District Board of Works, or Vestry, or Parish, or other Persons under whose Control or Management such Street may be, and with the Metropolitan Board of Works, a Notice in Writing of their Intention to open and break up the same, with a Plan showing the general Course, Direction, and Depth of the Tube or Apparatus proposed to be laid down Fourteen Days at least before the Commencement of such Operation, and the Works shall be executed as nearly as possible according to such deposited Plan, or with such Variations therefrom as may be settled by Agreement between the Company and the said Persons under whose Control or Management the Street may be, or as may be determined in case of Difference by an Engineer to be appointed by the Board of Trade.

No Streets,  
&c. to be  
opened be-  
fore deposit-  
ing Plans, &c.

11. The Company shall at their own Expense deposit the Subsoil excavated, and the Materials of every Street broken up or opened, at such Place or Places and in such Manner as will occasion as little Inconvenience as may be to the Inhabitants of the District Board of Works, Vestry, or Parish within which such Street shall be situate, and if deposited within the District of the said Board, Vestry, or Parish at such Place or Places only as such Board, Vestry, Parish, or their Chief Surveyor shall reasonably require.

As to Deposit  
of Subsoil.

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As to Payment of Expenses of Boards.

**12.** Within Seven Days after any Plans for breaking up or opening any Street shall have been agreed upon as aforesaid or determined by the Engineer appointed by the Board of Trade; the Chief Surveyor of the District Board, Parish, or Vestry within which such Street shall be situate shall make out an Estimate of the Expense to be incurred by reason of the said Works, or the Removal of any such Tube, or in altering or making good any Sewer belonging to such District Board, Parish, or Vestry, or in making good the Surface or Pavement of the Foot or Carriageways; and the Amount of such Estimate shall be settled between the Company and such Surveyor, or in case of Difference shall be determined by the Engineer to be appointed by the Board of Trade, and on the Settlement of such Estimate the Company shall deposit with the said Chief Surveyor the Amount of such Estimate, and in case such estimated Expenses exceed the actual Expenses incurred the Excess shall on Demand be paid by the Company to the said Surveyor, and if on the other hand the Expenses shall be less than was estimated the Difference shall be repaid to the Company.

As to Removal of Apparatus.

**13.** Before any Tube of the Company shall be taken up or removed, Fourteen Days Notice of the Intention of the Company shall be given to the District Board, or Vestry, Parish, or other Persons under whose Control or Management the Street may be, and such Removal shall not take place without the Consent of the Chief Surveyor of such Board, Vestry, or Parish, or the Persons under whose Control the Street may be, or (in case of Difference) of the Board of Trade.

Limiting Extent of Street to be opened.

**14.** Not more than Two hundred Yards in Length of any Street within the District of any one District Board of Works, Parish, or Vestry shall be at any one Time broken up or disturbed by the Company unless with the Leave of the Surveyor of such District Board or Vestry.

Provision as to Completion of Works in Saint Pancras within certain Time.

**15.** When and so often as the Company shall, under the Powers herein contained, break up any Part of the Soil or Surface of any Street, the Company shall, within Twenty-one Days after any Part of any such Street shall have been broken up as aforesaid, complete and finish the Works of the Company in such Part; and as soon as such Works shall have been constructed and laid down it shall be lawful for the District Board of Works, Vestry, or Parish in whose District such Street shall be situate to make good and repave the Surface of such Street, and it shall be lawful for the said Vestry or their Chief Surveyor at all Times during the Construction or Repair of the said Works, or any Part or Parts thereof, over, through, upon, along, or under any such Street or Road, to have Access to such Works, and, on default of the Company, to cause any Part of such Streets

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Streets or Roads to be enclosed, watched, and lighted as and when and in such Manner as to them or him may seem necessary, and every Expense occasioned thereby or incidental thereto, including the reasonable Costs of any such Superintendence, shall be paid by the Company on Demand to the said Vestry.

16. No Part of the *Euston Road* between *Trinity Church* and *King's Cross* shall, except as after mentioned, be broken up or interfered with by the Company, and the Traffic along the said Road shall not be stopped, but the Company may carry their Pipes across the said *Euston Road* at not more than Four Places, to be fixed upon to the reasonable Satisfaction of the said Chief Surveyor.

Restriction as to Interference with Euston Road.

17. If the Company shall fail to carry out any of the Provisions herein contained for the Protection of the Vestry of *Saint Pancras*, or with reference to such Parish, they shall forfeit and pay to the said Vestry a Sum not exceeding Twenty Pounds for every such Default, and an additional Sum not exceeding Five Pounds for each Day during which any such Default shall continue after they shall have received Notice thereof in Writing from the said Chief Surveyor, and such Penalties may be recovered before a Justice.

Penalty on Company for Neglect, &c. in carrying out Provisions herein named relating to Saint Pancras.

18. While the Company are possessed under the Authority of this Act of any Lands, Houses, Buildings, or other Property assessed or liable to be assessed to any Parochial or other General or Special Rate, and until any Works to be constructed under the Authority of this Act in the Parish of *Saint Pancras* are so far completed as to be assessed or liable to be assessed to an Amount equal to or greater than the aggregate Amount of the gross rateable Value of the same Lands, Houses, Buildings, and Property in a Rate made on the Tenth Day of *October* One thousand eight hundred and sixty-three, the Company shall be liable to make good the Deficiency in the Assessment for such Rates by reason of such Lands, Houses, Buildings, or Property being taken or used by them for the Purposes of this Act, and the Deficiency shall be computed according to the Rental at which such Lands, Houses, Buildings, and Property respectively are rated in the said Rate.

Local Rates to be made good in the Parish of Saint Pancras.

19. This Act may be cited as "The Pneumatic Despatch Company's (Limited) Act, 1864;" and the Expense of obtaining this Act and incidental thereto shall be paid by the Company.

Short Title. Expenses of Act.

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,  
Printers to the Queen's most Excellent Majesty. 1864.

