



CHAPTER ccxv.

An Act to empower the Secretary of State in Council to purchase Lands in connection with the Store Department of the India Office. A.D. 1898.
[12th August 1898.]

WHEREAS certain lands houses wharves and buildings situate in the parish of St. Mary Lambeth in the county of London are required by the Secretary of State in Council of India for the purpose of a store depôt in connection with or otherwise for the purposes of the Store Department of the India Office and it is expedient to empower the Secretary of State in Council of India to acquire those lands houses wharves and buildings :

And whereas those lands houses wharves and buildings cannot be acquired without the authority of Parliament :

And whereas plans of the lands by this Act authorised to be acquired and also books of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of those lands have been deposited with the clerk of the peace for the county of London (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 Secretary of State in Council of India herein-after referred to as the Secretary of State may purchase and acquire for the purposes of this Act all or any of the lands delineated on the deposited plans and described in the deposited books of reference.

Power to Secretary of State in Council of India to purchase lands.

2. All lands purchased or acquired by the Secretary of State in pursuance of this Act shall vest in Her Majesty for the service of the Government of India.

Lands purchased to vest in Her Majesty &c.

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A.D. 1898.
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Incorporation of Lands Clauses Acts.

3.—(1.) For the purpose of the purchase and acquisition of land under this Act the Lands Clauses Acts shall subject to the provisions of this Act be incorporated with this Act with the following exceptions and modifications :—

(a.) The provisions relating to the sale of superfluous land and access to the special Act shall not be incorporated with this Act.

(b.) In the construction of this Act and of the incorporated Acts this Act shall be deemed to be the “special Act” and the Secretary of State shall be deemed to be the “promoter of the undertaking.”

8 & 9 Vict.
c. 18.

(c.) The bond required by section eighty-five of the Lands Clauses Consolidation Act 1845 shall be under the hands and seals of two members of the Council of India and shall be sufficient without the addition of the sureties mentioned in that section.

8 & 9 Vict.
c. 18.

(d.) All claims for compensation made upon the Secretary of State under this Act or any Act incorporated herewith shall if the person claiming has no greater interest in the land in respect of which compensation is claimed than as tenant from year to year or as a leaseholder for any term of which not more than eighteen months remain unexpired at the time at which the claim is made be determined in manner provided by section one hundred and twenty-one of the Lands Clauses Consolidation Act 1845.

(e.) All compensation for land acquired from the Principal Fellows and Scholars of Jesus College Oxford shall be paid and dealt with in all respects as if such land were sold under the Universities and College Estates Acts 1858 to 1898.

(2.) The powers of the Secretary of State for the compulsory purchase of land under this Act shall cease after the expiration of three years from the passing of this Act.

Land tax.

4.—(1.) Any land tax assessed on the first day of January one thousand eight hundred and ninety-eight on any part of the land acquired by the Secretary of State under this Act shall upon payment to the Commissioners of Inland Revenue of the price prescribed by the Finance Act 1896 and the Land Tax Acts therein defined and as from the date of acquisition be deemed to have been redeemed in accordance with the conditions prescribed by the said Acts and after the date of acquisition no sum shall be assessed

or charged in respect of land tax on any part of the land so acquired. A.D. 1898.

(2.) The Commissioners of Inland Revenue shall grant a certificate of exoneration from assessment to land tax of the lands so acquired and that certificate shall be registered by the officer appointed for the registry of contracts for the redemption of land tax.

5.—(1.) All rights of way rights of laying down or of continuing any pipes sewers or drains on through or under any of the land purchased or acquired by the Secretary of State under the provisions of this Act and all other rights and easements in or relating to that land shall be extinguished and all the soil of those ways and the property in the pipes sewers and drains shall vest in Her Majesty for the service of the Government of India. Extinction of rights of way and other easements.

(2.) Provided that any persons may recover from the Secretary of State such compensation (if any) as they may be entitled to under any of the provisions of the Lands Clauses Acts for any rights or property of which they may be deprived in pursuance of this section and the amount of that compensation shall be determined in manner provided by the Lands Clauses Acts as modified for the purpose of their incorporation with this Act.

6. Nothing in this Act shall affect any rights or jurisdiction of the London County Council in relation to any sewers drains or watercourses. Saving for County Council.

7. The Secretary of State and his surveyors officers and workmen may at all reasonable times in the daytime on giving twenty-four hours notice in writing enter on any of the land which the Secretary of State is authorised to acquire under this Act for the purpose of surveying or valuing the land. Power to enter on lands.

8. The Secretary of State may pull down and remove any buildings on any land purchased or acquired by him under the provisions of this Act and may erect and execute thereon all such buildings and works and do all such other things as may in his opinion be necessary or expedient in order to carry the purposes of this Act into execution. Power of Secretary of State to execute works.

9.—(1.) Where in the removal or pulling down of any buildings or in raising or lowering the ground of any street or way for the purposes of this Act it is necessary to raise sink or otherwise alter the position relatively to the surface of the ground of any pipe wire or other apparatus laid down or used by any gas water or Protection of works of gas water and electricity companies.

A.D. 1898. electricity company or connected with any house or building for the supply of gas water or electricity--

- (a.) one month's notice shall be given to the company previously to the commencement of any such work ; and
- (b.) the work shall be executed to the reasonable satisfaction of the engineer of the company or in case of difference of an engineer to be selected by the Board of Trade ; and
- (c.) every such work shall be so executed as to cause as little inconvenience as circumstances will admit to the company ; and
- (d.) the Secretary of State shall make compensation to the company for all loss or damage (if any) which may be occasioned by the execution of any of the works authorised by this Act.

(2.) For the purposes of this section the expression "gas water or electricity company" includes any person or body of persons supplying gas water or electricity.

Authentica-
tion of
notices.

10. Every notice summons writ or other document required to be given issued or signed by or on behalf of the Secretary of State may be given issued or signed by one of the Under Secretaries of State or the solicitor for the time being of the Secretary of State and need not be under seal.

Penalty for
obstructing
Secretary of
State.

11. If any person wilfully obstructs any person acting under the authority of the Secretary of State in the lawful exercise of the powers vested in the Secretary of State under this Act he shall for each offence be liable on summary conviction to a fine not exceeding five pounds.

For the pro-
tection of
the Con-
servators of
the River
Thames.

12. For the protection of the Conservators of the River Thames (in this section called the Conservators) the following provisions shall have effect (that is to say)—

The term "Secretary of State" when used in the following provisions shall include any agents and workmen engaged in carrying into effect the objects and purposes of this Act.

Works on
River
Thames to
be executed
under the
direction of
the Con-
servators.

(1.) The Store Depôt and any works and buildings proposed to be erected upon the lands to be acquired under the powers of this Act and all or any temporary or permanent works connected therewith so far as the same affect the River Thames shall if constructed be executed according to plans elevations and sections to be approved in writing by the Conservators and deposited at their office and the works in the River Thames shall be executed and performed to the reasonable satisfaction

- of the engineer for the time being of the Conservators and the traffic of the said river shall not be interfered with more than may be absolutely necessary in carrying out the objects and purposes of this Act. A.D. 1898.
- (2.) The Secretary of State shall not make or commence any work on the shore or bed of the River Thames until the plans elevations and sections have been approved by the Conservators. Works not to be commenced until plan approved.
- (3.) The Secretary of State shall within fourteen days after notice from the Conservators so to do remove any temporary works and materials for temporary works which may have been placed in the river by or at the instance of the Secretary of State and on his failing so to do the Conservators may remove the same charging the Secretary of State with the expense of so doing and the Secretary of State shall forthwith repay to the Conservators all expenses so incurred. Removal of temporary works.
- (4.) The Secretary of State shall during the construction of any works on the bed soil or shore of the River Thames hang out and exhibit at or near to the said work every night from sunset to sunrise lights to be kept burning by and at the expense of the Secretary of State and proper and sufficient for the navigation and safe guidance of vessels and the lights shall from time to time be altered by the Secretary of State in such manner and be of such kind and number and be so placed and used as the Conservators by writing under the hand of their secretary or other authorised officer shall approve or direct and in case the Secretary of State fail so to exhibit and keep burning the lights he shall for every such offence forfeit to the Conservators ten pounds. Lights to be exhibited during construction of works.
- (5.) Nothing in this Act contained shall authorise or empower the Secretary of State to embank encroach upon or interfere with any part of the soil or bed of the River Thames or the shore thereof except according to the plan elevations and sections approved by the Conservators. Secretary of State not to interfere with bed of river &c.
- (6.) The Secretary of State shall not take any gravel soil or other material from the bed or shore of the river without the previous consent of the Conservators signified in writing under the hand of their secretary. Secretary of State not to take gravel &c. from river without consent of Conservators.
- (7.) Notwithstanding anything contained in the incorporated Acts or otherwise the compensations payable to the Conservators in respect of the lands taken and works by this Act authorised shall be assessed in accordance with the provisions of section How compensation to be assessed.

[Ch. ccxv.] *India Office (Store Depôt) Act, 1898.* [61 & 62 Vict.]

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one hundred and sixteen of the Thames Conservancy Act 1894 or any statutory provision in lieu thereof for the time being in force.

Purchase money &c. charge on revenues of India.

13. All purchase money and compensation payable by virtue of and all costs expenses and liabilities incurred in carrying into effect this Act shall be a charge upon and shall be paid and discharged out of the revenues of India.

Short title.

14. This Act may be cited as the India Office (Store Depôt) Act 1898.

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