



ANNO DECIMO QUINTO

# VICTORIÆ REGINÆ.

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## *Cap. lxxxiv.*

An Act to enable the *Eastern Counties and London and Blackwall Railway Companies* to construct a Railway with Branches to *Tilbury* and *Southend* in the County of *Essex*, to provide a Steam Communication to *Gravesend*, and for other Purposes. [17th June 1852.]

**W**HEREAS the making of a Railway with Branches, commencing from and out of the *Eastern Counties Railway* in the Parishes of *West Ham* and *East Ham*, or One of them, in the County of *Essex*, to *Tilbury* in the said County, and from thence to the Town of *Southend* in the said County, would be of great public Utility, by opening an additional, speedy, and cheap Communication between *London*, *Tilbury*, and *Southend*, and the intermediate Districts and Places, and between *London* and *Gravesend* and other Places in the Counties of *Essex* and *Kent*, and the Construction of proper Piers and Works, and a Steam Communication connecting the said Railway with the Town of *Gravesend*, would also be of great public Advantage: And whereas if such Railway were constructed and worked in connexion with the *Eastern Counties Railway* and *London and Blackwall Railway* the same would be of great public

[Local.]

14 A

Advantage:

*London, Tilbury, and Southend Extension Railway Act, 1852.*6 & 7 W. 4.  
c. 106.6 & 7 W. 4.  
c. 123.8 & 9 Vict.  
c. 203.

Advantage: And whereas the *Eastern Counties* Railway Company and the *London and Blackwall* Railway Company are desirous of constructing the said Railway and other Works, and a Subscription has been entered into to enable the said Companies so to do: And whereas the *Eastern Counties* Railway Company were incorporated by an Act passed in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for making a Railway from London to Norwich and Yarmouth, by Romford, Chelmsford, Colchester, and Ipswich, to be called The Eastern Counties Railway*; and divers other Acts have been passed relating to the said Company: And whereas the *London and Blackwall* Railway Company were incorporated by an Act passed in the Sixth and Seventh Years of the Reign of His late Majesty, intituled *An Act for making a Railway from the Minories to Blackwall, with Branches, to be called The Commercial Railway*, and under the Powers of "The *London and Blackwall Extension Railway Act, 1845*," a Line of Railway forming a Junction with the *Eastern Counties* Railway at *Bow* has been constructed by the *London and Blackwall* Railway Company: And whereas it is expedient that the said Companies should be enabled to construct the said Railway and other Works, and to establish the said Steam Communication between *Tilbury* and *Gravesend*, and that Provision should be made for the efficient working of the Traffic from and to the said intended Railway in connexion with the existing Lines of Railway: 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,)

Interpreta-  
tion of  
Terms.

I. The following Words and Expressions in this Act, and "The Companies Clauses Consolidation Act, 1845," have for the Purposes of this Act the following Meanings, unless there be something in the Subject or Context repugnant to such Construction; (to wit,)

"General Meetings of the Company" means General Meetings of the *Eastern Counties* Railway Company and the *London and Blackwall* Railway Company respectively at which the Shareholders may under this Act attend:

"The Companies" means the *Eastern Counties* Railway Company and the *London and Blackwall* Railway Company:

"The *Eastern Counties* Railway" means the Railways and Works of the *Eastern Counties* Railway exclusive of the Extension Railway by this Act authorized to be made:

"The

*London, Tilbury, and Southend Extension Railway Act, 1852.*

“The *London and Blackwall Railway*” means the Railways and Works of the *London and Blackwall Railway Company* exclusive of the said Extension Railway :

“Extension Railway” includes the Railway and Branch Railways, Piers, and Works by this Act authorized to be made, and the Steam Communication connected therewith.

II. That in citing this Act in other Acts of Parliament, and in legal Instruments, and in all other Proceedings whatsoever, it shall be sufficient to describe it as “The *London, Tilbury, and Southend Extension Railway Act, 1852.*” Short Title.

III. That, except as by this Act expressly enacted, nothing in this Act contained shall be deemed to alter or vary the several Acts relating to the Companies or either of them. Acts relating to the Companies not to be altered, &c.

IV. That “The Companies Clauses Consolidation Act, 1845,” except the Provisions thereof with respect to the Appointment and the Rotation of Directors, and with respect to the General Meetings of the Company, and the Exercise of the Right of voting by the Shareholders, “The Lands Clauses Consolidation Act, 1845,” and “The Railways Clauses Consolidation Act, 1845,” shall be incorporated with and form Part of this Act. 8 & 9 Vict. cc. 16. 18. and 20. incorporated with this Act.

V. That it shall be lawful for the Companies to make and maintain the Railway, Branch Railways, Piers, and Works following, or some of them, or some Part or Parts thereof respectively ; (that is to say,) Power to make Railway, Branch Railways, &c.

A Railway, with all proper Works and Conveniences connected therewith, commencing by a Junction with the *Eastern Counties Railway* in the Parishes of *West Ham* and *East Ham*, or One of them, in the County of *Essex*, at or near the Point where the *Eastern Counties Railway* crosses the Boundary of the same Parishes, passing thence from, in, through, or into the several Parishes, Townships, and Extra-parochial Places of *West Ham*, *East Ham*, *Little Ilford*, *Barking*, *Dagenham*, *Hornchurch*, *Rainham*, *Wennington*, *Aveley*, *West Thurrock*, *Stifford* (otherwise *Saint Mary Stifford*), *Grays Thurrock*, *Little Thurrock*, *Chadwell*, *West Tilbury*, *East Tilbury*, *Mucking* (otherwise *Muckinge*), *Stanford-le-Hope*, *Horndon* (otherwise *Horndon-on-the-Hill*), *Corringham*, *Fobbing*, *Vange*, *Pitsea*, *Bowers Gifford*, *South Benfleet* (otherwise *Bemfleet*), *Hadleigh*, *Leigh* (otherwise *Lee*), and *Prittlewell*, or some of them, in the County of *Essex*, and terminating at or near the Toll House on the *Southend Pier* in the said Parish of *Prittlewell* :

A Branch

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A Branch Railway from and out of such intended Railway, commencing by a Junction therewith in or near a Field in the Parish of *Chadwell* in the County of *Essex* belonging to *George Henry Errington*, and in the Occupation of *Robert Surridge*, and terminating at or near the River *Thames* near to and on the West Side of *Tilbury Fort* in the said Parish of *Chadwell*:

A Branch Railway commencing by a Junction with the said Main Line of Railway in or near a Field in the said Parish of *Chadwell* belonging to *Christ's Hospital, Winchester*, and in the Occupation of *Daniel Jackson*, and terminating by a Junction with the last-mentioned Branch near to the Termination thereof herein-before described in the said Parish of *Chadwell*:

A Pier or Jetty into the River *Thames*, with a Floating Stage or Landing Place, and other Conveniences connected therewith, at or near the Termination of the first-mentioned intended Branch Railway, and on the West Side of *Tilbury Fort* in the said Parish of *Chadwell*.

Power to make Railway and Works according to deposited Plans.

VI. And whereas Plans and Sections of the said intended Railway and Branch Railways, and Piers, showing the Line and Levels thereof, and also Books of Reference thereto containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of the Lands through which the same are intended to pass or be situate, have been deposited with the Clerk of the Peace for the County of *Essex*: Be it enacted, That, subject to the Provisions in this and the said Lands Clauses Consolidation Act and Railways Clauses Consolidation Act contained, it shall be lawful for the Companies to make and maintain the said Railway, Branch Railways, Piers, and Works in the Lines and upon the Lands delineated on the said Plans and described in the said Books of Reference, and according to the Levels defined on the said Sections, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purposes.

Vesting of Lands for the joint Line in the Companies jointly.

VII. That all Lands from Time to Time purchased for the Purposes of the Extension Railway shall be conveyed to and vested in the *Eastern Counties* and *London and Blackwall* Railway Companies jointly, and shall be for ever after held and enjoyed by them jointly, upon trust for the Purposes of this Act: Provided always, that the Form of Conveyance of Lands prescribed by "The Lands Clauses Consolidation Act, 1845," may be used, with the requisite Alterations thereof for the Conveyance of Lands to the Companies jointly.

Board of Trade may compel the laying down of additional Line of Rails.

VIII. And whereas it is proposed in the first instance to lay down a single Line of Rails on the said Extension Railway, but it is the Intention of the Companies to purchase Land, and to construct the Bridges of Dimensions sufficient to admit hereafter of a double Line of Railway being laid down throughout the whole Line of Extension Railway:

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Railway: Be it therefore enacted, That if at any Time after Twelve Months from the opening of the Extension Railway to the Public it shall appear to the Board of Trade that an additional Line of Rails is required for the proper Accommodation of the Public using the said Extension Railway, then and in such Case the Companies shall and they are hereby required, upon receiving an Order in Writing to that Effect from the said Board of Trade, to lay down such additional Line of Rails, and to execute all other necessary Works for effecting such Purpose, and within such reasonable Time as shall be fixed by the said Board of Trade, having reference to the Extent of the Works to be executed under such Order; and if such Order shall be made, and the Works thereby required to be done shall not be executed within the Time specified in such Order, it shall not be lawful for the Companies to take any Toll or Fare for the Use of the said Extension Railway until the Works required to be made by such Order shall have been completed.

IX. That the following Turnpike Roads and public Roads described in the deposited Plans by the Numbers herein-after mentioned may be crossed on the Level; (that is to say,) Power to cross certain Roads on a Level.

Number on Plan.	Parish.
23 49 59	Barking.
17	Hornchurch.
13	Rainham.
21	Aveley.
14 71A	West Thurrock.
28	Grays Thurrock.
3 51	West Tilbury.
9 32	East Tilbury.
1 34 42	Mucking.
1	Horndon-on-the-Hill.
24	Fobbing.
1	Vange.
23	South Bemfleet.

X. That where the Extension Railway shall cross any public Highway on the Level, the Companies shall construct, if required so to do by the Order of any Two Justices of the Peace, a good and convenient Footway Bridge over such public Highway as shall in the said Order be mentioned, for the safe and uninterrupted Passage of Foot Travellers across the Extension Railway; and the Application to such Justices for their Order as aforesaid may be made by the Surveyors of Highways of the respective Parishes wherein such Highways shall be crossed on the Level as aforesaid. Companies to erect Foot Bridges where required at level Crossings.

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XI. That

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Company to erect Stations or Lodges at level Crossings, and abide by Rules, &c., of Board of Trade.

XI. That for the greater Convenience and Security of the Public the Companies shall erect and permanently maintain either a Station or Lodge at the Points where the before-mentioned Roads shall be crossed on a Level; and the Companies shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Roads on the Level, or with regard to the Speed at which Trains shall pass such Roads, as may from Time to Time be made by the Board of Trade; and if the Companies shall fail to erect or at all Times maintain any such Station or Lodge, or appoint a proper Person to watch or superintend the Crossing at any such Point or Station, or to observe or abide by any such Rule or Regulation as aforesaid, they shall for every such Offence be liable to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred.

Board of Trade may require Bridges instead of level Crossings.

XII. That it shall be lawful for the Board of Trade, if it shall appear to them necessary for the Public Safety, at any Time, either before or after the Extension Railway hereby authorized to be made shall have been completed and opened for Public Traffic, to require the Companies, within such Time as the said Board of Trade shall direct, at the Expense of the Companies, to carry any or either of the herein-before mentioned Roads either under or over the Railway by means of a Bridge or Arch, instead of crossing the same on a Level, or to execute such other Works as under the Circumstances of the Case shall appear to the said Board of Trade the best adapted for removing or diminishing the Danger arising from any such level Crossing.

Defining the Mode of crossing the Middlesex and Essex Turnpike Road.

XIII. That nothing in this Act or in any other Act incorporated herewith contained shall authorize or permit the said Companies to raise or elevate the Turnpike Road numbered 4 on the Plan in the Parish of *East Ham*, in any Part where the said Railway shall cross or intersect or be carried under or otherwise interfere with such Turnpike Road, to any Height or Level greater or more than Five Feet above the present or existing Height or Level of the Turnpike Road at the Part where the said Railway shall so cross, intersect, or be carried under or otherwise interfere with them as aforesaid; and wheresoever the said Turnpike Road shall be in any Manner altered or interfered with (except as herein-after mentioned) by the said Companies, the present or existing Width and Dimensions, as well as of the Horse and Carriage Way as of the Footways of the said Turnpike Roads, shall in all Cases be fully and effectually preserved and maintained, without any Contraction or Diminution thereof whatsoever; and every Bridge or Viaduct which the said Companies shall cause to be built or made for the Purpose of carrying the said Turnpike Road over or across the said Railway, and all the Approaches thereto, from

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from the Point where the said Roads shall be in any Manner altered or interfered with by the said Companies, shall be of the full Width of Fifty Feet from Side to Side, and shall be made and built with good and substantial Parapets, Fences, and Side Walls of the full Height of Six Feet; and such Parapets, Fences, and Side Walls, being of the Height aforesaid, shall be continued and carried on upon each Side of the said Bridge or Viaduct for a Distance of not less than Thirty Feet at each End of the said Bridge or Viaduct, (that is to say,) a Distance of Thirty Feet from the Point where the said Bridge or Viaduct ceases to be directly or immediately over or above any Part of the said Railway; and the Ascent and Inclination of the said Turnpike Roads in the several Approaches towards and unto such Bridge or Viaduct or any Part thereof shall not in any Part, either of the Horse or Carriage Way or of the Footways, be more or greater than an Ascent or Inclination of One Foot in Sixty Feet.

XIV. That every such Bridge or Viaduct over the said Turnpike Road numbered 4 in the said Parish of *East Ham*, and the several Approaches thereto, shall be so made and executed that One Moiety or Half Part of the said Bridge or Viaduct, (that is to say,) One Moiety or Half Part of the same according to the intended Width thereof as measured from Side to Side, and One Moiety or Half Part of each of the several Approaches thereto, (that is to say,) One Moiety or Half Part of each in Width as measured from Side to Side, and being the Moiety or Half Part which is on the same Side as and immediately leading to the same Moiety or Half Part of the said Bridge or Viaduct, and including as well the Horse and Carriage Ways as the Footways of such Approaches respectively on the same Side, shall be fully made, built, constructed, and executed, and the same respectively shall be in all respects completed and rendered safe and fit and commodious for the Use and Traffic of the Public, and for their convenient Passage over the same Moiety or Half Part of the said Bridge or Viaduct, and for their Access thereto, by means of the said several Moieties or Half Parts of the said several Approaches thereto, as well with Horses and Carriages as on Foot, before any Part of the other Moiety or Half Part of the said Bridge or Viaduct, or the other Moiety or Half Part of the said Approaches thereto, or any of the Works connected therewith, shall be commenced or undertaken; and every Alteration of or Interference with the said Turnpike Roads by the said Companies shall, except as aforesaid, and so far as the same is not hereby specially directed or provided for, be subject to and regulated by the several Clauses of "The Railways Clauses Consolidation Act, 1845," with respect to the crossing of Roads or other Interference therewith, and the several Provisions and Enactments therein contained, so far as the same respectively are not inconsistent herewith: Provided always, nevertheless, that every such Bridge or Viaduct

Mode of erecting Bridges.

as

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as aforesaid, and every Moiety and Portion thereof, shall be made and built, and every such Alteration and Interference as aforesaid shall be made and executed, with good, sufficient, and substantial Materials, and the same respectively shall be made, built, constructed, executed, and completed to the reasonable Satisfaction and subject to the reasonable Approval of the Surveyor or Superintendent of the said Turnpike Roads for the Time being.

Powers for compulsory Purchase of Lands limited.

XV. That the Powers of the Companies for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing of this Act.

Period for Completion of Works.

XVI. That the Extension Railway shall be completed within Five Years from the passing of this Act, and on the Expiration of such Period the Powers by this and the Acts incorporated herewith granted to the Companies for executing the said Extension Railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the said Extension Railway as shall then be completed.

Land for extraordinary Purposes.

XVII. That it shall be lawful for the Companies to purchase any Quantity of Land for extraordinary Purposes connected with the said Extension Railway, not exceeding in the whole Twenty Acres.

Tolls.

XVIII. That it shall be lawful for the Companies to demand any Tolls for the Use of the Extension Railway, not exceeding the following; (that is to say,)

Tonnage of Articles of Merchandise.

In respect to the Tonnage of all Articles conveyed upon the Railway or any Part thereof, as follows :

For all Grain, Corn, Flour, Coals, Culm, Dung, Compost, and all Sorts of Manure, Lime and Limestone, and all undressed Materials for the Repair of public Roads or Highways, and for all Coke, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone, and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandise, *per Ton per Mile* not exceeding One Penny; and if conveyed in Carriages belonging to either of the Companies, an additional Sum *per Ton per Mile* not exceeding One Farthing :

For all Sugar, Hay, Straw, Hides, Dyewoods, Earthenware, Timber, Staves, Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per Ton per Mile* One Penny Three Farthings; and if conveyed in Carriages belonging to either of the Companies, an additional Sum *per Ton per Mile* not exceeding Three Farthings :

For



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For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, or Things, *per Ton per Mile* not exceeding Twopence Three Farthings; and if conveyed in Carriages belonging to either of the Companies, an additional Sum *per Ton per Mile* not exceeding One Penny :

For every Carriage, of whatever Description, having more than Two Wheels, and not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton and a Half, carried or conveyed on a Truck or Platform, *per Mile* not exceeding Fourpence Halfpenny :

For every Two-wheeled Carriage, of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per Mile* not exceeding Threepence :

And a Sum of One Penny *per Mile* for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh; and if conveyed on a Truck or Platform belonging to either of the Companies, an additional Sum *per Mile* not exceeding Twopence.

In respect of Passengers and Animals conveyed in Carriages upon the Railway, as follows : Tolls for  
Passengers  
and Cattle.

For any Person conveyed in or upon any Carriage, *per Mile* not exceeding Three Farthings; and if conveyed in or upon any Carriage belonging to either of the Companies, an additional Sum *per Mile* not exceeding One Farthing :

For every Horse, Mule, Ass, or other Beast of Draught or Burden, conveyed in or upon any Carriage, *per Mile* not exceeding Twopence; and if conveyed in or upon any Carriage belonging to either of the Companies, an additional Sum *per Mile* not exceeding One Penny :

For every Ox, Cow, Bull, or Neat Cattle conveyed in or upon any Carriage, *per Mile* not exceeding One Penny; and if conveyed in or upon any Carriage belonging to either of the Companies, an additional Sum *per Mile* not exceeding One Halfpenny :

For every Calf, Sheep, Pig, Lamb, or other small Animal conveyed in or upon any Carriage, *per Mile* not exceeding One Farthing; and if conveyed in or upon any Carriage belonging to either of the Companies, an additional Sum not exceeding One Farthing.

XIX. That the Toll which the Companies may demand and receive for the Use of Engines for propelling Carriages on the Extension Railway shall not exceed One Halfpenny *per Mile* for each Tolls for  
propelling  
Power.

[Local.]

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Passenger

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Passenger or Animal, or for each Ton of Goods or other Articles, in addition to the several other Tolls and Sums by this Act authorized to be taken.

Regulations  
as to Tolls.

XX. That the following Provisions and Regulations shall be applicable to the fixing of such Tolls; (that is to say,)

For Articles or Persons conveyed on the Railway for a less Distance than Four Miles the Companies may demand the same Tolls as for Four Miles :

For a Fraction of a Mile beyond Four Miles, or beyond any greater Number of Miles, the Companies may demand Tolls on Merchandise for such Fraction in proportion to the Number of Quarters of a Mile contained therein, and if there be a Fraction of a Quarter of a Mile such Fraction shall be deemed a Quarter of a Mile; and in respect of Passengers every Fraction of a Mile beyond an integral Number of Miles shall be deemed a Mile :

For a Fraction of a Ton the Companies may demand Toll according to the number of Quarters of a Ton in such Fraction, and if there be a Fraction of a Quarter of a Ton such Fraction shall be deemed a Quarter of a Ton :

With respect to all Articles, except Stone and Timber, the Weight shall be determined according to the usual Avoirdupois Weight :

With respect to Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Teak, Beech, or Ash, and Fifty Cubic Feet of any other Timber, shall be deemed One Ton Weight, and so in proportion for any smaller Quantity.

Tolls for  
small Par-  
cels and  
Articles of  
great  
Weight.

XXI. And with respect to small Packages, and single Articles of great Weight, be it enacted, That, notwithstanding the Rate of Tolls prescribed by this Act, the Companies may lawfully demand the Tolls following; (that is to say,)

For the Carriage of any small Parcel such Sum as they may think proper, not exceeding the Rates following; (that is to say,)

Not exceeding in Weight Seven Pounds, Sixpence :

Exceeding Seven Pounds and not exceeding Fourteen Pounds, Ninepence :

Exceeding Fourteen Pounds and not exceeding Twenty-eight Pounds, One Shilling and Threepence :

Exceeding Twenty-eight Pounds and not exceeding Fifty-six Pounds, Two Shillings :

Exceeding Fifty-six Pounds and not exceeding Five hundred Pounds, such Sum as they may think fit :

Provided always, that Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal,

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Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages:

For the Carriage of any One Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Carriage, shall exceed Four Tons but shall not exceed Eight Tons, the Companies may demand such Sums as they may think fit, not exceeding Sixpence *per Ton per Mile*:

For the Carriage of any single Piece of Timber, Stone, Machinery, or other single Article, the Weight of which, with the Carriage, shall exceed Eight Tons, the Companies may demand such Sum as they may think fit.

XXII. That every Passenger travelling upon the Extension Railway may take with him his ordinary Luggage, not exceeding One hundred and fifty Pounds in Weight for First-class Passengers, Sixty Pounds in Weight for Second-class Passengers, and Forty Pounds in Weight for Third-class Passengers, without any Charge being made for the Carriage thereof. Passengers' Luggage.

XXIII. That it shall not be lawful for the Companies to demand or receive any greater Sum in respect of the Carriage of Passengers conveyed on the Extension Railway than One Penny *per Mile* in respect of any Passenger travelling in a First-class Carriage, Three Farthings *per Mile* in respect of any Passenger travelling in a Second-class Carriage, and One Halfpenny *per Mile* in respect of any Passenger travelling in a Third-class Carriage, including the Charges for the Use of Carriages and locomotive Power, and all other Charges incidental to such Conveyance. Maximum Charges for Conveyance of Passengers.

XXIV. That it shall not be lawful for the Companies to charge, in respect of the several Articles, Matters, and Things and of the several Descriptions of Animals herein-after mentioned, conveyed on the Extension Railway, any greater Sum, including the Charges for the Use of Carriages, Waggons, or Trucks, and for locomotive Power, and all other Charges incident to such Conveyance (except a reasonable Charge for the Expense of loading and unloading, where such Service is performed by either of the Companies), than the several Sums herein-after mentioned; (that is to say,) For Conveyance of Goods and Cattle.

For all Grain, Corn, Flour, Coals, Culm, Dung, Compost, and all Sorts of Manure, Lime and Limestone, and all undressed Materials for the Repair of public Roads or Highways, and for all Coke, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slate, Clay, Sand, Ironstone and  
Iron

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Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandise, *per Ton per Mile* One Penny Halfpenny :

For all Sugar, Hay, Straw, Hides, Dyewoods, Earthenware, Timber, Staves, Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per Ton per Mile* Twopence Halfpenny :

For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, or Things, *per Ton per Mile* Threepence Halfpenny :

For every Carriage, of whatever Description, having more than Two Wheels, and not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton and a Half, *per Mile* Sixpence ; and if having only Two Wheels, and not weighing more than One Ton, *per Mile* Fourpence :

For every Horse, or for any other Animal for which a Horse Box is required, *per Mile* Threepence Halfpenny :

For Cattle, *per Mile* Twopence :

For every Calf, Pig, Sheep, Lamb, or other small Animal, *per Mile* Three Farthings.

Tolls for separate Trucks for Cattle, &c.

XXV. That if any Person shall desire to hire and retain a separate Waggon or Truck for the Conveyance of Cattle or Sheep belonging to him, it shall not be lawful for the Companies to charge any greater Sum, including all the Charges aforesaid, than Sixpence *per Mile* for every Waggon or Truck capable of containing conveniently Six Beasts of an ordinary Size, or Thirty Sheep.

As to Third-class Carriages.

XXVI. That the Companies shall attach Third-class Carriages to at least One Half of the Trains each Way upon the Extension Railway.

Restriction as to Charges not to apply to Special Trains.

XXVII. That the Restriction as to the Charges to be made for Passengers shall not extend to any Special or Extra Train that may be required to be run upon the said Extension Railway, but shall apply to every other Train appointed or to be appointed from Time to Time by the said Companies for the Conveyance of Passengers and Goods upon the said Railway.

Power to establish Steam Communication,

XXVIII. That, subject to the Provisions and Restrictions hereinafter contained, it shall be lawful for the Companies to purchase, or to build and construct, navigate, use, maintain, and work, and also to hire, Steam Boats, and to contract and make Arrangements with or to subscribe and contribute towards the Funds of any Company or Persons having or making or navigating Steam Boats, and in and upon such Steam Boats to convey Passengers, Fish, Goods, Wares, Merchandise, Carriages, and other Articles, Matters, and Things  
between

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between the intended Pier in the Parish of *Chadwell* and any Piers or Landing Places in the Parishes of *Gravesend* and *Milton next Gravesend* and *Northfleet* in the County of *Kent*, or to agree with any other Company or Person for the Conveyance of Passengers and Goods between *Tilbury* or *Chadwell* and *Gravesend* and *Milton next Gravesend* and *Northfleet*, and to do all such Acts as may be necessary to enable them to carry fully into effect the Purposes aforesaid: Provided always, that the Steam Boats provided by the Companies, or to which they shall subscribe or contribute, under the Powers herein-before contained, shall be used only for the Conveyance of Passengers, Goods, and other Articles, Matters, and Things, across the said River *Thames* within the Limits herein-before prescribed; and if any Steam Boat belonging to the Companies, or to which they shall subscribe or contribute, shall be used for conveying Passengers and Goods for Hire beyond such Limits, the Companies shall be liable to a Penalty of Twenty Pounds for every such Offence.

XXIX. That, subject to the Provisions herein contained, it shall be lawful for the Companies and they are hereby authorized to include in the Railway Fare or to charge such reasonable Rates or Sums as they shall think proper for the Conveyance of Passengers, Cattle, and Goods in the Steam Boats worked or employed by them, not exceeding the maximum Rates or Sums authorized by this Act for the Conveyance of Passengers, Cattle, and Goods on the said Extension Railway for a Distance of One Mile thereof.

and charge Rates for Use of Steam Boats;

XXX. That such Steam Boat Rates or Sums shall be at all Times charged to all Persons equally, and after the same Rate in respect of Passengers conveyed in a like Vessel under the like Circumstances; and no Reduction or Advance in any such Rate shall be made in favour of or against any Person using the said Steam Boats.

which Rates shall be charged to all Persons equally.

XXXI. That it shall be lawful for the Companies to treat and agree with the Corporations or Parties entitled to or interested in any Rights of Ferry between the Parishes of *West Tilbury* and *Chadwell* in the County of *Essex* and *Gravesend* and *Milton next Gravesend* in the County of *Kent*, for the Purchase of such Rights of Ferry or any Interest therein.

Power to purchase Rights of Ferry.

XXXII. That the Powers hereby granted for the Purchase, Hire, and Use of Steam Boats shall not continue for a longer Term than Fourteen Years from the First Day of *January* One thousand eight hundred and fifty-four, unless Parliament shall in the meantime extend such Term.

Powers as to Steam Boats not to continue after a certain Period.

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Companies to convey Ordnance Stores, &c. in Steam-Boats at certain Rates.

XXXIII. That, notwithstanding anything to the contrary in this Act contained, the Companies shall convey and carry in such Steam Boats all Officers, Soldiers, and Sailors while on Duty in Her Majesty's Service, and their Wives and Families, and also all Workmen in the Employ of Her Majesty's Ordnance, and also all Ordnance, Barrack, Commissariat, and Naval Carriages, Horses, Baggage, and Parcels, and other Public Stores of or belonging to Her Majesty or to such Officer, Soldier, Sailor, or Workman, at such Rates and Prices, not exceeding those at present paid by the Board of Ordnance, as may be hereafter agreed upon between the said Company and the said Master General and Board of Ordnance.

Power to use Ferries across the Thames at and near Gravesend, paying to the Corporation the Sums herein mentioned.

XXXIV. And whereas the Mayor, Aldermen, and Burgesses of the Borough of *Gravesend* (in this Act called the Corporation) are or claim to be the Owners of the ancient Ferry or Water Passage across the *Thames* from the Parishes of *Gravesend* and *Milton next Gravesend* in the County of *Kent* to the Parishes of *West Tilbury* and *Chadwell* in the County of *Essex*, and have heretofore possessed and enjoyed, and they, by themselves or their Lessee, now possess and enjoy, the exclusive Right and Privilege of ferrying all Passengers, Animals, and Things whatsoever across the *Thames* from *Gravesend* and *Milton next Gravesend* to *West Tilbury* and *Chadwell*, and the Corporation have heretofore taken and received, and by themselves or their Lessee now take and receive, certain Tolls in respect thereof: And whereas the Board of Ordnance are or claim to be the Owners of the ancient Ferry or Water Passage across the *Thames* from the Parishes of *West Tilbury* and *Chadwell* to the Parishes of *Gravesend* and *Milton next Gravesend*, and the Corporation are Lessees for a long Term of Years under that Board of all the Rights and Interests of that Board in that Ferry, and by themselves or their Lessee now possess and enjoy those Rights and Interests: And whereas the Corporation, on behalf of themselves and all Parties claiming under them, have agreed with the Companies that the Companies may, but subject to the Provisions and Restrictions of this Act, use and exercise all such Rights as are by this Act conferred on the Companies of conveying across the *Thames* within the Limits of those Ferries respectively all such Passengers and Things as from Time to Time are or are intended to be conveyed on the Extension Railway, but not any other Passenger or Thing, and not any Cattle, Sheep, or other such Animal: Be it enacted, That the Company shall pay to the Corporation for all Passengers and Things so conveyed by any Steam or other Communication authorized by this Act across the *Thames* between *Gravesend* and *Milton next Gravesend* on the One Side and *West Tilbury* and *Chadwell* on the other, and within the other Limits, if any, of the respective Ferries of the Corporation and the Board of Ordnance, the following Sums; (that is to say,)

In

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In every Year in which the total Number of Passengers so conveyed does not exceed One hundred thousand, for every such Passenger One Penny:

In every Year in which the total Number of Passengers so conveyed exceeds One hundred thousand but does not exceed Two hundred and fifty thousand, for every such Passenger Three Farthings:

In every Year in which the total Number of Passengers so conveyed exceeds Two hundred and fifty thousand but does not exceed Five hundred thousand, for every such Passenger One Halfpenny:

In every Year in which the total Number of Passengers so conveyed exceeds Five hundred thousand but does not exceed Eight hundred thousand, for every such Passenger One Farthing:

In every Year in which the total Number of Passengers so conveyed exceeds Eight hundred thousand, the Sum of Eight hundred and thirty-three Pounds Six Shillings and Eightpence:

For every small Package and single Article of great Weight respectively charged for by the Companies under this Act, One Farthing:

For every Carriage, of whatever Sort, and for every Ton of Fish, Goods, Wares, Merchandise, and other Articles, Matters, and Things, not being such small Packages and single Articles respectively, One Farthing:

Which several Payments shall be in full Discharge and Satisfaction of all Claims and Demands against the Companies by the Corporation or the Board of Ordnance, or their respective Lessees, or any other Person, in respect of the Infringement of any Rights of Ferry across the *Thames* within those Limits, and the Corporation shall indemnify and save harmless the Companies against all such Claims and Demands, except in respect of those several Tolls.

XXXV. That the Companies shall, on or within Three Days after the First Day of every Month after they begin to use any Steam or other Communication authorized by this Act for conveying Passengers or Things across the *Thames* between *Gravesend* and *Milton next Gravesend* on the One Side and *West Tilbury* and *Chadwell* on the other, make in Writing under the Hand of the Secretary of One of the Companies a Return to the Corporation of the Number of Passengers, the Number of small Packages and single Articles of great Weight respectively charged for by the Companies under this Act, and the Number of Tons of Fish, Goods, Wares, Merchandise, and other Articles, Matters, and Things respectively so conveyed during the then preceding Month; and every such Return shall be delivered

Monthly Returns to be made to Corporation of Passengers, &c. conveyed across the Thames.

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delivered by the Companies to the Town Clerk of the Borough of *Gravesend*, or be left for him at his Office in that Borough.

Accounts of  
such Passen-  
gers, &c.

XXXVI. That the Companies shall make and keep full, true, and perfect Accounts and Vouchers of and relating to all such Passengers and Things so conveyed; and the Corporation, by their Town Clerk, Treasurer, or other Agents in that Behalf, and the Lessees under the Corporation of those Ferries or either of them, and their respective Agents in that Behalf, may at all reasonable Times inspect, examine, and transcribe such Accounts and Vouchers, and the Companies shall afford to them respectively all proper Facilities in that Behalf, including the Use of Rooms, with Fires and Lights; and the Companies shall, when thereunto reasonably required by the Corporation or such Lessees, produce such Accounts and Vouchers for such Purposes at the Station at or near *West Tilbury* of the Extension Railway.

Verification  
of Accounts.

XXXVII. That the Corporation and such Lessees respectively may at any Time require that the Companies shall procure such Accounts to be verified by the statutory Declaration in lieu of Oath of a Secretary or other proper Officer of one of the Companies.

Penalty on  
Companies  
failing to  
make Re-  
turns, &c.

XXXVIII. That if the Companies wilfully fail to make any such Return within the Period by this Act limited in that Behalf, or wilfully permit any false Return to be made, or if the Companies or any of their Officers or Servants wilfully refuse to allow any such Inspection, Examination, or Transcription, or wilfully fail to afford any such Facility for the same, or to produce, as required by this Act, any such Account or Voucher, or if the Companies fail to procure any such Account to be verified, as by this Act provided, the Companies shall for every such Offence forfeit and pay to the Corporation Fifty Pounds, to be paid over to their Treasurer, to be by him carried to the Credit of the Borough Fund.

Monthly  
Payments by  
Companies to  
Corporation.

XXXIX. That within the First Seven Days of every Month after the Companies begin so to use such Steam or other Communication they shall pay to the Treasurer of the Borough of *Gravesend*, to be by him carried to the Credit of the Borough Fund, all the Tolls in respect of Passengers and Things conveyed in the then preceding Month across the *Thames* which are by this Act required to be paid by the Companies to the Corporation: Provided always, that the Companies shall not be required to pay monthly more than the lowest Amount which could be demanded by virtue of this Act; and the Companies shall yearly settle and adjust Accounts with the Corporation.

Companies  
not to carry  
Cattle or

XL. Provided always, That the Companies shall not directly or indirectly, by themselves or by any Company or Person with whom they



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they make any Contract or Arrangement, use any Steam or any other Communication authorized by this Act for conveying any Cattle, Sheep, or other such Animal across the *Thames* between *Gravesend* and *Milton next Gravesend* on the One Side and *West Tilbury* and *Chadwell* on the other; and if the Companies knowingly so convey across the *Thames* between those Places respectively any Cattle, Sheep, or other such Animal, the Companies shall for every such Offence forfeit and pay to the Corporation Forty Shillings, and every such Penalty shall be paid over to the Treasurer of the Borough of *Gravesend*, to be by him carried to the Credit of the Borough Fund.

Animals  
across the  
Thames.

XLI. Provided always, That the Companies shall not directly or indirectly, by themselves or by any Company or Person with whom they make any Contract or Arrangement, convey, by any Steam or other Communication authorized by this Act, any Passenger or Thing across the *Thames* between *Gravesend* and *Milton next Gravesend* on the One Side and *West Tilbury* and *Chadwell* on the other, except Passengers and Things (exclusive of Cattle, Sheep, or other such Animals) from Time to Time carried to *West Tilbury* or *Chadwell* on the Extension Railway, for the Purpose of being thence conveyed across the *Thames* to *Gravesend* or *Milton next Gravesend*, or conveyed across the *Thames* from *Gravesend* or *Milton next Gravesend* for the Purpose of being carried on the Extension Railway, and except also Officers or Servants of the Companies or either of them actually employed on their respective Business; and if the Companies knowingly so convey across the *Thames* between those Places respectively any Passenger or Thing, Officer or Servant, other than as in this Enactment excepted, the Companies shall for every such Offence forfeit and pay to the Corporation Forty Shillings, to be paid over to their Treasurer, to be by him carried to the Credit of the Borough Fund.

Companies  
not to carry  
other than  
Railway  
Passengers,  
&c. across  
the Thames.

XLII. Provided always, That as between the Corporation and their Lessees for the Time being of those Ferries or either of them, those Lessees respectively shall, during the Continuance of their respective Leases, be entitled, except so far as is from Time to Time otherwise mutually agreed between them respectively and the Corporation, to receive from the Treasurer the several Sums from Time to Time paid by the Companies, according to this Act, to him, and carried to the Credit of the Borough Fund, and such Sums shall accordingly be from Time to Time paid by the Treasurer to those Lessees respectively, and he shall debit the Borough Fund accordingly; but nevertheless the Right of any such Lessee to require any such Payment to be made to him shall not deprive the Corporation of any Right of Set-off against him which but for this Act the Corporation might have.

Lessees not  
to be pre-  
judiced in  
respect of  
Tolls.

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Companies prohibited from erecting Taverns, &c. at West Tilbury and Chadwell.

Penalty on Companies offending.

XLIII. That the Companies shall not at any Time use or permit to be used as a Tavern, Beershop, or Licensed Victualling House, or for the Sale by Retail of any spirituous or fermented Liquor, any Building or other Erection, or any Part of a Building or other Erection, or any Place, in or upon any of the Lands in the Parishes of *West Tilbury* and *Chadwell* or either of them for the Time being belonging to the Companies; and if the Companies at any Time offend in that Behalf they shall forfeit and pay to the Corporation, to be paid over to their Treasurer, to be by him carried to the Credit of the Borough Fund, One hundred Pounds for every such Offence, and a further Sum of Five Pounds for every Day during which the Offence continues.

Companies not prevented from establishing an ordinary Refreshment Room.

XLIV. Provided always, That the Restriction aforesaid shall not extend to prevent the Companies from using or permitting to be used for all or any of the Purposes of an ordinary Railway Refreshment Room any Building or Erection or any Part of any Building or Erection upon any of the Land in the Parishes of *West Tilbury* and *Chadwell* or either of them by this Act authorized to be taken by the Company, and the Companies shall not be subjected to any Penalty in respect thereof under the Provisions herein-before contained.

Footbridge to be maintained over Ordnance Road.

XLV. That the Companies shall and they are hereby required to make and for ever maintain a good and sufficient Footbridge over the Ordnance Road at *Purfleet*, of such Form and Dimensions and at such Part of the said Road as shall be required by the Master General and Board of Ordnance, and shall and will permit the same to be used and enjoyed by *John Henry Pelly*, his Heirs and Assigns, and his and their Servants, Workmen, and others, and the Tenants and Occupiers for the Time being of *Fanns Farm*.

Prescribing Distance of Railway from Magazines at Purfleet.

XLVI. That the said Line of Railway shall not, without the previous Consent in Writing of the Master General of the Board of Ordnance, come within Six hundred Yards of the Central Magazine of the Ordnance Establishment at *Purfleet*; and that during the Passage across the said Railway of Artillery, Troops, Ammunition, or Convoys of Government Stores, the Trains on the Line shall be stopped; and for the Purpose of preventing any Delay to such Passage across the said Railway the said Company shall erect and for ever maintain all Signals which may be requisite for that Purpose, to the Satisfaction of the Master General and Board of Ordnance.

Prescribing Distances of Line and Buildings from Tilbury Fort.

XLVII. That with respect to the Branch marked B on the deposited Plans, and that Part of the Main Line of Railway which is situate between the Branch A and the Point marked Seventeen Miles, the Line of Railway shall be constructed in such Course or Direction within

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within the Limits of lateral Deviation shown on such Plans as has already been or shall be approved of by the Board of Ordnance; and it shall not be lawful for the Companies, without the Consent in Writing of such Board, to erect or cause or suffer to be erected upon any Land purchased or taken by them on the Eastern Side of the Railway any Building within the Distance of Six hundred Yards from *Tilbury Fort*, save and except that at the Termination of such Branches at the River *Thames*, and for a Space not exceeding One hundred and fifty Yards measured along the Line of Railway from the River Wall, and for a Width not exceeding Fifty Yards, measured from the Line of Railway on the Plan deposited with the Clerk of the Peace, it shall be lawful for the Companies to erect such Buildings as they may think proper.

XLVIII. That it shall be lawful for the Principal Officers of Her Majesty's Ordnance for the Time being, and for all and every Person and Persons by them authorized and directed; and also for all Officers, Soldiers, and others in Her Majesty's Service, and for all Contractors for the Supply of Stores and other Things for the Public Service, to embark, disembark, and land on and from the said Pier, Landing Place, Approaches, and other Works belonging to the said Companies, into and from any Ship, Vessel, Steam Packet, Boat, or other Craft, and also to go upon and over any Pier, Approaches, or Landing Place to be constructed by virtue of this Act, without paying or being obliged to pay any Rates or Tolls imposed or to be imposed by virtue of this Act or otherwise.

Exemption from Pier Tolls in respect of Ordnance Stores and Troops.

XLIX. And whereas the Extension Railway is intended to be carried over the Levels and Lands within the Jurisdiction of the Commissioners of Sewers for various Levels and Districts, and it is expedient to provide against Injury being occasioned thereby to the said Levels and Lands, or to the adjoining Lands, by the Obstruction of Flood and other Waters, or by Inundation from any Rivers or Streams crossed by the said Extension Railway: Be it therefore enacted, That nothing herein contained shall authorize or empower the Companies to stop up, alter, remove, break into, or interfere with any Bank, Wall, River, Stream, Outlet, Sewer, Drain, or Watercourse, or other Work or Defence under the Jurisdiction or Control of the said respective Commissioners, without the Consent in Writing of the respective Commissioners of Sewers under whose Jurisdiction or Control the same may be, until such Banks, Walls, Culverts, Outlets, Sewers, Drains, or Watercourses, with the necessary Sluices, Penstocks, and other Works and Defences as may be required by the said respective Commissioners of Sewers in lieu of those so intended to be stopped up, altered, removed, broken into, or interfered with, or which may become necessary from the Works of the Companies, shall be made,

Prescribed Mode of constructing Railway through Lands under Jurisdiction of Commissioners of Sewers.

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made, done, executed, and completed in a good and substantial Manner by the said respective Commissioners, or by the Companies under the Directions of the said Commissioners or their respective Surveyors for the Time being, at the Costs, Charges, and Expenses of the Companies.

Proper  
Openings to  
be left.

L. That in that Part of the Extension Railway which is intended to be carried over any Levels, Marsh or Meadow Grounds, and in the Embankment or Viaduct by which the said Railway shall be carried over the same, the Companies shall make, leave, and construct, and shall at all Times hereafter, at their own Expense, maintain, leave, and keep in perfect Condition and Repair, such and so many Arches and Openings over all Common Sewers, Drains, and Watercourses of such Levels, Marsh and Meadow Grounds, within the Jurisdiction of any Commissioners of Sewers, and of such Height and Width and in such Position as shall, to the Satisfaction of the Commissioners of Sewers within whose Jurisdiction the same may be, be sufficient to prevent any Impediment being made or caused by the said Railway Viaduct or Embankment to the Water flowing down any such Sewer, Drain, or Watercourse, or over any such Levels, Marsh or Meadow Grounds, or the Lands adjoining.

Pipes to be  
laid under  
Railway for  
supplying  
fresh Water.

LI. And whereas the several Levels, Marsh and Meadow Grounds, through which the said Extension Railway is proposed to be constructed, are supplied with fresh Water from the Lands and Grounds on the Northern Side of the said Railway, and it is expedient to provide for the same: Be it enacted, That the Companies shall lay down, construct, and make and keep in good Repair and Condition across the said Railway, or through the Embankment or Viaduct upon which the said Railway shall be carried, all such Pipes, Culverts, and Channels for the Passage of the fresh Water under, through, and across the said Railway from the North Side thereof into and for the Purposes of the Lands and Grounds on the South Side thereof, and in all such Places as the Commissioners of Sewers within their respective Levels shall require and direct, at the Costs and Charges of the said Companies; and that it shall be lawful for the Owners or Occupiers for the Time being of the Lands on the South Side of the said Railway at any Time hereafter to lay down and construct, at their own Costs and Charges, all such other Pipes, Culverts, and Channels under, through, and across the said Embankment or Viaduct, for the Conveyance of fresh Water for the Purposes of such Lands, in all such Places as such fresh Water now runs or flows, or through which the same is now supplied to the same Lands, or at such other Places as the Commissioners of Sewers within their respective Limits shall think proper, such Pipes, Culverts, and Channels to be at all Times made and constructed under the Superintendence and Direction of the Engineer of the said Companies.

LII. That

*London, Tilbury, and Southend Extension Railway Act, 1852.*

LII. That if at any Time after the Construction of the said Railway it shall be found that the Waters on the North Side of the Railway Viaduct or Embankment upon which the same is to be carried shall be and remain higher than the Waters on the South Side of the said Railway Viaduct or Embankment, or otherwise that the due and proper Drainage of the Lands of the said Levels or any Part thereof shall be impeded or obstructed, that then and in such Case, upon due Notice of such Obstruction being given to or served upon the Companies by the Marsh Bailiff of any One of the said Levels, or by any other Person thereto authorized by the said Commissioners of Sewers, or by the Owner or Occupier of any Lands thereby injured or affected, the Companies shall and they are hereby required to make such additional Opening or so many additional Openings in the said Viaduct or Embankment as shall admit of the Passage of the said Waters without such Obstruction being caused by the same; and if the Companies shall refuse to make such additional Opening or Openings for the Space of Twenty-eight Days after Notice requiring them so to do, duly served as aforesaid, the said Commissioners of Sewers are hereby authorized and empowered to make all such additional Openings from Time to Time as they may consider necessary, and all the Costs and Expenses thereof and attending the same shall be paid by the Companies to such Person as the said Commissioners shall appoint to receive the same, within Twenty-eight Days after Demand thereof from the Secretary of the said Companies, and if not paid shall be recovered from the said Companies by the Commissioners of Sewers, by Action of Debt in any of Her Majesty's Courts of Record at *Westminster*.

Additional  
Openings to  
be made, if  
necessary.

LIII. That all new Sewers, Drains, Watercourses, Arches, Walls, Banks, Sluices, Works, and Defences to be made and completed as aforesaid, or at any Time hereafter by the Companies or by the Commissioners of Sewers, when so made and completed, shall be and remain for ever thereafter under the Jurisdiction and Control and within the View and Management of the respective Commissioners of Sewers for the Levels in which the same shall be situated, to all Intents and Purposes whatsoever.

Works when  
made to be  
under the  
Jurisdiction  
of the Com-  
missioners.

LIV. That, except as is herein expressly provided, nothing in this Act contained shall extend or be deemed or construed to extend to prejudice, diminish, alter, abridge, or take away any of the Jurisdictions, Rights, Powers, or Authorities vested in the Commissioners of Sewers for the several Levels and Marsh Grounds lying and being within the Limits between *Rainham Bridge* and *Mucking Mills*, and the Meadow Grounds between *Childerditch Ponds* and *Purfleet Mills*, in the County of *Essex*, or in the Borders or Confines of the same, or any of the Jurisdictions, Rights, Powers, and Authorities vested

Saving  
Rights of  
Commis-  
sioners of  
Sewers, &c.

[*Local.*]

14 F

in

*London, Tilbury, and Southend Extension Railway Act, 1852.*

in the Commissioners of Sewers for the Levels of *Havering, Dagenham, Ripple, Barking, Eastham, Westham, Leyton, Walthamstow, Bromley, and Eastmarsh* in the Counties of *Essex, Middlesex, and Kent*, or any of the Jurisdictions, Rights, Powers, or Authorities of any other Commissioners of Sewers under whose Jurisdiction or Control the Levels may be through which the Railway may pass, but all the Jurisdictions, Rights, Powers, and Authorities vested in them respectively shall be as good, valid, and effectual, to all Intents and Purposes, as if this Act had not been passed.

Preserving  
certain  
Rights to  
Owners of  
Chalkwell  
Hall Farm.

LV. And whereas in the Acts relating to the *Southend Pier*, Tenth *George* Fourth, Chapter Forty-nine, and Fifth and Sixth *William* Fourth, Chapter Ninety, (Local and Personal,) Provisions are contained prohibiting the *Southend Pier* Company from charging any Toll in respect of any Person landing from or embarking in any Ship or Vessel carrying Passengers on the Sea Beach or Shore to the Westward of the Eastern Boundary of the Estate called *Chalkwell Hall Farm*, without the Consent in Writing of the Owner or Owners and Occupier or Occupiers for the Time being of the Lands adjoining the Beach or Shore within the Limits aforesaid: And whereas by this Act the Companies are authorized to take for the Purposes of the Extension Railway the Land immediately adjoining the Sea Beach or Shore lying to the Westward of the Eastern Boundary of the said Estate called *Chalkwell Hall Farm*, or some Part thereof: Therefore, for preserving the Rights of the Owners and Occupiers under the said Act, be it enacted, That the Companies shall not, in respect of their being or becoming Owners of the Lands adjoining the Beach or Shore within the Limits aforesaid, or any Part thereof, be entitled to give such Consent in Writing as in the said Act of the Tenth *George* the Fourth is required for the Purpose of authorizing the charging of Rates, Tolls, and Duties within the aforesaid Limits, as in the said Act mentioned, and any such Consent given by the Companies or either of them shall be null and void, and after the Purchase by the Companies of any Lands within the Limits aforesaid the Consent in Writing of the Owner or Owners and Occupier or Occupiers of the Land immediately adjoining on the North the Lands so purchased and taken by the Companies as aforesaid shall be necessary before any Rate, Toll, or Duty shall be charged or chargeable under the Powers of the said recited Acts or either of them, for or in respect of any Person or Persons landing from or embarking in any Ship, Vessel, Packet Boat, or other Craft on the said Sea Beach or Shore within the Limits aforesaid, in the same Manner as the Consent of the Owner or Owners and Occupier or Occupiers of the Lands adjoining the Beach or Shore within such Limits would have been necessary previous to such Purchase being made by the Companies.

LVI. And

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LVI. And whereas there are Two ancient Shipping or Landing Places adjoining the Sea Beach or Shore before mentioned, called *Chalkwell Shore Beach* or *Owse*, and forming Part of the *Chalkwell Hall Farm*, One of which said Shipping or Landing Places is immediately opposite the South End of the Occupation Road delineated and described in the said deposited Plans and Books of Reference, and therein numbered 12, in the Parish of *Prittlewell*, and the other of which Shipping or Landing Places is immediately opposite the Close delineated and described in the said Plans and Books of Reference, and therein numbered 23, in the said Parish of *Prittlewell*, and the said Extension Railway is laid down so as to pass between the said ancient Shipping or Landing Places and the said *Chalkwell Hall Farm*, and may therefore interfere with the free Use and Enjoyment of the said Two Shipping or Landing Places: Be it enacted, That the Companies shall not by any Deviation of the Line as laid down on the said Plans so construct the Extension Railway as that the same shall pass over or to the South of the said Two Shipping or Landing Places, and the Companies shall, at their own Expense, make, maintain, and for ever repair Two level Crossings or Roads, with Gates and Fences, across the Extension Railway, One of such level Crossings to be opposite and as near as may be to One of the said Shipping or Landing Places, and the other of the said level Crossings to be opposite and as near as may be to the other of the said Shipping or Landing Places.

For preserv-  
ing ancient  
Shipping  
Places at  
Chalkwell  
Hall Farm.

LVII. That if the said Extension Railway shall be so constructed as to cut off a Portion or Portions of the Marsh Ditch within the said *Chalkwell Hall Farm*, the Companies shall at their own Expense construct a new Marsh Ditch or Ditches on the North Side of the Extension Railway, in lieu of and co-extensive with the Part or Parts of the present Marsh Ditch left on the North Side of the Extension Railway, with all necessary and convenient Marsh Gutters and Flaps to the said new Ditch or Ditches leading out of the same, and running under the Extension Railway down to the Estuary of the River *Thames*, at a sufficient Depth below High-water Mark effectually to drain the said new Ditch or Ditches and the adjoining Ground and Marsh Lands of the said *Chalkwell Hall Farm*.

New Marsh  
Ditch to be  
made.

LVIII. That the Companies shall, within One Month after the opening of the Extension Railway to *Southend*, at their own Expense, make, maintain, and repair a Siding to the Extension Railway, to join the Extension Railway in the Close delineated and described in the said Plans and Books of Reference therein numbered 17 in the said Parish of *Prittlewell*, and at a Point at or about the Middle of the Fifth Furlong of the Thirty-fifth Mile of the Extension Railway as laid down on the said Plan, and to extend from the said Point Twenty  
Yards

Siding to be  
made.

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Yards in a Westerly Direction ; and such Siding shall and may be for ever thereafter used, occupied, and enjoyed by the Owners and Occupiers (except the said Companies) for the Time being of the Land immediately adjoining the said Siding, without Payment of any Toll or Sum of Money whatsoever in respect thereof.

Companies not to use Occupation Road to Chalkwell Hall Farm.

LIX. That it shall not be lawful for the said Companies, in respect of their being or becoming Owners of the Lands adjoining to or forming Part of the said Beach or Shore within the Limits aforesaid, or any Part thereof, or otherwise howsoever, to use, occupy, or enjoy the Occupation Road delineated and described in the said deposited Plans and Books of Reference, and therein numbered 12, in the said Parish of *Prittlewell*, without the Consent in Writing of the Owners and Occupiers for the Time being of the said *Chalkwell Hall Farm*.

For Protection of the Shrubbery at Southend.

LX. That it shall not be lawful for the Companies to take the Ground lying between the Terrace and Road called the *High Street* at *Southend* and the Sea Beach, and bounded on the East by Ground of which *Peter Denys* Esquire was formerly Lessee, and on the West by Ground of which *Daniel Robert Scratton* Esquire is the Owner and Occupier, or any Part thereof, known by the Name of "The Shrubbery," and of which Ground Miss *Elizabeth Anne Heygate* is the Lessee for a Term of Years, on the North Side of the Line of the said Railway as laid down on the said Plans, for the Purposes of the Act, nor to interfere with or injure the said Ground, and the Use of the same for Recreation and Pleasure, as now enjoyed, the said Companies undertaking, if so required by the Lessee for the Time being of the said Shrubbery, to fix and set up a Fence or Wall in the Line of the Railway laid down upon the said Plans where the same passes through the Lands or Enclosures numbered 53, 54, and 55 upon the said Plans in the Parish of *Prittlewell* in the said County ; and the said Companies shall, when so required as aforesaid, construct such Fence or Wall of an ornamental Character, to the reasonable Satisfaction of the Lessee for the Time being of the said Shrubbery, with a proper opening Gate or Door leading to the Sea Beach, and at the like Request as aforesaid make, at their own Expense, a good and sufficient Footpath on the Northern Side of the said Fence or Wall at or near the Base thereof, to be connected with and joining the other Footpaths or Walks within the said Shrubbery, to the like reasonable Satisfaction of the said Lessee of the said Shrubbery for the Time being.

As to Crossings from Shrubbery to Sea Beach.

LXI. That the said Companies shall make and provide sufficient and convenient Access and Communication from the said Ground called "The Shrubbery" to the Sea Beach and the Sea, and from the Beach and Sea to the Shrubbery, by means of One Crossing for Horses, Carts, and Carriages, over the said Railway, upon a Level, and of Two safe and convenient Footbridges over the same.

LXII. That



*London, Tilbury, and Southend Extension Railway Act, 1852.*

LXII. That the said Companies shall not obstruct or interfere with the proper and sufficient draining of the said Terrace Houses, and the Ground adjoining thereto, and of the Roads, and the Ground called "The Shrubbery," but shall make and provide such Drains and Culverts as shall be sufficient to receive all such Drainage, Land Springs, Rain and other Water as may be carried or run down the said Shrubbery and Cliff, and convey the same through or under the Works of the said Railway into the Sea.

Provision for securing Noninterference with the Drainage

LXIII. That the said Companies shall not obstruct, interfere with, or injure the bathing in the Sea by means of Machines on the Sea Beach and Shore in front of the said Shrubbery, but that the Machines shall be enabled to remain upon the said Beach in Safety, and be used for the Purpose of bathing, as conveniently as heretofore, and that the Use of the Warm and Cold Baths in the said Shrubbery shall not be obstructed or interfered with, and that proper and suitable Provision shall be made, at the Expense of the said Companies, for the Supply of Seawater through or under the Works of the said Railway for the Use of the said Baths.

Company not to obstruct Bathing Places.

LXIV. That the said Companies shall not nor will, by means of their said Railway and Works, and the Use thereof, make or cause any Nuisance to the Inhabitants or Occupiers of the Houses on the Terrace at *Southend*, but shall so manage and conduct their Trains, Carriages, and Engines as not to produce or cause any such Nuisance, and in particular that they shall not, unless with the Consent in Writing of the said *Elizabeth Anne Heygate*, her Executors, Administrators, or Assigns, erect or set up or cause or permit to be erected or set up any fixed or stationary Engine or Engine House on any Spot within Half a Mile of the Houses of the said Terrace, or of the Ground called "The Shrubbery," nor, unless with the like Consent aforesaid, erect or set up any Erection or Building upon the Lands of the said Companies, or the Lands lately belonging to the *Southend Pier Company*, which shall obstruct the View of the Sea or Sea Coast from the Houses on the said Terrace or *Grove Terrace*, or from *Grove Field House*, at *Southend*, and that all Engines having to blow off their Steam for the Purpose of ceasing from Work shall be driven or taken to a Distance not less than Half a Mile from the said Terrace Houses, and the Ground called "The Shrubbery," before such blowing off of their Steam shall be commenced.

Companies restrained from erecting Engine Houses, &c. near certain Places at Southend, without Consent.

LXV. Whereas in Times of extraordinary Tides and from other Causes the River *Thames* occasionally overflows the Banks of the said River next or near to a certain Charity Estate, through Part whereof the said proposed Railway is intended to be carried, and which Estate is called "*Poynett's*," and is situate in the Parishes of *South Benfleet* and

Trustees of Enfield Free School not to be liable to Injury sustained by Railway.

[Local.]

14 G

*Hadleigh*

*London, Tilbury, and Southend Extension Railway Act, 1852.*

*Hadleigh* in the County of *Essex*, and belongs to the Trustees of the Free School of *Enfield*, and it is expedient that the Owners for the Time being of the said Estate should not be subject to any Liability or Claim consequent upon or with reference to any Injury to the said Railway and Works which may be occasioned by any such Overflow: Be it therefore enacted, That the said Trustees or other Owners for the Time being of the said Charity Estate shall not, by reason of any Obligation to maintain the Sea Wall or River Wall upon or adjoining to the said Estate, or upon any other Account whatsoever, be liable for any Damage or Injury which may at any Time or Times be done to the said proposed Railway or Works, or any Passengers, Goods, Carriages, or Engines for the Time being thereon, by or in consequence of the overflowing of the said River *Thames* as aforesaid.

Works connected with the Thames to be executed according to a Plan to be approved by the Corporation of London.

LXVI. That the Works to be done and performed by virtue of this Act connected with the River *Thames* or any other River or Stream so far as the Tide of the River *Thames* flows and reflows therein to the Westward of the City Stone at the Entrance to the Creek or Stream on the Eastern Side of *Canvey Island*, near to *Southend* aforesaid, shall be executed according to a Plan to be approved by the Lord Mayor, Aldermen, and Commons of the City of *London* in Common Council assembled previously to the Execution of such Works, such Plans to be deposited in the Office of the Town Clerk of the City of *London*; and that the said Works shall be performed to the Satisfaction of the Engineer of the *Thames* Navigation for the Time being: Provided also, that the Extent of the Pier into the River *Thames* near *Tilbury Fort*, to the Outside of the Dumby or Float, shall not be more than Two hundred and fifty Feet from the Centre of the River Wall, and that the said Dumby or Float shall be placed parallel with the Set of the Current, and that the Rows of Piles supporting the Jetty shall be in a similar Direction, and that the said Rows of Piles shall not be less than Thirty Feet apart, and that the Headway under any Part of the Pier shall not be less than Six Feet above *Trinity* High-water Mark.

Plan of Pier to be approved by the Commissioners of Woods, &c.

LXVII. That, notwithstanding the Clauses and Provisions hereinbefore contained, it shall not be lawful for the Companies to construct any floating or other Pier or Landing Place or other Works in the River *Thames* or on the Shore thereof the Plan, Design, and Elevation of which Pier or Landing Place or other Works shall not have been approved in Writing by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or some One of them, previously to the Commencement of the Construction of the same.

Companies not to interfere with the

LXVIII. That nothing in this Act contained shall authorize or empower the Companies to embank, encroach upon, or interfere with any

London, Tilbury, and Southend Extension Railway Act, 1852.

any Part of the Soil or Bed of the River *Thames* or the Shore thereof, except so far as is herein-before mentioned. Soil of the Thames, &c.

LXIX. That a bright and sufficient Red Light shall be exhibited from Sunset to Sunrise upon each of the Dolphins at the End of the Dumby or Float attached to the said Pier, or in such other Position as to denote the Extent and Situation of the Pier, and as shall be approved by the principal Harbour Master of the Time being of the Port of *London*; and if such Light shall not be exhibited as aforesaid the Companies shall forfeit and pay a Sum not exceeding Five Pounds for every Neglect or Omission to exhibit the same. Lights to be exhibited upon each Dolphin from Sunset to Sunrise.  
Penalty for Neglect.

LXX. That the Companies shall provide a Bell or Gong, and shall cause the same to be sounded from the said Dumby or Float during the Prevalence of Fogs; and if the Companies shall neglect to provide a Bell or Gong, or to cause such Bell or Gong to be sounded from the said Dumby or Float during the Prevalence of Fogs, they shall forfeit and pay a Sum not exceeding Five Pounds for every such Offence. A Bell or Gong to be sounded from the Dumby during Fogs.  
Penalty for Neglect.

LXXI. That in case at any Time there shall be any Accumulation of Mud or Dirt adjoining to the Pier in the River *Thames* near to *Tilbury Fort*, and occasioned thereby, which shall appear to the Mayor, Aldermen, and Commons of the City of *London* in Common Council assembled, or to the Lord Mayor of the said City for the Time being, as Conservator of the River *Thames*, to be injurious to the Navigation of the said River, then and in every such Case the Companies shall, at their own Expense, within Thirty Days next after Notice in Writing for that Purpose signed by the Town Clerk for the Time being of the said City of *London* shall have been left at the Office of the Companies, cause the said Mud or Dirt to be taken away or effectually removed; and in case the Companies shall neglect or refuse to cause the said Mud or Dirt to be effectually removed, it shall be lawful for the said Mayor, Aldermen, and Commons, in Common Council assembled, or the said Lord Mayor, to employ other Persons to take away and remove the same, or any other Mud or Dirt that may be there accumulated; and the Companies shall, on Demand, pay to the Mayor and Commonalty and Citizens of the said City all Costs occasioned by the Removal thereof, and the same may be recovered from the Companies by Action of Debt in any of the superior Courts. Accumulation of Mud to be removed within Thirty Days after Notice, at Expense of Companies.  
If Mud, &c. is not removed, Corporation to cause the same to be done, at Expense of Companies.

LXXII. Provided always, That nothing in this Act contained shall extend to prejudice or derogate from the Estates, Rights, Interests, Liberties, Privileges, or Franchises of the Mayor and Commonalty and Citizens of the City of *London*, or their Successors, or the Lord Mayor of the said City for the Time being, or to prohibit, defeat, alter, or diminish Saving Rights of the Lord Mayor, &c. of London.

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diminish any Power, Authority, or Jurisdiction which at the Time of passing this Act the said Mayor and Commonalty and Citizens, or the said Lord Mayor for the Time being, as Conservator of the River *Thames*, or otherwise, did or might lawfully claim, use, or exercise.

If Works  
across tidal  
Waters are  
abandoned,  
Corporation  
may remove  
the same, at  
Expense of  
Companies.

LXXIII. That if any Work to be constructed by the Companies in, affecting, or across any tidal Water or navigable River within the Jurisdiction of the Mayor and Commonalty and Citizens of the City of *London*, or if any Portion of the Work which affects any such Water or River, or Access thereto, shall be abandoned, or suffered to fall into Disuse or Decay, it shall be lawful for the Mayor, Aldermen, and Commons of the City of *London* in Common Council assembled, or the Lord Mayor of the said City for the Time being, to abate and remove the same, or such Part or Parts thereof as they or he may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Companies, and the Amount thereof shall be a Debt due from the Companies to the said Mayor and Commonalty and Citizens, and be recoverable accordingly, with Costs of Suit.

Exemption  
of certain  
Vessels from  
Payment of  
Rates, &c.

LXXIV. That nothing in this Act contained shall extend to charge with Rates or Duties, or to regulate or subject to any Control, any Vessel belonging to or employed in the Service of Her Majesty, Her Heirs and Successors, or any Member of the Royal Family, or in the Service of the Customs or Excise, or of the Corporation of *London*, or of the Corporation of *Trinity House Deptford Strond*, or the Commissioners of Northern Lights, using the Pier or Jetty, and not conveying Goods for Hire, or any Packet Boat or Post Office Packet, being a Packet Boat or Post Office Packet as defined under the Provisions of any Act relating to the Post Office, or any Post Office Bag of Letters conveyed by any such Packet Boat or Packet, or by any other Vessel whatsoever, or any of the Officers or Persons employed in the Service of the Admiralty, Ordnance, Customs, Excise, or Post Office, or their Baggage, or any Vessel or Goods being under Seizure by the Officers of the Revenue, or any Naval, Victualling, or Ordnance Stores, or other Stores or Goods for the Service of or being the Property of Her Majesty, or any Troops landed upon or delivered or disembarked from any Pier or Jetty, or their Baggage, but all such Vessels, Officers, or Persons as aforesaid shall have the free Use of the Pier or Jetty, without any Charge or Rate being made for using the same: Provided always, that if any Person claim and take the Benefit of any such Exemption as aforesaid, without being entitled thereto, he shall for every such Offence be liable to a Penalty not exceeding Ten Pounds.

Penalty on  
Persons  
wrongfully  
claiming  
Exemption.

Mode of  
constructing  
Railway

LXXV. That in case the Companies shall construct the Viaduct for carrying the Railway between *Leigh* and *Southend* on Piling, the  
same

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same shall be so constructed as to admit of such free Communication beneath for Boats as the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, shall by Writing under the Hand of the Secretary of the Admiralty approve of; but in case the same Work shall be constructed as solid Work, then the Companies shall construct a Causeway on the River Side of such Work Seven Yards wide and Three Feet above High-water Mark at ordinary Spring Tides, with a proper and substantial River Wall, for the free Use of and to be enjoyed by the Public, with sufficient Crossings under or over or across the said Work, at suitable Distances, such Viaduct on Piling or solid Work, Causeway, River Wall, and Crossings, as to Number, Situation, and otherwise, to be constructed to the Satisfaction of the Lord High Admiral of the United Kingdom of *Great Britain and Ireland*, or the Commissioners for executing the Office of Lord High Admiral, such Satisfaction to be by Writing under the Hand of the Secretary of the Admiralty; and if any such Work shall be commenced or completed contrary to the Provisions of this Act, it shall be lawful for the said Lord High Admiral or the said Commissioners to alter the same, or to abate and remove the same, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Companies, and the Amount of Expenses so incurred shall be a Debt due to the Crown from the Companies, and be recoverable accordingly with Costs of Suit.

between  
Leigh and  
Southend.

LXXVI. That previously to commencing the Bridges or Crossings over the River *Roding*, *Rainham Creek*, and *Benfleet Creek*, or either of them, or of the Works connected therewith, or the Piers or Jetties in the River *Thames* near *Tilbury Fort* and in *Sea Reach*, or Works connected therewith, the Companies shall deposit at the Admiralty Office Plans, Sections, and Working Drawings of the said several Bridges or Crossings, and Piers and Jetties, and Works connected therewith, for the Approval of the said Lord High Admiral or the said Commissioners, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty, and such Bridges or Crossings, Piers or Jetties, and Works shall be constructed only in accordance with such Approval.

Previous to  
Construction  
of Bridges  
across cer-  
tain Creeks,  
working  
Drawings to  
be submitted  
to Admi-  
ralty.

LXXVII. That if, after Working Drawings of the Works hereby authorized shall have been submitted to the Lord High Admiral of the United Kingdom or to the Commissioners for executing the Office of Lord High Admiral, it shall be deemed expedient by him or them to order a local Survey and Examination of such Works or of the intended Site thereof, the Companies shall defray the Costs of such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the Companies, and if not paid upon

Power to  
Admiralty to  
order a  
local Survey,  
at Expense  
of Com-  
panies.

[Local.]

14 H

Demand

London, Tilbury, and Southend Extension Railway Act, 1852.

Demand may be recovered as a Debt due to the Crown, with the Costs of Suit, or may be recovered with Costs as Penalty is or may be recoverable from the Companies.

If Works constructed across tidal Waters, not in the Jurisdiction of the City, be abandoned, Admiralty may remove them, at Expense of Companies.

LXXVIII. That if any Work to be constructed by the Companies in, affecting, or across any tidal Water or navigable River not within the Jurisdiction of the Mayor and Commonalty and Citizens of the City of *London*, or if any Portion of the Work which affects any such Water or River, or Access thereto, shall be abandoned, or suffered to fall into Disuse or Decay, it shall be lawful for the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Companies, and the Amount thereof shall be a Debt due from the Companies to the Crown, and be recoverable accordingly, with Costs of Suit.

Companies to cause Lights to be exhibited during Construction of Bridges over *Rainham Creek*.

LXXIX. That during the Construction of the said Bridges or Crossings over *Rainham Creek*, and the said Pier or Jetty, and Works connected therewith, the Companies shall cause to be hung out or exhibited on the said Bridge or Crossing, and also on the said Pier or Jetty, or Works connected therewith, every Night, from Sunset to Sunrise, a Light, to be kept burning by and at the Expense of the Companies, for the Navigation and safe Guidance of Vessels; and for ever after the Completion of the said Bridge or Crossing the Companies shall cause to be hung out or exhibited upon or near to the Centre of the said Bridge or Crossing, every Night, from Sunset to Sunrise, a good and sufficient Light, to be kept burning, by and at the Expense of the Companies, for the Navigation and safe Guidance of Vessels; and which Light shall be from Time to Time altered by the said Companies in such Manner and be of such Description and be so used as the principal Harbour Master of the Port of *London* approve of; and in case the Companies shall neglect to exhibit and keep such Light burning as aforesaid they shall forfeit and pay for every such Neglect the Sum of Five Pounds.

Penalty for Neglect.

Saving Rights of Watermen's Company.

LXXX. That nothing in this Act contained shall extend or be construed to extend to take away, prejudice, or in any Manner affect any Right, Privilege, or Franchise which the Company of Master, Wardens, and Commonalty of Watermen and Lightermen of the River *Thames* have or claim to have, or to abridge, alter, diminish, or take away any of the Jurisdictions, Powers, or Authorities which the said Company of Master, Wardens, and Commonalty of Watermen and Lightermen of the River *Thames* have or claim to have,

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to have, but all Rights, Privileges, Franchises, Jurisdictions, Powers, and Authorities vested in them shall be as good, valid, and effectual as if this Act had not been passed.

LXXXI. That nothing in this Act contained shall extend to authorize the Companies to construct any Works within or upon the Water or Bed or Shores of the River *Thames* without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or some One of them, on behalf of Her Majesty, and of the said Mayor, Aldermen, and Commons of the City of *London* in Common Council assembled, on behalf of the Mayor and Commonalty and Citizens of the City of *London*, under the Hand of the Town Clerk of the said City, first had and obtained.

Works connected with the River subject to the Approval of Commissioners of Woods, &c. and Corporation of London.

LXXXII. That nothing contained in this Act or in the Acts herein recited or referred to shall be deemed or construed to extend, either directly or by Implication or otherwise, to prejudice or affect any Right of Property or Title belonging to Her Majesty, Her Heirs or Successors, in or to the Ground or Soil and Bed of the River *Thames* or the Shores thereof, or to authorize the Companies to purchase, take, or use any Land or Soil, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or some One of them, first had and obtained for that Purpose (and which Consent such Commissioners, or One of them, are and is hereby authorized and empowered to give), or to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by Her Majesty, Her Heirs or Successors.

Saving Rights of the Crown.

LXXXIII. And whereas the estimated Expense of the Undertaking by this Act authorized is Four hundred thousand Pounds: And whereas Scrip for Shares to represent that Sum has been offered in equal Proportions to the Shareholders of the *Eastern Counties Railway Company* and of the *London and Blackwall Railway Company* respectively, and such of those Shareholders as were desirous of subscribing to the Undertaking have taken the Scrip so offered to them: Therefore the Companies may raise for the Purposes of this Act, by the Creation of Forty thousand new Shares of Ten Pounds each, a Capital of Four hundred thousand Pounds.

Power to raise Capital by Creation of new Shares.

LXXXIV. That the Shares in that Capital shall be called "*London, Tilbury, and Southend Extension Shares*," and all Persons who have already subscribed or shall hereafter subscribe towards that Capital shall

Shares to be called "*London, Tilbury, and Southend Extension Shares*."

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shall be Proprietors of such a Number of those Shares as represents the Sum so subscribed by them respectively.

Registration  
of Shares

LXXXV. That such Shares shall be numbered in arithmetical Progression, beginning with Number One; and the Shares numbered from One to Twenty thousand, both inclusive, shall, subject to the Provisions of this Act, be deemed Part of the Capital Stock of the *Eastern Counties* Railway Company; and the Shares numbered Twenty thousand and one to Forty thousand, both inclusive, shall, subject to the Provisions of this Act, be deemed Part of the Capital Stock of the *London and Blackwall* Railway Company; and such Shares shall be registered accordingly.

Shares not  
to confer  
other Rights  
than hereby  
granted.

LXXXVI. That those Shares shall not confer on the Holders thereof any other Rights or Privileges than such as are expressly conferred by this Act.

Existing  
Shares in  
Companies  
not to give  
Rights as to  
Undertaking.

LXXXVII. That the Holders of existing Shares in the Companies respectively shall not in respect of such Shares have, except as by this Act expressly provided, any Right or Privilege in or with respect to the Undertaking by this Act authorized.

Qualification  
for voting.

LXXXVIII. That the Shares shall qualify the Holders thereof to attend and vote at Meetings of the *Eastern Counties* Railway Company and *London and Blackwall* Railway Company, as the Case may be, upon Questions relating to the Undertaking by this Act authorized.

Calls.

LXXXIX. That the greatest Amount of any One Call on the Extension Shares shall be Two Pounds, and the Interval between successive Calls shall be Three Months at least, and not more than Four Fifths of a Share shall be called up in any One Year.

Power to  
borrow  
Money on  
Mortgage.

XC. That after the whole of the Capital by this Act authorized is subscribed for, and One Half thereof is paid up, the Companies may borrow on Mortgage of the future Calls, if any, under this Act, on Shareholders, and the Undertaking by this Act authorized, and the Tolls and Sums of Money arising by virtue of this Act, any Sums not exceeding in the whole One hundred thousand Pounds.

Application  
of Monies  
raised.

XCI. That all Monies raised under this Act by Shares, by borrowing, by Tolls, or otherwise, shall be applicable only for the Purposes of this Act, and shall be applied, first, in paying the Costs, Charges, and Expenses of and incident to the applying for and obtaining this Act, and then in constructing the Railway and Works by this Act authorized, and in otherwise carrying this Act into execution.

XCII. That



*London, Tilbury, and Southend Extension Railway Act, 1852.*

XCII. That all the Profits of the Undertaking by this Act authorized applicable for Dividends shall be divided and paid accordingly to and among the Shareholders of the Capital by this Act authorized.

Application of Profits.

XCIII. That the Board of Directors of each of the Companies shall within Six Weeks after the passing of this Act nominate Four Members of the respective Board to be Members of a Joint Committee, and the Eight Persons so nominated, and their Successors from Time to Time appointed under this Act, shall form a Joint Committee for executing this Act.

Joint Committee.

XCIV. That whenever any Member of the Joint Committee ceases to be a Member of the Board by which he was appointed he shall thereupon cease to be a Member of the Joint Committee.

Disqualification of Committee Men.

XCV. That each Board, giving Fourteen Days previous Notice thereof to the other Board, may at any Time remove any Member of the Joint Committee appointed by the Board giving such Notice.

Removal of Committee Men.

XCVI. That within One Month after any Vacancy, by Disqualification, Death, Removal, Resignation, or otherwise, in the Joint Committee, the Board by which the Person ceasing to be a Member of the Joint Committee was appointed shall appoint another Member of that Board in his Place.

Vacancies to be supplied.

XCVII. Provided always, That if by reason of the Default of either of the Boards in making any such Appointment there shall not at any Time be Eight Members of the Joint Committee, the Members for the Time being thereof, though fewer than Eight, shall, notwithstanding such Default, be entitled to exercise all the Powers of the Joint Committee.

Provision in case Vacancies not supplied.

XCVIII. That at all Meetings of the Joint Committee the Majority present shall bind the Minority and all absent Members, and the Chairman shall not have a Second or Casting Vote, and Three Members of the Joint Committee shall form a Quorum, and at all Meetings of the Joint Committee a Chairman shall first be appointed.

Procedure of Joint Committee.

XCIX. Provided always, That such Three Members shall not be those appointed by One of the Boards, except in Cases where, through the Default of the other Board, there is not for the Time being any Member of the Joint Committee appointed by the defaulting Board, and except also in Cases where all the Members or the Member, if only One, for the Time being, appointed by One of the Boards, makes default in Attendance at Two successive Meetings of the Joint Committee,

Provision as to Quorum of Joint Committee.

*London, Tilbury, and Southend Extension Railway Act, 1852.*

mittee, there having been left with the Secretary of that Board Six Days Notice in Writing from the other Board requiring the Attendance at One at least of such Meetings of such defaulting Members or Member, in which Cases respectively Three Members appointed by One of the Boards shall form a Quorum.

Umpirage.

C. That whenever the Joint Committee, by reason of the Equality of the Votes of the Members thereof, are unable to determine any Question, the same shall be referred by the Joint Committee to the Determination of the Boards of Directors of the Companies; and if those Boards cannot agree thereon, such Question shall be referred to the Decision of such One Person as, on the Application of the Joint Committee or the Two Boards, or either of them, shall be appointed by the Board of Trade to act as Umpire in that Behalf.

Joint Committee to exercise Powers of the Companies with respect to the Undertaking.

CI. That, except as by this Act otherwise provided, the Joint Committee shall exercise all the Powers and Authorities by this Act conferred upon the Companies as if the Joint Committee were the Directors of the Companies, and may make Calls, and construct and manage and regulate the Money and Works, and the working and using of the same by the Companies respectively, and the Times and Places for the Departure, stopping, and Arrival of the Trains on the Railway, and the Speed at which such Trains shall travel, and may appoint and remove all Clerks, Officers, and Servants necessary for the Construction, working, and using of the Railway and Works, and the Traffic thereon, and may exercise all such other Powers and Authorities with respect to the Undertaking as, in case the Joint Committee had not been appointed, the Companies and the Directors thereof respectively might have exercised with reference thereto.

Inspection of Accounts of Joint Committee.

CII. That the Directors and Secretaries of the Companies respectively shall at all seasonable Times be at liberty to inspect the Account Books, Minute Books, and all other Books, Papers, Writings, Minutes, and Accounts in the Possession or Custody of the Joint Committee relating in any Manner to their Proceedings, or having reference to the Undertaking, and to take Copies of and Extracts from the same, as such Directors and Secretaries respectively think fit.

Auditors.

CIII. That each of the Companies shall from Time to Time appoint One Auditor to audit the Accounts of the Undertaking.

Actions, &c. with respect to Undertaking.

CIV. That all Actions, Suits, Indictments, and other Proceedings at Law or in Equity which might have been brought and prosecuted by or against either of the Companies if that Company had been solely

*London, Tilbury, and Southend Extension Railway Act, 1852.*

solely authorized to execute this Act may, as regards any Act or Default of the Joint Committee in relation to the Railway and Works by this Act authorized, or any Part thereof, or the Execution of this Act, be brought and prosecuted by or against the Companies jointly, and any Summons, Demand, Writ, Notice, or other Proceedings at Law or in Equity, or otherwise relating in any Manner to the Railway and Works, or any Act or Default of the Joint Committee, shall, if served on the Secretary or any Member of the Joint Committee, be as valid and effectual as if it had been served on the Companies: Provided always, that the Joint Committee shall have the sole Conduct of all Proceedings with respect to any such Actions, Suits, Indictments, and other Proceedings, and may make use of the Names of the Companies with reference thereto: Provided always, that the Companies or either of them shall not be liable to any Execution or other Remedy, or to any Damages, Costs, Losses, Charges, Expenses, Claims, or Demands, with respect to any such Action, Suit, Indictment, or other Proceeding, but the Railway and Works by this Act authorized, and the Tolls, Rates, Charges, and other Income of the Joint Committee, shall be exclusively liable to such Executions and other Remedies, and to satisfy such Costs, Losses, Charges, Expenses, Claims, and Demands.

CV. That, subject to the Control and Management of the Joint Committee, and the Provisions of the several Acts of Parliament for the Time being relating to the Undertaking by this Act authorized, and to the Companies respectively, each of the Companies may at all Times hereafter use the Railway and Works by this Act authorized, for the Conveyance of Passengers, Animals, and Things thereupon, and for all such other Purposes as shall be necessary for the Traffic or Business of the same respective Company thereon.

Use of Line  
by the Com-  
panies.

CVI. All such Expenses as shall be incurred by either of the Companies in the actual Conveyance or Transmission of Passengers, Animals, or Things, or the Use of Carriages, Locomotive Engines, or other Power, on the Railway and Works or any Part thereof, and all Liabilities which shall be incurred in respect of the Railway and Works, by reason of the Loss of Animals or Things, or of Accidents or otherwise, however occasioned, by the same respective Company or the Officers or Servants in the Employment of the same respective Company, shall be defrayed and borne by the same respective Company.

Expenses of  
Companies  
on Railway.

CVII. And with respect to Fares and Charges for Traffic passing over the Extension Railway and the existing Railways, to be taken and retained by the Companies for the Use of the existing Railways, Stations,

Proportion  
of Fares and  
Charges to  
be taken

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by Companies in respect of Portions of existing Railways.

Stations, and Works between the respective *London* Termini of their Railways and the Junction of the Extension Railway, be it enacted, That as regards the Traffic passing over the existing Railways, and also over the Extension Railway between the said Junction and *Tilbury* or any Part thereof, the Fares and Charges to be taken and retained by the respective Companies for the Use of the existing Railways, Stations, and Works, as before described, or of the Part thereof over which such Traffic shall pass, shall not exceed, including all Expenses of working such Railways, Sums equal to One Half of the entire Fare or Charge by this Act authorized to be taken in respect of the same Class of Passengers or Description of Goods, Animals, or other Matters or Things for the whole Distance between the said Junction and *Tilbury*, and as regards Traffic passing over the existing Railways to or from any Part of the Extension Railway between *Tilbury* and *Southend* the Fares and Charges to be taken and retained by the respective Companies for the Use of the existing Railways as before mentioned, or of the Parts thereof respectively over which such Traffic shall pass, shall not exceed, including all Expenses of working such Railways, Sums equal to One Third of the entire Fare or Charge by this Act authorized to be taken for the whole Distance between the said Junction and *Southend* in respect of the same Class of Passengers or Description of Goods, Animals, or other Matters or Things.

Arbitration. CVIII. That as between the said Two Companies the Apportionment of the Fares and Charges to be taken by them for the Use of their respective Railways, and any Questions in any way arising out of Arrangements for working the Traffic on, to, or from the Extension Railway, shall, if not agreed on by the Joint Committee, be determined by Arbitration by Two Arbitrators, One to be appointed by each of the Companies or their Umpire.

Contracts between Two Companies. CIX. That the Companies, with the Authority of a General Meeting of each of the Companies respectively, may from Time to Time make and carry into effect all such mutual Contracts with respect to the Undertaking by this Act authorized, or the Interests of the Companies or either of them relating thereto, or other the Purposes of this Act, as the Companies from Time to Time think fit.

Agreements between Companies not to be prejudiced. CX. Provided always, That this Act, or anything therein contained, shall not prejudice or affect any Agreement between the Companies as to the Sums to be paid for the Enlargement of the Station of the *London and Blackwall* Railway at *Fenchurch Street* or otherwise.

CXI. That

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CXI. That it shall not be lawful for the said Companies, out of any Money by this Act or any other Act relating to the said Companies authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest or Dividends to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein-before contained shall be deemed to prevent the said Companies from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

Interest not to be paid on Calls paid up.

CXII. That it shall not be lawful for the Companies, out of any Money by this Act or by any other Act relating to the said Railway Companies 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 Companies to construct any other Railway or to execute any other Work or Undertaking.

Deposits for future Bills not to be paid out of the Companies Capital.

CXIII. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railway*; and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways*; and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops*; and another Act was passed in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways*; and an Act was passed in the Ninth and Tenth Years of the Reign of Her said Majesty, intituled *An Act for regulating the Gauge of Railways*; and an Act was passed in the last Session of Parliament, intituled *An Act to repeal the Act for constituting Commissioners of Railways*: Be it enacted, That nothing in this Act contained shall be held to exempt the said Extension Railway or the said Companies from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Extension Railway and Companies, so far as the same shall be applicable thereto.

Railway to be subject to Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., 9 & 10 Vict. c. 57., and 14 & 15 Vict. c. 64.

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*London, Tilbury, and Southend Extension Railway Act, 1852.*

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Railway not  
exempt from  
Provisions of  
future Ge-  
neral Acts.

CXIV. That nothing herein contained shall be deemed or construed to exempt the Railway by this or the said recited Acts authorized to be made from the Provisions of any General Act relating to such Acts, or 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 this Act or by the said recited Acts, or the Rates, Tolls, and Charges in respect of small Parcels.

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