



**CHAPTER cxi.**

An Act to confer further powers on the London Brighton and South Coast Railway Company and for other purposes. A.D. 1898.  
[25th July 1898.]

**W**HEREAS it is expedient that powers should be conferred upon the London Brighton and South Coast Railway Company (who are herein-after referred to as "the Company")—

To make the new railways railway widenings and works as in this Act described ;

To divert and stop up certain paths and ways and to extinguish certain rights of way and of crossing the railway of the Company on the level ;

To purchase additional lands ;

And to raise additional capital for the purposes of this Act and for the general purposes of their undertaking :

And whereas it is expedient to empower the Company and the London and South Western Railway Company to acquire certain lands in the parishes of Mitcham and Merton in the county of Surrey and to construct certain works in the said parish of Mitcham :

And whereas plans and sections showing the lines and levels of the railways and works authorised by this Act and the lands required or which may be taken for the purposes thereof and plans of the lands which may be acquired under this Act and a book of reference to such plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the said lands have been deposited with the respective clerks of the peace for the counties of London Surrey and Sussex and those plans sections and books of reference are in this Act referred to as the deposited plans sections and books of reference respectively :

And whereas it is expedient to extend the period for the completion of certain railways authorised by the London Brighton and South Coast Railway Act 1894 : 57 & 58 Vict.  
c. civ.

[Ch. cxi.] *London, Brighton, and South Coast* [61 & 62 Vict.]  
*Railway Act, 1898.*

A.D. 1898. — And whereas the objects 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:—

Short title. **1.** This Act may be cited for all purposes as the London Brighton and South Coast Railway Act 1898.

Incorporation of general Acts. **2.** The Lands Clauses Acts the Railways Clauses Consolidation Act 1845 and Part I. (relating to the construction of a railway) and Part II. (relating to extension of time) of the Railways Clauses Act 1863 are subject to the provisions of and except where varied by this Act incorporated with and form part of this Act.

Extending certain provisions of Companies Clauses Acts. **3.** The clauses and provisions of the Companies Clauses Consolidation Act 1845 with respect to—

The distribution of the capital of the Company into shares;

The transfer or transmission of shares;

The payment of subscriptions and means of enforcing payment of calls;

The forfeiture of shares for non-payment of calls;

The remedies of creditors of the Company against the shareholders;

The borrowing of money by the Company on mortgage or bond;

The conversion of the borrowed money into capital;

The consolidation of shares into stock;

The general meetings of the Company and the exercise of the right of voting by the shareholders;

The making of dividends;

The giving of notices; and

The provision to be made for affording access to the special Act by all parties interested;

and also Parts I. II. and III. of the Companies Clauses Act 1863 (relating respectively to the cancellation and surrender of shares to additional capital and to debenture stock) as amended by subsequent Acts shall subject to the provisions of this Act extend and apply to the capital and money hereby authorised to be raised by shares or stock or borrowing and the proprietors thereof.

Interpretation. **4.** In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partly incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction:

“ Railway ” or “ railways ” means the new railways and widenings of existing railways by this Act authorised: A.D. 1898.

The expressions “ parish clerks ” and “ clerks of the several parishes ” in sections 7 8 and 9 of the Railways Clauses Consolidation Act 1845 shall as regards those parishes or places in the Metropolis as defined by the Metropolis Management Acts 1855 to 1893 in which by the standing orders of either House of Parliament plans sections and other documents are required to be deposited with the clerk of the vestry of the parish or with the clerk of the district board for the district in which the parish or place is included mean in the first case the vestry clerk of the parish and in the second case the clerk of the district board respectively.

5. Subject to the provisions of this Act the Company may make and maintain in the lines and according to the levels shown on the deposited plans and sections the railways and the widenings of railways (including in that expression the alteration and improvement of existing railways and the laying down of additional lines of rails) herein-after described with all proper stations sidings approaches works and conveniences connected therewith and may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited books of reference as may be required for those purposes (that is to say) :— Power to  
make rail-  
ways.

#### NEW RAILWAYS.

- (a) A railway (3 furlongs 5·75 chains or thereabouts in length) in the parish of St. Paul Deptford in the county of London commencing by a junction with the Company’s railway at New Cross near the bridge carrying the New Cross Road over the said railway and terminating near the southern boundary of Knoyle Street near the East London Railway crossing at Knoyle Street :
- (b) A railway (2 furlongs 0·4 chains or thereabouts in length) in the parish of Lingfield in the county of Surrey commencing by a junction with the Company’s Croydon Oxted and East Grinstead line near Lingfield Station and terminating opposite the northern entrance to the Lingfield Racecourse :
- (c) A railway (2 furlongs 8 chains or thereabouts in length) in the parish of Croydon in the county of Surrey commencing by a junction with the Norwood fork-line of the Company near the Selhurst Station of the Company and terminating by a junction

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with the Croydon and Epsom line of the Company near the bridge carrying Gloucester Road over the said railway.

WIDENINGS OF EXISTING RAILWAYS.

A widening (No. 1) of the Company's railway from Victoria to Clapham Junction on the west side thereof situate in the county of London commencing in the parish of St. George Hanover Square at a point eleven chains or thereabouts north of the bridge carrying the said railway over Grosvenor Road and terminating in the parish of St. Mary Battersea near the northern boundary of the Prince of Wales Road at its junction with Victoria Circus:

A widening (No. 2) of the Company's railway from Victoria to Clapham Junction on the western side thereof in the parish of St. Mary Battersea in the county of London commencing at the termination before described of the Widening No. 1 and terminating near the signal box on the said railway at Poupert's Junction thereon:

A widening of the Company's Croydon and Balham line on the northern and eastern sides thereof commencing in the parish of Streatham in the county of London at a point fifteen chains or thereabouts measured along the said railway in a westerly direction from the Streatham Common Station thereon and terminating in the parish of Croydon in the county of Surrey at a point five chains or thereabouts north of the Windmill Bridge Junction thereon:

A widening of the Company's Newhaven and Seaford line on the northern side thereof commencing in the parish of Meeching (otherwise Newhaven) at a point thereon opposite the northern end of the London and Paris Hotel at Newhaven and terminating in the parish of Seaford at the Seaford Station of the Company.

Power to  
make works.

6. Subject to the provisions of this Act the Company may make and maintain in the lines and according to the levels shown on the deposited plans and sections the works herein-after described with all proper approaches works and conveniences connected therewith and may enter upon take and use such of the lands delineated upon the deposited plans and described in the deposited books of reference as may be required for those purposes (that is to say):—

The Company may—

(a) lengthen on the eastern side thereof the bridge situate in the parish of Leatherhead in the county of Surrey carrying

the Company's Horsham Dorking and Leatherhead line over Randall's Lane at the south end of the Leatherhead Station ; A.D. 1898.

(b) construct a new road wholly in the parish of Reigate in the county of Surrey situate on the western side of the Company's main line to Brighton commencing on the eastern side of the Brighton Road seventeen chains or thereabouts south of the bridge carrying the Reading Branch of the South Eastern Railway Company over the said road and terminating on the northern side of the road passing under the Company's said railway at the northern end of the Redhill Goods Yard ;

(c) construct a new road or street wholly in the parish and borough of Brighton in the county of Sussex near the Company's goods station yard commencing by a junction with Ann Street at or near its junction with New York Street and terminating by a junction with Cheapside about midway between Fleet Street and Belmont Street.

7. The Company may in connexion with the widening of the Croydon and Balham line by this Act authorised divert in the manner shown upon the deposited plans the street or road numbered on the said plans 41 in the parish of Croydon and may stop up and cause to be discontinued as a road so much of the existing road as will be rendered unnecessary by the diversion. Power to divert road as shown on deposited plans.

8. Whereas for the purposes of the construction of the railway in the parish of St. Paul Deptford authorised by this Act it will be necessary for the Company to acquire from the East London Railway Company (herein-after referred to as "the East London Company") an easement or right of using in perpetuity certain lands belonging to that company including the site of their low level line and station at New Cross (herein-after referred to as "the low level line and station") together also with an easement or right of using in perpetuity some land adjoining thereto belonging to that company situate on the north-eastern side of the low level line and station which has not been utilised for railway purposes (herein-after referred to as "the vacant land") and also to exercise certain rights of that company in and over lands belonging to the Company which adjoin such last-mentioned land And whereas the said low level line and station and the said vacant land and the rights of the East London Company in the land of the Company are leased in perpetuity to the following six companies namely The Company the Metropolitan Railway Company the Metropolitan District Railway For protection of East London Railway Company and other companies lessees of East London Railway.

[Ch. cxi.]      *London, Brighton, and South Coast* [61 & 62 VICT.]  
*Railway Act, 1898.*

A.D. 1898.      Company the South Eastern Railway Company the Great Eastern Railway Company and the London Chatham and Dover Railway Company (herein-after collectively referred to as "the lessee companies") And whereas a plan has been prepared showing thereon in different colours the low level line and station and the vacant land and the land of the Company over which the said East London Company possesses rights and the same plan (herein-after referred to as "the signed plan") has been signed by Henry Hobhouse (the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred) and has been deposited at the Private Bill Office of the House of Commons And whereas the said low level line and station is shown thereon in purple colour the said vacant land in blue colour the said land of the Company over which the East London Company have rights in yellow colour and the reception sidings referred to in sub-section (4) of this section are indicated thereon by lines of railway which have been coloured vermilion Be it enacted that in consideration of being permitted to acquire such easements or rights of using as aforesaid the Company shall for the protection of the East London Company and of the lessee companies be bound by the following provisions videlicet :—

- (1) The Company shall before proceeding to exercise any of the powers under this Act over the lands of the East London Company and of the lessee companies submit to arbitration plans and sections of the railway and works by this Act authorised so far as they affect the said lands and obtain the arbitrator's approval thereof :
- (2) The Company shall within twelve months after the passing of this Act proceed to acquire from the East London Company and the lessee companies (which companies shall respectively sell and grant the same to the Company) an easement or right of using in perpetuity the said low level line and station (being the area coloured purple on the signed plan) and also the said vacant land (being the area coloured blue on the signed plan) and to exercise the said rights over the land coloured yellow on the signed plan at such price and upon such terms and conditions as in default of agreement shall be settled by arbitration and (subject to the provisions of this section as to arbitration) the provisions of the Lands Clauses Acts shall apply to such arbitration and to the assessment of the purchase money as if notice to treat had been served by the Company under those Acts Provided that there shall be but one arbitration and assessment of purchase money and that the arbitrator instead of

awarding the purchase money in a gross sum shall award the same in the form of an annual payment to be paid to the lessee companies and applied by them in reduction of the rent of thirty thousand pounds per annum payable to the East London Company under the East London Railway Act 1882 : A.D. 1898.

- (3) The Company may if they desire so to do make a new junction with the East London Railway at the point indicated on the signed plan by the letter " B " in substitution for the existing junction with that line at the point thereon indicated by the letter " A " :
- (4) The Company shall at their own expense as soon as may be practicable after the passing of this Act and after the acquisition by them of the aforesaid easements or rights of using the said lands and property of the East London Company construct and lay down the reception sidings for the interchange of traffic between the system of the East London Company and the system of the Company which are shown on the signed plan and thereon coloured vermilion :
- (5) The lessee companies shall for ever hereafter (subject as herein-after provided) have the right to use the lines of the Company coloured green on the signed plan leading from the East London Railway to the High Level New Cross Station of the Company and to stop any of their passenger trains working over the East London Railway at the eastern side of the down island platform of the Company at that station and for the necessary purposes of their traffic to use that platform and the waiting-rooms accommodation conveniences and staff thereon and connected therewith and the booking offices waiting rooms and conveniences (including booking staff) in the general station buildings at New Cross Station situate on the level of New Cross Road (not exceeding however the staff provided by the Company for their own purposes) without any payment being made therefor to the Company except the chainage proportion as herein-after provided Provided always that the joint committee or any of the lessee companies may at any time hereafter supplement the said booking staff at their own expense :
- (6) If at any time hereafter the lessee companies or any of them shall be of opinion that the accommodation and conveniences provided by the Company at their High Level New Cross Station are insufficient for the purposes of the trains and traffic of the lessee companies working over the East London Railway

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and shall call upon the Company to provide additional accommodation and conveniences then in the event of any difference of opinion arising between the lessee companies or any of them and the Company either as to whether the accommodation then provided is reasonably sufficient or (if the same be admitted by the Company or decided by an arbitrator to be inadequate) as to what works ought to be carried out by the Company to provide additional accommodation the matter shall be referred to arbitration as herein-after provided and in the event of the arbitrator determining that additional accommodation and conveniences are required he shall also determine the works that ought to be executed by the Company and shall fix a time within which such works ought to be executed and the Company shall at their own cost carry out such works within the time fixed by the arbitrator so that the lessee companies may have the use thereof immediately after the expiration of the time so fixed by the arbitrator And it shall be within the power of the arbitrator to direct that a rearrangement of the lines leading from the East London Railway to the said high level station shall be made and to direct that other lines to the eastward of the lines coloured green be substituted for the said lines coloured green and that another platform with suitable conveniences to the eastward of the existing down island platform be constructed by the Company for the use of the lessee companies in lieu of the said down island platform or to direct any of the said alterations and the provisions of this section as to user by the lessee companies shall apply to such additional or substituted accommodation Provided that the powers of the arbitrator to determine such works shall be limited to determining works whether of lines or platforms capable of being constructed within the area of the Company's existing land adjoining their said high level station which lies to the eastward of the said lines coloured green and to the west of North Road the boundary of which is shown on the signed plan by an edging of pink colour :

- (7) If at any time hereafter the Company shall require to widen and improve their railway or their High Level New Cross Station and shall for that purpose desire to appropriate to their own purposes the said lines coloured green on the signed plan or any part of the same and to substitute for such last-mentioned lines other lines either now existing or hereafter to be laid down on their land situate to the east of the said lines



coloured green and to the west of North Road (as referred to in the last preceding sub-section) and other station accommodation in lieu of that provided by their said down island platform then in the event of any difference of opinion arising between the Company and the lessee companies or any of them as to the works proposed by the Company or as to the sufficiency of such substituted lines or of the substituted station accommodation proposed by the Company the matter shall be referred to arbitration as herein-after provided and the arbitrator shall have the same powers of directing a rearrangement of the lines leading from the East London Railway to the high level station and a substitution of other lines for the said lines coloured green and of other station accommodation for the existing accommodation at the said down island platform as are vested in him under this section. Provided that any such substituted accommodation shall be equally convenient as the then existing accommodation and the provisions of this section as to user by the lessee companies shall apply to such substituted accommodation:

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- (8) Each of the lessee companies shall have the right to fix its fares and rates to be charged to and from the High Level New Cross Station of the Company and in the apportionment of the rates and fares the Company shall only be entitled to a chainage proportion of twenty-eight chains out of such fares and rates in respect of the said lines coloured green on the signed plan or any lines substituted therefor and the Company shall allow to the company running any trains thereover a working allowance in respect of the same distance of twenty-eight chains at such rate as may for the time being be paid or allowed by the lessee companies to the companies running trains on the East London Railway:
- (9) Any matter to be determined by arbitration under this section shall be referred to the standing arbitrator under the East London Railway Act 1882.

9. The Company shall not under the powers of this Act purchase or take otherwise than by agreement any land belonging to the London County Council adjoining or held in connexion with the sewage pumping station and works of that Council at Grosvenor Road.

As to certain lands of London County Council.

10. With reference to the works by this Act authorised to be constructed within the county of London the following provisions

For protection of London

[Ch. cxi.] *London, Brighton, and South Coast* [61 & 62 VICT.]  
*Railway Act, 1898.*

A.D. 1898. for the protection of the London County Council (in this Act called  
 County Council. "the London Council") shall have effect (that is to say) :—

(1) The Company shall pay to the London Council compensation (to be settled in event of dispute under the provisions of the Lands Clauses Acts) for any injury caused to the superintendent's house at the Grosvenor Road sewage pumping station of the London Council by reason of any interference with the light and air thereof caused by the construction of the Widening (No. 1) by this Act authorised :

(2) Notwithstanding anything in this Act or shown on the deposited plans and sections the extensions of the bridges for carrying the widenings by this Act authorised over the streets or roads next herein-after mentioned shall be constructed as girder bridges and shall have a clear headway throughout above the existing surface of the street or road and a clear span throughout measured on the square in each case not less than the headways and spans herein-after mentioned (that is to say) :—

Parish.	Name or Description of Road or Bridge.	No. on deposited Plan.	Headway.	Span at right angles to Road.
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WIDENING (NO. 1) OF RAILWAY FROM VICTORIA TO CLAPHAM JUNCTION.

			ft. in.	ft. in.
St. George Hanover Square	Grosvenor Road -	2	15 0	70 0

WIDENING (NO. 2) OF RAILWAY FROM VICTORIA TO CLAPHAM JUNCTION.

St. Mary Battersea -	Footway from Russell Street to Queen's Road	74	27 3	40 0
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WIDENING OF CROYDON AND BALHAM LINE.

Streatham -	Bridge at 4 furlongs and 7 chains	—	13 0	40 0
" -	Hermitage Green Bridge	70	15 9	40 0

And the bridge for carrying the widening over the said footway numbered 74 in the parish of St. Mary Battersea shall be

constructed in accordance with the plan signed by Henry Hobhouse the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred (which plan is in this section called "the signed plan") :

And the bridges for carrying the widenings over Prince of Wales' Road Battersea Park Road Queen's Road St. George's Street and Southolm Street respectively shall be constructed with arches and headways at the centre of the span and at the springing respectively to correspond with the existing bridges over those roads :

(3) If at any time after the passing of this Act the London Council shall give notice in writing under their common seal to the Company requiring them to alter any of the existing bridges next herein-after mentioned (namely):—

(a) The bridge carrying the railway of the Company over the footway from Russell Street to Queen's Road numbered on the deposited plans seventy-four in the parish of St. Mary Battersea ;

(b) The bridge in the parish of Streatham shown on the deposited plans at four furlongs and seven chains from the commencement of the widening of the Croydon and Balham line ;

(c) The bridge known as Hermitage Green Bridge carrying the railway of the Company over the road numbered on the deposited plans seventy in the parish of Streatham ;

and to re-construct the same or any of them as girder bridges having a clear headway throughout of not less than twenty-seven feet three inches above the present surface of the said footway numbered seventy-four and of not less than fifteen feet above the present surface of the said road numbered seventy and of not less than thirteen feet above the present surface of the ground at the said bridge at four furlongs and seven chains and with a clear span throughout of not less than forty feet in each case the Company shall alter and re-construct the said bridge or bridges accordingly so as to correspond with the extensions of the said bridges provided for by this section and as regards the bridge over the footway from Russell Street in accordance with the signed plan :

Provided that the Company shall not be required to commence such alterations and re-construction until the widening of the railway at the said bridges respectively shall be open for traffic and that when the Company shall have altered and re-constructed any such bridge pursuant to any such notice and in

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accordance with the provisions herein-before contained to the reasonable satisfaction of the engineer of the London Council the London Council shall forthwith repay to the Company the necessary and proper costs of such alteration and re-construction and any works rendered necessary thereby the amount of which unless otherwise agreed shall be settled by arbitration :

Provided also that such notice may as regards the said bridge in the parish of St. Mary Battersea over the footway numbered 74 in that parish be given by the vestry of that parish and as regards the said bridges at four furlongs seven chains and at the roadway numbered 70 in the parish of Streatham by the Board of Works for the Wandsworth District and in such case the foregoing provisions in this section shall be read as if the said vestry or the said district board (as the case may be) were substituted for the London Council :

(4) In constructing the extension of the said bridge over the footway numbered 74 in the parish of St. Mary Battersea and the extension of the said bridge at four furlongs seven chains in the parish of Streatham by this Act authorised and in altering and re-constructing the existing bridges at those places under the provisions of this section the abutments of the extension or of the altered and re-constructed bridge (as the case may be) shall in each case be carried to such depth and be so re-constructed in all respects as to admit of the formation of a roadway by lowering the present surface of the ground under the extended altered or re-constructed bridge so as to permit of a clear headway in the case of the first-mentioned bridge of not less than fifteen feet under the adjoining bridge of the London and South Western Railway and in the case of the last-mentioned bridge of not less than sixteen feet :

(5) Nothing in this Act contained or shown upon the deposited plans shall authorise the Company to make any addition to alter or in any way interfere with the bridge carrying the Company's railway over Culvert Road in the parish of St. Mary Battersea or the air space shown on the deposited plans between such bridge and the adjoining bridge :

(6) The Company shall not alter or in any way interfere with the road called Greyhound Lane (numbered on the deposited plans 13 in the parish of Streatham) or with the structure of the bridge carrying the same over the railway of the Company so as to affect the said road unless they widen the said bridge throughout so that it shall provide a thoroughfare of a clear width between the parapets of not less than forty feet or (if the

said road be used as an approach to a station to be hereafter constructed over the railway with access to such station from such road on the level of the bridge) of not less than forty-eight feet and the Company shall not alter any part of the said road so as to make the gradients thereof steeper than they are at present Provided nevertheless that such additional eight feet of roadway provided for in the case of a station being constructed on the road level of the said bridge shall remain the property of the Company for the purposes of their traffic and under their control but shall not be used as a hackney carriage stand : A.D. 1898.

- (7) In constructing or altering the bridges which under the powers of this Act the Company are authorised to construct or alter they shall unless otherwise agreed between the Company and the London Council face the abutments of such bridges with white glazed bricks and shall at all times keep the surface of such bricks clean and in good repair to the reasonable satisfaction of the vestry or district board of the parish or district in which such bridges respectively are situate :
- (8) All roads under any bridges re-constructed or widened by the Company in pursuance of the provisions of this Act where such bridges together with existing bridges in proximity thereto cover a length of road amounting to not less than eighty feet shall be reasonably and duly lighted at the expense of the Company by the vestry or district board of the parish or district in which such roads or bridges are situate :
- (9) All bridges and works constructed under the powers of this Act over any street or road shall be of a reasonably ornamental character and design and shall be made and maintained so as to prevent as far as is practicable the dripping of water therefrom on any part of any street road area or forecourt and so as to deaden so far as is reasonably practicable the sound of engines carriages and traffic passing over them and the parapets of such bridges and works shall be carried up to a height sufficient effectually to hide from view of the street or road trains passing over such bridges or works :
- (10) The Company shall not execute or commence the erection of any such bridge or works as aforesaid until they shall have given to the London Council twenty-one days' notice in writing of their intention to commence the same by leaving such notice at the offices of the said Council with plans elevations sections and other necessary particulars of the construction of the said

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bridge and works and until the said Council shall have signified their approval of the same unless the said Council fail to signify such approval or their disapproval or other directions within twenty-one days after service of the said notice and delivery of the said plans elevations sections and other particulars as aforesaid and the Company shall comply with and conform to all reasonable directions and regulations of the said Council in the execution and subsequent maintenance of every such bridge and the works connected therewith and shall save harmless the said Council against all and every expense to be occasioned thereby and all such works shall be done to the reasonable satisfaction of the engineer or other officer of the said Council at the costs charges and expenses in all respects of the Company and all costs charges and expenses which the said Council may be put to by reason of the works of the Company whether in the execution of the works the preparation or examination of plans and designs superintendence or otherwise shall be paid to the said Council by the Company on demand.

For protection of  
sewers of  
London  
Council  
vestry of  
St. Mary  
Battersea  
and Wandsworth  
District  
Board of  
Works.

11. The following provisions for the protection of the sewers of the London Council the vestry of St. Mary Battersea and the board of works for the Wandsworth district (in this section referred to in respect of their respective sewers as "the sewer authority") shall have effect namely:—

- (1) The Company shall not commence any of the works by this Act authorised which shall or may pass over under or by the side of or so as to interfere with the sewers of the sewer authority until they shall have given to the sewer authority one month's previous notice in writing of their intention to commence the same by leaving such notice at the principal office of the sewer authority with plans and sections thereof as herein-after defined and until the sewer authority shall have signified their approval of the same unless the sewer authority do not signify their approval disapproval or other directions within twenty-one days after service of the said plans and sections as aforesaid and the Company shall comply with and conform to all reasonable orders directions and regulations of the sewer authority in the execution of the said works and shall provide by new altered or substituted works in such manner as the sewer authority shall reasonably require for the proper protection of and for preventing injury or impediment to the said sewers by reason of the intended works or any part thereof and shall save harmless the sewer authority against all expenses

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to be occasioned thereby and all such works shall be done by or under the direction superintendence and control of the engineer or other officer of the sewer authority at the costs charges and expenses in all respects of the Company and all costs charges and expenses which the sewer authority may be put to by reason of such works of the Company whether in the execution of works the preparation or examination of plans or designs superintendence or otherwise shall be paid to the sewer authority by the Company on demand and when any new altered or substituted works as aforesaid or any works of defence connected therewith shall be completed by or at the costs charges or expenses of the Company under the provisions of this Act the same shall thereafter be as fully and completely under the direction jurisdiction and control of the sewer authority as any sewers or works now or hereafter may be :

- (2) As regards any work in respect of which the Company are under the provisions of the last preceding sub-section required to submit plans and sections to the sewer authority the sewer authority may require the Company in constructing such works to make any reasonable deviation within the limits prescribed by this Act from the lines or levels shown upon such plan or section for the purpose of avoiding injury or risk of injury to the sewers of the sewer authority and the Company shall in constructing such works deviate accordingly :
- (3) It shall not be lawful for the Company to remove any soil or material from under any road except such as must be excavated from the space to be occupied by the tunnels bridges and stations and the approaches thereto :
- (4) The plans to be submitted to the sewer authority for the purposes of this Act shall be detailed plans drawings sections and specifications describing the exact position and manner in which and the level at which the works are proposed to be constructed and shall accurately describe the position of all sewers of the sewer authority within the limits of deviation shown on the deposited plans (for which purpose the sewer authority shall allow the Company access to plans in their possession and to any sewers in order to enable the Company to obtain trustworthy information) and shall comprise detailed drawings of any alteration which the Company may propose to make in any such sewer :
- (5) The sewer authority may require such modifications to be made in the said plans drawings sections and particulars

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as may be reasonably necessary to secure the sewers and drainage system under the jurisdiction and control of the sewer authority against interference or risk of damage and to provide and secure a proper and convenient means of access to the said sewers :

(6) The Company shall be liable to make good all injury or damage caused by or resulting from any of their works or operations to any sewers drains or works vested in the sewer authority and the sewer authority shall from time to time have power to recover the amount thereof from the Company in any court of competent jurisdiction :

(7) The approval by the sewer authority of any plans or superintendence by the sewer authority of any work under the provisions of this section shall not exonerate the Company from any liability or affect any claim for damages under this section or otherwise.

Walls of buildings in London to be made good.

12. The Company shall not where any house or building in the county of London shall have been wholly or in part demolished by them leave any adjoining structures or any portion of a partly demolished structure in any unsightly condition for any longer period than is reasonably necessary.

Buildings in London not to be brought beyond general line &c.

13. Notwithstanding anything contained in this Act or shown on the deposited plans it shall not be lawful for the Company to encroach upon any part of the surface of any street or footway in the county of London or without the consent of the London Council to erect or maintain any building beyond the general line of building in any street in that county.

Exhibition of placards in London.

14. The Company shall not affix or exhibit or permit to be affixed or exhibited upon any part of the works authorised by this Act in the county of London or upon any building or hoarding in that county and whether during or after the construction of the works within view of any public street any placards or advertisements except such as shall have been approved in writing by the clerk or other officer of the London Council and by the clerk to the district board or vestry of the district or parish in which such part of the works is situate and if any such placard or advertisement be affixed or exhibited without such approval the said Council district board or vestry and their authorised officers may remove the same but this provision shall not prevent the Company from exhibiting on the outside of any station placards giving information to the public as to the traffic of the Company.



**15.** For the protection of the vestry of St. George Hanover Square the following provisions shall apply:—

A.D. 1898.  
For protection of Vestry of St. George Hanover Square.

The widened bridge carrying the railways of the Company over Grosvenor Road shall be of a reasonably ornamental character and design and shall be made and maintained as far as is practicable so as to prevent the dripping of water therefrom on any part of the street road or footway thereunder and so as to deaden so far as is reasonably practicable the sound of engines carriages and traffic passing over the said widened bridge and the parapet of such bridge shall be carried to a height of not less than seven feet six inches above rail level. The Company shall also provide for lighting the roadway under the widened portion of the said bridge to the reasonable satisfaction of the said vestry.

**16.** With respect to the widening of the Croydon and Balham line of the Company by this Act authorised the following provisions shall have effect for the protection of the board of works for the Wandsworth district (in this section referred to as "the Wandsworth Board") :—

For protection of board of works for Wandsworth district.

(1) In order to admit of the approach road No. 13 on the deposited plans in the parish of Streatham being widened to forty feet from Ellison Road to the bridge carrying Greyhound Lane over the railway of the Company the Company shall as soon as the said bridge shall have been re-constructed give up to the Wandsworth Board the strip of land on the north-eastern side of their said railway (being part of the station yard No. 11 on the deposited plans in that parish) shown and coloured pink on a plan which has been signed in duplicate by Charles Langbridge Morgan on behalf of the Company and by Henry James Marten on behalf of the Wandsworth Board and exchanged between the Company and the Wandsworth Board (in this section referred to as "the agreed plan") :

(2) The Company shall also (when they shall have acquired the same or any part thereof under the powers of this Act) give up to the Wandsworth Board the strip of land on the south-western side of their railway also shown in pink colour on the agreed plan being part of the field No. 41 on the deposited plans or so much thereof as they may acquire so as to admit of the said road No. 13 being widened on its south side to the extent of twenty feet measured from the present centre line of such road :

A.D. 1898. (3) The said strips of land on the north-eastern and south-western sides of Greyhound Lane bridge shall be given up by the Company to the Wandsworth Board without any payment therefor but the Company shall be under no obligation to execute any works thereon.

Limiting  
interference  
with traffic  
in Wands-  
worth  
district.

17. Where in the exercise of the powers conferred by this Act the Company shall interfere with the traffic along any public highway within the jurisdiction of the board of works for the Wandsworth district such interference with the said traffic shall be subject to the reasonable control of the said board and shall not be for any longer period than shall be reasonably necessary having regard to the nature of the works to be carried out and all the circumstances thereof.

For pro-  
tection of  
Conservators  
of River  
Thames.

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

(1) The Widening (No. 1) by this Act authorised and all or any temporary or permanent works connected therewith so far as the same affect the River Thames shall if constructed be executed according to plans elevations and sections to be approved in writing by the Conservators and deposited at their office and the works in the River Thames shall be executed and performed to the reasonable satisfaction of the engineer of the Conservators and the traffic of the said river shall not be interfered with more than may be absolutely necessary in the construction of the Widening (No. 1) and the works connected therewith:

The spans and headways of the said widening of the railway over the River Thames shall be as shown on the deposited plans and sections :

(2) The Company shall within fourteen days after notice from the Conservators so to do remove any temporary works and materials for temporary works which may have been placed in the river by the Company and on their failing so to do the Conservators may remove the same charging the Company with the expense of so doing and the Company shall forthwith repay to the Conservators all expenses so incurred :

(3) The Company shall not make or commence any work on the shore or bed of the River Thames until the plans elevations and sections referred to in sub-section 1 of this section have been approved by the Conservators :

- (4) The Company shall during the construction of the Widening (No. 1) hang out and exhibit at or near to the said works every night from sunset to sunrise lights to be kept burning by and at the expense of the Company and proper and sufficient for the navigation and safe guidance of vessels and the lights shall from time to time be altered by the Company in such manner and be of such kind and number and be so placed and used as the Conservators by writing under the hand of their secretary or other authorised officer shall approve or direct and in case the Company fail so to exhibit and keep burning the lights they shall for every such offence forfeit to the Conservators ten pounds: A.D. 1898.
- (5) Nothing in this Act contained shall authorise or empower the Company to embank encroach upon or interfere with any part of the soil or bed of the River Thames or the shore thereof except according to the plans elevations and sections approved by the Conservators:
- (6) The Company shall not (except as far as shall be necessary in the construction of the said Widening (No. 1) and the works connected therewith) take any gravel soil or other material from the bed or shore of the river without the previous consent of the Conservators signified in writing under the hand of their secretary:
- (7) Notwithstanding anything contained in the incorporated Acts or otherwise the compensation payable to the Conservators in respect of the lands taken and works by this Act authorised shall be assessed in accordance with the provisions of section 116 of the Thames Conservancy Act 1894 or any statutory provision in lieu thereof for the time being in force.

**19.** Any works to be constructed laid down or executed in exercise of the powers conferred by this Act crossing or otherwise interfering with any mains pipes or works or with any part of the undertaking at any time belonging to or worked or occupied by the Southwark and Vauxhall Water Company (in this section called "the Water Company") shall be done under the superintendence and to the reasonable satisfaction of the engineer of the Water Company and according to plans to be reasonably approved by him before any such works are begun and he may appoint and employ such necessary inspectors and watchmen as he may think proper to superintend the execution of the works and to secure the safety of such mains pipes and other works and the cost of all such works as well as of the superintendence thereof as before provided for shall be borne and defrayed by the Company and such works shall be carried out so as

For protection of Southwark and Vauxhall Water Company.

A.D. 1898. — not to cause any injury to any such mains pipes or other works or any interruption of the supply of water to any of the consumers of the water of the Water Company and if any injury owing to or by reason of the construction or repair of any of the said works shall arise to any such mains pipes or other works or interruption to any supply of water the Company shall make full compensation in respect thereof to the Water Company.

For protection of South London Tramways Company.

**20.**—(1) In carrying out the Widening (No. 2) of the Company's railway from Victoria to Clapham Junction where such widening is carried over the Prince of Wales' Road Battersea Park Road and Queen's Road such widening shall be carried out so that the Company shall not without the consent of the South London Tramways Company (in this section called "the Tramways Company") interfere with the tramways and works of that company situate in or upon the said roads or any of them or stop or impede the traffic along the said tramways.

(2) The Company shall indemnify and save the Tramways Company harmless from and against all claims and demands arising out of any accident caused by or consequent upon the execution of the works of such widening.

For protection of London Chatham and Dover Railway Company.

**21.** Notwithstanding anything in this Act contained the following provisions for the protection of the property rights and interests of the London Chatham and Dover Railway Company (in this section called "the Chatham Company") shall take effect and be binding on the Company (that is to say):—

(1) For the purpose of the works for and in connexion with making and maintaining the Widening (No. 2) by this Act authorised and of the bridges for carrying such widening over the railways of the Chatham Company (in this section referred to as "the bridges") the Company shall not acquire any ownership of or in any land or property of the Chatham Company neither shall they enter upon or interfere with the railway or any of the lands or works of the Chatham Company but the Chatham Company shall sell and grant to the Company such easements as may be necessary for the purposes of the said works and the provisions of the Lands Clauses Acts with respect to lands shall extend and apply to such easements so far as such provisions are not inconsistent with this enactment:

(2) The Company shall not execute any works whatsoever in upon or affecting the land or property of the Chatham Company

until there shall have been delivered to the principal engineer for the time being of the Chatham Company by the Company plans and drawings and specifications of the works intended to be executed under in upon over or affecting the London Chatham and Dover Railway and the lands and works thereof such plans drawings and specifications to describe the manner of executing the intended works and the materials to be used for the purpose nor until the plans drawings and specifications have been examined and approved in writing by the engineer of the Chatham Company or in the event of his disapproving of the same then until the same have been examined and approved by an engineer to be agreed on or appointed in default of agreement at the request of either Company by the President of the Institution of Civil Engineers Provided that if the engineer of the Chatham Company fail for one month after the delivery to him of the said plans drawings and specifications to signify his disapproval thereof the Company may execute their works in accordance therewith The said works shall be executed by the Company at their sole expense and shall in like manner be subsequently maintained by the Company in all things according to the approved plans drawings and specifications under the superintendence and to the reasonable satisfaction of the engineer of the Chatham Company :

- (3) If by reason of any of the works or proceedings of the Company with reference to the bridges there shall be any obstruction of or interference with the London Chatham and Dover Railway so as to prevent the convenient use of the same and passage of engines and carriages thereon the Company shall pay to the Chatham Company the sum of twenty pounds by way of ascertained damages for every hour during which such obstruction or interference continues :
- (4) The Company shall be responsible for and shall make good to the Chatham Company all costs losses damages and expenses occasioned to that company or to their railway or to any of their works or property or to the traffic thereon or to any person or persons using the same or otherwise by reason of the execution or failure of any of the works of or incident to the making or maintaining of the bridges or any act or omission of the Company or any of the persons in their employ or their contractors or others and the Company shall effectually indemnify and hold harmless the Chatham Company from all claims and demands upon or against them by reason of any such execution or failure and of any such act or omission.

A.D. 1898.  
For pro-  
tection of  
West  
London  
Extension  
Railway  
Company.

**22.** For the protection of the West London Extension Railway Company (in this section referred to as "the Extension Company") the following provisions shall apply and have effect:—

(1) The Widening (No. 2) by this Act authorised shall be carried over the main line of the Extension Company by enlargements of the existing bridges and the new or enlarged portions of the said bridges shall be constructed with a span and headway of not less dimensions than those of the said existing bridges respectively and the said bridges shall be so enlarged according to plans sections and specifications previously submitted to and approved by the engineers of the Extension Company and under their superintendence and to their reasonable satisfaction in all respects but in all things at the expense of the Company and all the works connected with the enlargement of such bridges shall be constructed and executed respectively by such means and in such manner only as not to interfere with the traffic over or the free uninterrupted and safe use of the railway of the Extension Company and so as to leave undisturbed all the existing lines of rails at the points where they will be so passed over or affected by the works for or in connexion with the enlargement of the said bridges:

(2) The Company shall at all times maintain the enlarged portions of the said bridges for crossing over the railway of the Extension Company in substantial repair and good order to the reasonable satisfaction in all respects of the engineers of the Extension Company And if and whenever the Company fail after due notice so to do the Extension Company may make or do in and upon the lands of the Company or their own lands all such works repairs and things as may be reasonably requisite in that behalf and the reasonable amount of such expenditure shall be repaid to the Extension Company by the Company:

(3) The Company shall not (except with the previous consent of the Extension Company under their common seal) purchase or acquire any lands or property of the Extension Company but the Company may purchase and take and the Extension Company shall sell and grant accordingly an easement or right of using so much of the lands of the latter company as may be necessary for the construction of the said widening by this Act authorised in accordance with the provisions of this section:

(4) The Company shall bear and on demand pay to the Extension Company all reasonable expenses of the employment by them during the construction of the works affecting the Extension Company of a sufficient number of inspectors and watchmen to

be appointed by the Extension Company for watching their said railways and the works and property connected therewith with reference to and during the execution of such works of the Company and for preventing so far as may be all interference obstruction danger or accident from any of the operations acts or defaults of the Company or of their contractors or of any persons in the employment of the Company or of their contractors with reference thereto or otherwise and also all reasonable expenses of the alterations of and additions to any existing signals and the maintenance from time to time by the Extension Company of any additional signals which they may find it necessary to erect and maintain owing to the construction of such works :

- (5) If by reason of the execution of any of the works by this Act authorised or any proceedings of the Company in relation thereto or the failure of any such works or any act or omission of the Company or of their contractors or of any persons in the employ of the Company or their contractors or otherwise the railway of the Extension Company or any of the works connected therewith or any passenger or other traffic on that railway shall sustain any injury or damage such injury or damage shall be forthwith made good by the Company at their expense or in the event of their failing so to do the Extension Company may make good the same and recover the expense thereof And if any interruption shall be occasioned to such traffic by reason of any of the matters or causes aforesaid the Company shall on demand pay to the Extension Company all costs and expenses to which the Extension Company may be put as well as full compensation for the loss or inconvenience sustained by such company by reason of such interruption :
- (6) If any dispute shall arise between the Extension Company and the Company respecting the matters aforesaid or any of them such disputes shall be settled by an arbitrator to be agreed upon between the parties or in case of difference to be appointed upon the application of either party by the President of the Institution of Civil Engineers.

**23.** For the protection of the London and South Western Railway Company (in this section referred to as "the South Western Company") the following provisions shall apply and have effect :—

- (a) Before commencing the re-construction or widening of the bridge carrying the railway of the Company between Victoria

For protection of London and South Western Railway Company.

A.D. 1898.  
—

and Clapham Junction over the railway of the South Western Company the Company shall deliver to the South Western Company for approval by their engineer plans drawings and specifications (in this section referred to as "the said plans") showing the manner in which the works are intended to be carried out and the materials to be used and in the event of his failing to approve the said plans for one calendar month after the delivery thereof the same shall be referred for settlement to an engineer to be agreed upon or failing agreement to be appointed by the President of the Institution of Civil Engineers and the works shall be executed and subsequently maintained by the Company at their sole expense and under the superintendence and to the satisfaction of the engineer of the South Western Company :

- (b) The abutments piers or columns of the bridge over the South Western Railway shall unless otherwise agreed between the Company and the South Western Company be built as an extension of and in line with the existing abutments piers or columns and in the case of the additional columns the diameter thereof shall not be greater than that of the present columns and all works over or affecting the South Western Company and the method and time of carrying out the work shall be subject to the approval of the South Western Company's engineer :
- (c) The said works shall be carried out and subsequently maintained in such a manner as not to obstruct or impede in any way the traffic of the South Western Company and in the event of any such obstruction or impediment the Company shall pay to the South Western Company the sum of 50*l.* by way of ascertained damages for every hour during which such obstruction or interference continues :
- (d) The South Western Company may if they think fit employ an inspector or watchman to inspect and watch the said works during their execution and the expenses of such inspector or watchman shall be borne by the Company and the Company shall indemnify the South Western Company against all claims and compensate them for any injury which may from time to time happen to the property or works of the South Western Company or to any person or persons using their railway in consequence of or during the construction or maintenance of the said works but the appointment by the South Western Company of such inspector or watchman shall not relieve the



Company from any liability in connexion with the construction of the said works : A.D. 1898.

- (e) The Company shall bear and on demand pay to the South Western Company any additional costs incurred by the South Western Company of any alterations and additions of or to any works or signals which they may find necessary in consequence of the construction of the said works :
- (f) The Company shall not acquire any estate or interest in the lands and property of the South Western Company other than an easement or right of constructing or maintaining thereon the said works by this Act authorised :
- (g) Any dispute or difference (not otherwise herein provided for) which may arise between the South Western Company and the Company with respect to the provisions of this section or in any way arising thereout shall be settled by an engineer to be agreed upon or failing agreement to be appointed by the President of the Institution of Civil Engineers on the application of either Company.

24. In carrying out the work of widening their Croydon and Balham line in the parish of Streatham in the county of London the Company shall be bound by the following provisions for the protection of Douglas Parry Crooke Thomas Edward Ellison and Henry Stratten Bates or other the owner or owners for the time being of the lands referred to in this section (hereafter referred to as "the owners of the Crooke-Ellison Estate") :—

For protection of owners of Crooke-Ellison Estate.

- (a) The Company shall exercise the compulsory powers conferred upon them by this Act to the extent of acquiring the whole area of the land included within the limits of deviation numbered 48 on the deposited plans in the said parish of Streatham and situate on the north-eastern side of their Croydon and Balham line :
- (b) Between the points marked A and B respectively on a plan which has been signed by the Right Honourable the Lord Pirbright the Chairman of the Committee of the House of Lords to which the Bill for this Act was referred and deposited with the Clerk of the Parliaments (in this section referred to as "the signed plan") the Company shall only be entitled to exercise their compulsory powers under this Act (so far as they affect the lands belonging to the owners of the Crooke-Ellison Estate between those points) so as to acquire from the owners of the Crooke-Ellison Estate a strip of land twenty-six feet in width parallel with and immediately

A.D. 1898.

adjoining the present north-eastern boundary of the Company's property and the Company shall not exercise such powers with respect to the remainder of the land belonging to the said estate between the said points which is included within the limits of deviation. Provided that the restriction contained in this section shall only apply to the land belonging to the owners of the Crooke-Ellison Estate within the points aforesaid and shall not limit the powers of the Company under this Act at other points along their intended widening:

- (c) After the purchase by the Company from the owner thereof of the said land numbered 48 on the deposited plans in the parish aforesaid the Company shall (for the purpose of a roadway as herein-after provided) give up to the owners of the Crooke-Ellison Estate without any payment therefor so much of the said land as will suffice for a road forty feet wide outside the widened railway of the Company. Provided that such road shall not be formed until after the present bridge has been widened as provided by the section of this Act the marginal note of which is "For protection of London County Council". The owners of the Crooke-Ellison Estate shall deposit the sum of five hundred pounds with the board of works for the Wandsworth district and the trustees of the Du Cane Estate (the owners of the land numbered 48 on the deposited plans) shall deposit the sum of one thousand pounds with the said board towards the cost of such widening and the said owners and the said trustees shall and they are hereby authorised to deposit and pay the said sums respectively within three months after the widening of the railway at the said bridge shall be commenced such sums to be applied for the purpose aforesaid. And the board of works for the Wandsworth district shall use their best endeavours to procure the widening of the said bridge at the earliest possible date and shall give the necessary notice to the Company for that purpose within two years from the passing of this Act:
- (d) In consideration of securing a right of way from point A to point B on the signed plan and also a right of way under the railway of the Company the owners of the Crooke-Ellison Estate shall surrender and give up to the Company all their rights of crossing the railway of the Company on the level as now existing or to be widened under this Act at the point shown on the signed plan and marked with the letter "C" and the Company shall be at liberty to remove the existing gates and to close and stop up the said rights of crossing accordingly

Provided that the level crossing shall continue in use until such time as the bridge marked D on the signed plan in its entire length is widened to forty feet and the approaches to it of the same width are opened to the public : A.D. 1898.

- (e) The strip of land to be purchased by the Company and given up to the owners of the Crooke-Ellison Estate shall be given up to them for the purpose of constructing a road running parallel with the widened railway of the Company from the points A and B respectively to the point marked D shown on the signed plan where provision is to be made for a roadway under the Company's railway :
- (f) The said road between the points A and B and any road to be constructed under the Company's railway at the point D as herein-before referred to shall at all times be available for the use not only of the owners of the Crooke-Ellison Estate but also of the owner of the remainder of the land lying between the railway of the Company and Streatham High Road numbered 48 on the deposited plans :
- (g) Nothing in this section contained shall impose upon the Company any obligation either to construct or maintain any of the roads referred to in this section.

**25.** Notwithstanding anything contained in this Act or in the London Brighton and South Coast Railway Act 1896 or shown on the deposited plans and sections the following provisions for the protection of the corporation of Croydon (in this section referred to as "the corporation") shall have effect:—

For pro-  
tection of  
Corporation  
of Croydon.

- (a) The Company in constructing the additional portions of the existing bridges next' herein-after mentioned for the purpose of carrying their widened line over the roads passing under the same shall construct the same respectively of the following heights and spans and shall be subject to the conditions with respect thereto herein-after mentioned:—

Name of Road.	No. on deposited Plan.	Headway not to be less than	Span between Abutments.
London Road - -	5	15 feet	40 feet
Dagnall Park Road -	98	12 feet	40 feet
Selhurst Road - -	107	14 feet	40 feet

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(b) The Company shall make the additions to the said bridges mentioned in sub-section (a) of girder construction and the same shall so far as practicable be made and maintained so as to prevent the dripping of water upon the roads and footways thereunder and the parapets of the said bridges shall be constructed and maintained at a height of not less than five feet above the rail level and the Company shall erect one additional lamp underneath the Selhurst Road and the Dagnall Park Road Bridges respectively in such positions as shall be approved of by the corporation and the said lamps shall be lighted and maintained by the corporation at the expense of the Company and the Company shall also round off the north-eastern corner of the northern abutment of the said Dagnall Park Road Bridge where the same is clear of the superstructure so as to improve the entrance to Newhaven Road in accordance with plans to be submitted by the Company to and reasonably approved by the corporation :

(c) If at any time during the construction of the works of widening the Croydon and Balham line as authorised by this Act or the London Brighton and South Coast Railway Act 1896 or within three years after the completion of such widening the corporation shall give notice in writing to the Company under the hand of the town clerk of the borough stating that it is the intention of the corporation to lower the carriageway or carriageways and footpaths under the said Selhurst Road and Dagnall Park Road Bridges or either of them so as to secure a headway of fifteen feet to such bridge or bridges respectively then when the corporation shall have completed the alterations to the said carriageway or carriageways and footpaths pursuant to any such notice or notices the Company shall forthwith repay to the corporation in the case of the Selhurst Road Bridge the costs and expenses incurred by the corporation on the works of and incident to such alteration and lowering of the carriageway and footpaths under and leading to the said bridge (such payment by the Company in any event not to exceed the sum of four hundred pounds and the amount of such costs and expenses unless otherwise agreed being settled by arbitration as herein-after provided) and in the case of the Dagnall Park Road Bridge the fixed sum of one hundred pounds towards the costs and expenses of such alteration and lowering of the carriageway and footpaths under that bridge Provided nevertheless that the work of lowering the said roads or footways so far as they

may affect the abutments of the said bridges shall be carried out under the superintendence and to the reasonable satisfaction of the engineer for the time being of the Company :

- (d) The Company shall construct the new portion of the bridge carrying Brigstock Road over their widened railway of girder construction and shall also re-construct or alter the existing bridge so that the roadway over the whole of the said bridge shall be of a clear width between the parapets including the footway or footways of not less than forty feet measured on the square and so that the footway on the south side shall be in a line with the south side of the footway in front of the existing houses on that side and the Company shall give up to the corporation without payment therefor such quantity of land on the north side of the eastern approach road to the said bridge as will permit of the said approach road and footpaths including the existing road and footpaths being made of a width of sixty feet and shall fill in and make up such road to the altered level necessary to permit of the widening of the Company's railway being carried out and as may also be necessary for the widening and raising of the said road and on the completion of such work to the reasonable satisfaction of the corporation they shall forthwith pay to the Company the sum of five hundred pounds in respect of the cost of the same and the corporation shall at their sole cost metal the roadway and kerb and pave the pathways on the said altered and widened approach road :
- (e) If at any time within six months after the passing of this Act the corporation shall give notice in writing to the Company under the hand of the town clerk of the borough requiring them to construct the bridge carrying White Horse Road over the existing lines of the Company and over the intended widening of the same as a bridge of girder construction and of a clear width between the parapets including the footway or footways of not less than forty feet measured on the square the Company shall construct the said bridge referred to in the said notice accordingly and they shall in the event of the corporation giving notice to the Company within the said period of their desire to widen the approach roads to the bridge also give up to the corporation without payment therefor so much of any land they may be owners of (if any) as may be necessary to enable the corporation to widen the approach roads to the said bridge and to make the said approach roads of a width of not less than forty feet the corporation carrying out at their own expense any works necessary for the improvement and widening

A.D. 1898.

of such approaches Provided nevertheless that the works of widening such approach roads shall be constructed within retaining walls at such points as shall be directed by the engineer of the Company so as to occupy as little as may be of the land of the Company and that when the Company shall have constructed the said bridge pursuant to any such notice to the reasonable satisfaction of the corporation the corporation shall forthwith repay to the Company one-third of the total cost incurred by the Company in the construction of such bridge such payment by the corporation not exceeding in any event the sum of one thousand pounds and the amount of such total cost unless otherwise agreed being settled by arbitration as herein-after provided :

(j) If at any time within six months after the passing of this Act the corporation shall give notice in writing to the Company under the hand of the town clerk of the borough requiring them to construct the bridge carrying Beulah Road over the existing lines of the Company and over the intended widening of the same as a bridge of girder construction and of a clear width between the parapets including the footway or footways of not less than forty feet measured on the square the Company shall construct the said bridge referred to in the said notice accordingly Provided nevertheless that when the Company shall have constructed the said bridge pursuant to any such notice to the reasonable satisfaction of the corporation the corporation shall forthwith repay to the Company one-half of the total cost incurred by them in the construction of such bridge such payment by the corporation not in any event exceeding the sum of one thousand five hundred pounds and the amount of such total cost unless otherwise agreed being settled by arbitration as herein-after provided :

(g) The Company in widening their line and extending the subway thereunder at Holmesdale Road shall construct the same so that the present headway of the existing subway is not diminished and so as to prevent as far as practicable the dripping of water into the said subway and they shall face the side walls thereof and of the extension thereof under their widening with white glazed tiles or bricks and shall construct the entrance on the east side so soon as it is clear of the superstructure with a bell-shaped mouth and shall pay to the corporation any expenses they incur in making any alterations which may be necessary to the approaches to the said subway

so as to give the same headway under the extended portion of the said subway as exists under the present subway and as may be necessary owing to the construction of the bell-shaped mouth thereof and as may be reasonably and properly incurred in draining and lighting and maintaining the lighting of the said subway as finally completed : A.D. 1898.

- (h) The Company shall not permanently stop up and divert the road known as Belle Vue Park until they shall have constructed to the approval of the corporation a substituted road for so much of the said road as they may divert such substituted road to be not less than forty feet in width and the Company shall permit the public to use such substituted road and to have full and free right of access to and passage thereover on foot and by horses carts and carriages and such road when completed to such approval as aforesaid shall be taken over by the corporation as a highway repairable by the inhabitants at large :
- (i) The Company shall not execute or commence the alteration of any of such bridges roads or works as aforesaid until they shall have given to the corporation twenty-one days' notice in writing of their intention to commence the same by leaving such notice at the office of the said town clerk with plans elevations sections and other necessary particulars of the construction of the said bridges roads and works and until the corporation shall have signified their approval of the same unless the corporation fail to signify such approval or their disapproval or other directions within twenty-one days after the service of the said notice and delivery of the said plans elevations sections and other particulars as aforesaid and the Company shall comply with and conform to all reasonable directions and regulations of the corporation in the execution of every such bridge and road and the works connected therewith and (save as herein-before specially provided with respect to contributions by the corporation) shall save harmless the corporation against all and every expense to be occasioned thereby and all such works shall be done to the reasonable satisfaction of the engineer or other officer of the corporation at the costs charges and expenses in all respects of the Company (save as aforesaid) and all costs charges and expenses which the corporation may be put to by reason of the works of the Company whether in the execution of the works the preparation or examination of plans or designs superintendence or otherwise shall be paid to the corporation by the Company on demand :

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- (k) The Company shall not fix or exhibit or permit to be fixed or exhibited upon any of the said bridges any placard or advertisement except such as shall have been approved in writing by the said town clerk and if any placard or advertisement be fixed or exhibited contrary hereto the corporation by their authorised officers may remove the same :
- (l) Where any of the intended works to be done under or by virtue of this Act shall or may pass over under or by the side of or so as to interfere with any sewer drain culvert water main electric cable or work under the jurisdiction or control of the corporation or shall or may in any way affect the existing sewerage drainage electric or water supply of the borough the Company shall provide new altered or substituted works in such manner as the corporation shall reasonably require for the proper protection of and for preventing injury or impediment to the sewers drains culverts water mains electric cables and works herein-before referred to by reason of the said intended works or any part thereof and shall save harmless the corporation against all and every the expense to be occasioned thereby and all such works shall be done under the superintendence and to the reasonable satisfaction of the engineer of the corporation at the costs charges and expenses in all respects of the Company and all costs charges and expenses which the corporation may be put to by reason of such works of the Company whether in the execution of works the preparation or examination of plans or designs superintendence or otherwise shall be paid to the corporation by the Company on demand and when any new altered or substituted works as aforesaid shall be completed by or at the costs charges or expenses of the Company under the provisions of this Act the same shall thereafter be as fully and completely under the direction jurisdiction and control of the corporation as any sewers drains water mains culverts electric cables or works now or hereafter may be :
- (m) For the purpose of providing moneys for the contributions by this section authorised to be made by the corporation to the Company the same shall be deemed expenses for the purposes of the Public Health Act 1875 and the corporation may independently of any other borrowing power borrow and re-borrow such moneys on the security of the general district fund and rate and either by mortgage or by issue of debentures or annuity certificates under and subject to the provisions of the Local Loans Act 1875 or by the creation and issue of



Croydon Corporation Stock in accordance with the provisions of the Croydon Corporation Act 1884 or partly in one way and partly in another and in borrowing such moneys the corporation shall not be restricted by any of the regulations contained in sub-sections (1) (2) and (3) of section 234 of the Public Health Act 1875 and in calculating the amount which the corporation may borrow under that Act the said moneys shall not be reckoned. Provided that the corporation shall pay off moneys so borrowed by equal yearly or half-yearly instalments of principal or of principal and interest and shall provide for the redemption of any stock so created and issued within a period of forty years from the date of the borrowing or of the creation and issue of the stock as the case may be. The town clerk of the borough shall within twenty-one days after the expiration of each year during which any instalment is required to be paid under this section transmit to the Local Government Board a return in such form as may be prescribed by that Board and verified by statutory declaration if so required by them showing the amounts which have been paid as instalments during the year preceding the making of such return. And in the event of any wilful default in making such return the town clerk shall be liable to a penalty not exceeding twenty pounds which shall be paid to the Local Government Board and shall be recoverable by that Board in a summary manner and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of Mandamus to be obtained by the Local Government Board out of the High Court. If it appears to the Local Government Board by that return or otherwise that the corporation have failed to pay any instalment required to be paid (whether such instalment is required by this section or by the Local Government Board in virtue thereof to be paid) the Local Government Board may by order direct that the sum in such order mentioned not exceeding double the amount in respect of which default has been made shall be paid as in such order mentioned and any such order shall be enforceable by writ of Mandamus to be obtained by the Local Government Board out of the High Court :

(n) Any matter to be settled by arbitration under this section shall be referred to and determined by an engineer to be appointed on the application of either party by the President of the Institution of Civil Engineers.

26. Subject to the provisions of this Act the Company may stop up and extinguish all rights of crossing on the level over their

Stopping  
level cross-  
ing near

A.D. 1898. railway at a point about seventeen chains to the south of Norbury Station in the parish of Croydon and county of Surrey Provided nevertheless that they shall not stop up the public rights of bridleway over the said crossing until they shall have first constructed instead thereof a new road on the north side of their railway extending from the said bridleway to the high road from Streatham to Croydon and which said road the Company shall maintain or procure to be maintained unless and until the same shall be taken over by the corporation of Croydon and further that they shall not stop up the public rights of footway until they shall have first provided a footbridge at or near the site of the said level crossing to connect the footpaths on both sides of the railway but when they have completed and opened the said road and shall have erected and opened the said footbridge all rights of way over those portions of the said footpath and bridleway which are within the boundaries of the Company's property shall respectively cease and be extinguished other than the right of foot passengers to pass over the said railway by means of the said footbridge.

Works at  
Reigate for  
corporation  
of Reigate.

27. The following provisions shall have effect with reference to and in connexion with the new road in the parish of Reigate authorised by this Act (in this section referred to as "the new road") :—

(1) The Company shall in connexion with the construction of the new road pull down their retaining and boundary walls on the southern side of Hooley Road from the south-western abutment of the bridge carrying their main line of railway from London to Brighton over that road to the westernmost boundary of their land along the said road in a westerly direction and shall set back the same sufficiently far to permit of Hooley Road being widened between the points aforesaid to a width of 36 feet including the footway except that where the new retaining wall shall join the abutment of the said bridge such wall shall be built so as to join the said abutment by a curve and without leaving any sharp angle and the mayor aldermen and burgesses of the borough of Reigate in this section called "the Reigate Corporation" shall at their own expense upon the land so to be given up by the Company make up and metal Hooley Road between the points and to the width aforesaid :

(2) In constructing the new road the Company shall as far as possible without interfering with the structure of the said bridge over Hooley Road round off the south-eastern corner of the new road where it joins Hooley Road so as to make the

junction of the new road with Hooley Road as convenient as possible : A.D. 1898.

- (3) The Company shall construct the new road of a width of thirty-six feet at least throughout and the corporation shall pay to the Company one-fourth of the extra cost occasioned by the road being constructed of a width of thirty-six feet instead of twenty-five feet the amount of such extra cost in the event of disagreement between the engineer of the Company and the surveyor of the corporation to be settled by arbitration under the provisions of the Arbitration Act 1889 The Reigate Corporation shall if desired by the Company submit a tender to the Company for the construction and making up of the new road and upon the completion of such construction and making up the corporation shall take over the same road as a public road repairable by the inhabitants at large :
- (4) If at any time hereafter the Company shall sell the land belonging to them on the north side of Hooley Road and lying between the new bridge now being erected by the Company over that road under the London Brighton and South Coast Railway Act 1894 and the boundary of their property to the eastward of such last-mentioned bridge for the erection thereon of dwelling-houses or shall otherwise appropriate the said land or any part thereof for building purposes they shall reserve out of such sale or appropriation a strip of land four feet in width between the points aforesaid on the northern side of Hooley Road parallel with and immediately adjoining Hooley Road and shall hand the same over to the Reigate Corporation for the purpose of widening that road between such points Provided that all costs and expenses of and incident to the widening of Hooley Road between the said points and of the construction of a new boundary fence to separate the property of the Company from Hooley Road as widened shall be borne and the said road as so widened shall at all times thereafter be maintained by the Reigate Corporation :
- (5) In consideration of the foregoing provisions the Reigate Corporation shall for ever abandon their contention that any public right of way exists through the grounds of Hooley Cottage and Hooley Lodge belonging or reputed to belong to the Company and shall also abandon their contention that the existing bridge carrying the main line of the Company from London to Brighton over Hooley Road does not conform to the provisions of the London and Brighton Railway Act 1837 and shall not oppose any clauses in any Bill that may hereafter be promoted

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by the Company which clauses shall have the purpose only of extinguishing any such alleged right of way and confirming and authorising the construction of the said bridge.

Power to  
take ease-  
ments &c.  
by agree-  
ment.

28. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Company any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Act in or over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Diversion of  
footpath  
&c.

29. The Company may—

(a) Erect and maintain a footbridge over their railway at or near the site of and in substitution for the footpath now crossing the Brighton and Portsmouth line of the Company in the parish of Goring in the county of Sussex at the western end of the Goring Station thereon :

And as soon as the Company shall have erected such footbridge they may divert over the same the public rights of crossing the Company's railway on the level theretofore existing at that place :

(b) Divert and stop up so much of the roadway and footpath now crossing the Company's Mid-Sussex line on the level at a point nineteen chains or thereabouts measured along the said railway north of the signal box at Itchingfield Junction thereon as lies between points distant about four hundred feet east and six hundred feet west of the crossing of the said railway in the parishes of Itchingfield and Horsham in the county of Sussex :

Provided that they shall not stop up the said portion of roadway and footpath until they have constructed a bridge for carrying the same over their railway with approaches thereto as shown on the deposited plans :

(c) Divert and stop up so much of the public bridleway and footpath passing under the Company's Mid-Sussex line at Stammerham Junction between the underbridge through which the same passes under the said line and a point one hundred and forty yards or thereabouts south of the same in the parish of Horsham in the county of Sussex :

Provided that they shall not stop up the same until they shall have made instead thereof the diversion of the said bridleway and footpath as shown on the deposited plans.

30. The Company may stop up and discontinue for public traffic the portions of the public footpaths herein-after described now crossing the Company's railway on the level which lie between the Company's boundary fences and substitute therefor the footbridges already erected by the Company at the several points viz. :—

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Closing  
level  
crossings at  
certain  
points.

- (a) The footpath now crossing the Company's Portsmouth line in the parish of Chichester in the county of Sussex at a point twenty-eight chains measured along the said railway in a westerly direction from the booking office at Chichester Station thereon :
- (b) The footpath now crossing the Company's Brighton and Hastings line in the parish of Pevensey in the county of Sussex at a point sixty-seven chains or thereabouts measured along the said railway in an easterly direction from the Pevensey Station thereon :
- (c) The footpath now crossing the Company's Brighton and Portsmouth line in the parish of West Tarring in the county of Sussex at a point twenty chains or thereabouts measured along the said railway in an easterly direction from the West Worthing Station thereon :
- (d) The footpath now crossing the Company's Mid-Sussex line in the parish of Horsham in the county of Sussex at a point seventy-two chains or thereabouts measured in a south-westerly direction along the said railway from the booking office at Horsham Station thereon :
- (e) The footpath now crossing the Company's Mid-Sussex line in the parish of Billingshurst in the county of Sussex at the western end of Billingshurst Station thereon :
- (f) The footpath now crossing the Company's Three Bridges and East Grinstead line in the parish of Worth in the county of Sussex at the eastern end of Grange Road Station thereon :
- (g) The footpath now crossing the Company's Keymer branch line in the parish of Keymer in the county of Sussex at the point thereon where the public road known as " Cant's Lane " crosses the said branch line :
- (h) The footpath now crossing the Company's Brighton and Portsmouth line in the parish of Southwick in the county of Sussex at a point forty-six chains or thereabouts measured along the said railway in a westerly direction from the Portslade Station thereon :
- (i) The footpath now crossing the Company's Brighton and Portsmouth line in the parish of Bedhampton in the county of Southampton at a point fifty-five chains or thereabouts measured

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along the said railway in a westerly direction from the Havant Station thereon :

- (k) The footpaths now crossing the Company's Brighton main line in the parish of Horley in the county of Surrey at points ten chains or thereabouts measured along the said railway north and south respectively from the Horley Station thereon.

Power to  
purchase  
additional  
lands.

**31.** Subject to the provisions of this Act the Company in addition to the other lands which they are by this Act authorised to acquire may enter upon and take compulsorily or by agreement for the purposes connected with their undertaking the lands hereinafter described which are delineated upon the deposited plans and described in the deposited books of reference viz. :—

- (a) Lands in the parishes of Denton and Meeching (otherwise Newhaven) in the county of Sussex on the eastern side of the Company's Lewes and Newhaven branch line bounded on the south by the public road from Newhaven to Denton and on the east by the new road recently constructed by the Company :
- (b) Lands in the parish and borough of Brighton in the county of Sussex bounded on the west by the Company's goods line and lower goods yard on the east by Belmont Place New York Street and New England Street on the north by Cross Street and on the south by Cheapside :
- (c) Lands in the parishes of Old Shoreham and New Shoreham in the county of Sussex situate to the east of the Company's Shoreham Station and on the south side of their Brighton and Portsmouth branch railway and lying between the said railway and Ham Road :
- (d) Lands in the parish of Bosham in the county of Sussex at the eastern end of the Company's Bosham Station and on the south side of and adjoining the Company's Brighton and Portsmouth branch railway :
- (e) Lands in the parish of Bramber in the county of Sussex situate on the east side of the Horsham and Shoreham line of the Company at the Bramber Station of the Company thereon :
- (f) Lands in the parish of Croydon in the county of Surrey on the eastern side of and adjoining the Company's main Brighton line at Croydon situate between points nine chains and twelve and a half chains respectively north of the northern end of the main down line platform at the East Croydon Station :
- (g) Lands in the parish of Coulsdon in the county of Surrey forming parts of fields numbered 106 107 320 and 322 in that

parish on the  $\frac{1}{2500}$  Ordnance map (new edition 1897) bounded on the south-west by the London and Brighton main road and on the east by the Company's railway and goods sidings at Stoa's Nest. A.D. 1898.

**32.** For the protection and benefit of the mayor aldermen and burgesses of the borough of Brighton (in this section called "the corporation") the following provisions shall have effect (that is to say):— For protection of corporation of Brighton.

(1) The Company shall construct the new road or street (*c*) by this Act authorised of a width throughout of not less than forty-six feet and shall sewer level pave metal flag channel make good and provide proper means for lighting the same to the satisfaction of the corporation with footpaths on either side of the said road or street of such width as the corporation may direct and unless with the consent of the corporation no part of the streets within the borough of Brighton by this Act authorised to be stopped up shall be so stopped up until such new street shall have been completed in manner aforesaid to the satisfaction of the corporation:

(2) Before the Company stop up or appropriate for the purposes of their undertaking any street or place in the borough of Brighton in which any sewer drain main pipe electric line or work or other apparatus of the corporation shall be laid—

(*a*) The Company shall at their own expense lay down in lieu of any portion situate in any such street of any sewer or drain main pipe line or apparatus used or capable of being used for the purpose of taking the sewage of or supplying or conveying water or electricity to houses other than those acquired by the Company a sewer or drain main pipe or electric line of equal capacity together with all necessary and incidental manholes valves works and apparatus and shall properly connect the same with such existing sewer or drain main pipe or electric line as the corporation shall direct and such substituted sewer or drain main pipe or electric line shall be laid along or under such roads as the corporation shall reasonably require and in accordance with plans to be prepared by the borough engineer and to his reasonable satisfaction;

(*b*) The Company shall pay to the corporation the cost of constructing any other sewers or drains and the cost of any

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other mains pipes or lines and of any works or apparatus connected therewith belonging to the corporation which shall be situate or laid in any such street or place together with the cost of laying down such mains pipes lines works or apparatus:

- (3) The Company shall take up and hand over to the corporation the road and paving materials in any streets so stopped up and any lamp-posts pillars and lamps of the corporation situate in such streets:
- (4) The Company shall to the satisfaction of the corporation disconnect the existing sewers drains mains pipes lines works and apparatus situate in or under the streets so stopped up as aforesaid from the sewers or drains mains pipes lines works and apparatus of the corporation with which they are connected:
- (5) The provisions of the Railways Clauses Consolidation Act 1845 contained in sections 18 to 23 inclusive shall apply to the water mains and pipes of the corporation and whenever in those sections the words "company" or "society" are used the same shall for all the purposes of this Act be held to extend to and include the corporation:
- (6) Before altering or interfering with any sewer drain main pipe electric line work or apparatus the Company shall give to the corporation not less than fourteen days' notice of their intention so to do and if before the expiration of that period the corporation so elect they may themselves execute the work:
- (7) If any interruption whatsoever in the supply of water or electricity by the corporation shall be occasioned by the Company or by the acts of any of their contractors agents workmen or servants or any person in their employ during the construction or subsequent maintenance of the works by this Act authorised the Company shall indemnify and compensate the corporation in respect of all damage or loss which they may sustain by reason or in consequence of such interruption:
- (8) All reasonable costs charges and expenses incurred by the corporation under the provisions of this section including the costs charges and expenses of and in relation to the superintendence or watching by the corporation or their engineer or officers of any works by this section provided for shall be paid by the Company:



(9) Any such costs charges and expenses or any compensation may be recovered by the corporation from the Company in any court of competent jurisdiction : A.D. 1898.

(10) Any difference which may arise between the corporation and the Company as to the true intent and meaning of any of the provisions of this section or as to the mode of giving effect thereto shall be determined in the manner prescribed in the Railways Clauses Consolidation Act 1845 with respect to the settlement of disputes by arbitration :

(11) If and while the Company are possessed under this Act of any lands in the borough of Brighton assessed or liable to be assessed to any poor borough general district or other rate they shall from time to time until the works for the purposes for which the Company are by this Act authorised to acquire the lands above referred to are completed and assessed or liable to be assessed to the respective rates be liable to make good the deficiency in the assessment for the respective rates by reason of those lands being taken or used for the purposes of the said works and the deficiency shall be computed according to the rental at which those lands with any buildings thereon are now rated and on demand the Company shall in each case pay the deficiency to the collector of the respective rate.

**33.** When and so soon as the Company shall have constructed the new road or street by this Act authorised in the parish of Brighton between Ann Street and Cheapside they may stop up so much of Ann Street Fleet Street and Queen Street as is shown on the deposited plans as intended to be stopped up and if and when the Company become the owners of the lands on both sides of the following streets in the parish of Brighton namely Peel Street Peel Place York Road and Boston Street or so much thereof respectively as is shown on the deposited plans as to be stopped up they may stop up the said streets or portions of street respectively. Stopping up  
certain  
streets at  
Brighton.

**34.—(1)** All rights of way over or along any road or way and the several roads or footpaths or portions thereof which shall under the provisions of this Act be diverted stopped up and discontinued and over any of the lands which shall be purchased or acquired under the compulsory powers of this Act shall be and the same are as from the diversion stopping up purchase or acquisition thereof respectively by this Act extinguished. Extinction  
of rights of  
way over  
diverted  
footpaths  
additional  
lands &c.

(2) Where it is provided under this Act that the Company shall not stop up any road or footpath or portion of road or footpath by this Act authorised to be stopped up until they shall have completed

A.D. 1898. — and opened to the public a diversion of such road or footpath or a new road or footpath (as the case may be) in lieu of the road or footpath so to be stopped up the Company shall not stop up the same (except as regards the footpaths in substitution for which footbridges are already erected) until they shall have obtained the certificate of two justices that such diverted or new road or footpath is duly completed in accordance with the provisions of this Act Provided that the Company shall before applying to such justices for such certificate give seven days' notice in writing of their intention to apply for the same to the road authority of the district in which such road or footpath is situate.

Vesting in Company site and soil of portions of footpaths &c. stopped up.

**35.** The site and soil of any road or way and of the several roads and footpaths or portions thereof by this Act authorised to be diverted stopped up and discontinued and the fee simple and inheritance thereof shall if the Company are or if and when under the powers of this Act or of any other Act relating to the Company already passed they become the owners of the lands on both sides thereof be from the time of the stopping up thereof respectively wholly and absolutely vested in the Company for the purposes of their undertaking subject to the provisions of the Railways Clauses Consolidation Act 1845 with respect to mines lying under or near to the railway.

For protection of urban district council of Newhaven.

**36.** Nothing in this Act contained shall vary or alter the provisions of section 16 sub-section (1) of the London Brighton and South Coast Railway (Various Powers) Act 1892 securing to the public a certain right of way to the sea beach at Newhaven and the right to use certain roads as therein referred to.

For protection of Brighton Hove and General Gas Company.

**37.** For the protection of the Brighton Hove and General Gas Company (in this section referred to as "the Brighton Gas Company") the following provisions shall have effect:—

When the Company for the purposes of this Act shall acquire the land and houses in the parish of Brighton referred to in this Act and shall proceed to pull down the said houses and to appropriate the sites of the streets within the limits shown on the deposited plans they shall pay to the Brighton Gas Company—

(a) The value of all mains and service pipes belonging to the Brighton Gas Company laid under the surface of any such land as may be so acquired by the Company within the limits shown on the deposited plans;

(b) The value of any fittings (including pipes) belonging to the Brighton Gas Company in any of the houses within

the said limits which will be rendered useless to the Brighton Gas Company by reason of the pulling down of the said houses ; A.D. 1898.

(c) The costs and expenses to which the Brighton Gas Company may be put in removing repairing and rendering fit for selling or hiring to other customers any fittings belonging to the Brighton Gas Company fixed in any such houses other than such fittings as are mentioned in sub-section (b) of this section :

In case of any difference arising between the Company and the Brighton Gas Company as to any of the matters referred to in this section the same shall be determined by an arbitrator to be agreed upon between the parties or failing agreement to be appointed by the Board of Trade on the application of either party and the costs of such arbitration shall be in the discretion of the arbitrator.

**38.** Subject to the provisions of this Act the Company and the London and South Western Railway Company (herein-after referred to as "the two Companies") or either of them with the consent of the other may make and maintain in the lines and according to the levels shown on the deposited plans and sections a lengthening of the bridge situate in the parish of Mitcham in the county of Surrey carrying Church Road over the Tooting Merton and Wimbledon railway belonging to the two Companies at the eastern end of Merton Abbey Station thereon and they may for the purposes aforesaid enter upon take and use such of the lands delineated on the deposited plans and described in the deposited books of reference as may be required for those purposes.

Powers to Company and South Western Railway Company (works at Merton Abbey Station).

**39.** Before commencing any of the works authorised by this Act at Merton Abbey Station the Companies shall give one month's previous notice in writing to the Croydon Rural District Council (in this section called "the council") :

For protection of Croydon Rural District Council.

If within the said period of one month the council so require in writing the Companies shall make the said bridge of a clear width of not less than thirty-six feet throughout and the cost of widening the portion over the existing lines of rail shall be repaid by the council to the Companies and the amount thereof if not agreed between them shall be determined by arbitration :

For the purpose of providing money for such contribution the same shall be deemed expenses for the purposes of the Public Health Act 1875 and the council may independently of any other borrowing power borrow and re-borrow such sum as may be requisite for the purposes of this section at interest on the security of the general expenses rate and highway rate and either by mortgage

A.D. 1898. — or by issue of debentures or annuity certificates, under and subject to the provisions of the Local Loans Act 1875 or partly in one way and partly in the other and in borrowing the same the council shall not be restricted by any of the regulations contained in sub-sections (1) (2) and (3) of section 234 of the Public Health Act 1875 and in calculating the amount which the council may borrow under that Act the said sum borrowed for the purposes of this section shall not be reckoned. Provided that the council shall pay off the sum so borrowed by equal yearly or half-yearly instalments of principal or of principal and interest and within a period of forty years from the date of the borrowing of the same:

The clerk of the council shall within twenty-one days after the thirty-first day of March in each year during which any instalment is required to be paid under this section transmit to the Local Government Board a return in such form as may be prescribed by that Board and verified by statutory declaration if so required by them showing the amounts which have been paid as instalments during the year preceding the making of such return. And in the event of any wilful default in making such return such clerk shall be liable to a penalty not exceeding twenty pounds which shall be paid to the Local Government Board and shall be recoverable by that Board in a summary manner and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of Mandamus to be obtained by the Local Government Board out of the High Court:

If it appears to the Local Government Board by that return or otherwise that the council have failed to pay any instalment required to be paid (whether such instalment is required by this section or by the Local Government Board in virtue thereof to be paid) the Local Government Board may by order direct that the sum in such order mentioned not exceeding double the amount in respect of which default has been made shall be paid as in such order mentioned and any such order shall be enforceable by writ of Mandamus to be obtained by the Local Government Board out of the High Court.

Power to  
Company  
and South  
Western  
Company  
to acquire  
additional  
lands.

40. Subject to the provisions of this Act the two Companies may enter upon and take compulsorily and may hold for the improvement and enlargement of their railway stations and works and for the construction of sidings and other station purposes the lands herein-after described which are delineated upon the deposited plans and described in the deposited books of reference:—

Lands in the parishes of Mitcham and Merton in the county of Surrey situate on the south side of the Tooting Merton and

Wimbledon railway of the two Companies or near their Merton Abbey Station thereon and extending twenty-eight chains or thereabouts east and six chains or thereabouts west of the said station. A.D. 1898.

41.—(1) The two Companies shall not take compulsorily any of the said lands in the parish of Merton lying to the west of a line drawn in a southerly direction at right angles to the said railway at a point immediately east of the eastern side of the level crossing over the said railway leading to the said lands nor shall they take compulsorily more of the said lands in the said parish of Mitcham than shall be required for the enlargement of their Merton Abbey Station and yard but the two Companies may for the purpose of a road to that station acquire an easement over the other portion of the last-mentioned lands to the extent necessary for the construction of a roadway twenty feet wide from the base of the embankment carrying Church Road towards the bridge over the said railway such road to be properly made and maintained in such manner as may be necessary for the purposes of the two Companies and (whether widened as herein-after mentioned or not) to be fenced and kept fenced by and at the expense of the two Companies.

For protection of  
Francoise  
Julie  
Mansfield  
and John  
Mackrell.

(2) Francoise Julie Mansfield and John Mackrell the present owners of the said lands and their respective heirs and assigns lessees and tenants shall have nevertheless the full and free use and enjoyment of the said roadway (whether widened or not as aforesaid) as a building frontage or otherwise in connexion with the said lands and other lands with rights to open on to its western side by roads footpaths or gateways for all purposes and to lay and maintain gas and water pipes and electrical communications therein and to open up and drain into any sewer or sewers now laid or that may hereafter be laid in the said lands next to the said embankment.

(3) The said Francoise Julie Mansfield and John Mackrell and their respective heirs or assigns or their lessees or nominees may also if they shall think fit at any time hereafter at their own expense widen the said road to a width of forty feet or any less width and may make or construct on such widened portion a footpath or footpaths with or without channels or drains.

(4) In case the said road shall be so widened then and thereafter unless and until the same shall be taken over by the local authority as a public road the same shall be repaired and maintained by the two Companies at the joint expense of the two Companies (who shall pay one moiety of such expense) and of the said Francoise Julie Mansfield and John Mackrell and their respective heirs or assigns lessees or tenants who shall pay the other moiety of such expense.

[Ch. cxi.] *London, Brighton, and South Coast* [61 & 62 VICT.]  
*Railway Act, 1898.*

A.D. 1898.

(5) The said Francoise Julie Mansfield and John Mackrell or their respective heirs or assigns or lessees may also at any time after the widening of the said road cause the same or any part thereof to be adopted by the local authority so that the same may become a highway repairable by the inhabitants at large and the two Companies will at the request of the said Francoise Julie Mansfield and John Mackrell or their respective heirs or assigns or lessees consent to and concur in such adoption as aforesaid but the two Companies shall not be liable to contribute towards the expenses of such works as may be required by such authority as a condition of adopting and taking over the said road or any part thereof.

Period for compulsory purchase of lands.

42. The powers for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act.

Period for completion of railways.

43. If the railways authorised by this Act are not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Company for making and completing the railways or otherwise in relation thereto shall cease except as to so much thereof as is then completed.

Railways to form part of existing undertakings.

44. The railways and the works connected therewith respectively executed under the authority of this Act other than the works affecting the Tooting Merton and Wimbledon railway shall for the purposes of tolls rates and charges and all other purposes whatsoever be part of the London Brighton and South Coast Railway and comprised in the undertaking of the Company and the works affecting the Tooting Merton and Wimbledon railway shall in like manner form part of the property and works of the said railway belonging to the two Companies.

Extending time for completion of railways authorised by Company's Act of 1894.

45. The period limited by the London Brighton and South Coast Railway Act 1894 for the completion of the Railways Nos. 1 and 2 authorised by section 5 of that Act is hereby extended until the twentieth day of July one thousand nine hundred and two and section 17 of that Act shall be read and construed accordingly.

Penalty on Company if new railways not completed.

46. If the Company fail within the period limited by this Act to complete the new railways by this Act authorised the Company shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until the railway in respect of which default is made is completed and opened for the public conveyance of passengers or until the sum received in respect of such penalty shall amount to five per centum on the estimated

cost of the railway in respect of which default is made and the said penalty may be applied for by any landowner or other person claiming to be compensated or interested in accordance with the provisions of the next following section of this Act and in the same manner as the penalty provided in section 3 of the Railway and Canal Traffic Act 1854. And every sum of money recovered by way of such penalty as aforesaid shall be paid under the warrant or order of such court or judge as is specified in that section to an account opened or to be opened in the name of the Paymaster-General for and on behalf of the Supreme Court in the bank and to the credit specified in such warrant or order and shall not be paid thereout except as herein-after provided. But no penalty shall accrue in respect of any time during which it shall appear by a certificate to be obtained from the Board of Trade that the Company was prevented from completing or opening the railway in respect of which default is made by unforeseen accident or circumstances beyond their control. Provided that the want of sufficient funds shall not be held to be a circumstance beyond their control. A.D. 1898.

47. Every sum of money so recovered by way of penalty as aforesaid shall be applicable and after due notice in the London Gazette shall be applied towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the railway in respect of which default shall have been made as aforesaid or any portion thereof or who have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act and for which injury or loss no compensation or inadequate compensation has been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the High Court may seem fit. And if no such compensation is payable or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid has been found sufficient to satisfy all just claims in respect of such compensation then the said sum or sums of money recovered by way of penalty or such portion thereof as may not be required as aforesaid shall if a receiver has been appointed or the Company is insolvent or the railway in respect of which the penalty has been incurred or any part thereof has been abandoned be paid or transferred to such receiver or be applied in the discretion of the court as part of the assets of the Company for the benefit of the creditors thereof and subject to such application shall be repaid or retransferred to the Company. Application  
of penalty.

A.D. 1898.  
Restrictions  
on displacing  
persons of  
labouring  
class.

48.—(1) The Company shall not under the powers of this Act purchase or acquire in any parish in the administrative county of London (in this section referred to as "London") twenty or more houses or in any other city borough or urban district or in any parish or part of a parish not being within an urban district ten or more houses which on the fifteenth day of December last were or have been since that day or shall hereafter be occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until the Company—

(a) Shall have obtained the approval in the case of London of the Secretary of State for the Home Department or in any other case of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last or for such number of persons as the said Secretary of State or the Local Government Board (as the case may be) shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case; and

(b) Shall have given security to the satisfaction of the said Secretary of State or the Local Government Board (as the case may be) for the carrying out of the scheme.

(2) The approval of the said Secretary of State or the Local Government Board (as the case may be) to any scheme under this section may be given either absolutely or conditionally and after the said Secretary of State or the Local Government Board (as the case may be) have approved of any such scheme they may from time to time approve either absolutely or conditionally of any modifications in the scheme.

(3) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced:

Provided that the said Secretary of State or the Local Government Board (as the case may be) may dispense with the last-mentioned requirement subject to such conditions (if any) as they may see fit.

(4) Any provisions of any scheme under this section or any conditions subject to which the said Secretary of State or the Local Government Board (as the case may be) may have approved of



any scheme or of any modifications of any scheme or subject to which they may have dispensed with the above-mentioned requirement shall be enforceable by a writ of Mandamus to be obtained by the said Secretary of State or the Local Government Board (as the case may be) out of the High Court. A.D. 1898.

(5) If the Company acquire or appropriate any house or houses for the purposes of this Act in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the said Secretary of State or the Local Government Board (as the case may be) by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom :

Provided that the court may if it think fit reduce such penalty.

(6) For the purpose of carrying out any scheme under this section the Company may appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase such further lands as they may require and for the purpose of any such purchase sections 176 and 297 of the Public Health Act 1875 shall be incorporated with this Act and shall apply to the purchase of lands beyond London by the Company for the purposes of any scheme under this section in the same manner in all respects as if the Company were a local authority within the meaning of the Public Health Act 1875 and the scheme were one of the purposes of that Act.

(7) The Company may on any lands belonging to them or purchased or acquired under this section or any Provisional Order issued in pursuance of this section erect such dwellings for persons of the labouring class as may be necessary for the purpose of any scheme under this section and may sell demise or let or otherwise dispose of such dwellings and any lands purchased or acquired as aforesaid and may apply for the purposes of this section to which capital is properly applicable or any of such purposes any moneys which they may be authorised to raise or apply for the general purposes of their undertaking :

Provided that all lands on which any buildings have been erected or provided by the Company in pursuance of any scheme under this section shall for a period of twenty-five years from the date of such scheme be appropriated for the purpose of such dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this enactment :

Provided also that the said Secretary of State or the Local Government Board (as the case may be) may at any time dispense

A.D. 1898. — with all or any of the requirements of this sub-section subject to such conditions (if any) as he or they may see fit.

(8) All buildings erected or provided by the Company in London for the purpose of any scheme under this section shall be subject to the provisions of the London Building Act 1894 (Local) and the Metropolis Management Act 1855 and any Act or Acts amending those respective Acts.

(9) So much of section 157 of the Public Health Act 1875 as provides that the provisions of that section and of sections 155 and 156 of the same Act shall not apply to buildings belonging to any railway company and used for the purposes of such railway under any Act of Parliament shall not apply to buildings erected or provided by the Company for the purpose of any scheme under this section.

(10) The said Secretary of State or the Local Government Board (as the case may be) may direct any inquiries to be held which he or they may deem necessary in relation to any scheme under this section and may appoint or employ inspectors for the purposes of any such inquiry and the inspectors so appointed or employed shall for the purposes of any such inquiry have all such powers as the inspectors of the Local Government Board have for the purposes of inquiries directed by the Local Government Board under the Public Health Act 1875.

(11) The Company shall pay to the said Secretary of State any expenses incurred by him in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector and a reasonable sum to be fixed by the said Secretary of State for the services of such inspector.

(12) The Company shall pay to the Local Government Board a sum to be fixed by that Board in respect of the preparation and issue of any Provisional Order in pursuance of this section and any expenses incurred by that Board in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

(13) Any houses on any of the lands shown on the deposited plans occupied or which may have been occupied by persons of the labouring class within five years before the passing of this Act which have been acquired by or on behalf of the Company and for which houses no substitutes have been or are directed to be provided by any scheme approved by the said Secretary of State or the Local Government Board (as the case may be) under the powers of any previous Act relating to the Company

shall for the purposes of this section be deemed to have been acquired under the powers of this Act and to have been occupied on the fifteenth day of December last by the same number of persons belonging to the labouring class as were occupying the said houses at the date of their acquisition. Provided that if the said Secretary of State or the Local Government Board (as the case may be) is unable to ascertain the number of such persons who were then occupying the said houses the said houses shall be deemed to have been occupied by such number of such persons as in the opinion of the said Secretary of State or the Local Government Board (as the case may be) they might have been sufficient to accommodate. A.D. 1898.

(14) For the purposes of this section the expression "labouring class" means mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.

(15) The provisions of this section *mutatis mutandis* shall extend and apply to the Company and the London and South Western Railway Company in relation to the powers of purchasing and holding lands conferred on the said two Companies by this Act.

49. The Company may apply towards the construction of the railways and works by this Act authorised and other purposes of this Act any moneys which they are already authorised to raise and which may not be required by them for the purposes for which the same were authorised to be raised. And the Company may subject to the provisions of Part II. of the Companies Clauses Act 1863 raise for the same purposes and for the general purposes of their undertaking any additional capital not exceeding in the whole seven hundred thousand pounds by the issue at their option of new ordinary shares or stock or new preference shares or stock or wholly or partially by any one or more of those modes respectively which shares or stock shall form part of the general capital of the Company. Company may apply their funds and raise additional capital.

50. The Company shall not issue any share created under this Act under the nominal value of ten pounds nor shall any share or stock created under this Act vest in the person accepting the same unless and until a sum not being less than one-fifth of the amount of such share or the whole of such stock shall have been paid in respect thereof. Shares or stock not to vest until one-fifth part paid up.

A.D. 1898.

Qualification  
of new shares  
or stock.

51. Except as by or under the powers of this Act otherwise provided the new shares or stock issued under the powers of this Act shall in proportion to the aggregate amount thereof from time to time held by the same person at the same time and paid up entitle the respective holders thereof to the same dividends and profits and confer on them the like qualifications and the like right of voting as the like amount of shares or stock of the Company of the same class or description.

Power to  
borrow.

52. The Company may in respect of the additional capital of seven hundred thousand pounds which they are by this Act authorised to raise from time to time borrow on mortgage of their undertaking any sum not exceeding in the whole two hundred and thirty-three thousand pounds and of that sum they may from time to time borrow any sum not exceeding in the whole sixty-six thousand six hundred pounds in respect of each two hundred thousand pounds of the said additional capital and any sum not exceeding in the whole thirty-three thousand two hundred pounds in respect of the last one hundred thousand pounds of the said additional capital but no part of either such sum of sixty-six thousand six hundred pounds or thirty-three thousand two hundred pounds shall be borrowed until shares for so much of the portion of capital in respect of which it is to be borrowed as is to be raised by means of shares are issued and accepted and one-half of such capital is paid up and the Company have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 before he so certifies that shares for the whole of such portion of capital have been issued and accepted and that one-half of such portion of capital has been paid up and that not less than one-fifth part of the amount of each separate share in such portion of capital has been paid on account thereof before or at the time of the issue or acceptance thereof and until stock for one-half of so much of the said additional capital as is to be raised by means of stock is fully paid up and the Company have proved to such justice as aforesaid before he so certifies that such shares or stock as the case may be were issued and accepted and to the extent aforesaid paid up bonâ fide and are held by the persons or corporations to whom the same were issued or their executors administrators successors or assigns and also so far as the said additional capital is raised by shares that such persons or corporations or their executors administrators successors or assigns are legally liable for the same and upon production to such justice of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence thereof.

53. The Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 but notwithstanding anything therein contained the interest of all debenture stock at any time after the passing of this Act created and issued by the Company shall rank *pari passu* with the interest of all mortgages at any time after the passing of this Act granted by the Company and shall have priority over all principal moneys secured by such mortgages.

A.D. 1898.  
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Debenture  
stock.

54. All mortgages granted by the Company in pursuance of the powers of any Act of Parliament before the passing of this Act and subsisting at the passing hereof shall during the continuance of such mortgages and subject to the provisions of the Acts under which such mortgages were respectively granted have priority over any mortgages granted by virtue of this Act but nothing in this section contained shall affect any priority of the interest of any debenture stock at any time created and issued by the Company.

Existing  
mortgages  
to have  
priority.

55. All enactments in force under any Act relating to the Company with respect to the appointment of a receiver by mortgagees of the undertaking of the Company are hereby repealed but without prejudice to any appointment made or to the continuance of any proceedings which may have been commenced prior to the passing of this Act under any such enactment.

Appoint-  
ment of  
receiver.

The mortgagees of the undertaking of the Company may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver. In order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than ten thousand pounds in the whole.

56. All moneys raised by the Company under this Act whether by shares stock debenture stock or borrowing shall be applied to the purposes of this Act and to the general purposes of the Company being in each case purposes to which capital is properly applicable.

Application  
of moneys.

57. If any money is payable to a shareholder or mortgagee or debenture stockholder being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Receipt in  
case of  
persons not  
sui juris.

58. The London and South Western Railway Company may apply towards the construction of the works by this Act authorised and other purposes of this Act which they are authorised to effect jointly with the Company any moneys which they are already authorised to raise and which may not be required by them for the purposes for which the same were authorised to be raised.

South  
Western  
Company  
may apply  
funds.

A.D. 1898.

Interest on  
calls not to  
be paid out  
of capital.

**59.** No interest or dividend shall be paid out of any share or loan capital which the Company are by this or any other Act authorised to raise to any shareholder on the amount of the calls made in respect of the shares held by him but nothing in this Act shall prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the Companies Clauses Consolidation Act 1845.

Extending  
time for sale  
of certain  
superfluous  
lands.

**60.** The Company may notwithstanding anything to the contrary in the Lands Clauses Consolidation Act 1845 or in any Act relating to the Company with which that Act is incorporated retain and hold any lands acquired by them which have not yet been applied to the purposes of the Company or sold or disposed of by them in the parishes enumerated in the schedule to this Act for the periods following (that is to say) As regards such of the lands as are situate near or adjoining any railway or station of the Company or as the Company may be of opinion that they may require for the purposes of stations sidings or other conveniences for the period of ten years from the passing of this Act and as regards the other of the said lands for the period of two years from the same date But the Company shall at the expiration of such respective periods of ten years and two years sell and dispose of all such parts of those lands respectively as shall not then have been applied to or are not then required for the purposes of their undertaking as aforesaid as superfluous lands.

Deposits  
for future  
Bills not to  
be paid out  
of capital.

**61.** The Company shall not out of any money by this Act authorised to be raised pay or deposit any sum which by any standing order of either House of Parliament now or hereafter in force may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act authorising the Company to construct any other railway or to execute any other work or undertaking.

Provision as  
to general  
Railway  
Acts.

**62.** Nothing in this Act contained shall exempt the Company or their railways from the provisions of any general Act relating to railways or 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 or alteration under the authority of Parliament of the maximum rates of fares and charges or of the rates for small parcels.

Costs of  
Act.

**63.** All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

