



**CHAPTER cxviii.**

An Act to revive the powers and extend the periods for the compulsory purchase of lands and for the construction of the Brighton and Dyke Railway. A.D. 1881.  
[18th July 1881.]

**W**HEREAS by the Brighton and Dyke Railway Act 1877 (in this Act referred to as "the Act of 1877") the Brighton and Dyke Railway Company (in this Act called "the Company") were incorporated and authorised to make a railway between Brighton and the Dyke in the county of Sussex: 40 & 41 Vict  
c. clxxxix.

And whereas by the Act of 1877 the time for the compulsory purchase of lands was limited to three years and the time for the completion of the railway was limited to five years from the passing of that Act which received the royal assent on the second day of August one thousand eight hundred and seventy-seven:

And whereas it is expedient that the powers of the Company for the compulsory purchase of lands should be revived and that the time for completing the railway should be extended as herein-after provided:

And whereas plans and sections of the railway and books of reference to the plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which might have been taken for the purposes or under the powers of the Act of 1877 were deposited with reference to the application to Parliament for that Act with the clerk of the peace for the county of Sussex which plans sections and books of reference are therein and herein-after referred to as the deposited plans sections and books of reference:

And whereas the purposes of this Act 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

[Ch. cxviii.] *Brighton and Dyke Railway* [44 & 45 VICT.]  
*Act, 1881.*

A.D. 1881. 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 Brighton and Dyke Railway Act 1881.

Incorporation of Part II. of 26 & 27 Vict. c. 92. 2. Part II. (relating to extension of time) of the Railways Clauses Act 1863 is (except where expressly varied by this Act) incorporated with and forms part of this Act.

Interpretation of terms. 3. In this Act the words and expressions to which meanings are assigned by the Act of 1877 and the Act partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction.

Revival of powers for purchase &c. of lands. 4. The powers of the Act of 1877 with respect to the compulsory purchase or taking of and entry upon the lands delineated on the deposited plans and described in the deposited books of reference are hereby revived and shall continue in force till the second day of August one thousand eight hundred and eighty-three Provided always that the Company shall not enter upon take use or interfere with that part of the land numbered three on the deposited plans in the parish of Aldrington belonging or reputed to belong to the Hove Commissioners which is coloured pink on a plan signed in duplicate by Charles Oliver Blaber Engineer of the Company and Edward Baudanin Ellice Clark Surveyor to the Hove Commissioners except with the consent in writing of the said Commissioners under seal.

Contracts and notices to take land not to be affected. 5. Nothing in this Act shall release the Company from liability to purchase or to complete the purchase of any lands in respect of which any contract may have been entered into or notice given by the Company under the powers of the Act of 1877 for the purposes of or in relation to any portion of the railway or works authorised by that Act but notwithstanding the cesser of such powers between the second day of August one thousand eight hundred and eighty and the revival thereof by this Act every such contract or notice shall as against the Company be construed and take effect and the same proceedings may be had thereunder and all parties thereto other than the Company shall be entitled to the same rights and remedies in respect thereof at law and in equity as if the powers for purchasing land conferred by the Act of 1877 and this Act had been continuous and had not ceased as aforesaid.

Extension of time for completing railway. 6. The time limited by the Act of 1877 for the completion of the railway is hereby extended until the second day of August one thousand eight hundred and eighty-five And section thirty-four of

the Act of 1877 shall be read as if the period therein referred to for the completion of the railway was the extended time limited by this Act. A.D. 1881.  
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7. If the railway shall not be completed within the period limited by this Act then on the expiration of such period the powers by the Act of 1877 and this Act granted to the Company for making and completing the railway or otherwise in relation thereto shall cease to be exercised except as to so much thereof as shall then be completed. If railway not completed within extended period powers to cease.

8. Nothing in this Act contained shall exempt the Company or the railway 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 authorised by the Act of 1877. Provision as to general railway Acts.

9. 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. Expenses of Act.

