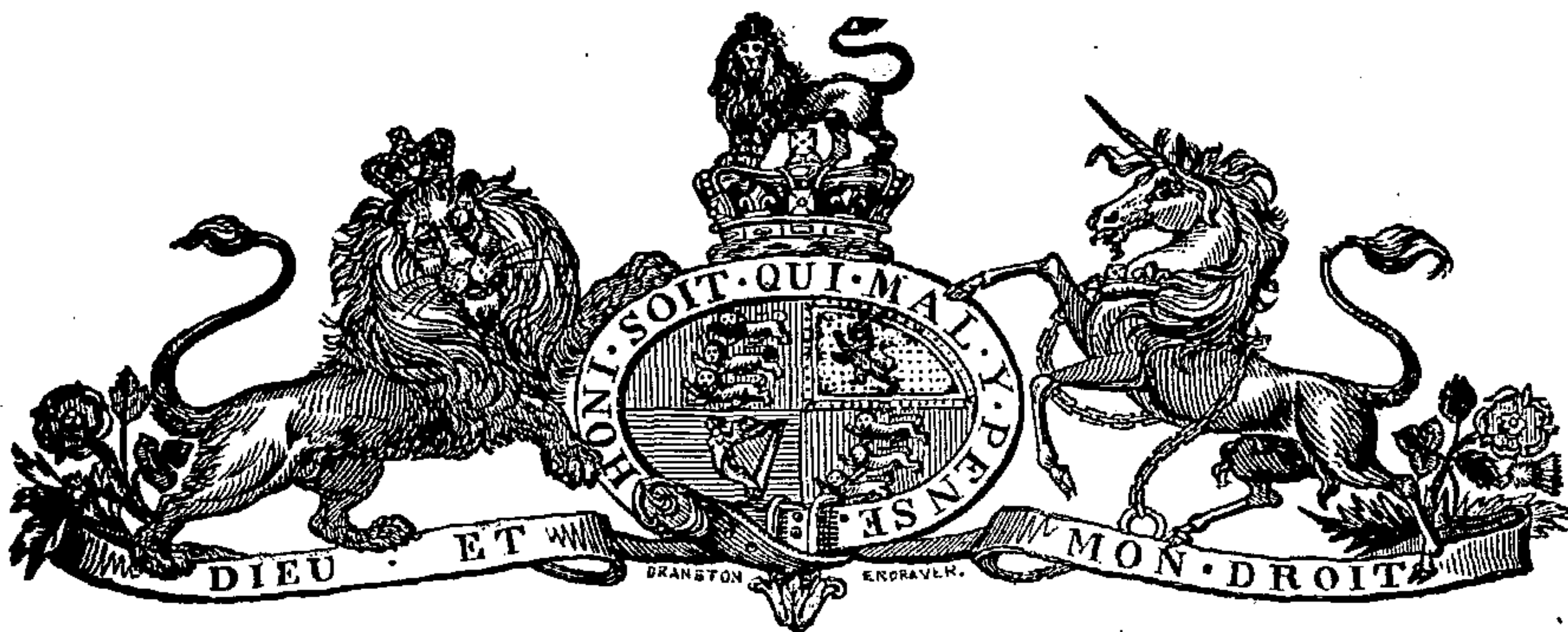




ANNO QUINTO & SEXTO

VICTORIÆ REGINÆ.

Cap. cii.

An Act for amending some of the Powers of the Acts relating to the *London and Greenwich Railway*.
[16th July 1842.]

WHEREAS an Act was passed in the Third Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for making a Railway from London to Greenwich*: And whereas another Act was passed in the Seventh Year of the Reign of His said late Majesty, intituled *An Act to enlarge the Powers of an Act passed in the Third Year of the Reign of His present Majesty, intituled 'An Act for making a Railway from London to Greenwich:'* And whereas another Act was passed in the First Year of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act for extending the Time for completing the London and Greenwich Railway*: And whereas another Act was passed in the Second Year of the Reign of Her said present Majesty, intituled *An Act for granting further Powers to the London and Greenwich Railway Company*: And whereas another Act was passed in the Fourth Year of the Reign of Her said present Majesty, intituled *An Act to amend and enlarge the Powers and Provisions of the several Acts relating to the London and Greenwich Railway*: And whereas another Act was passed in the Fourth Year of the Reign of Her said present Majesty, intituled *An Act to enable the London and Greenwich Railway Company to provide a Station in the Parish of Saint*

3 & 4 W. 4.

c. 46.

7 W. 4. &

1 Vict. c. 50.

1 & 2 Vict.

c. 4.

2 & 3 Vict.

c. 19.

4 & 5 Vict.

c. 127.

4 & 5 Vict.

c. 128.

[Local.]

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Olave

Olave in the Borough of Southwark and County of Surrey: And whereas in and by the said last-recited Act it is enacted that the *London and Greenwich Railway Company*, before they take possession of or construct any Arch or Arches over any further Part of a certain Burial Ground belonging to the Parishes of *Saint Olave* and *Saint John* in the Borough of *Southwark*, in order to extend and enlarge the Entrance or Approach to the *London and Greenwich Railway*, under the Provisions of such Act, should provide, and convey in Exchange to the Rectors and Churchwardens for the Time being of the said Parishes of *Saint Olave* and *Saint John*, a proper, suitable, and convenient Piece of Ground within the said Parishes or one of them, or near thereto, of at least equal superficial Contents with the said Burial Ground, and to be approved of by the said Rectors and Churchwardens of the said Parishes, or the Majority of them, and by the Ordinary of the Diocese, as a Burial Ground for the said Parishes, in lieu of the Burial Ground before mentioned: And whereas it is expedient that the said recited Provision should be repealed, and that some of the Powers and Provisions of the said Acts should be altered, amended, and enlarged; but the same cannot be effected without the Aid and 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, That so much of the last-recited Act as is herein-before recited shall be and the same is hereby declared to be repealed.

Repeal of Provision in last-recited Act as to Burial Ground.

Powers of recited Acts extended to this Act, except as hereby altered.

II. And be it enacted, That the said recited Acts, and all the Powers, Provisions, Matters, and Things therein contained, (except so far as the same are varied, altered, or repealed,) shall be effectual for carrying this Act into execution, in as full a Manner as if the same had been re-enacted in this Act with reference to the Provisions herein contained.

Company to pay a Sum of Money for the Burial Ground.

III. And be it enacted, That the said Company shall within the Space of Three Calendar Months pay to the said Rectors and Churchwardens of the said Parishes of *Saint Olave* and *Saint John* such Sum of Money as the said Rectors and Churchwardens, with the Consent of the Vestries of the said Parishes, and the said Company, shall agree on, for such Burial Ground, and such Sum of Money shall be paid by the said Company in Money to the Rectors and Churchwardens for the Time being of the said Parishes, before the said Company or any Person or Persons authorized by them shall proceed to take possession of, arch over, or otherwise make use of the said Burial Ground, or any Part thereof, for the Purposes of this Act or the said recited Acts, or either of them; and the said Sum of Money so to be paid as aforesaid shall be applied by the said Rectors and Churchwardens in providing a Place for the Interment of the Dead of the said Parishes, in such Locality as the said Rectors and Churchwardens, or the Majority of them, with the Consent of the Ordinary and of the Vestries of the said respective Parishes, shall think fit, and in such other Manner for the Benefit of the said Parishes, and the Indemnity of the Rectors and Parishioners of the said Parishes against any Loss

or Damage arising from the taking of the said Burial Ground for the Purposes of the said Acts, as the said Rectors and Churchwardens shall think proper and determine upon, with such Consent of the Ordinary and Vestries as aforesaid; and the said Rectors and Churchwardens shall be and they are hereby authorized to purchase, take, and hold, to them and their Successors for ever, such Land as they shall purchase for the Purposes aforesaid.

IV. And whereas it is by the said last-recited Act enacted, that the said Company should, at their own Expence, before the said Burial Ground should be given up to the said Company, prepare and enclose the Piece of Ground to be provided as therein directed in lieu of the said Burial Ground with a proper Wall or Iron Railing, and such Gate or Gates as to the said Rectors and Churchwardens should seem meet and expedient, and should cause the same to be consecrated, and should remove or cause to be removed in a decent and proper Manner, as by the Ordinary should be directed, all the Remains of the Dead interred and then being in the said Burial Ground, or in or under any of the Arches connected therewith, to the Piece of Ground to be provided in lieu thereof, and should re-inter all such Remains in the said Piece of Ground, and should remove or cause to be removed the Materials of all Vaults, Tombs, and Monuments then being in the said Burial Ground and Arches into the said Piece of Ground so to be provided, and should make new Vaults in lieu thereof, and rebuild the Tombs and Monuments with the said Materials so to be removed, and such new Materials as should be requisite and necessary in the said Piece of Ground to be provided as aforesaid, and the Person or Persons to whom such Vaults and Tombs in the said Burial Ground or Arches respectively belonged should have such and the same Rights, Interests, and Privileges in the said Vaults and Tombs so to be made and erected in the said Ground so to be provided as aforesaid as they then had in the Vaults and Tombs belonging to them respectively, then being in the said Burial Ground or Arches; and in case the said Company should neglect or omit to do any or either of the Matters and Things aforesaid, after One Month's Notice to do so, it should be lawful for the said Rectors and Churchwardens to perform all or any of the same, and the said Company should and they were hereby required to pay to the said Rectors and Churchwardens, or any Two of them, all such reasonable Costs, Charges, Damages, and Expences as the said Rectors and Churchwardens should from Time to Time sustain, expend, or be liable to, for or by reason of their preparing and enclosing the said Piece of Ground, and providing such Gate or Gates thereto as aforesaid, and the Consecration thereof, and also in and about the Removal of the Remains of the Dead from and out of the said Burial Ground and Arches into and causing the same to be re-interred in the said Piece of Ground so to be provided as aforesaid, and of and attending the Removal of the Materials, and the making and re-constructing the said Vaults and Tombs as aforesaid, and of superintending and directing the same, and of and attending the procuring the necessary Faculty or Faculties for the Purposes aforesaid, and all other reasonable Costs, Charges, Damages, and Expences which the said Rectors and Churchwardens should from Time

In case the Sum of Money is paid by the Company, the Provisions relative to the providing a Burial Ground repealed.

Time to Time incur, sustain, or be liable to in and about or relating to the Premises; and the said Company should, in addition to any such Costs and Charges, pay all the reasonable Costs and Expences of the Rectors and Churchwardens in the Examination and Approval of or the Reference respecting the said Piece of Ground to be provided as aforesaid in lieu of the said Burial Ground, and of the Investigation of the Title thereto, and the Conveyance thereof; and in case of Nonpayment by the said Company of all or any of such Costs, Charges, Damages, and Expences as aforesaid, upon such Demand as therein-before mentioned, the same should be recoverable by the said Rectors and Churchwardens for the Time being of the said Parishes by Action or Actions of Debt in either of Her Majesty's Courts at *Westminster*; and on full Payment of all such Costs, Charges, Damages, and Expences as aforesaid, then as well such Part of the said Burial Ground as was then open as such Parts thereof as were covered by the aforesaid Arches should thenceforth be absolutely vested in the said Company, their Successors and Assigns, for ever: And whereas in consequence of the Provisions in this Act contained, it may happen that the said recited Provision may be inapplicable to the Objects and Purposes contemplated at the Time of passing the said recited Act, and that such Provision should be altered; be it therefore enacted, That if under the Provision herein-before contained the said Company shall pay to the said Rectors and Churchwardens a Sum of Money for the present Burial Ground belonging to the said Parishes of *Saint Olave* and *Saint John*, so much of the said recited Act as is lastly herein-before recited shall be and the same is hereby declared to be repealed.

Remains of
the Dead to
be removed
at the Ex-
pence of the
Company.

V. And be it enacted, That as soon as the said Company shall have agreed with the said Rectors and Churchwardens for the Purchase of the said Burial Ground the said Rectors and Churchwardens shall, at the Expence of the said Company, before the said Burial Ground shall be given up to the said Company, remove or cause to be removed, in a decent and proper Manner, as by the Ordinary shall be directed, all the Remains of the Dead interred and now being in the said Burial Ground, or in or under any of the Arches connected therewith, either into one of the other Churchyards or Burial Grounds belonging to the said Parishes, or into such other Churchyard or consecrated Burial Ground as shall be approved of by the said Ordinary, and shall re-inter all such Remains therein, and shall remove or cause to be removed the Materials of all Vaults, Tombs, and Monuments now being in the said Burial Ground and Arches, into such Churchyard or consecrated Burial Ground, and shall make new Vaults in lieu thereof, and rebuild the Tombs and Monuments with the said Materials so to be removed and such new Materials as shall be requisite and necessary in such Churchyard or consecrated Burial Ground, and the Person or Persons to whom such Vaults and Tombs in the said Burial Ground or Arches respectively belong shall have such and the same Rights, Interests, and Privileges in the said Vaults and Tombs so to be made and erected in the said Churchyard or consecrated Burial Ground as they now have in the Vaults and Tombs belonging to them respectively now being in the said Burial Ground or Arches.

VI. And

VI. And whereas it is by the said first-recited Act provided and enacted, that where any Bridge or Arch should be erected by the said Company for the Purpose of carrying the said Railway over or across any Road, Street, Way, Lane, or other public or private Passage or Place, the Span of the Arch of such Bridge or Arch should be formed and should at all Times be and be continued of such Width as to leave a clear and open Space under every such Bridge or Arch at Right Angles of not less than the Width of such Road, Street, Way, Lane, or other Passage or Place as aforesaid, with the Footpaths thereto, and of a Height from the Surface of such Road, Street, Way, Lane, or other Passage or Place to the Soffit of such Bridge or Arch of not less than Eighteen Feet, and the Descent under such Bridge or Arch should not exceed One Foot in Thirty Feet: And whereas, in the Construction of the said Railway over *Bermondsey Street* in the Parish of *Bermondsey* in the said County of *Surrey*, it was found expedient to widen the Street, and to erect an Iron Bridge or Arch, to rest on Pillars or Columns placed on either Side of the Roadway of the Street when widened, instead of an Arch of One Span of the Width of the Street with the Footpaths thereto without widening the said Street, which the Commissioners of the Pavements under whose Jurisdiction *Bermondsey Street* as aforesaid is placed consented to, and approved of a Plan for the same, and the Company have carried the said Plan so approved of into execution, and the said Railway is now open to the Use of the Public, and the said Company having widened the said Railway by an Iron Bridge constructed in a similar Manner over *Bermondsey Street* aforesaid; be it therefore enacted, That the said recited Provision, so far as the same relates to the Bridge or Arch made for carrying the said Railway over *Bermondsey Street* aforesaid, shall be and the same is hereby repealed.

Repealing
Provisions
in recited
Act relative
to crossing
Bermondsey
Street.

VII. And whereas, for the Purposes of the Stations at the Terminus of the said Railway near *London Bridge*, it may become necessary to arch over the Streets passing under the same, and it is expedient that, under certain Restrictions, Power should be given to arch over the said Streets; be it therefore enacted, That wherever the Property on both Sides of the Carriageway in any such Streets shall have been purchased for the Purposes of the said Stations, it shall be lawful for the Company who may have purchased such Property, with the Consent and according to such Plan as may be approved of by the Commissioners or other Persons under whose Control such Streets may for the Time being be placed, to arch over the same, and the said Commissioners or other Persons as aforesaid are hereby empowered to give such Consent by Writing under the Hand of their Clerk, and to approve of the Plan according to which any such Streets may be so arched over: Provided always, that nothing herein contained shall authorize any Arch to be formed over *Tooley Street*.

Power to
arch over
Streets in
certain Cases.

VIII. And be it enacted, That all the Costs, Charges, and Expences of applying for, obtaining, and passing this Act, or incident thereto, shall be paid and discharged out of the Funds of the said Company, in preference to all other Payments whatsoever.

For paying
Expences of
Act.

[*Local.*]

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IX. And

IX. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

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