



CHAPTER xvii.

An Act to confer further powers on the London Brighton and South Coast Railway Company and for other purposes. A.D. 1888.
[16th May 1888.]

WHEREAS it is expedient that the London Brighton and South Coast Railway Company (in this Act called "the Company") should have further time for purchasing lands for the purposes of the authorised junction railway at New Cross herein-after described and for completing the same railway and that powers should be conferred upon them for the improvement of their railway at St. Leonard's as herein-after set forth :

And whereas plans and sections showing the situation and levels of the works authorised by this Act and a book of reference to such plans have been deposited with the respective clerks of the peace for the counties of Surrey and Sussex and those plans sections and book of reference are in this Act referred to as the deposited plans sections and book of reference respectively :

And whereas by the Woodside and South Croydon Railway Act 1880 a company was incorporated for making a railway in the parish of Croydon commencing by a junction with the Addiscombe branch of the South-eastern Railway and terminating by a junction with Railway No. 1 authorised by the London Brighton and South Coast Railway (Croydon Oxted and East Grinstead Railways) Act 1878 and the railway authorised by the said Woodside and South Croydon Railway Act 1880 is now vested in the Company and the South-eastern Railway Company :

And by the London Brighton and South Coast Railway (Various Powers) Act 1882 the Company were empowered to vary the authorised point of junction between the said Woodside and South Croydon Railway and the said railway authorised by the said Act of 1878 by the construction of a new railway described in the said Act of 1882 and it was provided that the construction of so much of the

[Ch. xvii.] *London, Brighton, and South Coast Railway* [51 Vict.]
(*Various Powers*) Act, 1888.

A.D. 1888. — Woodside and South Croydon Railway as extended from the commencement of the railway authorised by the said Act of 1882 to the said authorised point of junction should be abandoned :

And whereas when the railway authorised by the Woodside and South Croydon Railway Act 1880 was constructed it was found more convenient with the assent of the companies interested to revert to the junction as originally authorised instead of constructing the new junction railway authorised by the London Brighton and South Coast Railway (Various Powers) Act 1882 and the said junction was formed accordingly and it is expedient that the said junction should be authorised and confirmed and the Company empowered to abandon the said junction railway authorised by the said Act of 1882 :

And whereas it is expedient that powers should be conferred on the Company and the London and South-western Railway Company for the stopping a level crossing over the Tooting Merton and Wimbledon line belonging to them jointly and for substituting a footbridge instead thereof :

43 & 44 Vict.
c. lxxi.

And whereas by the London Brighton and South Coast Railway Act 1880 it was provided (section 18) that notwithstanding anything to the contrary in the Lands Clauses Consolidation Act 1845 or in any Act of the Company with which that Act was incorporated the Company might retain and hold as from the 13th day of July 1880 any lands acquired by them which had not then been applied to the purposes of the Company or sold or disposed of by them in the parishes enumerated in the schedule to that Act for a period (as regarded such of the lands as were situate near or adjoining any railway or station of the Company or as the Company might be of opinion that they might require for the purposes of stations sidings or other conveniences) of ten years from the said 13th day of July 1880 :

And whereas as regards several of such lands it cannot at present be ascertained whether or not they will be ultimately required for those purposes and the Company have found difficulty in disposing of others which will not be so required and it is improbable that they can dispose of the same within the period so limited except at considerable loss and it is expedient that they should have further time for that purpose :

And whereas the Company's railway between Bexhill and St. Leonard's-on-Sea passes close to the sea-shore in the parish of St. Mary Bulverhithe in the county of Sussex where there is continual danger that it may be washed away or injured by the encroachments of the sea and the Company are continually involved

[51 VICT.] *London, Brighton, and South Coast Railway* [Ch. xvii.]
(*Various Powers*) Act, 1888.

in expense in constructing and maintaining groynes and other works for the protection of their railway : A.D. 1888.

And whereas it has been suggested to the Company that with their assistance a sea-wall or embankment might be constructed along the said portion of coast which would afford a permanent protection to their railway and relieve them from the liability now attaching thereto and it is expedient that the Company should be empowered to contribute funds towards that object :

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 :—

1. This Act may be cited for all purposes as the London Brighton and South Coast Railway (Various Powers) Act 1888. Short title.

2. Part II. of the Railways Clauses Act 1863 (relating to extension of time) is incorporated with and forms part of this Act. Incorporation of part of Railways Clauses Act 1863.

3. The powers of the Company for the compulsory purchase of lands for the purposes of the railway (New Cross Junction No. 1) authorised by and described in section 4 of the London Brighton and South Coast Railway (Various Powers) Act 1886 are hereby extended and may be exercised at any time up to the fourth day of June one thousand eight hundred and ninety and the time limited by the said Act of 1886 for the construction and completion of the said railway is hereby extended until the fourth day of June one thousand eight hundred and ninety-one and the said Act shall be read and have effect accordingly. Extension of time (New Cross Junction).

4. Subject to the provisions of this Act and in accordance with the deposited plans and sections the Company may lengthen the archway which carries their Brighton and Hastings Railway over the public highway in the parish of Saint Leonard in the county of Sussex about 10 chains westward of the booking office at the Company's Saint Leonard's (West Marina) Station and may so far as necessary for that purpose alter and interfere with the said highway. Work at St. Leonard's.

5. The construction of the junction of the Woodside and South Croydon Railway with the Croydon and Oxted Railway of the Company and the South-eastern Railway Company in accordance with the provisions of the Woodside and South Croydon Railway Act Junction with Woodside and South Croydon Railway at Croydon.

[Ch. xvii.] *London, Brighton, and South Coast Railway* [51 VICT.]
(*Various Powers*) Act, 1888.

A.D. 1888. 1880 and the South-eastern Railway (Various Powers) Act 1882 is hereby authorised and confirmed and the construction of the new railway in the parish of Croydon described in and authorised by section 4 (paragraph 3) of the London Brighton and South Coast Railway (Various Powers) Act 1882 may be abandoned and subject to the provisions of the next two following sections the Company shall be relieved from all liability to penalties and otherwise in respect of the said railway.

Compensation to be made in respect of railway abandoned.

6. Where before the passing of this Act any contract has been entered into or notice given by the Company for the purchasing of any land for the purposes of or in relation to the railway authorised to be abandoned by this Act the Company shall be released from all liability to purchase or to complete the purchase of any such lands but notwithstanding full compensation shall be made by the Company to the owners and occupiers or other persons interested in such lands for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or notice and the amount and application of the compensation shall be determined in manner provided by the Lands Clauses Consolidation Act 1845 as amended by any subsequent Act for determining the amount and application of compensation paid for lands taken under the provisions thereof.

Compensation for damage to land by entry, &c. for purposes of railway abandoned.

7. The abandonment by the Company under the authority of this Act of the authorised junction railway at Croydon herein-before mentioned shall not prejudice or affect the right of the owner or occupier of any land to receive compensation for any damage occasioned by the entry of the Company on such land for the purpose of surveying and taking levels or probing or boring to ascertain the nature of the soil or setting out of the line of railway and shall not prejudice or affect the right of the owner or occupier of any land which has been temporarily occupied by the Company to receive compensation for such temporary occupation or for any loss damage or injury which has been sustained by such owner or occupier by reason thereof or of the exercise as regards such land of any of the powers contained in the Railways Clauses Consolidation Act 1845 or the London Brighton and South Coast Railway (Various Powers) Act 1882.

Power to Company and London and South-western Railway Company to stop up a level crossing.

8. When and so soon as the Company and the London and South-western Railway Company have completed and opened a footbridge for carrying over their Tooting Merton and Wimbledon Railway the footpath in the parish of Merton in the county of Surrey which now crosses that railway on the level about five and a half chains east of the booking office of the Merton Park Station on

[51 VICT.] *London, Brighton, and South Coast Railway* [Ch. xvii.]
(*Various Powers*) Act, 1888.

the said railway the Company and the London and South-western Railway Company may stop up so much of the said footpath as crosses the said railway on the level and thereupon all rights of way over the said railway by the said footpath shall cease and be extinguished : A.D. 1888.

Provided that the said footbridge shall be constructed of iron according to a plan which has been approved and signed by the surveyor to the Kingston Highway Board and the engineer of the Company and shall be erected in the position and direction which has also been approved by that board as shown on the said plan and the Company shall provide at their own cost two gas lamps for effectually lighting the said footbridge one to be erected at each end thereof and shall at their own expense keep the same properly lighted when required for the purposes of giving light.

9. The period for which by section 18 of the London Brighton and South Coast Railway Act 1880 the Company are authorised to retain and hold such of the lands therein mentioned as are situate not within the metropolis but near or adjoining any railway or station of the Company or which the Company may be of opinion that they may require for the purposes of stations sidings or other conveniences shall be extended until the thirteenth day of July one thousand eight hundred and ninety-five But at the expiration of that period the Company shall proceed with all reasonable despatch to sell and dispose of such parts of the said lands as shall not at that date have been sold or disposed of or have been applied to or be then required for the purposes of their undertaking. Extending time for sale of certain superfluous lands.

10. The Company may enter into and carry into effect any agreement or agreements with respect to the contribution of funds towards the construction of a sea-wall embankment or other sea defences along the coast between St. Leonard's-on-Sea and Bexhill in the county of Sussex which may protect their railway in the said parish of St. Mary Bulverhithe and they may subscribe any sum which they may think fit towards any such purposes not exceeding in the whole ten thousand pounds Provided that any such agreement be approved by three fourths of the votes of the shareholders present in person or by proxy at a general meeting of the Company convened with notice of the intention to submit such agreement for approval And the Company may with the like approval contribute and apply in or towards payment of such subscription any moneys which they are already authorised to raise and which may not be required by them for other purposes and the Company may with the like approval and to the extent of such subscription and in lieu of such contribution take and hold shares in any company formed for Power to enter into agreement to subscribe capital for construction of sea-wall.

[Ch. xvii.] *London, Brighton, and South Coast Railway* [51 VICT.]
(*Various Powers*) Act, 1888.

A.D. 1888. — the purpose of executing any such work and in respect of any such shares may exercise all the powers rights and privileges and shall be subject to all the obligations and liabilities of proprietors of shares in such company.

The Company if and while shareholders of any such company may by writing under their common seal from time to time appoint some person to attend any meeting of such company and such person shall have all the privileges and powers attaching to a shareholder of any such company at any such meetings and may vote thereat in respect of the capital held by the Company.

Company
may apply
funds to pur-
poses of Act.

11. The Company may apply to the purposes of this Act to which capital is properly applicable any of the moneys which they now have in their hands or which they have power to raise by virtue of any other Acts relating to the Company and which may not be required for the purposes to which they are by any such Acts made specially applicable.

Provision as
to general
Railway
Acts.

12. 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.

13. 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.

London : Printed for HER MAJESTY'S STATIONERY OFFICE,
By EYRE AND SPOTTISWOODE, Printers to the Queen's most Excellent Majesty.

And to be purchased, either directly or through any Bookseller, from
EYRE AND SPOTTISWOODE, EAST HARDING STREET, FLEET STREET, E.C.; or
ADAM AND CHARLES BLACK, 6, NORTH BRIDGE, EDINBURGH; or
HODGES, FIGGIS, & Co., 104, GRAFTON STREET, DUBLIN.