

CHAPTER lxxviii.

An Act for conferring further powers on the South A.D. 1899. Eastern Railway Company and for other purposes.

[13th July 1899.]

WHEREAS it is expedient that the South Eastern Railway Company (in this Act called "the Company") should be empowered to make and maintain the railways and railway widenings and exercise the other powers in this Act severally authorised and to acquire for the purposes of the works by this Act authorised and for extending their station siding and other accommodation and for other purposes connected with their undertaking the lands in this Act also mentioned:

And whereas it is expedient to extend or further extend as herein-after provided the respective times limited by the Acts herein-after specified for the purchase of certain lands and the completion of certain works:

And whereas by the Epsom Downs Extension Railway Act 1892 (herein-after called "the Epsom Act of 1892") the Epsom Downs Extension Railway Company (herein-after called "the Epsom Company") were incorporated with a share capital of seventy-five thousand pounds and power to borrow on mortgage the sum of twenty-four thousand five hundred pounds and were empowered to make a railway in the county of Surrey commencing in the parish of Ewell and terminating in the parish of Banstead:

And whereas by the Epsom Downs Extension Railway Act 1897 (herein-after called "the Epsom Act of 1897") the Epsom Company were empowered to make the railway therein described and to abandon a portion of their authorised railway:

And whereas by the Chipstead Valley Railway Act 1893 (hereinafter called "the Chipstead Act of 1893") the Chipstead Valley Railway Company (herein-after called "the Chipstead Company") were incorporated with a share capital of one hundred and seventy-five thousand pounds and power to borrow on mortgage the sum

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A.D. 1899. of fifty-eight thousand pounds and were empowered to make certain railways in the county of Surrey from Walton-on-the-Hill to Purley:

> And whereas it is expedient that the undertakings of the Chipstead Company and the Epsom Company should be respectively vested in the Company and that the Chipstead Company and the Epsom Company should be dissolved as herein-after provided:

> And whereas it is expedient to provide as herein-after mentioned for the release of the deposit fund in respect of the Chipstead Act of 1893 and so much of the deposit fund as now remains in Court in respect of the Epsom Act of 1892 and the Epsom Act of 1897 respectively:

> And whereas it is expedient that the Company should be authorised to apply their funds for the purposes of this Act:

> And whereas it is expedient that the Crowhurst Sidley and Bexhill Railway Company (in this Act called "the Crowhurst Company") should be authorised to raise additional capital for the purposes of their undertaking:

> And whereas it is expedient that other provisions such as are in this Act contained be made:

> And whereas plans and sections showing the lines and levels of the railways and railway widenings by this Act authorised to be constructed and plans showing the lands by this Act authorised to be acquired and appropriated and also books of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the clerks of the peace for the several counties within which the said works will be constructed and those lands are situate which plans sections and books of reference are in this Act respectively 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 and Commons in this present Parliament assembled and by the authority of the same as follows:—

1. This Act may be cited as the South Eastern Railway Act Short title. 1899.

[62 & 63 Vict.] South Eastern Railway Act, 1899. [Ch. lxxviii.]

2. The following Acts and parts of Acts are (except where A.D. 1899. expressly varied by this Act) incorporated with and form part of Incorporathis Act (that is to say):—

tion of general Acts.

The Lands Clauses Acts:

The Railways Clauses Consolidation Act 1845:

Part I. (relating to the construction of a railway) Part II. (relating to extension of time) and Part V. (relating to amalgamation) of the Railways Clauses Act 1863:

The provisions of the Companies Clauses Consolidation Act 1845 with respect to the following matters (namely):--

The distribution of the capital of the Company into shares;

The transfer or transmission of shares;

The payment of subscriptions and the means of enforcing the 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;

The conversion of the borrowed money into capital;

The consolidation of shares into stock;

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

And Parts I. II. and III. of the Companies Clauses Act 1863 (as amended by subsequent Acts) relating respectively to cancellation and surrender of shares to additional capital and to debenture stock.

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

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 the administrative county of London mean the clerks of the sanitary authorities appointed by section 99 of the Public Health (London) Act 1891 for the execution of that Act.

4. Subject to the provisions of this Act the Company may make Power to and maintain in the lines and according to the levels shown on the make raildeposited plans and sections the railways and railway widenings herein-after described with all proper stations sidings approaches works and conveniences connected therewith respectively and may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited books of reference

A.D. 1899. as may be required for the purposes thereof or in connection therewith The railways and railway widenings herein-before referred to and authorised by this Act are—

In the county of London-

- A Railway (No. 1) 1 mile 0 furlongs and 3.6 chains in length commencing in the parish of St. Paul Deptford by a junction with the Company's main line at a point 150 yards or thereabouts from the centre of the bridge which carries the said railway over Edward Street measured in a north-westerly direction along the said line and terminating in the parish of St. Mary Rotherhithe by a junction with the Company's main line at a point 113 yards or thereabouts from the centre of the signal box known as Corbett's Lane signal box near Corbett's Lane measured in a north-westerly direction along the said railway;
- A Railway (No. 2) 3 furlongs and 1.6 chains in length wholly in the parish of St. Paul Deptford commencing by a junction with the Company's North Kent Railway at a point 90 yards or thereabouts from the centre of the bridge which carries the said railway over Edward Street measured in a south-easterly direction along the said railway and terminating by a junction with the proposed Railway No. 3 (herein-after mentioned) at a point 140 yards or thereabouts from the centre of the bridge carrying the said North Kent Railway over Rolt Street measured in a north-westerly direction along the southern parapet of the Company's viaduct;
- A Railway (No. 3) 1 mile 2 furlongs and 7·1 chains in length commencing in the parish of St. Paul Deptford by a junction with the London and Greenwich Railway at a point 45 yards or thereabouts from the north-western corner of the Company's engine shed at their Deptford Station measured in a north-westerly direction along the said railway and terminating in the parish of St. Mary Rotherhithe by a junction with the Company's railway at a point 113 yards or thereabouts from Corbett's Lane signal box near Corbett's Lane measured in a north-westerly direction along the said railway:

In the counties of London and Kent-

A Railway (No. 4) 6 furlongs and 1.5 chains in length commencing in the parish of Lee in the county of London by a junction with the Company's railway at a point 146 yards or thereabouts from the southern end of the up platform at Grove Park Station measured in a south-easterly direction along the said railway and terminating in the parish of

Bromley in the county of Kent by a junction with the A.D. 1899. Company's Bromley railway at a point 123 yards or thereabouts from the centre of the bridge which carries the said railway over Milk Street measured in a north-easterly direction along the said railway:

In the county of Surrey—

A Railway (No. 5) 8 chains in length wholly in the parish of Coulsdon commencing by a junction with the Company's Caterham Railway at a point 11 yards or thereabouts from the junction of the Chipstead Valley Railway with the said Caterham Railway measured in a northerly direction along the Company's said railway and terminating at a point 5 yards or thereabouts from the southern end of the new buildings on the down local platform at Purley Station:

In the county of London—

- A Widening (No. 1) 2 furlongs and 6 chains in length wholly in the parish of Lewisham on the down side of the Company's railway commencing by a junction with the said railway at a point 70 yards or thereabouts from the centre of the bridge carrying the London Chatham and Dover Railway Company's Greenwich Railway over the Company's railway measured in a south-easterly direction along the Company's railway and terminating by a junction with the said railway at a point 36 yards or thereabouts from the centre of the bridge carrying the said railway over Brookbank Road measured in a northerly direction along the said railway;
- A Widening (No. 2) 2 furlongs and 5 chains in length wholly in the parish of Lewisham on the up side of the Company's railway commencing by a junction with the said railway at a point 118 yards or thereabouts from the centre of the bridge carrying the said railway over the Lewisham High Street measured in a south-easterly direction along the said railway and terminating by a junction with the said railway at a point 120 yards or thereabouts from the junction of the Company's main line with the Company's Ladywell loop line measured in a southerly direction along the said main line;
- A Widening (No. 3) 3 furlongs and 8.6 chains in length wholly in the parish of Lewisham on the up side of the Company's Mid-Kent Railway commencing by a junction with the said railway at or near the northern face of the footbridge which connects the eastern and western portions of the Ladywell Recreation Ground and terminating by a junction with the said railway at a point 220 yards or thereabouts from the

- centre of the bridge carrying Ladywell Road over the said railway measured in a north-easterly direction along the said railway;
- A Widening (No. 4) 3 furlongs and 8.2 chains in length wholly in the parish of Lewisham on the up side of the Company's Mid-Kent Railway commencing by a junction with the said railway at a point 157 yards or thereabouts from the centre of the bridge carrying Catford Road over the said railway measured in a southerly direction along the said railway and terminating by a junction with the said railway at a point 253 yards or thereabouts from the southern face of the footbridge which connects the eastern and western portions of the Ladywell Recreation Ground measured in a southerly direction along the said railway;
- A Widening (No. 5) 3 furlongs and 8.15 chains in length wholly in the parish of Lewisham on the down side of the Company's Mid-Kent Railway commencing by a junction with the said railway at a point 253 yards or thereabouts from the southern face of the footbridge which connects the eastern and western portions of the Ladywell Recreation Ground measured in a southerly direction along the said railway and terminating by a junction with the said railway at a point 157 yards or thereabouts from the centre of the bridge carrying Catford Road over the said railway measured in a southerly direction along the said railway:

In the county of Kent-

A Widening (No. 6) 2 furlongs and 5 · 2 chains in length wholly in the parish of Tonbridge Urban on the up side of the Company's railway commencing by a junction with the Company's Tunbridge Wells and Hastings Railway at a point 156 yards or thereabouts from the centre of the bridge which carries the said railway over Strawberry Vale measured in a north-westerly direction along the said railway and terminating by a junction with the Company's main line at a point 112 yards or thereabouts from the western end of the up platform at Tonbridge Station measured in a westerly direction along the said railway.

New railways and railway widenings to form part of railways of Company.

5. The railways and railway widenings herein-before described and the railways of the Epsom Company and the Chipstead Company respectively shall for the purposes of maximum rates and charges for merchandise traffic (including perishable merchandise by passenger train) and for all other purposes whatsoever be deemed to be part of the Company's railways as if the same had been part of the said railways at the date of the passing of the

[62 & 63 Vict.] South Eastern Railway Act, 1899. [Ch. lxxviii.]

South Eastern Railway Company (Rates and Charges) Order Confirmation Act 1891.

6. In altering for the purposes of this Act the road next herein- Inclination after mentioned the Company may make the same of any inclination of road. not steeper than the inclination herein-after mentioned in connection therewith (that is to say):—

No. on deposited Plans.	Parish.	Description of Road.	Intended Inclination.
Plans.	·		

Widening No. 6 and alteration of levels of road.

No. 28 No. 29	- } Tonbridge Urban	- Public Road	$- \begin{cases} 1 \text{ in } 30. \\ 1 \text{ in } 23.5. \end{cases}$

7. The Company may divert the public highways referred to Power to in the next following table in the manner shown upon the deposited divert roads plans and sections and when and as in each case the new portion of deposited any road is made to the satisfaction of two justices and is open for plans. public use may stop up and cause to be discontinued as a road so much of the existing road as will be rendered unnecessary by the new portion of road (that is to say):—

Widenin	g.	Paris	h.			No. of Road on deposited Plans.
No. 4 -	_	Lewisham	_	•	-	9
No. 5 -	-	Lewisham -	-	-	-	34
No. 6 ~	-	Tonbridge Urban	-	-	-	24

And when and so soon as such portion of each of the said roads is so stopped up all rights of way over the same shall cease and the Company may subject to the provisions of the Railways Clauses Consolidation Act 1845 with respect to mines lying under or near to the railways appropriate and use for the purposes of their undertaking the site of the portion of road stopped up as far as the same is bounded on both sides by lands of the Company.

8. For the protection of the London County Council (herein-For protecafter referred to as "the council") and vestries and district boards in the county of London the following provisions shall apply and Council and have effect (that is to say):—

tion of London County local autherities.

(a) In constructing the new road in the parish of Christchurch Southwark described in the section of this Act of which the marginal note is "Power to execute other works" the Company

shall (notwithstanding anything shown on the deposited plans) either—

- (a) Construct the same so as to terminate in George Street or in Gambia Street at its junction with Scoresby Street; or
- (B) Widen Gambia Street to a width of forty feet clear between George Street and the junction of the said new road with Gambia Street if the said new road does not terminate at the said junction of Gambia Street and Scoresby Street;

as may be agreed upon between the Company on the one hand and the council and the St. Saviour's District Board of Works on the other hand or as in default of agreement may be settled by arbitration:

In order to secure light and air to Gravel Lane where it will be crossed by the bridge carrying the said new road over the said lane no part of the structure of such bridge shall be brought nearer to the Company's bridge carrying the Blackfriars loop line over the said lane than ten feet on the west side of Gravel Lane and forty feet on the east side of Gravel Lane:

The bridge carrying the said road over Gravel Lane shall be so constructed as to have a headway of not less than seventeen feet nine inches at the centre thereof and of not less than sixteen feet at the abutments:

(b) If the Company under the powers of this Act alter the bridges carrying Ladywell Road and Catford Road over their railway they shall if so required by a notice served on them by the council within six months from the passing of this Act or at any time before such alteration is commenced widen such bridges and the approaches so that there shall be a clear width of forty feet between the parapets of such bridges and shall widen and alter the approaches thereto so that the same shall be of equal width with the said bridges and as nearly level as practicable Provided that when the Company shall have reconstructed and altered the said bridges or either of them in accordance with the provisions herein-before contained to the reasonable satisfaction of the engineer of the council the council and the said district board shall repay to the Company the amount of the necessary and proper cost of such works and any works incidental thereto less the sum of six thousand pounds in such proportions as may be agreed between them:

Provided that the council and the said district board shall not be required to pay for such lands as are in the possession of the Company at the time of the passing of this Act:

Provided that the Company shall not commence to execute A.D. 1899. any work in connection with such alteration or reconstruction of the said bridges or either of them until plans drawings specifications and list of prices describing the materials to be used in executing the works intended to be executed in connection with such alteration or reconstruction of the said bridges or either of them shall have been delivered to the council and the said district board and been examined and approved in writing by the engineer of the council and of the said district board. Any money payable by the said district board under this section may be paid out of any general rates made under section 161 of the Metropolis Management Act 1855 or may be borrowed under section 183 of that Act:

The said bridges or either of them when the reconstruction and alteration thereof have been completed shall be maintained by the parties liable to maintain the existing bridges:

- (c) The footpath shown as crossing the field numbered 3 in the parish of Lee on the deposited plans of additional lands shall be diverted by the Company when they have acquired the said field along the line marked on the said plans "Limit of land to be taken" into St. Mildred's Road and such footpath shall concurrently with such diversion be made by the Company of six feet clear in width throughout and shall be properly fenced and kept fenced by the Company on either side thereof but at the request only of the board of works for the Lee District any such fence shall be removed by the Company and the said footpath thrown into and added to any future street or way abutting thereon:
- (d) Where Railway No. 4 by this Act authorised will cross the existing stream which runs under the existing railway of the Company between Grove Park Station and Milk Street the said stream shall be carried under the said railway by the Company by means of a culvert of similar dimensions to those of the culvert carrying the said stream under the said existing railway and such culvert shall be constructed and maintained by the Company to the reasonable satisfaction of the board of works for the Lee District:
- (e) In the event of a railway or works buildings or embankments being constructed by the Company on or over any of the lands numbered 1 2 3 and 9 on the deposited plans of additional lands and over the stream shown on such plans in the parishes of Lee and Lewisham or either of them the Company shall for the purpose of carrying the said stream under the said railway . works buildings or embankment construct and maintain a

- culvert having a sectional area of not less than twenty-five square feet to the reasonable satisfaction of the board of works for the Lee District:
- (f) Where Railway No. 4 will cross the footpath shown on the deposited plans crossing the field No. 3 in the parish of Lee the railway shall be constructed over the said footpath by a bridge having a clear span of not less than twelve feet measured on the square in order to provide for the construction of a footway twelve feet in width along the line of the said footpath and such bridge shall be constructed with a headway of not less than eighteen feet:
- (g) If at any time the council or board of works for the Lee District (as the case may be) consider it desirable that the said bridge to be so constructed over the said footpath and other present or future railway bridges over the same footpath in Lee parish and future extensions of such bridges or any of them should be widened and improved the council or district board may give the Company notice in writing under their common seal requiring them to alter the same and to reconstruct the same as girder bridges having a clear span of not less than forty feet and a headway of not less than eighteen feet or as may be otherwise agreed between the council or district board (as the case may be) and the Company shall thereupon alter and reconstruct the said bridges or extensions or any of them accordingly:

Provided that when the Company shall have reconstructed and altered the said bridges or extensions or any of them in accordance with the provisions herein-before contained to the reasonable satisfaction of the engineer for the time being of the council or district board requiring the alteration the council or district board requiring the alteration shall repay to the Company the necessary and proper cost of the alteration of the bridge to which notice requiring the Company to carry out the said works relates and the works incidental thereto:

Provided that the Company shall not commence to execute any work in connection with such alteration or reconstruction of the said bridges or either of them until plans drawings specifications and list of prices describing the materials to be used in executing the works intended to be executed in connection with such alteration or reconstruction of the said bridges or any of them shall have been delivered to the council or district board and been examined and approved in writing by the engineer for the time being of the council or district board and any money payable by the district board under this

section may be borne by and paid out of any general rates made under section 161 of the Metropolis Management Act 1855 or may be borrowed under section 183 of that Act:

- A.D. 1899.
- (h) Notwithstanding anything to the contrary shown on the deposited plans or contained in the deposited books of reference or in this Act the Company shall not purchase or take any part of the open space or recreation ground known as the Ladywell Recreation Ground:
- (i) The new roads and diversions of roads except the proposed private approach road to the Ewer Street Goods Depôt by this Act authorised in the county of London shall be of a width throughout of not less than forty feet and shall be constructed in accordance with plans sections and specifications previously submitted to and approved by the council and shall be made up and paved to the reasonable satisfaction of the board of works for the district or the vestry of the parish as the case may be:
- (j) Notwithstanding anything in this Act or on the deposited plans and sections the bridges or works 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 of Road.		No. on deposited Plans.	Headway.		Span at Right Angles to Road.		
Deptford Do.	White Post Lane Trundleys Road Footpath - Do. Rolt Street Edward Street Arklow Road Edward Street Warwick Street Hamilton Street Loampit Vale Bertrand Street High Street Gravel Lane		175 { 149 } 162 } 61A 47 22 17 117 91 88 76 6 14 9 16	ft. 18 18 18 18 18 18 18 16 18 16 18 16 18 16 18 16 18 18 18 18 18 18 18 18 18 18 18 18 18	an at	ft. 30 40 40 40 40 40 40 40 45 60 45	in 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	Rys. Nos. 1 and 3. 1 and 3. 1 and 3. 1 2 and 3. 1 2 and 3. 2 3 3 3 3 Widening No. 1. Widening No. 2. Proposed Approach Road.

Provided that brick arches may be constructed over the footpaths numbered 175 614 and 47 in the parish of Deptford:

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A.D. 1899. If at any time the council or district board or vestry (as the case may be) consider it desirable that the bridges as existing at the passing of this Act or any of them mentioned in the e immediately preceding table other than the bridges over Loampit Vale and High Street Lewisham should be widened and improved the council or district board or vestry may give the Company notice in writing under their common seal requiring them to alter the same and to reconstruct the same as girder bridges or as may be otherwise agreed between the council or district board or vestry (as the case may be) and the Company with the superstructure at the same level as already provided in this section in respect to the bridges or works to be constructed for the widening of the Company's railway under this Act and the Company shall thereupon alter and reconstruct the said bridges or any of them accordingly so as to correspond as to span and levels of underside of superstructure with the extension of the said bridges made for the widening of the Company's railway under this Act:

> Provided that the Company shall not be required to commence such alteration and reconstruction in the case of any such road until the extension over such road shall be available for traffic and provided that when the Company shall have reconstructed and altered the said bridges or any of them in accordance with the provisions herein-before contained to the reasonable satisfaction of the engineer for the time being of the council or district board or vestry requiring the alteration the council or district board or vestry requiring the alteration shall repay to the Company the necessary and proper cost of the alteration of the existing bridge to which notice requiring the Company to carry out the said works relates and the works incidental thereto:

Provided also that the Company shall not commence to execute any work in connection with such alteration or reconstruction of the said bridges or either of them until plans drawings specifications and list of prices describing the materials to be used in executing the works intended to be executed in connection with such alteration or reconstruction of the said bridges or any of them shall have been delivered to the council or district board or vestry and been examined and approved in writing by the engineer for the time being of the council or district board or vestry and any money payable by any district board or vestry under this section may be borne by and paid out of any general rates made under section 161 of the Metropolis Management Act 1855 or may be borrowed under section 183 of that Act:

- A.D. 1899
- (k) Notwithstanding anything in this Act or on the deposited plans and sections all bridges to be constructed by the Company for carrying any road or street over the railway shall be constructed so as not to lessen the present clear width of such road or street including the footway or footways and in no case shall any such bridge be of less width between the parapets thereof than forty feet measured on the square and every such bridge shall be so covered or fenced as to prevent as far as may be reasonably practicable the escape of steam smoke or other offensive effluvia into any such road or street:
- (1) In constructing or altering the bridges and arches which under the powers of this Act the Company are authorised to construct or alter they shall 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 satisfaction of the vestry or district board:
- (m) 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 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:
 - (n) The Company shall not execute or commence the erection of any such bridge or works as aforesaid until they shall have given to the council twenty-one days notice in writing of their intention to commence the same by leaving such notice at the offices of the council with plans elevations sections and other necessary particulars of the construction of the said bridge and works and until the council shall have signified their approval of the same unless the 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 council in the execution and subsequent maintenance of every such bridge and the works connected therewith and shall save harmless the 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 council at the costs charges and expenses in all respects of the Company and all costs

- charges and expenses which the 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 council by the Company on demand:
- (o) The Company shall not where any house or building 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:
- (p) Notwithstanding anything contained in this Act or shown on the deposited plans it shall not be lawful for the Company without the consent of the council to encroach upon any part of the surface of any street or footway in the county of London or to erect or maintain any building beyond the general line of building in any street in that county:
- (q) The Company shall not affix or exhibit or permit to be affixed or exhibited upon any part of the works authorised by this Act or upon any building or hoarding 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 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:
- (r) Any difference which may arise between the Company and the council or the district board or vestry as to the reasonable ness of any requirement of the council or district board or vestry or their engineer or other officer or as to the amount of costs charges and expenses under this section shall be determined by an arbitrator to be appointed by the Board of Trade at the request of either party.

For protection of London Brighton and South Coast Railway Company

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- 9.—(1) In constructing the Railways Nos. 1 and 3 by this Act authorised over the Deptford Wharf branch railway of the London Brighton and South Coast Railway Company (herein-after called "the Brighton Company") the following provisions shall apply and have effect for the protection of that company:—
 - (a) In order to admit of any future widening of the Deptford Wharf branch railway of the Brighton Company the bridge

Deptford for carrying Railways Nos. 1 and 3 over the said Deptford branch railway shall be constructed of a span of 81 feet measured on the square to the face of the line of the abutments or in the alternative of four spans of 18 feet each measured on the square to the face of the abutments with piers of the same width as the existing piers carrying the viaduet of the Company over the said Deptford Wharf branch railway and with a headway throughout in each case of not less than 14 feet 6 inches above rail level and the said bridge and all works connected therewith shall be executed according to plans and sections previously submitted to and approved by the engineer of the Brighton Company and under his superintendence and to his satisfaction in all respects but in all things at the expense of the Company:

Provided that if the Brighton Company do not within one month after the said plans and sections shall have been so submitted to them object to the same by notice in writing served upon the Company the said plans and sections shall be deemed to have been approved for the purpose of this Act and if the Brighton Company make any such objection then unless the said plans and sections be agreed between the two Companies or their respective engineers within fourteen days after the service of such objection any matter in difference shall be settled by arbitration as herein-after provided Provided also that any piers placed on any land belonging to the Brighton Company to support the said bridge shall be placed only in positions approved by the engineer of the Brighton Company:

- (b) The Company shall at all times maintain in substantial repair and good order and condition to the reasonable satisfaction in all respects of the engineer of the Brighton Company the said bridge and the abutments and any piers placed on the property of the Brighton Company and if and whenever the Company fail so to do the Brighton Company may make or do in and upon as well the lands of the Company as their own land all such works and things as may be reasonably requisite in that behalf and the reasonable amount of such expenditure shall be repaid to them by the Company:
- (c) The Company shall not without first obtaining the consent of the Brighton Company under the hand of their secretary take use or in any way interfere with any of the land or property of the Brighton Company but the Company may purchase and take and the Brighton Company shall sell and grant accordingly an easement or right of using so much of such land as shall

- be necessary for the purpose of constructing and maintaining the said bridge railways and works in accordance with the provisions of this section.
- (2) In constructing the Railway No. 5 by this Act authorised the following provision shall apply and have effect for the protection of the Brighton Company:—
 - All works of the Company upon across over or under the railway and property of the Brighton Company in the parish of Coulsdon shall be executed by the Brighton Company at the expense in all things of the Company and in accordance with such plans and sections as shall have been previously agreed between the engineers of the two Companies or in the event of disagreement as shall be determined by arbitration in manner herein-after provided and the Company shall not be entitled to acquire any of the land or property of the Brighton Company for the purposes of the said works.
- (3) The Company shall bear and on demand pay to the Brighton Company all their reasonable expenses during the construction or any subsequent repair of the said bridge in the parish of St. Paul Deptford and of the said Railway No. 5 in the parish of Coulsdon and the works in connection therewith of employing a sufficient number of inspectors and watchmen to be appointed by the Brighton Company for watching their railway works and property and also all their reasonable expenses of any alterations which the Brighton Company may from time to time deem necessary to make whether temporary or permanent in any signals or signalling arrangements during or by reason of the construction of the said bridge railways and works and also of maintaining any new or additional signals rendered necessary by reason of the construction thereof.
- (4) If by reason of the execution of any of the works or of any proceedings of the Company or the failure of any such works or any act or omission of the Company or their contractors or of any persons in the employ of the Company or of their contractors the railways of the Brighton Company or any of the works connected therewith shall sustain any injury or damage such injury or damage shall be forthwith made good by the Company at their own expense or in the event of their failing so to do the Brighton Company may make good the same and recover the expense thereof from the Company And if any injury damage or delay shall be occasioned to any passenger or other traffic on the Brighton Railway by reason of any of the matters or causes aforesaid the Company shall or demand pay to the Brighton Company all costs and expenses to which they may be put as well as full compensation for the loss

and inconvenience sustained by them by reason of any such injury damage or delay.

- (5) Any difference which may from time to time arise between the Company and the Brighton Company under any of the provisions of this section shall be determined by an arbitrator to be appointed by agreement between the Company and the Brighton Company or in default of agreement by the Board of Trade.
- 10. The following provisions shall apply and have effect for For protecthe protection of the East London Railway Company and the East tion of East London Railway Joint Committee (which said company and com- way Committee are herein-after included in the expression "the East London pany and Company "):—

(1) The said Railways Nos. 1 and 3 shall be carried over the Joint Com-East London Railway (numbered 167 on the deposited plans mittee. in the parish of St. Paul Deptford) by a bridge or bridges of sufficient span or spans to allow of a third line of rails being laid on the east side of the existing rails of the East London Railway:

(2) The works connected with the railways herein-before described as Railways Nos. 1 2 and 3 so far as they affect the railways and works of the East London Company shall be carried out according to plans sections elevations and specifications to be previously submitted to and approved by the engineer for the time being of the East London Company and under his superintendence and to his reasonable satisfaction in all respects but in all things at the expense of the Company And all the works connected with the said Railways Nos. 1 2 and 3 shall be constructed and executed in such manner as not to interfere with the free uninterrupted and safe use by the East London Company of their said railways:

(3) If the East London Company shall not within one month after the said plans sections elevations and specifications shall have been so submitted to them object to the same by notice in writing served upon the Company the said plans sections elevations and specifications shall be deemed to have been approved for the purposes of this Act and if the East London Company make any such objection then unless the said plans sections elevations and specifications be agreed between the said two Companies or their respective engineers within twenty-one days after the service of such objection any matter in difference shall be settled by arbitration as herein-after provided:

(4) The Company shall at all times maintain in substantial repair and good order and condition to the reasonable satisfaction in

East London Railway

- all respects of the engineer of the East London Company the arches bridges viaducts piers abutments or other works placed on or over the property of the East London Company and if and whenever the Company fail so to do the East London Company may make or do in and upon as well the lands of the Company as their own lands all such works and things as may be reasonably requisite in that behalf and the reasonable amount of such expenditure shall be repaid to them by the Company:
- (5) The Company shall not without first obtaining the consent of the East London Company (under the hand of their secretaries) take use or in any way interfere with any of the lands rails works or property of the East London Company but the Company may purchase and take and the East London Company shall sell and grant accordingly an easement or right of using such lands for the purpose of constructing and maintaining the said Railways Nos. 1 2 and 3 in accordance with the provisions of this section:
- (6) The Company will bear and on demand pay to the East London Company all their reasonable expenses during the construction or any subsequent repair of the said railways arches bridges viaducts piers abutments or other works of employing a sufficient number of inspectors and watchmen to be appointed by the East London Company for watching their railways works and property and for preventing all interference danger and accident from any of the operations or from the acts of the Company or of their contractors or any persons in the employment of the Company or of the contractors and also all their reasonable expenses of any alterations which the East London Company from time to time may deem necessary to make whether temporary or permanent in any signals or signalling arrangements during or by reason of the construction of the said railways and also of maintaining any new or additional signals rendered necessary thereby:
- (7) If by reason of the execution of any of the works or any proceedings of the Company 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 of their contractors the railways of the East London Company or any of the works connected therewith shall sustain any injury or damage such injury or damage shall be forthwith made good by the Company at their own expense or in the event of their failing so to do the East London Company may make good the same and recover the expense thereof from the Company And

- if any injury damage or delay shall be occasioned to any traffic A.D. 1899. on the railways of the East London Company by reason of any of the matters aforesaid the Company shall on demand pay to the East London Company all costs and expenses to which they may be put as well as full compensation for the loss and inconvenience sustained by them by reason of any such injury damage or delay:
- (8) Any difference which may from time to time arise between the Company and the East London Company under any of the provisions of this section shall upon the application of the East London Company or either of the lessee companies be determined by the standing arbitrator of the East London. Railway Joint Committee.
- 11. The following provisions shall be in force for the protection For protecof the Surrey Commercial Dock Company (herein-after called "the tion of Surrey Comdock company") and their canal (herein-after called "the Surrey mercial Dock Canal") and the towing paths and banks thereof and the works Company. connected therewith in respect to Railways Nos. 1 and 3 by this Act authorised:—

- (a) Nothing in this Act contained shall authorise or empower the Company to alter the line level or depth of the Surrey Canal or the line or level of the towing paths thereof or any part thereof respectively or to obstruct the navigation of the Surrey Canal or any part thereof or the roadway on the north side thereof or to injure any of the works of the dock company:
- (b) In crossing the Surrey Canal or towing paths banks roadway and other works belonging thereto the Company shall not without the consent of the dock company in writing under their common seal for that purpose first had and obtained take or use any more of the land or ground forming the said towing paths banks roadway and other works belonging to that company than shall be absolutely necessary for the purpose of making and erecting the additional abutments and piers required for carrying out the works provided for in subsection (c):
- (c) The bridges for carrying Railways Nos. 1 and 3 across the Grand Surrey Canal and roadway and towing path shall be girder bridges each of two spans The southern span to be across the canal and towing-path and the northern span to be over the dock company's roadway in both instances the northern and southern abutments shall be constructed in the same line respectively as the northern and southern abutments of the approved girder bridge for the Widening No. 5 session 1896 and the intervening piers shall be so constructed

- that the present width of the towing-path shall be maintained and the minimum width at any part of the dock company's roadway which shall be maintained between the piers and the northern abutments shall not be less than that of the roadway which now exists under the present viaduct. The level of the underside of the girders shall not be lower in any case than will afford at least 14 feet clear headway over the present level of the dock company's roadway at any point where the proposed bridges will cross the same:
- (d) The Company shall for ever provide and maintain at their expense such light and lighting power or improved light and lighting power as the engineer of the dock company may from time to time reasonably require for the efficient working of the traffic at all times along the waterway of the Surrey Canal and the roadway towing paths and banks and other works belonging to the dock company under the existing railway of the Company and the proposed Railways Nos. 1 and 3 or either of them:
- (e) The dock company and all persons authorised by them shall have and for ever enjoy a similar exclusive right of way along the road towing paths and banks of the Surrey Canal under the proposed new bridge carrying the proposed Railways Nos. 1 and 3 with or without horses cattle waggons carts or carriages as is now vested in the dock company with respect to the road towing paths and banks under the existing bridge and the existing side arch on the north side of the Surrey Canal:
- (f) The Company shall (before the completion of all or any of the works by this Act authorised or contemplated) to the reasonable satisfaction of the engineer of the dock company erect and build good and substantial brick retaining walls of the same character and height and in the same line as those of the existing retaining walls at and along the entire watersides of the bank or towing path on each side of the Surrey Canal to the extent of the proposed works and to such a length westward as may be reasonably required by the engineer of the dock company and leave the bottom of the Surrey Canal between the said retaining walls of not less depth than it is at present and shall for ever thereafter maintain and keep in good repair and condition the said respective retaining walls so to be erected and built as aforesaid to the reasonable satisfaction of the engineer of the dock company:
- (g) Notwithstanding anything in this Act contained the site of the Surrey Canal the roadway the towing path bank side drains and land of the dock company under and adjoining the works

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- authorised by this Act shall except the dock company under A.D. 1899. their common seal otherwise consent in writing and except so much of their lands as may be necessary for the due execution of the Company's contemplated works as by this Act authorised limited and regulated (all of which lands so required shall be purchased by the Company from the dock company and paid for before the commencement of the proposed works) continue vested in the dock company:
- (h) During the execution of the works authorised or contemplated by this Act and the necessary repairs and renewals thereof the Company shall at all times leave an open and uninterrupted navigable waterway in the Surrey Canal of not less than 30 feet in width and an open and uninterrupted passage of not less than 10 feet in height from the top water level of that canal and an open and uninterrupted passage of not less than five feet in width for the towing path thereof and 12 feet in width for the roadway on the north side and wherever in widening the said main line of the said railway the widened portion thereof shall cross or be carried over or along or otherwise interfere with the existing culverts carrying the side drains of the Surrey Canal the Company shall forthwith make good with brickwork or cast-iro n cylinders all damage caused to such culverts by reason of any such interference and shall for ever thereafter maintain such culverts where they shall be interfered with by the works of the Company on a proper level and in a proper direction and in good proper and substantial repair so as to admit of the free course of the water through the same respectively:
- (i) The Company shall hereafter maintain and keep in good repair not only the said existing bridge and side archway carrying the said railway over the said canal towing paths banks roadway and other works of the dock company and the abutments supports and foundations thereof but also the new bridges as authorised by this Act and the abutments and foundations thereof:
- (j) The Company shall make good all damage that may in the opinion of the engineer of the dock company be occasioned to the works or property of the dock company by the works hereby authorised directed or contemplated and also by the renewals or repairs or want of renewals or repairs of such works when effected as authorised by this Act and if for seven days after notice in writing given to the Company by the dock company the Company neglect to proceed with due diligence to make good such damage the dock company may if they think

- fit and without prejudicing their remedies against the Company for any neglect default or omission on their part make good the same and the reasonable amount expended by them in so doing shall on demand be paid to them by the Company Provided that in any case of pressing necessity the dock company may proceed to make good such damage without giving such notice as aforesaid without prejudice to their remedies as aforesaid and without prejudice to their right to claim and recover repayment from the Company on demand of the amount so expended by them:
- (k) If by reason of or during the execution by the Company of any of the works by this Act authorised directed or contemplated or by reason of the want of repair of any such works it shall happen that the navigation of the Surrey Canal shall be so obstructed that vessels boats or barges shall not be able freely to pass along such canal as heretofore the Company shall pay to the dock company as liquidated damages five pounds for every hour between 6 a.m. and 9 p.m. of any week-day during which such hindrance or obstruction shall occur or continue together with the full costs of action and if by reason of or during the execution by the Company of any of the works by this Act authorised directed or contemplated or by reason of the want of repair of any such works it shall happen that the towing paths or roadway thereof shall be so obstructed that carts or carriages or the horses drawing the same shall not be able freely to pass along such towing paths or roadway as heretofore the Company shall pay to the dock company as liquidated damages ten pounds for every day from 6 a.m. to 6 p.m., and so in proportion for any part of such day during which such hindrance or obstruction shall occur or continue provided that the maximum daily penalty the Company shall be liable to shall not exceed fifty pounds:
- (1) Working drawings and specifications showing the manner in which the Company propose to carry out any or all of the works by this Act authorised or contemplated shall (before the commencement of the works) be deposited at the office of the dock company and the said works shall not be commenced until the said plans shall have been approved of by the engineer of that Company unless such engineer fails to signify his approval or disapproval or to give other directions within fourteen days after the deposit as aforesaid of such plans and generally all works authorised or directed by this Act to be made in or through the lands of the dock company shall so far as they affect such lands or the rights or interests of the dock

company be made constructed and completed to the reasonable A.D. 1899. satisfaction of the engineer of the dock company:

- (m) If any difference or dispute shall arise between the engineer of the Company and the engineer of the dock company as to the execution of the works to be done by the company under the powers of this Act or otherwise in relation to the provisions of this section the same shall be referred to and settled by an engineer to be agreed upon between the Companies or in case of difference to be appointed on the application of either the Company or the dock company by the President of the Institution of Civil Engineers:
- (n) The Company shall indemnify and save the dock company harmless from and against all claims and demands arising out of any accident caused by the default of the Company in carrying out any of the provisions of this section.
- 12. The following provisions for the protection of the board For protecof works for the St. Saviour's District (in this section called "the Saviour's board") shall have effect with regard to the construction of the District new road and the exercise of the powers of the Company within Board of Works, the said district (that is to say):—

- (1) The Company shall not commence the construction of the said new road at or over or so as in any way to interfere with any highway under the control or jurisdiction of the board until they shall have given to the surveyor of the board at his office twenty-one days notice in writing of their intention to commence the same specifying the nature of the work to be done and the highway to be affected and such notice shall be accompanied by plans elevations sections and other necessary particulars of the said work:
- (2) Notwithstanding anything shown on the deposited plans or contained in this Act the Company shall not enter upon take or use any portion of the site of the old sewer adjoining the public-house in Union Street known as "King Henry the Eighth's Head" or of the shed or lock-up situate over the said sewer:
- (3) If any difference shall arise between the Company and the board touching this section or the reasonableness of any of the requirements of any surveyor acting for the board such difference shall be referred to the arbitration of an engineer to be appointed by the Board of Trade in manner provided by the Railway Companies Arbitration Act 1859.
- 13. Before executing any of the works by this Act authorised For protecover under or within five feet of any of the mains pipes or other tion of mains works of the company of proprietors of the Kent Waterworks

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A.D. 1899, works of Kent Waterworks Company,

(herein-after called "the water company") the Company shall give to the water company seven days notice in writing of the works intended to be carried out by the Company and the works to which such notice applies shall be carried out according to plans to be reasonably approved by the engineer of the water company before any such work shall be begun and if sanctioned shall be carried out under the superintendence and to the reasonable satisfaction of such engineer who may appoint and employ such necessary inspectors and watchmen as he may think proper to superintend the execution of the work and to secure the safety of such mains pipes and other works of the water company and the cost of all such works as well as the superintendence thereof shall be borne and defrayed by the Company and all such works shall be carried out so as not to cause any injury to any such mains pipes or other works of the water company or any interruption of the supply of water to its consumers and if any injury owing to or by reason of the construction alteration or repair by this Act authorised of any of the said works shall arise to any such main pipe or other works of the water company or any interruption of any such supply of water the Company shall make full compensation in respect thereof to the water company Provided always that the water company shall express their approval or disapproval of the plans submitted within seven days of their submission and if no such approval or disapproval be expressed the Company may execute the works in accordance with the plans submitted Where the Company is authorised to do any work under or over or otherwise to alter or interfere with any existing street road bridge or other public thoroughfare or place wherein the water company is authorised or may be required to lay or now has its mains or pipes and shall construct remove or alter any bridge tunnel or other work the Company shall leave or provide sufficient space above or through the arches in the case of brick bridges and between the girders in the case of girder bridges to allow such mains or pipes of the water company as the water company may reasonably require to be laid with such proper protection from frost or otherwise as the engineer of the water company may think necessary And where such protection cannot be afforded for laying such mains or pipes over any of such bridges tunnels or other works the water company may at their own expense lay such mains or pipes over or under the railway by the side of any such bridge or otherwise but so as not to interfere with the user of the railway by the railway company and the railway company shall permit the water company to lay at the expense of the water company any main or pipe over or under the railway at such other points as may from time to time be necessary

or be for the time being desirable for the efficient supply of water A.O. 1899. to the public Where the mains or pipes shall be laid or carried across over or under the railway all such works shall be done under the superintendence and to the satisfaction of the engineer of the Company and if any difference arise between the engineer of the Company and the engineer of the water company as to the way in which the said works shall be carried out or as to any other matter under this section the same shall be referred to the arbitration of a competent engineer to be appointed upon the application of either party by the President of the Institution of Civil Engineers.

14. The following provisions for the protection of the vestry For protecof Rotherhithe (in this section called "the vestry") shall have tion of vestry of not with respect to such parts of the Daily No. 3. effect with respect to such parts of the Railways No. 1 and hithe. No. 3 as are to be constructed and made within the parish of Rotherhithe:--

- (a) The Company shall upon acquiring any property liable to be assessed to the sewers lighting and paving and general purposes rates in the parish of Rotherhithe under the powers of this Act until the works shall be completed and assessed to such rates make good to the vestry the deficiency in the several assessments for sewers lighting and paving and general purposes rates by reason of such property having been taken or used for the purposes of such works in the same way as the Company are liable to make good the deficiency in the several assessments for land tax and poor rate under the 133rd section of the Lands Clauses Consolidation Act 1845:
- (b) The abutments of the bridge over White Post Lane within the jurisdiction of the vestry shall have a clear span of not less than thirty feet and shall be faced on the highway side with glazed bricks of a kind and quality to be approved by the surveyor to the vestry up to the springing of the arch or the underside of the girders (as the case may be) The eastern abutment of the said bridge shall be built inside the property numbered 174 St. Paul Deptford and not exceeding ten feet from the fence at present bounding the said property fronting the said White Post Lane.
- 15. The following provisions for the protection of the Bromley For protec-Urban District Council (in this section called "the council") shall apply and have effect:-

The Company may make the arches of the bridges for carrying trict Council. Railway No. 4 over the road and footpath next herein-after

tion of Bromley Urban Dis.

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mentioned of any spans not less than the spans herein-after mentioned in connection therewith respectively (that is to say):--

No. on deposited Plans.	Parish.	Description of Road and Footpath.	Span,	
5 9	Bromley -	Public Footpath Public Road known as New Road	Ft. In. 12 0	

If at any time the council consider it desirable that the bridge over the public footpath numbered 5 on the deposited plans mentioned in the above table should be widened so as to allow a carriage road of not less than forty feet in width to be made under the said bridge the council may give the Company notice in writing requiring them to widen the said bridge accordingly and the Company shall thereupon widen the same at the expense of the council.

Period for

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

Power to execute other works.

17. Subject to the provisions of this Act the Company may make and maintain in the line and according to the levels shown on the deposited plans and sections the works described in this section and may exercise the powers mentioned therein and in addition to any of the lands which they are by this Act authorised to acquire 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):-

In the county of London—

(1) They may construct a new road commencing in the parish of Christchurch Southwark at a point 37 yards or thereabouts measured in a southerly direction from the north-east corner of Gambia and George Streets and terminating in the parish of St. Saviour's Southwark by a junction with the Company's Ewer Street goods depôt (now in course of construction) at a point 20 yards or thereabouts measured in a northerly direction from the north corner of the eastern abutment of the bridge carrying the Company's Blackfriars loop line over Gravel Laue:

In the county of Kent—

A.D. 1899.

posed unless

new railways

within time

limited.

- (2) They may stop up and extinguish all rights of way over the land in the parish of St. Lawrence Intra Ramsgate at the eastern end of the Company's Ramsgate goods yard described in section 16 subsection (9) of the South Eastern Railway Act 1898;
- (3) They may alter the levels of the main road in the parish of Tonbridge Urban over the Company's railway at Tonbridge Station such alteration of levels commencing at or near the junction of the said road with Priory Road and terminating at or near the junction of the said main road with Vale Road.
- 18. If the Company fail within the period limited by this Act to Penalty imcomplete the railways and railway widenings by this Act authorised the Company shall in addition to any other liability be liable to a opened penalty of fifty pounds a day for every day after the expiration of the period so limited until the railways and railway widenings are per centum on the estimated cost of the works and the said penalty may be applied for by any landowner or other person claiming to prevented from completing or opening such railways and widenings 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.

completed and opened for the public conveyance of passengers or until the sum received in respect of such penalty amounts to five 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

19. Every sum of money so recovered by way of penalty as Application aforesaid shall be applicable and after due notice in the London of penalty. 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 railways and railway widenings by this Act

A.D. 1899. authorised 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 proportion 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 railways or widenings in respect of which the penalty has been incurred or any part thereof have or 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 re-transferred to the Company.

Purchase of additional lands &c.

20. Subject to the provisions of this Act and in addition to the other lands which the Company are by this Act authorised to acquire the Company may enter upon take use and appropriate for the purpose of extending the stations sidings warehouses depôts and other accommodation of the Company and for other purposes of their undertaking and works connected therewith the lands herein-after described or referred to delineated on the deposited plans and described in the deposited books of reference relating thereto (that is to say):—

In the county of London—

Land and premises in the parish of Saint Saviour Southwark being a public-house known as "King Henry the Eighth's Head" situate in Union Street;

Lands and houses in the parish of St. Mary Magdalen Bermondsey being Nos. 10 12 14 21 and 23 Gedling Street and Nos. 22 and 23 Druid Street;

Lands and houses in the parish of St. Mary Rotherhithe being Nos. 292 294 296 298 and 300 Southwark Park Road and yard and premises at rear thereof and lands and houses Nos. 2 4 6 8 10 12 and 14 Raymouth Road Nos. 203 205 207 and 209 Rotherhithe New Road Nos. 4 6 8 10 12 14 and 16 and Nos. 20 22 24 26 and 28 Debnam's Road and the street forming the approach to such houses from Debnam's Road and lands and houses Nos. 15 16 17 and 18 Corbett's Lane and lands and factory at the east end of 28

Debnam's Road in the occupation of Messrs. W.S. Shuttleworth A.D. 1899. and Company;

Land and house in the parish of St. Paul Deptford being No. 117 Silwood Street;

Land in the parish of St. Paul Deptford adjoining the northern side of the Company's London and Greenwich Railway between Trundley's Road and the towing-path of the Grand Surrey Canal;

Lands in the parish of Lewisham on the down side of the Company's main line and being the enclosure numbered 127 on the $\frac{1}{2500}$ Ordnance map (1894-6) of that parish;

Lands in the parish of Lee on both sides of the Company's main line and being the enclosures numbered respectively 84 85 89 91 93 95 96 97 98 100 103 104 and 113 on the $\frac{1}{2500}$ Ordnance map (1894-6) of that parish or some part or parts thereof respectively:

In the county of Kent-

Lands in the parish of Brenchley adjoining the Company's Paddock Wood and Maidstone Railway on the down side thereof being parts of the enclosures numbered 136 and 137 on the $\frac{1}{2500}$ Ordnance map (1897) of that parish:

Provided that the Company wherever they shall demolish the houses in Raymouth Road in the parish of St. Mary Rotherhithe herein-before described shall widen Raymouth Road in the said parish of St. Mary Rotherhithe by throwing into the road the forecourts of the said houses fronting thereon. The widening of Raymouth Road shall be made up and paved to the satisfaction of the local authority:

Provided also that—

- (1) If the Company shall acquire any land which shall abut upon any part of Hither Green Lane which is situate in the parish of Lee or of Lewisham the Company shall forthwith widen the whole of the said Hither Green Lane so far as it or the road-side waste or open land between such lane and the adjoining enclosed lands now abuts on the land numbered 9 10 11 12 and 13 on the deposited plans of additional lands such widening to be to the width of twenty-five feet from the present centre of the existing roadway of Hither Green Lane:
- (2) If the Company shall acquire any part of the land numbered 6 7 or 8 on the deposited plan of additional land in the parish of Lee and any part of such land so acquired shall abut upon Bromley Road in the said parish the

- Company shall forthwith widen the said Bromley Road for the whole length of the said land numbered 6 7 and 8 to the width of twenty-five feet from the present centre of the existing roadway of Bromley Road:
- (3) For the purposes of this provise the Company will acquire and dedicate as part of the public roadways all necessary lands and remove or set back buildings boundary walls fences and other projections and enclosures on the said lands and throw such lands into the roadways respectively and make up the same with the proper footpaths fit for vehicular and passenger traffic to the satisfaction of the board of works for the Lee District:
- (4) If after such widening the said part of Hither Green Lane or Bromley Road respectively shall be paved as "new streets" by the said board of works under the Metropolis Management Act 1855 section 105 and the Metropolis Management Act 1862 section 77 the said board of works shall make no claim on the Company in respect of five feet in width of so much of the roadway in each case as shall have been widened by the Company under this section and the cost of paving such five feet shall be defrayed by the said board of works by means of the rates to be raised under the said Acts or either of them:
- (5) Nothing in this proviso contained shall prejudice the right of the said board of works to recover the other expenses of such paving from any present or future owners of houses and land now or hereafter forming or bounding or abutting upon Hither Green Lane and Bromley Road:
- (6) In case of dispute the centre of the roadway shall for the purposes of this proviso be defined by the superintending architect for the time being of the London County Council and the amount of the paving expenses to be borne by the said board of works in respect of the said five feet shall also in case of dispute between the said board of works and the Company be determined by such architect.

Power to acquire and hold lands for extraor-dinary purposes.

21. In addition to any other lands which the Company are by by this Act authorised to acquire they may acquire by agreement with any person willing to sell the same and may hold for the extraordinary purposes mentioned in the Railways Clauses Consolidation Act 1845 the lands next herein-after described (that is to say):—

In the county of London-

Angerstein's branch railway wharf and lands adjacent thereto in the parish of Greenwich;

Lands and houses being Nos. 63 65 67 69 71 and 73 Granville A.D. 1899. Park Blackheath in the parish of Lewisham:

In the county of Kent—

Lands in the parish of Chelsfield on both sides of the Company's main line adjoining or near to the Halstead Station of the Company being the enclosures numbered 168 288 289 293 and 306 on the $\frac{1}{2500}$ Ordnance map (1896) of that parish;

Lands in the parish of Crayford adjoining the Company's North Kent Railway forming parts of the enclosures numbered 105 106 and 107 on the $\frac{1}{2500}$ Ordnance map (1897) of that

parish;

Land in the parish of Tonbridge Rural being part of the Liptraps Estate and two dwelling-houses thereon adjoining the down side of Southborough Station;

Land in the parish of Dartford adjoining the up side of the Company's railway and being part of the enclosure No. 237

on the $\frac{1}{2500}$ Ordnance map (1873) of that parish;

Land in the parish of Maidstone containing 27 perches and 11 perches respectively adjoining the down side of the Company's station at Maidstone;

Land in the parish of Whitstable Urban on both sides of the Company's Whitstable Railway forming parts of the enclosures Nos. 51 54 55 and 60 on the $\frac{1}{2500}$ Ordnance map (1898) of the said parish;

A strip of land in the parish of Standford otherwise Stanford adjoining the down side of the Company's railway near Westenhanger Station ferming parts of the enclosures numbered 57 and 58 on the old Ordnance map of the said parish;

Lands in the parishes of Ashford and Willesborough being parts of the enclosure No. 298 in the parish of Ashford and No. 112 in the parish of Willesborough on the $\frac{1}{2500}$ Ordnance map (1898) of those parishes:

In the county of Surrey—

Land at Kenley in the parish of Coulsdon adjoining the down side of Kenley station;

Land containing 1 rood $3\frac{1}{2}$ perches in the parish of Caterham adjoining or near to the Company's Caterham Station.

22. Where any of the intended works to be done under or by Protection of virtue of this Act shall or may pass over under or by the side of or sewers. so as to interfere with any sewer drain watercourse defence or work under the jurisdiction or control of the London County Council or

A.D. 1899. of any vestry or district board of works constituted under the Metropolis Management Act 1855 or any Act or Acts amending the same or extending the powers thereof or of the West Kent Main Sewerage Board or the Bromley Urban District Council (which said several authorities are herein-after collectively and individually referred to as "the sewer authority") or with any sewers or works to be made or executed by the sewer authority or shall or may in any way affect the sewerage or drainage of the districts under their control respectively or under the control of one or more of them the Company shall not commence such works until they shall have given to the sewer authority twenty-eight days previous notice in writing of their intention to commence the same by leaving such notice at the principal office of such sewer authority with a plan and section showing the course and inclination thereof and other necessary particulars relating thereto 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-eight days after service of the said plan section and particulars as aforesaid and the Company shall comply with and conform to all 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 sewers and works hereinbefore referred to by reason of the said intended works or any part thereof and shall save harmless the sewer authority against all and every the expense 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 or officers 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 or 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.

Period for compulsory purchase of lands.

23. The powers of the Company 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.

24. Persons empowered by the Lands Clauses Acts to sell and A.D. 1899. convey or release lands may if they think fit subject to the Persons provisions of those Acts and of this Act grant to the Company any under diseasement right or privilege (not being an easement right or privilege ability may of water in which persons other the grantors have an interest) ments &c. required for the purposes of this Act in 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.

grant ease-

25. And whereas in the construction of the railways and railway widenings hereby authorised or otherwise in exercise of the powers be required of this Act it may happen that portions only of the houses or other only of cerbuildings or manufactories shown on the deposited plans may be tain houses sufficient for the purposes of the same and that such portions may andbuildings. be severed from the remainder of the said properties without material detriment thereto Therefore notwithstanding section 92 of the Lands Clauses Consolidation Act 1845 the owners of and other persons interested in the houses or other buildings or manufactories described in the schedule to this Act and whereof

parts only are required for the purposes of this Act may if such

portions can in the opinion of the jury arbitrators or other authority

to whom the question of disputed compensation shall be submitted

be severed from the remainder of such properties without material

detriment thereto be required to sell and convey to the Company

the portions only of the premises so required without the Company

being obliged or compellable to purchase the whole or any greater

portion thereof the Company paying for the portions required by

them and making compensation for any damage sustained by the

owners thereof and other parties interested therein by severance or

otherwise.

Owners may to sell parts

- 26.—(1) The Company shall not under the powers of this Act Restrictions or under the powers of any former Act extended by this Act on displacing purchase or acquire in any parish in the administrative county labouring of London (herein-after referred to as "London") twenty or more class. houses which on the fifteenth day of December next before the passing of this Act or of the respective former Act by which such purchase or acquisition was originally authorised as the case may be 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 of the Secretary of State for the Home Department to a scheme for providing new dwellings for such number of persons as were residing in such houses on

the respective fifteenth day of December aforesaid or for such number of persons as the said Secretary of State 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 for the carrying out of the scheme.
- (2) The approval of the said Secretary of State to any scheme under this section may be given either absolutely or conditionally and after the said Secretary of State has approved of any such scheme he may from time to time approve either absolutely or conditionally of any modifications in the scheme.
- (3) The scheme may provide dwellings for such number of persons as aforesaid by means of temporary accommodation for a specified period and before the expiration of that period by means of permanent accommodation in buildings on such site and according to such plans as may within that period be approved by the said Secretary of State.
- (4) If it shall appear to the said Secretary of State that having regard to the congestion of population in the immediate neighbourhood of the houses purchased or acquired by the Company in respect of which new dwellings are to be provided or for sanitary or other reasons it is desirable that such new dwellings should be provided in some more open place or district he may approve of a scheme for providing temporary or permanent accommodation in such other place or district on such conditions as he may think fit.
- (5) 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 may dispense with the last-mentioned requirement subject to such conditions (if any) as he

may see fit.

(6) Any provisions of any scheme under this section or any conditions subject to which the said Secretary of State may have approved of any scheme or of any modifications of any scheme or subject to which he 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 out of the High Court.

- (7) If the Company acquire or appropriate any house or houses A.D. 1899; 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 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.
- (8) For the purposes 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 or lease such further lands as they may require.
- (9) The Company may on any lands belonging to them or purchased leased or acquired under 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 leased 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 may at any time dispense with all or any of the requirements of this subsection subject to such conditions (if any) as he may see fit.

- (10) 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.
- (11) The said Secretary of State may direct any inquiries to be held which he 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

A.D. 1899

- of inquiries directed by the Local Government Board under the Public Health Act 1875.
- (12) 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.
- (13) Any houses on any of the lands shown on the plans deposited with reference to this Act or to any former Act the powers of which are extended by this Act 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 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 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 they might have been sufficient to accommodate.
- (14) For the purposes of this section and of the section of this Act the marginal note of which is "Provisions respecting houses of labouring class outside London" 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.

Provisions respecting houses of labouring class outside London.

27. The Company shall not under the powers of this Act or under the powers of any former Act extended by this Act purchase or acquire beyond London in any 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 next before the passing of this Act or of the respective former Act by which such purchase or acquisition was originally authorised as the case may be were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers

or except with the consent of the Local Government Board ten or more houses which were not so occupied on the said respective fifteenth day of December but have been or shall be subsequently so occupied.

A.D. 1899.

If the Company acquire or appropriate any house or houses for the purposes of this Act in contravention of the foregoing provision they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Local Government Board 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.

28. The periods limited for the completion of the works mentioned in Articles 1 2 and 4 of the agreement scheduled to the South Eastern Railway (Confirmation of Cator Agreement) Act 1897 are hereby extended as regards the works mentioned in Article 1 to the 14th November 1900 and as regards the works mentioned in Articles 2 and 4 to the 1st July 1901. The works mentioned in Articles 5 and 6 of the said agreement shall be completed by the 1st July 1901 instead of the 14th May 1902 the time therein mentioned for completion of the said works.

Extending time for completion of works under agreement scheduled to South Eastern Railway (Confirmation of Cator Agreement) Act 1897.

29. The period now limited for the compulsory purchase of the additional lands described in and authorised by section 14 (c) of the South Eastern Railway (Various Powers) Act 1885 is hereby extended for a period of two years from the 31st day of July 1899.

Extending time for compulsory purchase of additional lands under South Eastern Railway (Various Powers) Act 1885.

Extending time

for compulsory

- 30. The period now limited for the compulsory purchase of the additional lands described in and authorised by section 20 subsection (4) of the South Eastern Railway Act 1892 is hereby extended for a period of two years from the 20th day of June 1899.
- purchase of additional lands under South Eastern Railway Act 1892. for completion of works and purchase of lands under South Eastern Railway (Various Powers) Act 1885.
- 31. The respective periods now limited for the compulsory Extending time purchase of the lands required for and for the completion of the works described in and authorised by section 7 of the South Eastern Railway (Various Powers) Act 1885 are hereby extended as regards the purchase of lands until the expiration of a period of one year and as regards the completion of the said works until the expiration of a period of two years from the 31st day of July 1899.
 - for completion of works authorised by South Eastern Railway Act
- 32. The period now limited for the completion of the works Extending time described in and authorised by section 8 of the South Eastern Railway Act 1889 is hereby extended for a period of two years 1889. from the 12th day of August 1899.
- 33. The powers conferred on the Company by section 63 of the South Eastern Railway Act 1881 and section 23 of the South hotels Eastern Railway Act 1891 are hereby extended and enlarged and

Further powers as to [Ch. lxxviii.] South Eastern Railway Act, 1899. [62 & 63 Vici.]

A.D. 1899.

the Company may build provide lease equip and maintain hotels at any station or town on the south-east coast served by their system and may employ officers managers and servants in such hotels or in connection therewith and may acquire and hold land for any of those purposes:

Provided always that the Company shall not without the consent of Frederick Edward Colman of Nork Park Banstead in the county of Surrey or other the owner or owners for the time being of the Nork Park Estate situate in the parishes of Banstead and Ewell exercise any of the powers conferred by this section on any lands conveyed by the said F. E. Colman to the Epsom Company.

Power to Crowhurst Company to raise additional capital.

34. The Crowhurst Company may subject to the provisions of Part II. of the Companies Clauses Act 1863 raise for the purposes of their undertaking or any of them any additional capital not exceeding in the whole sixty-five thousand pounds by the issue at their option of new ordinary shares or stock but the Crowhurst Company shall not issue any share of less nominal value than ten pounds nor shall any share vest in the person accepting the same unless and until a sum not being less than one fifth of the amount of such share shall have been paid in respect thereof.

Except as otherwise provided new shares or stock of Crowhurst Company to be subject to same incidents as other shares or stock.

35. Except as by this Act otherwise provided the capital in new shares or stock created by the Crowhurst Company under this Act and the new shares or stock therein and the holders thereof respectively shall be subject and entitled to the same powers provisions liabilities rights privileges and incidents whatsoever in all respects as if that capital were part of the now existing capital of the Crowhurst Company of the same class or description and the new shares or stock were shares or stock in that capital.

New shares or stock to form part of capital of Crowhurst Company,

36. The capital in new shares or stock so created shall form part of the capital of the Crowhurst Company.

Dividends on new shares or stock of Crowhurst Company.

37. Every person who becomes entitled to new shares or stock of the Crowhurst Company under this Act shall in respect of the same be a holder of shares or stock in the Crowhurst Company and shall subject to the conditions on which the same may be issued be entitled to a dividend with the other holders of shares or stock of the same class or description proportioned to the whole amount from time to time called and paid on such new shares or stock.

Restrictions as to votes in respect of preferential shares or stock. 38. Except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of any new shares or stock to which a preferential dividend shall be assigned.

[62 & 63 Vict.] South Eastern Railway Act, 1899. [Ch. lxxviii.]

39. Subject to the provisions of any Act already passed by which the Crowhurst Company are authorised to raise capital by new shares or stock and to the provisions of this Act and any other Act passed in the present session of Parliament whether before or after the passing of this Act by which the Crowhurst Company may be authorised to raise capital by new shares or stock the Crowhurst Company may if they think fit raise by the creation and issue of new shares or stock of one and the same class all or any part of the aggregate capital which they are by such other Act and this Act respectively authorised to raise by the creation and issue of class. new shares or stock.

New shares or stock of Crowhurst Company raised under this Act and any other Act of past or present sessions may be of same

40. The Crowhurst Company may in respect of the additional Power to capital of sixty-five thousand pounds which they are by this Act Crowhurst authorised to raise borrow on mortgage of the undertaking any borrow moneys not exceeding in the whole twenty-one thousand pounds but no part thereof shall be borrowed until shares for so much of the said additional capital as is to be raised by means of shares are issued and accepted and one half of such capital is paid up and the Crowhurst 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 capital have been issued and accepted and that one half of such capital has been paid up and that not less than one fifth part of the amount of each separate share in such 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 Crowhurst 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 bona 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 of such justice of the books of the Crowhurst Company and to such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given

Company to

41. The Crowhurst Company may create and issue debenture Debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 but notwithstanding anything therein contained Company. the interest of all debenture stock at any time after the passing of this Act created and issued by the Crowhurst Company shall rank

which certificate shall be sufficient evidence thereof.

stock of

A.D. 1899. pari passu with the interest of all mortgages at any time after the passing of this Act granted by the Crowhurst Company and shall have priority over all principal moneys secured by such mortgages Notice of the effect of this enactment shall be endorsed on all mortgages and certificates of debenture stock.

Transfer to Company of undertakings of Epsom and Chipstead Companies.

42. From and after the passing of this Act all the lands acquired or contracted for respectively by the Epsom Company and the Chipstead Company and all real and personal property belonging to those companies and all the powers rights privileges and authorities granted to those companies respectively by their Acts shall be and are hereby transferred to and vested in the Company and the Company may exercise all the powers and shall be subject to the duties and liabilities conferred or imposed on or incurred by the Epsom Company and the Chipstead Company with respect to the undertakings of those companies and the Epsom Company and the Chipstead Company respectively shall forthwith proceed to wind up their affairs and shall thereupon and by virtue of this Act be dissolved.

For protection of Postmaster-General.

43. The Postmaster-General shall after the passing of this Act be at liberty to exercise all the rights conferred on him by the Telegraph Act 1878 notwithstanding that the undertakings of the Epsom Company and the Chipstead Company are transferred to and vested in the Company or amalgamated with the undertaking thereof as freely and fully in all respects as he was entitled to do before the passing of this Act.

Consideration for transfer.

44. The consideration for the transfer shall be such sum not exceeding in each case the authorised capital of the Epsom and Chipstead Companies as may be agreed on and shall be paid in an equivalent amount of three per cent. preference stock of the Company of the nominal amount so agreed on.

Creation of stock for purposes of transfer.

45. The Company shall create a sufficient amount of three per cent. preference stock in their undertaking for the purposes of the said transfer and shall deliver certificates therefor to the Epsom Company and the Chipstead Company respectively and a receipt or discharge signed by any three directors of each of the said companies for purchase money or the certificates as the case may be shall be a sufficient discharge for the same.

Substituted stock to be held on same trusts as shares for which it is substituted.

46. As from the time of transfer each proprietor of shares in the Epsom Company and the Chipstead Company shall in substitution for such shares become and be the proprietor of an equal amount of the stock so delivered and the substituted stock shall become and be subject and liable to the trusts provisions agreements charges liens and incumbrances (if any) which immediately before the

[62 & 63 Vict.] South Eastern Railway Act, 1899. [Ch. lxxviii.]

substitution affected the shares for which the same is substituted A.D. 1899. and in any testamentary instrument taking effect after the substitution words referring to the last-mentioned shares shall unless a different intention is expressed be deemed to refer to the substituted stock.

47. The directors of the Epsom Company and the Chipstead Company shall as soon as may be after the transfer deliver to each proprietor of shares in the respective company in exchange for his shareholders certificates for those shares a certificate for an equal amount of of Epsomand substituted stock but until the exchange is effected a certificate Companies, for shares in the respective company shall as from the transfer be deemed to be a certificate for an equal amount of substituted stock.

Substituted stock to be delivered to

48. Subject to the provisions of this Act and of section 36 of Release of the Epsom Act of 1892 and section 11 of the Epsom Act of 1897 Epsom Comwith respect to compensation to landowners or other persons deposit. injured and for the protection of creditors the High Court may and shall at any time after the passing of this Act on application by or on behalf of the depositors mentioned or referred to in section 36 of the Epsom Act of 1892 and section 11 of the Epsom Act of 1897 or the survivors or survivor of them or the executors or administrators of such survivor or by any other person order the sum of one thousand six hundred and thirty-three pounds two and three quarters per cent. consolidated stock being the balance of the deposit fund mentioned in section 35 of the Epsom Act of 1892 and the sum of four hundred and ninety-seven pounds being the deposit fund mentioned in section 10 of the Epsom Act of 1897 and the interest or dividends thereon to be paid or transferred to the depositors or their assignees or other person or persons entitled thereto or to any other persons or person whom they or he may appoint in that behalf and upon such order being made the deposit funds and the interest or dividends thereon shall be paid or transferred to such persons or person accordingly.

49. Subject to the provisions of this Act and of section 40 of the Release of Chipstead Act of 1893 with respect to compensation to landowners Chipstead or other persons injured and for the protection of creditors the deposit. High Court may and shall at any time after the passing of this Act on application by or on behalf of the depositors mentioned or referred to in section 40 of the Chipstead Act of 1893 or the survivors or survivor of them or the executors or administrators of such survivor or by any other person order the sum of six thousand one hundred and one pounds two shillings and ninepence two and three quarters per cent. consolidated stock being the deposit fund mentioned in section 39 of the Chipstead Act of 1893

Company's

[Ch. lxxviii.] South Eastern Railway Act, 1899. [62 & 63 Vici.]

A.D. 1899. and the interest or dividends thereon to be paid or transferred to the depositors or their assignees or other person or persons entitled thereto or to any other persons or person whom they or he may appoint in that behalf and upon such order being made the deposit fund and the interest or dividends thereon shall be paid or transferred to such persons or person accordingly.

For protection of Frederick Edward Colman.

50. Nothing in this Act contained shall prejudice or affect the provisions of section 34 of the Epsom Act of 1892 or of any agreement between the said F. E. Colman and the Epsom Company or of the conveyance by him to the Epsom Company which provisions so far as they are unperformed by the Epsom Company shall be binding upon and observed by the Company.

Power to apply funds for purposes of Act.

51. The Company may apply for any of the purposes of this Act to which capital is properly applicable other than the consideration for the transfer to the Company of the property and undertakings of the Epsom and Chipstead Companies any moneys which they have raised or which they have power to raise by shares stock debenture stock or mortgage by virtue of any Acts relating to the Company which may not be required for the purposes to which they are by any such Acts made specially applicable.

Interest not to be paid on calls paid up.

52. 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.

Recovery of demands under 50l.

53. Proceedings for the recovery of any demand not exceeding fifty pounds made under the authority of this Act or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in the county court.

Provision as to general Railway Acts.

54. Nothing in this Act contained shall exempt the Company or the railways from the provisions of any general Act relating to railways or the better or 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 to be taken by the Company.

Deposits for future Bills

55. The Company shall not out of any money by this Act authorised to be raised pay or deposit any sum which by any

[62 & 63 Vict.] South Eastern Railway Act, 1899. [Ch. lxxviii.]

standing order of either House of Parliament now or hereafter in force may be required to be deposited in respect to any application to Parliament for the purpose of obtaining an Act authorising the paid out of Company to construct any other railway or to execute any other capital. work or undertaking.

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

A.D. 1899. The SCHEDULE referred to in the foregoing Act.

DESCRIBING HOUSES BUILDINGS and MANUFACTORIES whereof Portions only are required to be taken by the Company.

County and Parish.			Number on deposited Plans.		
County of London.		 			
Parish of St. Paul Deptford.		• }			
(Additional Lands)	-	-	3.		

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