CHAPTER ccii.

An Act to extend some of the powers of the Brighton Marine Palace and Pier Company to make further provision with respect to the completion of the pier and works and for other purposes. [7th August 1896.] A.D. 1896.

WHEREAS by the Brighton Marine Palace and Pier Act 1888 (in this Act called "the Act of 1888") the Brighton Marine Palace and Pier Company (herein-after called "the Company") were incorporated and authorised to make and maintain a promenade pier jetty and landing and shipping place on the southern side of the Grand Junction Road at Brighton with a pier-head or promenade at the seaward end of the pier and the Company were also authorised and required to take down and remove the Old Chain Pier and the buildings connected therewith and to transfer the site of such buildings to the mayor aldermen and council of the borough of Brighton for the purpose of widening and improving Madeira Road:

And whereas the Company were by the Act of 1888 authorised to raise one hundred and fifty thousand pounds by shares and to borrow fifty thousand pounds on mortgage:

And whereas certain persons were incorporated and registered on the twelfth June one thousand eight hundred and ninety in accordance with the Companies Acts 1862 to 1886 under the name of "the Brighton Marine Palace and Pier Limited" (herein-after called "the Limited Company") for the purpose among other things of acquiring all or any of the shares in the Company and all or any part of the assets and undertaking of the Company:

And whereas by the Brighton Marine Palace and Pier Act 1893 (herein-after called "the Act of 1893") it was recited that the Old Chain Pier and the buildings connected therewith and also the land and property required for the purposes of the new pier pier-head and works had been purchased and considerable progress

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had been made with the erection and construction of such works and the time for constructing and completing the same was extended and the Company were authorised to exercise their borrowing powers by the instalments and subject to the conditions contained in the Act of 1893:

And whereas the contractor employed by the Limited Company ceased to proceed with the construction of the pier and works on or about the month of October one thousand eight hundred and ninety-two and the Limited Company thereupon entered into possession and proceeded with the construction thereof until the month of March one thousand eight hundred and ninety-five when they ceased to proceed further and their funds being exhausted they are unable to proceed further with or complete the said pier or works:

And whereas in March one thousand eight hundred and ninety-five when the stoppage took place about one thousand and sixty feet in length of the pier had been partially constructed and a sum of about forty-three thousand pounds had been expended thereon and in the purchase of the Old Chain Pier and property connected therewith:

And whereas it is expedient that the time limited by the Act of 1888 as extended by the Act of 1893 for completing the pier and works should be further extended:

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:—

Short title.

1. This Act may be cited as the Brighton Marine Palace and Pier Act 1896.

Incorporation of general Acts.

2. The provisions of Part II. (relating to extension of time) of the Railways Clauses Act 1863 are except where expressly varied by this Act incorporated with and form part of this Act and in construing the said provisions of the Railways Clauses Act 1863 for the purposes of this Act the pier and works authorised by the Act of 1888 shall be deemed to be a railway and the Company shall be deemed to be a railway company.

Time for completion of pier and works extended.

3. The time limited by the Act of 1888 as extended by the Act of 1893 for the completion of the pier pierhead and works authorised by the Act of 1888 is hereby extended for a period of three years

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from and after the seventh day of August one thousand eight hundred and ninety-six and the said Acts shall be read and construed and all penalties and obligations therein contained shall apply as if the time therein mentioned or referred to for completing the pier pierhead and works or otherwise in relation thereto were the seventh day of August one thousand eight hundred and ninety-nine except that the provisions enacted by subsection 9 of section 30 of the Act of 1888 which were to take effect if the pier and buildings to be erected thereon were not completed in accordance with that Act shall not take effect nor shall the penalty imposed by subsection 2 of section 5 of the Act of 1893 be incurred by reason of the pavilion only not having been completed by that date if the whole of the pier pierhead and works (other than the said pavilion) are then so completed and the pavilion be so completed prior to the seventh day of January one thousand nine hundred:

That portion of the pier the substructure of which has for some time been erected extending for a distance of one thousand and sixty feet seawards from Grand Junction Road may be opened for public use and tolls taken in respect thereof when and so soon as the said portion of the pier is completed to the satisfaction of the surveyor to the borough of Brighton whose certificate shall not be unreasonably withheld and in accordance with the plans sections elevations and specifications of such portion approved by the Board of Trade and such surveyor anything in the recited Acts to the contrary notwithstanding:

Provided that if the whole of the pier pierhead and works as shown on the plans sections elevations and specifications approved by the surveyor to the borough of Brighton (other than the pavilion) be not fully completed in accordance with the provisions of the Act of 1888 as amended by the Act of 1893 prior to the said seventh day of August one thousand eight hundred and ninety-nine or the pavilion be not also so completed prior to the seventh day of January one thousand nine hundred then the before-mentioned portion of one thousand and sixty feet if opened in the meantime shall be closed.

As to Chain Pier.

4. Subsection 1 of section 5 of the Act of 1893 shall not be affected by the extension by this Act of the time for the completion of the pier pierhead and works except that the period therein mentioned of three months after receipt of notice in writing shall be extended to twelve months after receipt of such notice The Company shall be responsible for all damage which may be in any way occasioned in consequence of the Chain Pier being allowed to remain standing whether arising from the want of proper repair

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thereof or any obstruction or accumulation on the site thereof or otherwise howsoever.

If pier and works not completed within extended period powers to cease.

5. If the pier pierhead and works are not completed within such extended period then on the expiration thereof the powers by the Acts of 1888 and 1893 and this Act granted for making and completing the same or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed:

Provided that nothing in this section contained shall affect the operation of section 30 of the Act of 1888 as amended by the Act of 1893.

Company not exempt from provisions of general Acts.

6. Nothing herein contained shall exempt the Company or the pier pierhead and works by the Act of 1888 authorised from the provisions of any present or future general Act relating to harbours docks or piers.

Costs of Act.

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

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