ANNO DECIMO SEXTO

VICTORIÆ REGINÆ.

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Cap. XX.

An Act to enable the Crystal Palace Company to divert certain Roads and to purchase Lands; and for other Purposes relating to the Company. [13th *May* 1853.]

WHEREAS a Company has been lately formed under the Style of "The Crystal Palace Company" for the Purpose of purchasing the Building of the Great Exhibition of 1851 in *Hyde Park* in the County of *Middlesex*, and for the Construction of the said Building or of any Part thereof, or of any Addition thereto, on another Site, and also for the Purpose of forming and maintaining Conservatories, Parks, and Museums in or in connexion with the said Building for the Illustration and Advancement of the Arts, Sciences, and Manufactures, and the same Company have been incorporated by Her Majesty's Letters Patent bearing Date the Twenty-eighth Day of *January* One thousand eight hundred and fifty-three: And whereas in pursuance of these Objects the Company have subscribed the Sum of Four hundred thousand Pounds and upwards, and have either purchased or contracted to purchase an Estate in *Kent* and

Surrey near *Sydenham*, and are re-erecting thereon the said Building, with vast Additions thereto, and are laying out considerable Portions of the said Land in Gardens and Pleasure Grounds: And whereas the said Estate is intersected by Two Roads, the one of which is a Bridleway called *Thickets Lane* in bad Repair and little used, and the other is Part of a public Carriage Road called the "*Penge Road*" leading from *Penge* to *Dulwich*, and is steep and inconvenient, and both the said Roads interfere materially with the Designs of the Company for their Gardens and Pleasure Grounds: And whereas the said Company are willing at their own Expense to make and to dedicate to the Public better and more commodious Roads than the said existing Roads upon Power being granted to them to stop up the existing Roads; and Plans and Sections of the Roads proposed to be made by the Company, together with Books of Reference to the Plans, have been deposited with the Clerks of the Peace for *Kent* and *Surrey*: And whereas there is nearly in the Centre of the said Estate a Plot of about Two Acres of Land, which by the Award made for the Inclosure of *Penge Common* (in pursuance of the Act passed in the Seventh and Eighth Years of the Reign of King *George* the Fourth, c. 35.) was allotted and set apart for public Gravel Pits for the Repair of Roads within the Hamlet of *Penge*, but it has been ascertained that there is not any Gravel within the said Plot of Land, and the same has lain for Years useless and unoccupied, and inasmuch as the said Land also interferes with the Gardens and Pleasure Grounds of the Company it is expedient that the Company should be empowered to purchase the same, and the said Land is shown on the Plans deposited as aforesaid, and is therein designated by the Number 5 in the Hamlet of *Penge* in the Parish of *Battersea*: And whereas it is also expedient that the Company should be enabled at their own Expense (and according to a Plan and Section of such Widening deposited as aforesaid) to widen that Part of the Road leading from *Norwood* to *Sydenham* and *Dulwich* which forms the North-western Boundary of their said Estate, and also that they should be enabled to purchase, with the Consent of the Master, Warden, Fellows, Brethren, Sisters, and Scholars of the College of God's Gift in *Dulwich* in the County of *Surrey*, and that the said College should be enabled to sell, the Piece of Ground shown on the said Plans, and therein described as "*Dulwich Wood*," and that for the Purpose of an Approach to the said Building and otherwise in furtherance of their Objects the Company should also be authorized to purchase compulsorily a small Plot of Land and other Property shown within the Limits of Deviation defined on the said Plans at the South-western Extremity of the last-mentioned Road: And whereas the said Building and the Conservatories connected therewith are constructed of Materials and in a Method not contemplated by the various Acts for the Regulation of Buildings in the Metropolis, and the Provisions

of the said Acts are therefore inapplicable to the same Buildings: But inasmuch as these Things cannot be done without the Authority of Parliament, may it 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:

Provisions of 8 & 9 Vict. c. 18. incorporated with this Act.

I. "The Lands Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act.

Power to make Roads according to deposited Plans.

II. It shall be lawful for the Company to make upon the Lands shown on the Plans and described in the Books of Reference, and according to the Levels shown on the Sections deposited as aforesaid,

1. A new public Carriageway in the Hamlet of *Penge* in the Parish of *Battersea* in *Surrey*, commencing in a public Carriageway called the "*Anerley Road*" in *Penge* aforesaid, and terminating in another public Carriageway called the "*Penge Road*" leading from *Penge* to *Dulwich*;
2. Another public Carriageway commencing in the "*Penge Road*" aforesaid, near the Bridge of the *London, Brighton, and South Coast* Railway over the same Road, and terminating at the existing Road from *Sydenham* to *London* in or near a Plantation lately purchased or contracted to be purchased by the Company of *John Cator* Esquire, which new Road will be in *Penge* aforesaid, and in *Sydenham*, *Lewisham*, and *Beckenham* in *Kent*;

and the said Company may enter upon, take, and use the said Lands accordingly.

When new Roads are complete and fit for Use old Roads to be closed, and all Right of Way, &c. to cease.

III. After the first-described new Road shall be complete and fit for public Use, and such Fitness shall have been certified under the Hands of Two or more Justices in Petty Sessions assembled, after not less than Five Days Notice to the Surveyor of Highways of the Hamlet of *Penge* that the Matter would be then deliberated upon by the said Justices, it shall be lawful for the Company to close the said Bridleway called *Thickets Lane* leading from *Anerley Road* to *Penge Road* aforesaid, and the said new Road shall be deemed to be substituted in the Stead of the said *Thickets Lane*; and after the secondly-described Road shall be complete and fit for public Use, and such Fitness shall have been certified as aforesaid, after not less than Five Days Notice as aforesaid to the Surveyors or other Persons under whose Control the said "*Penge Road*" may be, it shall be lawful for the Company to close so much of the "*Penge Road*" as lies between the Commencement of the secondly-described new Road near

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the Bridge aforesaid and the Termination of the said "*Penge Road*" at or near *Rockhills* in the Road from *Norwood* to *Sydenham* and *Dulwich*, and the said secondly-described new Road shall be deemed to be substituted in the Stead of the Part so closed of the *Penge Road*; and after the closing of either of the said Roads all Right of Way over the same, and all other Rights and Privileges, whether of the Public or of any Persons with relation to the same, shall absolutely and for ever cease and be extinguished, and the Soil thereof shall vest in and belong to the said Company as Owners of the adjoining Land.

Power to widen, according to deposited Plans, Part of Norwood and Sydenham Road.

IV. It shall be lawful for the Company, at their own Expense, and according to the Plans and Sections deposited as aforesaid, to widen, on the Western Side thereof, in the Parishes of *Battersea*, *Lambeth*, *Croydon*, and *Camberwell*, and in the Hamlet of *Dulwich*, or some of them, in *Surrey*, so much of the Road from *Norwood* to *Sydenham* and *Dulwich* as forms the North-western Boundary of that Part of the Company's Land on which the said Building is erecting; and for that Purpose it shall be lawful for the Company to enter upon, take, and use the Lands shown on the said Plans and described in the Book of Reference deposited therewith in relation to the widening of the said Road: Provided always, that so soon as the said Road is so widened as aforesaid the same shall be dedicated to the Public, and shall be vested in the same Persons in whom the other Part of the said Road there is vested.

Power to deviate in constructing, &c. Roads as delineated upon Plans, &c.

V. It shall be lawful for the Company, in constructing the Two first-mentioned Roads, and in widening the Road last herein-before mentioned, to deviate from the Line thereof to the Extent delineated upon the said Plans, but not in any Case into the Lands of any Person not described in the said Plans or in the Book of Reference thereto, unless with the Consent of such Person.

Power to take Lands notwithstanding Errors in Plans, &c.

VI. The Works by this Act authorized may be made in or through any Lands delineated on the said Plans, although such Lands, or the Situation thereof, or the Names of the Owners, Lessees, or Occupiers thereof, may happen to be omitted, mis-stated, or erroneously described in the said Plans or Books of Reference, in case it shall appear to Two or more Justices of the Peace for the said Counties of *Kent* and *Surrey* in which such Lands are situate, in Petty Sessions assembled, and be certified by Writing under their Hands, that such Omission or Mis-statement proceeded from Mistake; and the Certificate of the said Justices shall be deposited with and remain in the Custody of the Clerk of the Peace of the said County for the Time being.

VII. Pro-

Houses not to be taken, except those mentioned in deposited Book of Reference, without Consent.

VII. Provided always, That the Powers and Authorities by this Act granted shall not authorize the Company to pull down, or take, use, or injure any Dwelling House or other Building, or take, use, or injure any Garden, Yard, Park, Lawn, Shrubbery, Plantation, planted Walk or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, (except such as are mentioned in the said Book of Reference so deposited as aforesaid,) without the Consent in Writing of the Owner or Proprietors or other Persons interested therein first obtained.

Company to purchase certain Plots of Land shown on Plans, and Surveyors, &c. required to convey.

VIII. It shall be lawful for the Company, and they are hereby empowered, to purchase compulsorily the Plot of Land shown on the said Plans, and described thereon as Number 5 in the Hamlet of *Penge* in the Parish of *Battersea*, and also the Plot of Land and other Property numbered on the said Plans 4, 7, and 9 in the Hamlet of *Dulwich*, and 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10 in the Parish of *Lambeth*; and the Surveyors of Highways of the Hamlet of *Penge*, or others the Persons in whom the first-mentioned Plot of Land is vested, are hereby enabled and required to convey the same to the Company.

Buildings, &c. exempted from Provisions of 7 & 8 Vict. c. 84. and 9 & 10 Vict. c. 5.

IX. The Buildings and Conservatories of the Company, excepting such thereof as shall be mainly constructed of Masonry and Timber, shall be exempted from the Operation of an Act passed in the Session of Parliament held in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act for regulating the Construction and Size of Buildings in the Metropolis and its Neighbourhood*, and also of an Act passed in the Session of Parliament held in the Ninth and Tenth Years of the same Reign, for the Amendment of the last-recited Act.

Power to Dulwich College to sell to the Company Dulwich Wood.

X. It shall be lawful for the Master, Warden, Fellows, Brethren, Sisters, and Scholars of *Dulwich* College to convey to the Company, and for the Company to purchase, by Agreement, the Piece of Land shown upon the said Plans as *Dulwich Wood* or any Part thereof.

Saving Rights of Metropolitan Commissioners of Sewers.

XI. Notwithstanding anything herein-before contained, nothing in this Act contained shall extend or be deemed or construed to extend to prejudice, alter, or take away any of the Rights, Powers, or Authorities vested in the Metropolitan Commissioners of Sewers, but all the Rights, Powers, and Authorities vested in them shall be as good, valid, and effectual as if this Act had nto been passed.

Short Title.

XII. This Act shall be called the "Crystal Palace Company's Act, 1853."

Expenses of Act.

XIII. The Expenses of this Act and incidental thereto shall be borne by the Company.

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