CHAPTER xlix.

An Act for empowering the East London Railway Company to acquire additional Lands; for conferring further Rights and Powers upon the Holders of the Debenture Stocks and Preference Stocks of the Company; and for other purposes. [3d July 1879.]

A.D. 1879.

WHEREAS it is expedient that the East London Railway Company (in this Act called "the Company") should be empowered to acquire, for the purposes of their undertaking, the additional lands herein-after described:

And whereas it is expedient that the right of voting at meetings, and other rights and powers, as in this Act mentioned, should be conferred upon the holders of the debenture stocks and preference stocks in the Company's capital, and that the dates of holding the general meetings of the Company should be altered:

And whereas plans of the lands which the Company are by this Act authorised to acquire, with a book of reference thereto containing the names of the owners and lessees, or reputed owners and lessees, and of the occupiers of such lands, were duly deposited with the clerks of the peace for the counties of Surrey and Kent respectively, and are herein-after referred to as the deposited plans and book of reference:

And whereas the objects aforesaid cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as the East London Railway Act, 1879.

Incorporation of general Acts.
8 & 9 Vict. c. 18.
23 & 24 Vict. c. 106.
32 & 33 Vict. c. 18.

2. The Lands Clauses Consolidation Acts, 1845, 1860, and 1869, are (except where expressly varied by this Act) incorporated with and form part of this Act.

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Interpretation of terms.

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

The expression "superior courts," or "court of competent jurisdiction," or any other like expression in this Act or any Act incorporated herewith, shall for the purposes of this Act be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt, and not a debt or demand created by statute:

8 & 9 Vict. c. 20.

The expressions "parish clerks" and "clerks of the several parishes" in sections 7, 8, and 9 of the Railways Clauses Consolidation Act, 1845, shall, with reference to the Company and as regards those parishes or extra-parochial places in which, by the standing orders of either House of Parliament, plans, sections, and other documents are required to be deposited with the clerk of the vestry of the parish or with the clerk of the district board for the district in which the parish or extra-parochial place is included, mean in the first case the vestry clerks of those parishes, and in the second case the clerks of those district boards respectively.

Power to purchase additional lands.

4. Subject to the provisions of this Act, the Company may from time to time enter upon, take, and use, and appropriate to the purposes of their undertaking all or any of the lands following, delineated on the deposited plans and described in the deposited book of reference; (that is to say,)

Certain lands, houses, and buildings in the parish of Saint Paul Deptford in the county of Surrey, lying on both sides of and adjoining the South-eastern Railway Company's main line and the London, Brighton, and South Coast Railway Company's Deptford Branch, respectively, and at and near the crossing of those two lines, and in part on the west side of and adjoining the Company's main line:

Also certain lands, houses, and buildings in the same parish and county of Surrey, lying between and adjoining the Company's main line and their South-eastern junction lines, and on the west side of and adjoining Woodpecker Lane:

Certain lands, houses, and buildings in the parish of Saint Paul Deptford in the county of Kent, lying on the south side of and adjoining the Company's South-eastern junction lines and on the east side of and adjoining Woodpecker Lane:

Also certain lands, houses, and buildings in the same parish and county of Kent, lying on the east side of and adjoining the Company's South-eastern down junction line and the South-eastern Railway Company's main line, and on the south-west

side of and adjoining the South-eastern Railway Company's Greenwich line, and north of Edward Street:

Also certain lands, houses, and buildings in the same parish and county of Kent, lying on the west side of and adjoining the South-eastern Railway Company's main line, and on the east side of and adjoining Railway Grove, and between Edward Street and New Cross Road:

Also certain lands, houses, and buildings in the same parish and county of Kent, lying on the east side of and adjoining the South-eastern Railway Company's main line, and on the west side of and adjoining Amersham Grove and Hereford Place, and between Edward Street and Napier Road.

Extending 29 & 30 Vict. c. clxxx. s. 21 to this Act.

5. Section 21 of the East London Railway (Additional Powers) Act, 1866, for the protection of sewers of Metropolitan and other boards, shall extend and apply to this Act to the same extent as if that section had been re-enacted in this Act with reference to the powers conferred by this Act.

Period for compulsory purchase of lands.

6. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of three years from the passing of this Act.

Notice to be given of taking houses of labouring classes.

7. The Company shall, not less than eight weeks before they take in any parish fifteen houses or more occupied either wholly or partially by persons belonging to the labouring classes as tenants or lodgers, make known their intention to take the same by placards, handbills, or other general notice placed in public view upon or within a reasonable distance from such houses, and the Company shall not take any such houses until they have obtained the certificate of a justice that it has been proved to his satisfaction that the Company have made known their intention to take the same in manner herein-before required.

Company to procure accommodation for persons of the labouring classes to be displaced.

8. Before displacing any person belonging to the labouring classes who may for the time being be the occupier of any house or part of any house which the Company are by this Act authorised to acquire, the Company shall (unless they and such person otherwise agree) procure sufficient accommodation elsewhere for such person: Provided always, that if any question shall arise as to the sufficiency of such accommodation the same shall be determined by a justice; and the Company may for the purpose of providing such accommodation appropriate any lands for the time being belonging to them or which they have power to acquire, and may purchase lands by agreement, and may on any such lands erect labouring-class dwellings, and may let or otherwise dispose of such lands and buildings.

Power to holders of preference

9. The holders of preference stock and of debenture stock in the capital of the Company (but as regards the holders of the several

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and debenture stock to vote at meetings of Company.

classes of debenture stock so long only as the interest upon their respective stocks shall be in arrear and unpaid) shall be entitled to attend, speak, and vote at every general meeting of the Company in the like way and to the like extent and in the like proportion with respect to the number of votes as the holders of ordinary stock in the Company, and shall have the same rights as such holders to require the directors of the Company to call extraordinary meetings of the Company, which rights they may exercise irrespective of and in addition to any rights of voting or otherwise to which they may be entitled in respect of any ordinary stock in the Company which may be held by them respectively, and the rights by this Act conferred upon them may be exercised either jointly with the holders of ordinary stock or not.

For the purpose of determining the number of votes to which the holders of preference stock or debenture stock are entitled, every twenty pounds of either of such stocks shall be deemed to be equivalent to twenty pounds of ordinary stock.

Power to debenture holders to appoint a director.

10. So long as any interest on the debenture stocks in the capital of the Company remains unpaid the debenture stockholders may appoint one of their number holding debenture stock to the amount of not less than one thousand pounds to be a director of the Company (but not so as to increase the prescribed number of directors), and for the purpose of the appointment of such director the debenture holders shall have and may exercise the like rights and powers as are conferred upon shareholders by the Companies Clauses Consolidation Act, 1845, with respect to convening of meetings and the appointment and rotation of directors.

8 & 9 Vict. c. 16.

Periods for holding general meetings.

11. From and after the end of the year 1879 the prescribed periods for holding the general meetings of the Company shall be the months of January and July in each year.

Company not exempt from provisions of any present or future general Railway Acts.

12. Nothing in this Act contained shall exempt the Company or their railways from the provisions of any general Act relating to railways, or the better 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.

Expenses of Act.

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

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