ANNO SEXTO & SEPTIMO

# GULIELMI IV. REGIS.

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Waggons and Engines by which the same are conveyed upon the said Railway; and it is also expedient that some of the Powers and Provisions of the said recited Act should be altered, amended, and enlarged; but the same cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King'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, That the said recited Act, and all and every the Powers and Provisions therein contained, (save and except such Parts thereof as are varied, altered, or repealed,) shall extend, and be construed, deemed, and taken to extend, to this Act, in as full and ample a Manner to all Intents and Purposes as if the same were repeated and re-enacted in this Act.

Powers of recited Act to extend to this Act.

Power to provide a Station, and erect Warehouses, &c. in the Parish of St. Olave.

II. And be it further enacted, That it shall be lawful for the said Company and they are hereby empowered to provide a Station or Yard, and to erect Warehouses and other Conveniences for the Accommodation of Persons using the said Railway, in the said Parish of *Saint Olave*, and for the Purposes aforesaid to take the Lands delineated on the Plan and described in the Book of Reference deposited as herein-after mentioned with the Clerk of the Peace for the County of *Surrey;* and all the Clauses, Powers, Provisions, Directions, Regulations, and Restrictions contained in the said recited Act relating to the compulsory Purchase of Land for making the said Railway shall extend and apply to the Purchase of Land for the said Station or Yard, and for the said Warehouses and other Conveniences, as fully and effectually to all Intents and Purposes as if such Clauses, Powers, Provisions, Directions, Regulations, and Restrictions were herein repeated and re-enacted with respect to the Land hereby authorized to be taken for such Station, Yard, Warehouses, and other Conveniences.

Map or Plan to remain in Custody of the Clerk of the Peace to remain there and be open to Inspection.

III. And whereas a Map or Plan describing the Lands upon which the said Station, Yard, Warehouses, and other Conveniences are intended to be made, together with a Book of Reference thereto containing a List of the Names of the Owners or reputed Owners and Occupiers of such Lands, have been deposited with the Clerk of the Peace for the said County of *Surrey;* be it therefore enacted, That the said Map or Plan and Book of Reference so deposited shall remain with and be kept by the said Clerk of the Peace, and all Persons interested in any Manner in such Lands shall have Liberty at all reasonable Times to inspect and to make Extracts from or Copies of the said Map or Plan and Book of Reference, paying to the said Clerk of the Peace for every Inspection the Sum of One Shilling, and for Copies of or Extracts from the said Book of Reference after the Rate of Sixpence for every One hundred Words; and the said Map or Plan and Book of Reference, or true Copies, or of so much thereof as may relate to any Matter which may be in question, certified by the said Clerk of the Peace, shall be and are hereby declared to be good Evidence in all Courts of Law or elsewhere.

IV. Pro-

Unintentional Errors in Act or Plan or Book of Reference not to prevent Execution of Act.

IV. Provided always, and be it further enacted, That it shall be lawful for the said Company to make the said Station, Yard, Warehouses, and other Conveniences upon the Lands delineated upon the said Map or Plan, although such Lands or any of them, or the Situation thereof respectively, may happen to be omitted, mis-stated, or erroneously described in the said Book of Reference or in the Schedule to this Act annexed, if it shall appear to any Two or more Justices of the Peace (in case of Dispute about the same), and be certified by Writing under their Hands, that such Omission, Mis-statement, or erroneous Description proceeded from Mistake; and the Certificate of the said Justices shall be deposited with and remain in the Custody of the said Clerk of the Peace.

Houses and Gardens not to be used without Consent unless specified in the Schedule.

V. Provided also, and be it further enacted, That nothing herein contained shall authorize the said Company or any Person acting under their Authority to take, injure, or damage, for the Purposes of this Act, any House or other Building which was erected or built on or before the Thirtieth Day of *November* One thousand eight hundred and thirty-five, other than and except such as are specified in the Schedule to this Act annexed, without the Consent in Writing of the Owner or Occupier thereof respectively, unless the Omission thereof in such Schedule shall have proceeded from Mistake, and unless it shall be so certified in manner herein-before provided for in Cases of unintentional Errors in the said Book of Reference.

Company empowered to raise 100,000*l.* by Subscription.

VI. And whereas the Works hereby authorized to be made will be attended with great Expence to the said Company, and it is therefore expedient to empower them to raise a further Sum of Money in addition to the Sums authorized to be raised by the said recited Act; be it therefore further enacted, That it shall be lawful for the said Company of Proprietors, and they are hereby authorized and empowered, to raise and contribute amongst themselves, in manner directed by the said recited Act, and in such Shares and Proportions as they may think proper, or to raise by the Admission of new Subscribers, a further Sum of Money not exceeding in the whole the Sum of One hundred thousand Pounds; and all Persons and Corporations subscribing towards raising such further Sum of Money shall be Proprietors of the said Undertaking, and have the like Votes either personally or by Proxy in respect of such additional Shares to be raised, and shall also be liable to such Forfeitures, and stand interested in all the Profits of the said Undertaking, in proportion to the Sum they shall subscribe thereto, as generally and extensively to all Intents and Purposes as if such further or other Sum hereby authorized to be subscribed for and raised had been Part of the original Capital of the said Company.

The same or Part thereof may be raised by Mortgage.

VII. Provided always, and be it further enacted, That in case the said Company shall think it more advisable to raise the Whole of the said Sum of One hundred thousand Pounds, or any Part thereof, by Mortgage on the Credit of the said Undertaking, then and in every such Case it shall be lawful for the said Company to borrow and take up at Interest by any such Mortgage as aforesaid, from any Person, upon the Credit of the said Undertaking, the Whole of the said Sum

of

of One hundred thousand Pounds, or any Part thereof; and the Directors of the said Company, after an Order shall have been made for that Purpose at any General or Special General Meeting of the Company, are hereby authorized to mortgage, assign, and charge the Property of the said Undertaking, and the Rates, Tolls, and other Sums arising or to arise by virtue of the said recited Act, or any Part thereof, in like Manner and Form, and with and subject to the like Powers and Directions for transferring every such Mortgage and registering the same, and with and subject to the like Remedies, Regulations, and Provisions touching and concerning the same and the Interest arising therefrom, as are mentioned or contained in and by the said recited Act respecting the borrowing of Money and the Securities to be made for the same.

Application of Money to be raised.

VIII. And be it further enacted, That the Money which shall be raised under the Provisions of this Act shall be applied for all or any of the Purposes of the said recited Act or of this Act as the said Company may deem expedient.

Arches may be erected over certain Passages.

IX. And whereas the Land hereby authorized to be purchased abuts on certain Passages or public Thoroughfares respectively called or known as *Glean Alley* and *Joiner Street*, in the said Parish of *Saint Olave*, over which the *London* and *Greenwich* Railway Company have already under the Powers of their Act built or erected Arches; and it is expedient that Power should be given to the said *London* and *Croydon* Railway Company to carry their Works over the said Passages, Streets, or Thoroughfares by Arches also; be it therefore further enacted, That it shall be lawful for the said Company, to the Extent of the Land they become possessed of on each Side of the said Passages, Streets, or Thoroughfares, to connect the same by Arches of the same Height as the Arches of the *London* and *Greenwich* Railway over the same Passages, Streets, or Thoroughfares respectively.

Passage from Canterbury Square to Silver Street to be discontinued, with Consent of Commissioners of Pavements and the Owners of contiguous Property.

X. And whereas the said Land hereby authorized to be purchased will abut on a certain Way or Passage leading from and out of *Canterbury Square* to *Silver Street* in the Parish of *Saint Olave* aforesaid, and which without Inconvenience to the Public might be stopped up; be it therefore further enacted, That if upon the View of the Commissioners for paving the East Division of *Southwark*, and for opening, widening, and better regulating the Streets, Lanes, and Places within the same Division, it shall to them appear that the said Way or Passage is become unnecessary, and may, without Inconvenience to the Public, or to the Owners of Houses or Tenements adjoining thereto, be discontinued and stopped up, then and in such Case it shall and may be lawful to and for the said Company, with the Consent of the said Commissioners testified by Writing under the Hand of the Clerk to such Commissioners for the Time being, and by and with the Consent of the Owner and Owners of the Houses, Lands, or Tenements adjoining to Four Parts in Five in the Length of the said Passage or Way, testified by Writing under his, her, or their Hand or Hands, to discontinue and stop up the aforesaid Way or Passage, and such Way or Passage shall be discontinued and stopped up accordingly.



XI. And

Enabling Company to take Part of the Land near Canterbury Square.

XI. And whereas the Land hereby authorized to be purchased will also abut on a certain Square called *Canterbury Square*, in the Parish of *Saint Olave* aforesaid, on the South and West Sides thereof, so as to render useless to the Public that Part of the open Space of Ground next and immediately adjoining to such Land so authorized to be purchased by the said Act, and it is expedient that the said Company should be at liberty to take and use for the Purposes of the said Work so much of the said open Space of Ground as will so become useless; be it therefore further enacted, That the said Company shall have Power to take and use for their said Works so much of the Land or open Space next adjoining to such Land as they may so purchase on the South and West Sides of the said Square as would be included in a straight Line drawn from the South Corner of the Premises now or late in the Occupation of *James Anderson* to the extreme North-east Corner of the Premises now or late in the Occupation of *John Clarke*.

Provision for Deficiency in Paving and other Rates in Southwark.

XII. And whereas by reason of taking down Houses and Buildings, and of executing this Act, there will be Deficiencies in the Rates or Assessments authorized to be made by the Commissioners for putting into execution Three several Acts, one passed in the Sixth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for paving the Streets and Lanes within the Town and Borough of* Southwark, *and certain Parts adjacent, in the County of* Surrey, *and for cleansing, lighting, and watching the same, and also the Courts, Yards, Alleys, and Passages adjoining thereto, and for preventing Annoyances therein;* 6 G. 3. c. 24. another Act passed in the Eleventh Year of the Reign of His said Majesty King *George* the Third, intituled *An Act to explain and amend so much of an Act of the Sixth Year of His present Majesty, for paving the Town and Borough of* Southwark *in the County of* Surrey, *as relates to the Commissioners of Sewers, and for regulating the Manner of taxing Churches and other public Buildings within the Limits of the said Act;* 11 G. 3. c. 17. and another passed in the Twenty-eighth Year of the Reign of His said Majesty King *George* the Third, intituled *An Act for enabling the Commissioners for putting into execution an Act made in the Sixth Year of the Reign of His present Majesty, for paving the Streets and Lanes within the Town and Borough of* Southwark, *and certain Parts adjacent, in the County of* Surrey, *and for cleansing, lighting, and watching the same, and also the Courts, Yards, Alleys, and Passages adjoining thereto, and for preventing Annoyances therein, to open, widen, and better regulate the several Streets, Lanes, and Passages within the East Division in the said Act described;* 28 G. 3. c. 68. be it therefore enacted, That the said Company, from and after the passing of this Act, and until the Works hereby authorized to be made shall be completed and assessed to such Rates respectively, shall be subject and liable to be rated and assessed to the respective Rates and Assessments aforesaid for or in respect of all and every Land, Ground, House, Shop, Warehouse, Coach-house, Stable, Building, Manufactory, Garden, Cellar, Vault, or other Tenement or Hereditament which the said Company shall, for the Purposes of this and the said recited Act of the Fifth Year of the Reign of His present Majesty, or either of them, pull down or demolish, or which shall become

become unoccupied by reason of any Notice or other Proceeding given or taken to or by the said Company, according to the Rental at which the same are or shall be respectively rated and assessed in and by the said several Rates and Assessments at the Time of the passing of this Act, and shall pay the same accordingly, on Demand thereof, to the respective Collectors of the said Rates or Assessments, or other Person duly authorized to receive the same.

Provision for Deficiencies in Poor Rates in St. Olave.

XIII. And whereas by reason of taking down the Houses and Buildings which the said Company are hereby authorized to take for the Purposes of this Act there will be Deficiencies in the Produce of the Poor, Church, and Rector's Rates of the said Parish of *Saint Olave*; be it therefore enacted, That the said Company, from and after the passing of this Act, and until the Works hereby authorized to be made shall be completed and assessed to such Rates respectively, shall be subject and liable to be rated and assessed to the respective Rates and Assessments aforesaid for or in respect of all and every Land, Ground, House, Shop, Warehouse, Coach-house, Stable, Yard, Building, Manufactory, Garden, Cellar, Vault, or other Tenement or Hereditament which the said Company shall, for the Purposes of this Act or the said recited Act, take, purchase, pull down, or demolish, or which shall become or remain unoccupied by reason of any Notice or other Proceeding given or taken to or by the said Company, according to the Amount or annual Value at which the same are or shall be assessed to such of the said Rates respectively as shall have been made and assessed next preceding the passing of this Act, and at such Rate and Proportion as the Owners or Occupiers of other Lands, Tenements, Houses, Manufactories, and Buildings in the said Parish of *Saint Olave* shall from Time to Time be assessed to such Rates respectively.

For Recovery of Rates.

XIV. And be it further enacted, That all and every the Rates herein-before mentioned, and the Sums of Money which shall become payable on account thereof under or by virtue of this Act, shall be paid and payable by the Treasurer of the said Company to the respective Collectors of such Rates; and in case of Default of such Payments by the said Treasurer for the Space of Twenty Days after Demand in Writing made or given to such Treasurer by the Collector of any such Rate or Rates, such Collector shall or may bring or cause to be brought any Action of Debt or special Action on the Case, or other Action, in any of His Majesty's Courts of Record at *Westminster*, or to proceed in the Court of Requests for the Town and Borough of *Southwark* and the Eastern Half of the Hundred of *Brixton* in the County of *Surrey* against such Treasurer, for Recovery of any such Rate or Assessment so in arrear, by and in the Name of the Collector entitled to receive the same, with full Costs of Suit; and the said Court of Requests are hereby authorized and empowered to hear and determine such several Claims, and to proceed thereon in such Manner as they are now authorized and empowered to do for Recovery of any Debt.

In case any Difference shall arise

XV. Provided always, and be it further enacted, That for settling Differences between the said Company and the Owners, Lessees, and

and Occupiers of or Persons interested in any Lands which shall or may be taken, used, damaged, or injuriously affected by the Execution of any of the Powers granted by this Act, the Warrant or Warrants, Precept or Precepts, to impannel, summon, and return a Jury or Juries, shall (instead of being directed to the Sheriff or a Coroner of the said County of *Surrey*, as directed by the said recited Act,) be directed to the High Bailiff of the Borough of *Southwark*; and such Jury, instead of being impannelled, summoned, and returned by the Sheriff or Coroner, shall be impannelled, summoned, and returned by the said High Bailiff; and the Persons so to be impannelled, summoned, and returned, instead of appearing before the said Sheriff, Coroner, or other Person, shall be and are hereby required to appear before the Justices of the Peace for the said Borough of *Southwark* at some Special or Quarter Session of the Peace to be holden in or for the said Borough, or some Adjournment thereof (as the Case may require), at such Time and Place as in such Warrant or Warrants, Precept or Precepts, shall be appointed; and all the Directions and Provisions contained in the said recited Act with respect to the Settlement of Differences between the said Company and the Owners, Lessees, and Occupiers of or Persons interested in Lands, by Juries summoned by and appearing before the said Sheriff or Coroner, shall extend and be applied, with respect to the Settlement of such Differences relating to Lands taken, used, damaged, or affected in the Execution of the Powers of this Act, by Juries summoned by the said High Bailiff, and appearing before the said Justices as aforesaid; and all Verdicts and Judgments in pursuance of this Act shall be signed by the Clerk of the Peace for the said Borough of *Southwark*, and entered among the Records of the said Sessions.

respecting the Lands to be taken a Jury to be summoned by the High Bailiff to appear before the Sessions for Southwark.

XVI. And be it further enacted, That it shall not be lawful to or for the said Company, or any Person acting by or under their Authority, to break or take up or disturb, or cause to be broken or taken up or disturbed, any of the Pavements in any Street, Lane, or Place within the East Division of the Town and Borough of *Southwark* and certain Parts adjacent in the County of *Surrey* for any of the Purposes of the said recited Act of the Fifth Year of His present Majesty or this Act, unless Notice in Writing of their Intention to break or take up such Pavement, signed by the Clerk to the said Company, specifying the Street, Lane, or Place, and the particular Part of such Street, Lane, or Place, in which such Pavement is intended to be broken or taken up, shall have been given to the Surveyor to the Commissioners having the Control of the Pavement within the said East Division and Parts adjacent, or shall have been left for him at his Dwelling House or Office for the Space of Seven Days at the least before such Pavement or any Part thereof shall be so broken or taken up; and that if the said Company or any Person acting by or under their Authority shall break or take up or disturb, or cause to be broken or taken up or disturbed, any such Pavement without such Notice being given or left as aforesaid, then and in every such Case the said Company shall forfeit and pay to the said Commissioners having the Control of the Pavement within the said East Division and Parts adjacent, or to their Treasurer,

Notice to be given of breaking up Pavement.

Treasurer, Clerk, or Surveyor, or to such other Person as they may appoint, the Sum of Forty Shillings for every Square Foot of Pavement which shall be so broken or taken up without such Notice being given or left as aforesaid, to be recovered and levied in such Manner as other Penalties and Forfeitures by the said recited Act of the Fifth Year of the Reign of His present Majesty, or by this Act imposed, are directed to be recovered and levied.

Pavement taken up by Company to be reinstated by the Commissioners at the Expence of the Company.

XVII. And be it further enacted, That whenever and so often as the said Company shall break or take up, disturb or remove, the Stones, Ground, Soil, or Pavement in or of any Street, Lane, or Place under the Control or Jurisdiction of the said Commissioners as aforesaid, or any Part thereof, for the Purposes of this and the said recited Act or either of them, and that it shall be necessary that such Stones, Ground, Soil, or Pavement, or any Part thereof, should be reinstated, or the Pavement of any such Street, Lane, or Place so broken or taken up, or disturbed or removed, or any Part thereof, should be made good, or that any of the Stones, Ground, Soil, or Pavement near or contiguous thereto should be relaid or reinstated, the same shall be reinstated and placed, and made or relaid, in as good State and Condition as the same was or were severally in at the Time of such Stones, Ground, Soil, or Pavement, or any Part thereof, being so broken or taken up, or disturbed or removed, by and under the Direction of the said Commissioners, but nevertheless at the Cost, Charge, and Expence of the said Company.

Expences of reinstating Pavement to be recovered by Action against the Railroad Company.

XVIII. And be it further enacted, That it shall be lawful for the said Commissioners of Pavements for the East Division of *Southwark* and certain Parts adjacent in the County of *Surrey*, and they are hereby required, to give Notice in Writing signed by any Five or more of them, or by their Treasurer, to the said Company, by leaving the same with their Clerk, of the Sum of Money from Time to Time paid or expended for the making good the State and Condition of such Foot and Carriage Way, Pavements, Ground, and Soil, within the said East Division of *Southwark* and Parts adjacent, under their Control and Management, which shall be so broken up or removed by the said Company, to which Notices shall be annexed the Particulars of such Costs and Expences; and in case of the Delay of Payment or of the Nonpayment thereof by the said Company for the Space of One Calendar Month next after the Delivery of such Notice, then it shall be lawful for any Five or more of the said Commissioners, as the Case may be, and they are hereby authorized and empowered, from Time to Time to bring any Action at Law in any of His Majesty's Courts of Record at *Westminster*, in their Names or in the Name of their Clerk for the Time being, against the said Company, and to recover in any such Action such Sum of Money as shall have been from Time to Time fairly and *bonâ fide* expended for the Purposes aforesaid, together with full Costs of Suit, in which Action no Essoign, Protection, or Wager at Law, or more than One Imparlance, shall be allowed: Provided always, that it shall be lawful for the said Company previous to any such Action being brought to tender unto the Treasurer of the said Commissioners, or after such Action shall be brought to pay into the Court in which such Action

shall be brought, such Sum of Money as the said Company may think just and reasonable to be a Satisfaction for the Costs and Charges to be incurred by the said Commissioners as aforesaid, and if it shall appear that sufficient Satisfaction was tendered previous to the bringing such Action, or that a sufficient Sum was paid into the Court in which such Action shall be brought as aforesaid, then the Jury shall find a Verdict for no more than such Sum of Money so tendered or paid into Court, and the Defendant shall thereupon be entitled to recover his Costs of Suit, and shall have such Remedy for recovering the same as any Defendant is entitled to or may have for his Costs in other Cases.

Act not to affect Power of Commissioners of Pavement of Southwark.

XIX. And be it further enacted, That nothing in this Act contained shall extend or be construed to give to or invest the said Company, or any other Person or Persons whomsoever, with any Right, Power, or Authority which may at all interfere with the Jurisdictions, Rights, Powers, Authorities, or Provisions heretofore granted by an Act passed in the Sixth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for paving the Streets and Lanes within the Town and Borough of* Southwark, *and certain Parts adjacent, in the County of* Surrey, *and for cleansing, lighting, and watching the same, and also the Courts, Yards, Alleys, and Passages adjoining thereto, and for preventing Annoyances therein;* and by an Act passed in the Eleventh Year of the Reign of His said Majesty, intituled *An Act to explain and amend so much of an Act of the Sixth Year of His present Majesty, for paving the Town and Borough of* Southwark *in the County of* Surrey, *as relates to the Commissioners of Sewers, and for regulating the Manner of taxing Churches and other public Buildings within the Limits of the said Act;* and also by another Act passed in the Twenty-eighth Year of the Reign of His said Majesty, intituled *An Act for enabling the Commissioners for putting into execution an Act made in the Sixth Year of the Reign of His present Majesty, for paving the Streets and Lanes within the Town and Borough of* Southwark, *and certain Parts adjacent, in the County of* Surrey, *and for cleansing, lighting, and watching the same, and also the Courts, Yards, Alleys, and Passages adjoining thereto, and for preventing Annoyances therein, to open, widen, and better regulate the several Streets, Lanes, and Passages within the East Division in the said Act described;* and also by another Act passed in the Fifty-seventh Year of the Reign of His said Majesty, intituled *An Act for better paving, improving, and regulating the Streets of the Metropolis, and removing and preventing Nuisances and Obstructions therein;* but all the Rights Powers, and Authorities vested in the Commissioners for carrying the said several Acts respectively into execution shall be as good, valid, and effectual as if this Act had not been made.

6 G. 3. c. 24.

11 G. 3. c. 17.

28 G. 3. c. 68.

57 G. 3. c. 93.

Company compelled to purchase certain Property of the Dean and Chapter of Canterbury, if required.

XX. And whereas by the taking down of the Messuages, Warehouses, and Buildings which the said Company are hereby authorized and empowered to take and use, and by the Removal of the Inhabitants and Occupiers thereof, and by providing and making the said Station or Yard, and erecting Warehouses and Works, and making other Conveniences for the Purposes of this Act, it may happen that divers other Messuages, Buildings, Lands, and Hereditaments situate in *Dean Street* and *Canterbury Square* in the said Parish of *Saint Olave*

*Southwark* to the Northward or on the North Side of the present Line of the Railway from *London* to *Greenwich* (and which Railway the proposed Railway from *Croydon* to *London* is intended to join), being the Property of the Dean and Chapter of the Metropolitan Church of *Christ, Canterbury*, and their Lessees, may become greatly deteriorated in Value, and it may be extremely injurious to the said Dean and Chapter of *Canterbury* and their Lessees, and the Occupier or other Person interested in such Property, if the said Company were not compelled to purchase the whole of such Property situate as aforesaid if required by the said Dean and Chapter and their Lessees, and the Occupiers or other Person interested as aforesaid, so to do; be it therefore enacted, That in case the said Dean and Chapter of *Canterbury*, or the Lessee or Occupier or other Person interested in such Property, shall be applied to by or on behalf of the said Company to treat for, sell, or dispose of, convey or assign, for the Purposes of this Act, any Part of the Property belonging to the said Dean and Chapter of *Canterbury*, and their Lessees or Representatives, which the said Company are hereby authorized to take and the said Dean and Chapter of *Canterbury* and their Lessees, or the Occupier or other Person interested therein, shall, by Notice in Writing to be left at the Office of the said Company, require the said Company to purchase their or his Right and Interest in the whole of such Property herein-before specified, and situate as aforesaid, belonging to the said Dean and Chapter of *Canterbury* and their Lessees, or in such Part or Parts thereof as shall be specified in such Notice or Notices, the said Company shall and they are hereby required, within Three Calendar Months next after any such Notice or Notices, to treat with the said Dean and Chapter of *Canterbury*, or their Lessees, or the Person giving such Notice, for the Purchase of his Right and Interest in the said Property to be mentioned in such Notice, and for the Compensation, Recompence, and Satisfaction to be made to him for any Loss, Damage, or Injury in respect of any Good-will, Improvements, Tenants Fixtures, or otherwise; and in case the said Dean and Chapter, or the Person so giving such Notice, and the said Company, shall not agree as to the Amount or Value of the Satisfaction, Recompence, or Compensation to be given or paid for the Value of such Property, Good-will, Improvements, Tenants Fixtures, or otherwise, then the Amount or Value of such Satisfaction, Recompence, or Compensation shall be ascertained and settled by the Verdict of a Jury in the Manner herein-before and by the said recited Act directed for ascertaining and settling the Value of the other Lands, Tenements, Hereditaments, and Premises to be taken or purchased for the Purposes of this or the said recited Act.

Empowering the Dean and Chapter of Canterbury to sell.

XXI. And be it further enacted, That it shall and may be lawful to and for the said Dean and Chapter of the Metropolitan Church of *Christ, Canterbury*, and they are hereby authorized and empowered, to sell and convey the Whole or any Part or Parts of their said Estate which shall not be required or taken for the Purposes of this Act to any Person or Body Politic or Corporate whomsoever: Provided always, that the Lessees who shall be in the actual Occupation of any Part or Parts thereof shall have and be entitled to the first Option or Refusal of purchasing such Parts thereof as shall be occupied by them respectively

respectively before the same shall or may be sold or conveyed to any other Person or Persons.

If Land not purchased within One Year, compulsory Powers to cease.

XXII. And be it further enacted, That unless the said Company shall within the Space of One Year, to be computed from the passing of this Act, agree for or cause to be purchased, as in this Act is mentioned, the Lands which they are by this Act empowered to take or use for the Purposes of this Act, then and from thenceforth the Powers which are hereby granted to them for taking or using such Lands shall cease and be utterly void, save and except with the Consent of the Owners, Lessees, and Occupiers thereof.

The Company not to become Warehousemen, nor to warehouse Goods for longer than Six Days.

XXIII. And be it further enacted, That nothing herein or in the said recited Act contained shall extend, or be deemed or construed to extend to authorize or empower the said Company directly or indirectly to become Warehousemen or Wharfingers, or to warehouse any Goods, Wares, or Merchandizes whatsoever in the said Parish of *Saint Olave* in the Borough of *Southwark*, for Rent, Hire, or Profit, for any longer Period than Six Days next after the same shall have been received by the said Company at any or either of their Stations: Provided always, that this Provision shall not be applicable to the Baggage of Passengers travelling by the said Railway.

Such Bridges and Arches as may pass over public Ways or Streets to be constructed under the Superintendence of the Commissioners for paving and improving the Streets within the East Division of Southwark.

XXIV. Provided always, and be it further enacted, That the Bridges and Arches hereby required to be constructed over the Streets, Lanes, Passages, and public Thoroughfares within the said Parish of *Saint Olave*, and all Approaches, Walls, and other Works belonging to such Bridges and Arches respectively, and all Repairs and Renewals of the said several Bridges and Arches which shall hereafter be made by the said Company, shall be constructed and made and formed under the Direction and to the Satisfaction of the Commissioners for paving the East Division of *Southwark*, and opening, widening, and better regulating the Streets, Lanes, and Places within the said Division; and that the Plans and Designs for the said Bridges and Arches, and the Works belonging thereto (which shall respectively be as ornamental as shall be consistent with the Nature and Situation of the Work), and previously to the Commencement of the said Bridges and Arches Plans, Sections, and Specifications thereof, to be made at the Expence of the said Company, shall be submitted to and approved of by the Surveyor for the Time being of the said Commissioners; and in case, in the Construction of the said Bridges and Arches, or any of them, the said Company shall do or cause to be done any Injury or Damage to the said Streets, Lanes, Passages, and public Thoroughfares, and shall not forthwith proceed to repair and make good such Injury or Damage to the said Streets, Lanes, Passages, and public Thoroughfares, and shall not forthwith proceed to repair and make good such Injury or Damage to the Satisfaction of the said Commissioners, or if, by reason of the Construction of any of the Works hereby authorized or required to be constructed by the said Company, any Repairs of the said Streets, Lanes, Passages, and public Thoroughfares, or of the Drains or Sewers under the same, shall in the Judgment of the said Commissioners be rendered necessary in consequence of the Works hereby authorized to be made, then and in such Case it shall be lawful

lawful for the said Commissioners to cause all such Repairs to be made as the said Commissioners shall think fit; and all Costs and Expences of such Repairs shall be paid, on Demand, by the said Company, or in default of Payment for Twenty-one Days after such Demand may be recovered by the said Commissioners from the said Company, with full Costs of Suit, by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*: Provided nevertheless, that the Consent of the said Surveyor to the said Commissioners be not vexatiously or unreasonably withheld, and if not given within Ten Days next after the Application by the said Company the said Company shall be at liberty to proceed with their Works.

The Company compellable to take Houses, Shops, &c. within Fifty Feet of the North Side of the Works herein-after mentioned which may be injured or deteriorated in Value.

XXV. And whereas by the taking down the Messuages, Warehouses, and Buildings which the said Company are hereby authorized and empowered to take and use for the Purposes of this Act, and the Removal of the Inhabitants and Occupiers thereof, it may happen that divers other Houses, Shops, Warehouses, Manufactories, Grounds, and Buildings in the said Parish of *Saint Olave*, and near adjoining to the said Station and Works, may become greatly deteriorated in Value; be it therefore enacted, That in case the Owner, Lessee, or Occupier or other Person interested in any House, Shop, Warehouse, Manufactory, Ground, or Building in the said Parish of *Saint Olave* which shall be situate within Fifty Feet of the North Side of the Works herein mentioned, shall receive or sustain any substantial Injury thereto, and shall by Notice in Writing to be left at the Office of the said Company require the said Company to purchase his, her, or their Right and Interest in any such Houses, Shops, Warehouses, Manufactories, Ground, and Buildings, the said Company shall and they are hereby required, within Three Months next after any such Notice or Notices, to treat with the Person or Persons giving such Notice or Notices for the Purchase of his, her, or their Right and Interest in such Houses, Shops, Warehouses, Manufactories, Ground, and Buildings mentioned in such Notice or Notices respectively, and for the Compensation, Recompence, and Satisfaction to be made to him, her, or them for any Loss, Damage, or Injury in respect of any Good-will, Improvements, Tenants Fixtures, Machinery, or otherwise; and in case the Person or Persons so giving such Notice or Notices and the said Company shall not agree as to the Amount or Value of the Purchase Money, Satisfaction, Recompence, or Compensation to be paid for the Value of such Houses, Shops, Warehouses, Manufactories, Grounds, and Buildings, Good-wills, Improvements, Tenants Fixtures, and Machinery, or otherwise, then the Amount or Value of such Purchase Money, Satisfaction, Recompence, or Compensation shall be ascertained and settled by the Verdict of a Jury in the Manner by the said recited Act directed for ascertaining and settling the Value or Recompence for other Lands, Tenements, Hereditaments, and Premises to be taken or purchased for the Purposes of that Act: Provided always, that the Company shall not be compelled to purchase any such Lands or Houses after Twelve Months from the Completion of the Works hereby authorized to be made.

Expences of Title to be paid by the Company.

XXVI. And be it further enacted, That all the Costs, Charges, and Expences on the Part as well of the Seller as of the Purchaser of

all Conveyances and Assurances of any Lands which shall be purchased or taken by the said Company for the Purposes of the said Station or Yard, Warehouses and other Conveniences, in the said Parish of *Saint Olave*, or any Terms or Interests therein, and of deducing, evidencing, and verifying such Title as the said Company may require to the said Lands, or any Term or Interest therein, and of making out and furnishing such Abstract and such attested Copies as the said Company may require, and all Expences whatsoever incident to the Investigation, Deduction, and Verification of such Title, shall be exclusively borne and paid by the said Company; and the said Company, before entering into Possession of the Lands so purchased or taken, shall pay the Amount of such Costs, Charges, and Expences, or in case there shall be any Dispute about the same shall obtain such Order as herein-after mentioned, and shall deposit, for the Purpose of paying the same in such Manner as herein-after mentioned, the Amount of the Costs, Charges, and Expences claimed by the Party or Parties from whom the Lands shall be purchased or taken: Provided always, that the said Company shall not be prevented from entering into Possession of the Lands so purchased by reason of the Nonpayment of the said Costs, Charges, and Expences, or by reason of the Order herein-before mentioned not having been obtained, or the Deposit herein mentioned not having been made, unless the Party or Parties from whom such Lands shall have been purchased shall, within Seven Days after Notice in Writing for that Purpose shall have been given to them by the said Company, deliver a Bill of their said Costs, Charges, and Expences to the said Company.

In case of Dispute Costs to be taxed by a Master of the Exchequer.

XXVII. And be it further enacted, That if the said Company and the Party or Parties aforesaid cannot agree as to the Amount of such Costs, Charges, and Expences, the same shall be ascertained by the Court of Exchequer; and it shall be lawful for the said Court, on Petition to be presented by the said Company, to order and direct that such Costs, Charges, and Expences shall be referred to one of the Masters of the said Court to be taxed in the usual Manner, and such Order shall be served on the Party or Parties aforesaid, who shall be at liberty to proceed under the same; and after Taxation of such Costs, Charges, and Expences it shall be lawful for the said Court to order and direct that the Amount at which the same shall be so taxed, together with the Costs, Charges, and Expences attending the Taxation thereof, or so much of the same as shall be payable by the said Company to the Person or Persons from whom such Lands shall have been purchased or taken as herein-after mentioned, shall be paid to the Person or Persons aforesaid; and the said Money so deposited as aforesaid shall be applied, under the Direction of the said Court, towards the Payment thereof, so far as the same will extend: Provided always, that the said Company shall not be at liberty to enter into Possession of the Lands so purchased or taken until an Order shall have been made for the Taxation of the said Costs, Charges, and Expences, and the said Company shall have deposited the Sums claimed in respect of the same in the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account there *ex parte* "The *London* and *Croydon* Railway Company," pursuant to

the Method prescribed by an Act passed in the First Year of the
1 G. 4. c. 35. Reign of His late Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes;* which Sums shall be applied, under the Order of the said Court, in payment of the said Costs, Charges, and Expences: Provided always, that the Expence of determining such Costs, Charges, and Expences as aforesaid, and of obtaining the Order or Orders referring the same to be taxed, shall be paid and borne by the said Company, unless One Sixth of the said Costs, Charges, and Expences shall be disallowed, in which Case the said Expence shall be paid and borne by the Person or Persons from whom the said Lands were purchased or taken, and the Amount thereof may then be paid to the said Company out of the said Sum so deposited by them as aforesaid.

Compensation for Corn Rents in lieu of Tithes to be made by Payment of a Sum in gross.

XXVIII. And be it further enacted, That in all Cases where a Composition in lieu of Tithes shall have been made under an Act of Parliament by the Grant of a perpetual annual Sum of Money or Corn Rent, and any of the Land chargeable with such Sum of Money or Corn Rent, or any Part of the same, shall be taken by the said Company for the Purposes of the said Station or Yard, Warehouses and other Conveniences, in the said Parish of *Saint Olave*, Compensation shall be made by the said Company for the Value of the said annual Sum of Money or Corn Rent, or the Proportion of the said annual Sum of Money or Corn Rent chargeable upon the Lands so taken, by the Payment of a Sum in gross, such Sum being equal in Amount to Twenty-five Years Value of the annual Amount of the said annual Sum of Money or Corn Rent payable at the Time of the passing of this Act, or the said Proportion of the said annual Sum of Money or Corn Rent; and the said Company are hereby required to pay such Sum of Money into the Bank of *England*, in manner by the said recited Act provided in Cases where any Monies are to be paid to incapacitated Persons, before entering into the Possession of the said Lands; and from and after the Payment of such Sum the Lands so taken shall be for ever discharged of and from the said perpetual annual Sum of Money or Corn Rent, or from the proportionate Part of the said annual Sum of Money or Corn Rent, as the Case may be: Provided always, that in case Part only of any Lands and Grounds liable to the Payment of any such annual Sum or Corn Rent as aforesaid shall be purchased or taken by the said Company, nothing in this Act contained shall extend or be construed to extend to discharge the Remainder of the said Lands or Grounds from the Payment of the Remainder of the annual Sums or Corn Rents which would have been payable in respect of such Lands and Grounds after deducting therefrom the proportionate Part of the said annual Sum or Corn Rent chargeable in respect of the Lands or Grounds so purchased or taken, but that the Remainder of such Lands and Grounds shall remain and be liable to such proportionate Part or Share of the said annual Sum or Corn Rent as the same would have been assessed at or would have been payable in respect of the same in case they had been assessed alone under the Authority of the Act under which

the said Compensation for Tithes has taken place; and the Rector, Vicar, or other Person or Persons entitled to the said annual Sum or Corn Rent shall have the same Remedies for the Recovery of the said last-mentioned proportionate Part of the said Sum or Corn Rent by Suit or Action, or by Distress, Entry, or Perception of Rents and Profits in, upon, or over the said last-mentioned Lands and Grounds, or otherwise, as he or they had or were entitled to in respect of the whole of the said annual Sum or Corn Rent.

For paying Expences of the Act.

XXIX. And be it further enacted, That all the Costs, Charges, and Expences incurred in applying for, obtaining, and passing this Act or incident thereto shall be paid and defrayed out of the Funds of the said Company in preference to all other Payments whatsoever.

Nothing herein to exempt the Station hereby to be formed from the Provisions of any General Act for regulating Railroads.

XXX. Provided always, and be it further enacted, That nothing herein contained shall extend, or be construed, deemed, or taken to extend, to exempt the Station and other Works to be formed under or by virtue of the Powers in and by this Act contained and given from the Provisions of any General Act or General Acts for the Regulation of Railroads which may be passed before the Expiration of One Year from the passing of this Act, if Parliament shall be sitting at the Expiration of such Period of One Year, or (if Parliament shall not then be sitting) before the End of the then next Session of Parliament.

Public Act.

XXXI. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

SCHE-

## SCHEDULE to which the foregoing Act refers.

*Parish of Saint Olave in the Borough of Southwark in the County of Surrey.*

| No. on Plan. | Owners or reputed Owners. | Lessees. | Occupiers. | Description of Property. |
|---|---|---|---|---|
| 7. | Snow and others. | Hagger Lowe - - | John Brighton - | House, Shop, and Yard. |
| 9. | Ditto - | Ditto - - - | William Barrett - | Dwelling House, Warehouse, and Workshops. |
| 10. | Ditto - | Henry Cracklow - - | George & Joseph Farrington. | Vacant Ground. |
| 11. | Ditto - | Ditto - - - | Ditto - - | Warehouse and Yard. |
| 12. | Ditto - | Ditto - - - | Christopher Green - | Warehouse, Stable, and Shed. |
| 13. | Ditto - | Ditto - - - | John Brighton - | Stable and Shed. |
| 14. | Ditto - | James Turner - - | James Carney - | Tenement and Yard. |
| 24. | Dean and Chapter of Canterbury. | Philip Zachariah Cox and others and Henry Cracklow. | Unoccupied - - | Shop and Yard. |
| 29. | Ditto - | Philip Zachariah Cox and others. | Sam. Josh. Bayfield - | Dwelling House and Yard. |
| 30. | Ditto - | Ditto - - - | James Anderson - | Ditto. |
| 31. | Ditto - | Ditto - - - | Unoccupied - - | Ditto. |
| 32. | Ditto - | Ditto - - - | Ditto - - | Ditto. |
| 33. | Ditto - | Ditto - - - | Ditto - - | Warehouse and Gateway. |
| 34. | Ditto - | Philip Zachariah Cox and others and Henry Cracklow. | James Keough - | Cow-shed, Tenement, Yard, and Shed. |
| 36. | Ditto - | Philip Zachariah Cox and others. | Unoccupied - - | Dwelling House and Yard. |
| 37. | Ditto - | Ditto - - - | John Clarke - - | Ditto. |

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