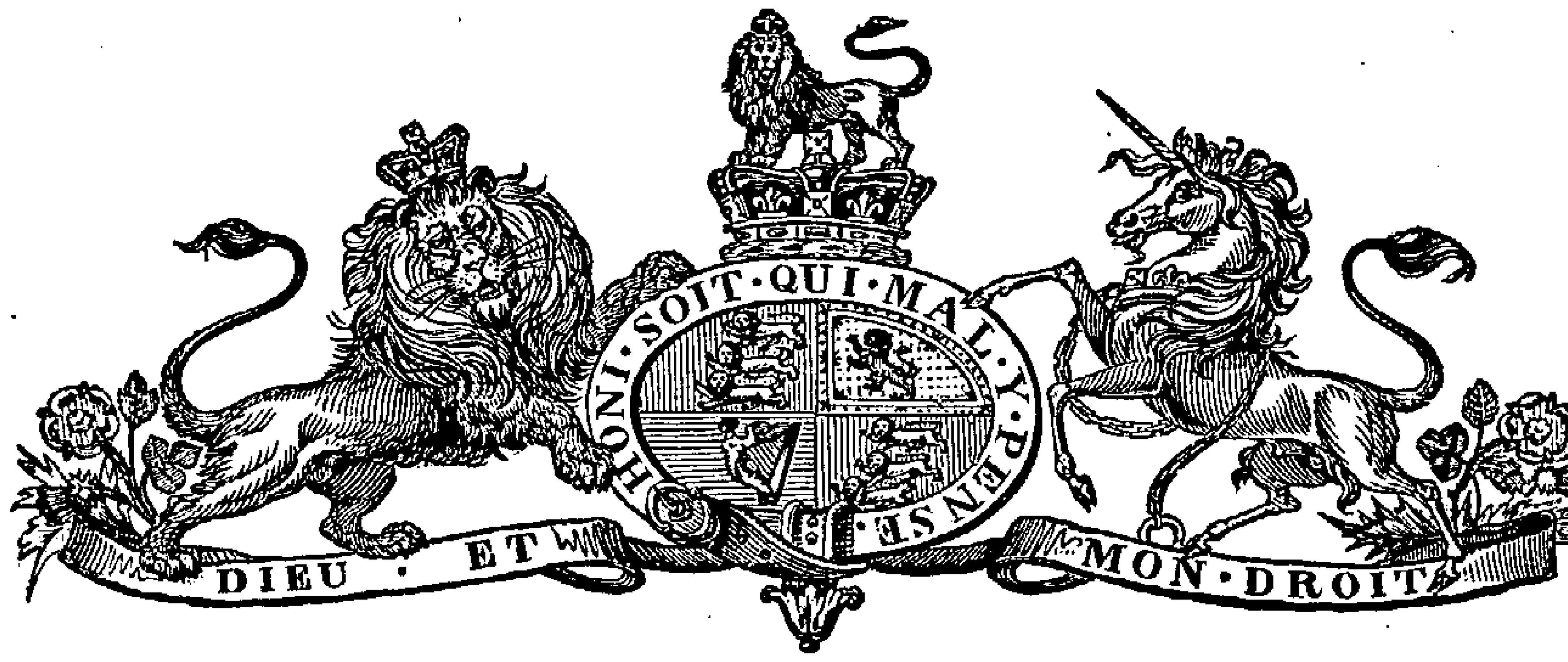


ANNO UNDECIMO & DUODECIMO

VICTORIÆ REGINÆ.

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Cap. cxxxvi.

An Act for making an Alteration in the *New Cross* Station; and for amending the Powers and Provisions of the several Acts relating to the *London, Brighton, and South Coast* Railway.

[14th *August* 1848.]

WHEREAS an Act was passed in the Ninth and Tenth Years of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act to consolidate and unite the* London and Brighton *and* London and Croydon *Railway Companies, and the Undertakings belonging to them:* And whereas divers other Acts have been passed relating to the *London, Brighton, and South Coast* Railway Company, and to the Railways amalgamated with or purchased by such Company: And whereas an Act was passed in the Eighth and Ninth Years of the Reign of Her said Majesty, intituled *An Act to enable the* London and Croydon *Railway Company to widen and improve the* London and Croydon *Railway, and also a Portion of the* London and Greenwich *Railway*, whereby the *London, Brighton, and South Coast* Railway Company are authorized to alter and enlarge, amongst other Works, the *New Cross* Station, in the Parish of *Saint Paul, Deptford*, in the County of *Surrey:* And whereas a Lane or Footpath now

9 & 10 Vict. c. 283.

8 & 9 Vict. c. 196.

passes under such Station, and the same is arched over, and it is expedient the Company should be empowered to stop up the same and make a Diversion in lieu thereof: And whereas it is expedient that some of the Provisions of the Acts relating to the *London, Brighton, and South Coast* Railway Company should be amended; but the Purposes 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, That all the Provisions of the said recited Acts relating to the *London, Brighton, and South Coast* Railway, so far as the same are or may be applicable, and are now in force, and except such of them as are by this Act repealed, altered, or otherwise provided for, or as may be inconsistent with the Provisions of "The Lands Clauses Consolidation Act, 1845," shall extend to this Act, and to the several Purposes thereof, and to the several Matters and Things hereby authorized to be done, as fully and effectually as if the said Provisions were re-enacted in this Act in reference to such Purposes, Matters, and Things; and the said Acts, and the Acts incorporated therewith, and this Act, shall be construed and read together as forming One Act.

Provisions of recited Acts extended to this Act.

Provisions of 8 & 9 Vict. c. 18. applied to this Act.

II. And be it enacted, That the Provisions of the said "Lands Clauses Consolidation Act, 1845," shall, so far as the same are applicable and are not modified by this Act or inconsistent with the Provisions thereof, be held to apply to the Purchase of Lands and Buildings for the Purposes of the Works by this Act authorized to be made, and shall be read and construed as forming Part of this Act.

Short Title.

III. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Documents of every Description, it shall be sufficient to use the Expression "The *London, Brighton, and South Coast* Railway Act, 1848."

Power to divert Five Bell Lane according to deposited Plan.

IV. And whereas a Plan and Section, showing the Situation of the *New Cross* Station, and the Diversion of the said Lane called *Five Bell Lane*, and describing the Lands to be taken for the Purposes thereof, together with a Book of Reference to the said Plan, containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands which may be required to be taken for the Purposes of such Diversion, have been deposited with the Clerk of the Peace for the County of *Surrey*: Be it enacted, That, subject to the Provisions in this Act contained, it shall be lawful for the said Company to stop up the said Lane called *Five Bell Lane*, to the Extent described on the said Plans, and to appropriate the Ground or Soil thereof, and also to make the Diversion of the said Lane upon the Lands delineated on the said Plan and referred to in the said Book of Reference deposited as aforesaid, and to enter upon, take, and use such of the said Lands as may be requisite for such Purpose.

V. And

Period for compulsory Purchase of Lands limited.

V And be it enacted, That 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.

Period for Completion of Works.

VI. And be it enacted, That the Works by this Act authorized shall be completed within Seven Years from the passing of this Act; and on the Expiration of such Period the Powers by this or the said recited Acts granted to the Company for executing the same shall cease to be exercised, except as to so much of the said Works as shall then be completed.

Saving Rights of Commissioners of Sewers.

VII. And be it enacted, That in any Case where the intended Works to be done under this Act would pass over or under or by the Side of, or in any way whatever interfere with, any Sewer, Drain, or Watercourse under the Management or Control of the Metropolis Commissioners of Sewers, or of the Commissioners of Sewers for any District or Place through which any Line of Railway and Works hereby authorized or any Part thereof shall pass, the said Company shall not proceed therein until the said Company shall have given to the said Commissioners Twenty-one Days previous Notice in Writing of their Desire, and a full Particular and Plan of the Works as affecting any Sewers, Drains, or Watercourses, and until the said Commissioners shall have sanctioned and approved the Mode of crossing or passing by such Sewer, Drain, or Watercourse; and the said Company shall and they are hereby required to comply with all such Orders and Regulations as the said Commissioners may make with reference to the Company providing by new, altered, or substituted Works for the proper Drainage of and the preventing Injury to the Sewage of the District, and for guarding against any Obstruction or Impediment to the Drainage of the District, and also for saving harmless the said Commissioners against Expense; and all such Works as shall be so required shall be done under the Direction and Control of the Surveyor or other Officer of the said Commissioners to be appointed for that Purpose; and when any new, altered, or substituted Sewers as aforesaid, or any other Works connected with Sewage, shall be completed by the said Company, the same shall thereafter be as fully and completely under the Direction, Control, and Management of the said Commissioners as any other Sewers, Drains, and Watercourses are or may be, and all the Rights, Powers, Privileges, and Authority of the said Commissioners shall remain in full force and virtue, with reference to all such Sewers, Drains, and Watercourses, for all Purposes, and shall not be prejudiced or affected by this Act.

Expenses of Act.

VIII. And be it enacted, That all the Costs, Charges, and Expenses of and attending the passing of this Act, or incidental thereto, shall be paid by the said Company out of the first Monies that shall come to their Hands, and in preference to every other Payment whatsoever.

Deposits for future Bills not to be paid out of Company's Capital.

IX. And be it enacted, That it shall not be lawful for the said Company, out of any Money by any Act relating to the said Railway Company authorized to be raised for the Purposes of such Act or Acts, to pay or deposit any Sum of Money which by any Standing Order of either

either House of Parliament, now in force or hereafter to be in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the said Company to construct any other Railway or execute any other Work or Undertaking.

Railway Company to be subject to the Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., 9 & 10 Vict. cc. 57. 105., and 11 & 12 Vict. c. 3.

X. And whereas an Act was passed in the First and Second Years of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railway;* and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways;* and another Act was passed in the Fifth and Sixth Years of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops;* and another Act was passed in the Seventh and Eighth Years of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways;* and Two Acts were passed in the Ninth and Tenth Years of the Reign of Her said Majesty, intituled respectively *An Act to regulate the Gauge of Railways*, and *An Act for constituting Commissioners of Railways;* and another Act was passed in the present Session of Parliament, intituled *An Act to give further Time for making certain Railways:* Be it enacted, That nothing in this Act contained shall be held to exempt the Railway by this Act authorized or the said Company from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railway and Company so far as the same shall be applicable thereto.

Railway to be subject to Provisions of future general Acts.

XI. Provided always, and be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railway by this Act or the said recited Acts authorized to be made from the Provisions of any general Act relating to such Acts, or of any general Act relating to Railways, now in force or which may hereafter pass during the present or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act.

Interpretation of Act.

XII. And be it enacted, That the Term "the Company" in this Act shall mean the *London, Brighton, and South Coast* Railway Company, and the Word "Lands" shall be held to include Lands, Tenements, Buildings, and Hereditaments of every Tenure and Description.

Public Act.

XIII. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

LONDON: Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1848.