CHAPTER xciii.

An Act to confer further powers on the London Brighton and South Coast Railway Company and for other purposes. [3rd July 1882.]

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WHEREAS it is expedient that the London Brighton and South Coast Railway Company (who are meant when the term "the Company" or "the Brighton Railway Company" is hereinafter used) should be authorised

To make and maintain the railways and works herein-after described; General purposes of Act.

To divert and otherwise to deal with certain roads and footpaths connected with their undertaking and to abolish certain level crossings of their railway;

And to purchase and acquire additional lands for the purposes of their undertaking;

And whereas it is expedient that the time prescribed for the sale of lands acquired by the Company under the powers of various Acts and not yet applied to the purposes of the undertakings in respect of which they were so acquired should be extended; Superfluous lands.

That the powers for the construction of the Ford junctions granted to the Company by the London Brighton and South Coast Railway (Various Powers) Act 1876 (sec. 4) should be revived and extended; 39 & 40 Vict. c. cxliv.

That the time limited by the London Brighton and South Coast Railway (Croydon Oxted and East Grinstead Railways) Act 1878 (herein-after referred to as "the Croydon and East Grinstead Railways Act 1878") for the construction of the railways herein-after mentioned should be extended; and 41 & 42 Vict. c. lxxii.

That powers should be granted jointly to the London and South-western Railway Company and to the Company for the making of roads and purchase of land at Portsea;

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Woodside and South Croydon Railway.

43 & 44 Vict. c. cl.

And whereas by the Woodside and South Croydon Railway Act 1880 a company was incorporated (herein-after called "the Woodside Railway Company") for making a railway about two miles and a half in length in the parish of Croydon commencing by a junction with the South-eastern Railway and terminating by a junction with railway No. 1 authorised by the Croydon and East Grinstead Railways Act 1878 and it has been agreed between the company so incorporated and the South-eastern and the Brighton Railway Companies and it is expedient that the point of junction with the Croydon and East Grinstead Railway should be varied:

And whereas it is expedient that the other provisions herein-after contained should be made:

And whereas plans and sections showing the lines and levels of the railways and other works authorised by this Act and the lands in or through which the same are intended to be made and plans of the lands which the Company either solely or jointly with other companies are by this Act empowered to acquire and appropriate and a book of reference to such plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the said lands have been deposited with the respective clerks of the peace for the counties of Surrey Sussex and Southampton and those plans sections and books of reference are in this Act referred to as the deposited plans sections and books of reference respectively:

And whereas the objects of this Act cannot be attained 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 London Brighton and South Coast Railway (Various Powers) Act 1882.

Incorporation of general Acts. 8 & 9 Vict. c. 18. 23 & 24 Vict. c. 106. 32 & 33 Vict. c 18. 8 & 9 Vict. c. 20. 26 & 27 Vict. c. 92.

2. The following Acts and parts of Acts are excepting where the same are expressly varied by this Act incorporated with and form part of this Act namely—

The Lands Clauses Consolidation Acts 1845 1860 and 1869;

The Railways Clauses Consolidation Act 1845; and

Parts I. and II. of the Railways Clauses Act 1863 relating respectively to the construction of a railway and to extension of time.

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Interpretation.

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

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 the parishes of Saint Olave and Saint Thomas Southwark mean the clerk of St. Olave District Board of Works:

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

Power to make railways, &c.

4. Subject to the provisions of this Act the Company may make and maintain in the lines and according to the levels shown on the deposited plans and sections the railways and works hereinafter described with all proper stations sidings approaches works and conveniences connected therewith respectively and may exercise the following powers with respect thereto and in connexion therewith and may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited books of reference as may be required for those purposes and the Company may abandon the formation of the portions of their authorised railway herein-after defined and rendered unnecessary by the new work.

The railways and works herein-before referred to and authorised by this Act are:—

(1) Keymer Up Junction.—A railway (6 furlongs 9 chains in length) wholly in the parish of Keymer in Sussex commencing by a junction with the London and Hastings line of the Company near and north-westward of the boundary post denoting the division between the parishes of Keymer and Ditchling and terminating by a junction with the up main line of railway of the Company near and northward of the bridge which carries that railway over Lye Lane and the Company may abandon the construction of the "Keymer Up Junction" authorised by the 4th section of the London Brighton and South Coast Railway (Various Powers) Act 1879; 42 & 43 Vict. c. xxxi.

(2) A railway (2 furlongs 3 chains and 50 links in length) wholly in the parishes of Old and New Shoreham in Sussex commencing by a junction with the up line of the Company's Shore-

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ham and Horsham Railway near the crossing thereby of Victoria Road in Shoreham and terminating by a junction with the up line of the Company's Brighton and Portsmouth line near and eastward of Buckingham Lane in Shoreham aforesaid;

(3) The Company may vary the authorised point of junction at Selsdon Road in the parish of Croydon of the Woodside and South Croydon Railway with railway No. 1 of the Croydon Oxted and East Grinstead Railways of the Company by the construction of a new railway (4 furlongs 3 chains and 60 links in length) wholly in the said parish commencing by a junction with the authorised Woodside and South Croydon Railway about 220 yards measured in a northerly direction on the said railway from the authorised junction thereof with the said railway No. 1 and terminating by a junction with the said railway No. 1 at about 374 yards north of the public road leading from Croydon to Sanderstead and the construction of so much of the Woodside and South Croydon Railway as extends from the commencement of the railway hereby authorised to the said authorised point of junction shall be abandoned Provided that the said new railway may be constructed by the Company jointly with the South-eastern Railway Company or by the Woodside and South Croydon Railway Company and the said varied line of railway shall for the purposes of toll and otherwise be deemed part of the Woodside and South Croydon Railway.

For protection of Croydon local board.

5. For the protection of the local board for the district of Croydon in the county of Surrey in this section called "the local board" the following provisions shall have effect that is to say:

(a) Every bridge to be constructed by the Company within the district of the local board for carrying the railway over any highway shall as far as practicable be made and maintained water-tight and so as to deaden so far as is practicable the sound of engines carriages and traffic passing over the same:

(b) The two footpaths shown upon the deposited plans and marked as footpaths traversing the property numbered on the deposited plans 1 A in the parish of Croydon shall be kept open and shall be carried by means of a footbridge or subway as may be most convenient across the line of the Woodside and South Croydon Railway or any authorised extension thereof and across the line of the already constructed Croydon Oxted and East Grinstead Railway No. 1 unless such footpath shall be diverted as herein-after provided so as to be passed

under the said latter railway by an existing opening therein Such footbridge or subway shall be constructed by and at the expense of the Company and the South-eastern Railway Company at a point to be determined by agreement between the engineer of the local board on the one hand and the engineers of the Company and the South-eastern Railway Company respectively on the other hand or failing agreement by an engineer to be appointed on the application of the local board or the companies by the president for the time being of the Institution of Civil Engineers and in the event of the Companies desiring to divert the existing footpaths or either of them so that the same may not interfere with a station proposed to be built at or near the site of the said footpaths the same may be so diverted but the line of such diversion shall be settled by agreement between the said engineers or failing agreement by reference in manner herein-before provided In the event of any such diversion the diverted footpath or footpaths as the case may be shall be constructed and properly made up and metalled at the sole expense of the Companies and to the reasonable satisfaction of the engineer of the local board and the costs of the local board of and incidental to any such diversion shall be borne by the Companies.

(c) The bridge for carrying the railway in the parish of Croydon authorised by this Act across the road numbered on the deposited plans 1 B in that parish shall be constructed as a brick bridge with a single span of thirty-five feet in the clear measured on the square and a headway of fifteen feet from the surface of the road to the soffit of the arch.

(d) The gradient of the eastern approach of Saint James Road to Windmill Bridge shall not be increased.

(e) The additional arches which by this Act the Company are authorised to construct on the eastern side of the bridge in the parish of Croydon which carries Saint James Road over the main line of the Company shall be so constructed as to permit the Saint James Road to be widened to a width of forty feet in the clear and shall be so constructed as not to render necessary any alteration of the gradient of the roadway above such arches.

Power to cross a certain road on the level.

6. Subject to the provisions in the Railways Clauses Consolidation Act 1845 and in Part I. (relating to the construction of a railway) of the Railways Clauses Act 1863 contained in reference to the crossing of roads on the level the Company may in the construction

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of the railway carry the same with a single line only whilst the railway shall consist of a single line and afterwards with a double line only across and on the level of the road next herein-after mentioned (that is to say):

No. on deposited Plan.	Parish.	Description of Road.
15	New Shoreham.	Public road.

Provided that the Company shall before laying any additional rails across the said road construct a subway for foot passengers under their railway at the point of crossing and shall thereafter properly maintain such subway.

Railways to form part of London Brighton and South Coast Railway.

7. Subject to the provisions of this Act the railways (1) and (2) and the works connected therewith respectively executed under the authority of this Act and herein-before described as situated respectively in the parishes of Keymer and Shoreham shall for the purposes of toll and all other purposes whatsoever be part of the London Brighton and South Coast Railway and of the undertaking of the Company.

Period for completion of railways.

8. If the said railways (1) and (2) authorised by this Act are not completed within five years and if the deviation hereby authorised of the Woodside and South Croydon Railway is not completed within three years from the passing of this Act then on the expiration of those respective periods the powers by this Act granted for making and completing the said railways and deviation or otherwise in relation thereto shall cease to be exercised except as to so much thereof as is then completed.

Revival of powers for construction of Ford junctions.

9. The powers granted to the Company by the London Brighton and South Coast Railway (Various Powers) Act 1876 for the construction and completion of the railways Nos. 1 and 2 described in and authorised by section 4 of the said Act shall be and the same are hereby revived and may be exercised by the Company until the first day of July one thousand eight hundred and eighty-five.

Extension of time for construction of certain railways.

10. The period limited by the Croydon and East Grinstead Railways Act 1878 for the construction and completion of the railways described in the fourth section of that Act is hereby extended until the seventeenth day of June one thousand eight hundred and eighty-three.

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11. If the Company fail to complete the railways which they are herein-before authorised to construct or complete within the respective periods limited by this Act the Company shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until the railway in the completion of which default is made is completed and open for public traffic or until the sum received in respect of such penalty shall amount to five per centum on the estimated cost of such railway and the said penalty may be applied for by any landowner or other person claiming to be compensated in accordance with the provisions of the next following section of this Act or by the Solicitor of Her Majesty's Treasury and in the same manner as the penalty provided in section 3 of the Railway and Canal Traffic Act 1854 and every sum of money recovered by way of such penalty as aforesaid shall be paid under the warrant or order of such court or judge as is specified in that section to an account opened or to be opened in the name and with the privity of Her Majesty's Paymaster General on behalf of the Chancery Division of the High Court of Justice in the bank and to the credit specified in such warrant or order and shall not be paid thereout except as herein-after provided but no penalty shall accrue in respect of any time during which it shall appear by a certificate to be obtained from the Board of Trade that the Company was prevented from completing or opening such line by unforeseen accident or circumstances beyond their control Provided that the want of sufficient funds shall not be held to be a circumstance beyond their control.

Penalty unless railways are opened within the time limited.

17 & 18 Vict. c. 31.

12. Every sum of money so recovered by way of penalty as aforesaid shall be applicable and after due notice in the "London Gazette" shall be applied towards compensating any landowners or other persons whose property may have been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the railways or any portion thereof or who may have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act and for which injury or loss no compensation or inadequate compensation shall have been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Chancery Division of the High Court of Justice may seem fit and if no such compensation shall be payable or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid shall have been found sufficient to satisfy all just claims in respect of such compensation then the said sum or sums of money recovered by way of penalty or such portion thereof as may not be required as aforesaid shall be forfeited to Her Majesty

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and accordingly be paid or transferred to or for the account of Her Majesty's Exchequer in such manner as the said Division thinks fit to order on the application of the Solicitor of Her Majesty's Treasury and shall be carried to and form part of the Consolidated Fund of the United Kingdom or in the discretion of the said Division if the Company is insolvent and has been ordered to be wound up or a receiver has been appointed shall wholly or in part be paid or transferred to such receiver or to the liquidator or liquidators of the Company or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof.

Further works by the Company.

13. Subject to the provisions of this Act the Company may make and maintain in the lines and according to the levels shown on the deposited plans and sections the works herein-after described and may exercise the powers herein-after mentioned and may for the purposes aforesaid make such alterations in the levels of the streets roads and footpaths affected thereby as are shown upon the deposited plans and sections making compensation to all parties whose property is injuriously affected by such alterations and in addition to any other lands which they are by this Act authorised to acquire may enter upon and take and use such of the lands delineated on the deposited plans and described in the deposited books of reference as may be required for those purposes:

They may construct additional arches on the eastern side of the bridge in the parish of Croydon in the county of Surrey which carries St. James Road over the main line of the Company;

They may construct additional arches on both sides of the bridge in the parish of Brighton in the county of Sussex which carries the goods line of the Company over New England Road;

They may make a new footpath in the parish of East Grinstead in Sussex commencing in and out of the public road numbered 23 in the plans deposited in respect of the said Croydon and East Grinstead Railways Act 1878 and terminating in the footpath leading to St. Margaret's Home near the north-west corner of the East Grinstead Gasworks;

They may divert in the said parish of East Grinstead so much of the public road leading to the East Grinstead Gasworks from the main road from London to East Grinstead as lies between the junction of the said public road with the said main road and a point 20 yards measured in an easterly direction along the said public road;

They may divert in the said parish of East Grinstead so much of the public road leading to Green Hedges out of the road from

Lingfield to East Grinstead as lies between the point of junction of those two roads and a point 60 yards measured along the said public road in a north-easterly direction from the said junction;

They may divert in the parish of Oxted in Surrey the public footpath passing diagonally through the wood or plantation of Granville William Gresham Leveson-Gower Esq. commencing at the point where it crosses the western boundary of the land of the Company and terminating at the point where it crosses the eastern boundary of the said land;

They may divert in the parish of Crowhurst in Surrey a footpath leading from the junction of the public roads from Lingfield and Oxted to Edenbridge such diversion commencing in that footpath about 50 yards and terminating about 185 yards measured along the footpath in a south-easterly direction from such point of junction;

They may divert in the parish of Selham the public footpath leading from the high road from Petworth to Midhurst near Malthouse Farm to the high road from Selham to East Lavington which footpath crosses the Midhurst branch railway of the Company on the level at Selham Station;

The Company may stop up and extinguish all rights of way over

(a) So much of the footway in the parish of Cocking in Sussex leading from Hawley Farm to Cocking Causeway as lies between that farm and the road leading out of Bell Lane from near the rectory;

(b) So much of the footpath in the said parish of East Grinstead as crosses on the level the said railway No. 2 authorised by the Croydon and East Grinstead Railways Act 1878 and the East Grinstead Junction Railway authorised by the London Brighton and South Coast Railway (Various Powers) Act 1879 at points on those respective railways 200 yards or thereabouts south of the junction of those railways;

(c) So much of the footpath in the said parish of East Grinstead leading from East Grinstead past Green Hedges to Saint Margaret's Home as lies between the point where it will be crossed by the herein-before proposed new footpath and the point of termination of that footpath;

(d) The footpath in the parish of Oxted in the county of Surrey leading from the road from Limpsfield to Oxted Church and the road from the village of Oxted to the said church;

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(e) So much of the footpath in the parish of Lingfield in Surrey leading from Lingfield to Dorman's Land and about 145 yards north of the new railway bridge across the road from Lingfield to Dorman's Land as crosses the land of the Company;

(f) So much of the footway in the said parish of Lingfield skirting the south side of the wood belonging or reputed to belong to Mrs. Saint Clair as crosses the land of the Company.

Portions of roads and footpaths superseded to vest in Company. Repair of new or substituted roads.

14. When the said diversions herein-before authorised are made and opened for public use all rights of way in and over or affecting the portions of roads and footpaths in the stead of which the new roads and footpaths are made shall cease and be extinguished and such portions of roads and footpaths shall vest in the Company for the purposes of their undertaking so far as the same respectively are bounded on both sides by lands of the Company and the new roads and footpaths shall when made and completed respectively from time to time be repaired and maintained with respect to the surface thereof by and at the expense of the same authorities or persons in the same manner and to the same extent as the remaining portions of the same roads and footpaths respectively are maintained and repaired but the substructure thereof whether the same be a bridge or embankment or otherwise shall be maintained by the Company.

For the protection of the corporation of Brighton.

15. In constructing the additional arches on both sides of the bridge in the parish of Brighton in the county of Sussex which carries the goods line of the Company over New England Road the following provisions for the protection of the mayor aldermen and burgesses of the borough of Brighton shall have effect that is to say:

(1.) Every such arch shall have a clear span and headway not less than the span and headway of the arch of the existing bridge in extension of which it is constructed;

(2.) The said bridge and the additional arches shall so far as practicable be made and maintained water-tight and so as to prevent the dropping of water upon the roadways or footways below and shall also be so constructed as to deaden as far as possible the sound of engines and carriages passing thereover;

(3.) All works necessary for the construction of such additional arches shall be executed to the reasonable satisfaction of the borough surveyor for the time being;

(4.) Where in the construction of any such additional arches the surface of the said New England Road shall have been

interfered with or disturbed by the Company the Company shall well and sufficiently and to the reasonable satisfaction of the corporation restore the surface of the said road and shall maintain the said surface in an efficient state of repair for twelve months to the satisfaction of the corporation.

Power to Company and London and South-western Railway Company to make new roads at Portsea.

16. Subject to the provisions of this Act the Company and the London and South-western Railway Company may in the line shown on the deposited plans and according to the levels shown upon the deposited sections relating thereto make the new roads herein-after described with all proper works and conveniences connected therewith and may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited books of reference relating thereto as may be required for those purposes (that is to say):

Road No. 1.—A road wholly in the parish of Portsea and county of Southampton commencing at the south side of Saint Mary's Road 40 yards or thereabouts measured in a westerly direction along that road from the south-west corner of the cemetery wall and terminating at a point near the western side of the Portsmouth branch railway belonging to the two Companies about 170 yards south of the southern boundary wall of the Portsea Island union workhouse;

Road No. 2.—A road wholly in the said parish of Portsea commencing near the eastern side of the said Portsmouth branch railway about 100 yards south of the southern boundary wall of the said Portsea Island union workhouse and terminating in Albert Road at a point about 220 yards measured in a westerly direction along that road from the south-west corner of the Highland Road Cemetery.

Power to deviate in construction of roads.

17. The Company and (as the case may be) the Company jointly with the London and South-western Railway Company in constructing the new roads and alteration of roads footpaths and streets herein-before authorised may deviate from the centre lines shown on the deposited plans to the extent of the limits of deviation marked on such plans respectively but so nevertheless that no part of such deviation be constructed beyond the said limits and may deviate from the levels shown on the deposited sections to any extent not exceeding five feet but not so as to increase the rate of inclination as shown on the deposited sections of any new road footpath or street.

For the protection of the corporation

18. The following provisions for the protection and benefit of the mayor aldermen and burgesses of the borough of Portsmouth

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of Portsmouth.

(herein-after called "the corporation of Portsmouth") shall have effect:

(a) The Company and the London and South-western Railway Company (in this section referred to as the "two Companies") shall make the two new roads in the parish of Portsea described and hereby authorised of a width including footpaths of not less than fifty feet and shall form curb and channel them in accordance with the byelaws of the corporation of Portsmouth and shall contribute a sum of one thousand pounds towards the cost of constructing a sewer under those roads to be paid by instalments as the work proceeds on the certificate of the surveyor for the time being of the corporation of Portsmouth;

(b) The corporation of Portsmouth may at any time under the superintendence of the engineer for the time being acting on behalf of the two Companies construct under the land railway or other works of the two Companies or either of them according to a plan approved by and to the reasonable satisfaction of such engineer any works that may be necessary for connecting the sewers that at any time hereafter may be constructed under the two roads;

(c) All costs of watching lighting and protecting the railways of the two Companies and of reinstating the said roads that may become necessary during and in consequence of the construction of any work for connecting the said sewers shall be borne and paid by the corporation of Portsmouth;

(d) Nothing in this section contained shall give the corporation of Portsmouth any right or property in the land railways or works of the two Companies or either of them other than an easement or right of constructing and maintaining such works as may be necessary for forming a connexion between the two sewers as aforesaid;

(e) If any difference shall arise between the two Companies or either of them on the one hand and the corporation of Portsmouth on the other hand as to the formation and completion of the roads approval of plans or construction of works for connecting the sewers or otherwise relative to any matter or thing provided for or enacted by this section the same shall be referred to an arbitrator to be agreed upon between the parties or failing agreement to an arbitrator to be appointed by the president for the time being of the Institution of Civil Engineers and the decision of the arbitrator so agreed upon or appointed as aforesaid shall be final and conclusive.

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Power to purchase additional lands.

19. Subject to the provisions of this Act the Company in addition to the other lands which they are by this Act authorised to acquire may enter upon and take compulsorily for the improvement and enlargement of their railway stations and works and for the construction of new stations buildings and sidings and other the purposes of their undertaking the lands herein-after described which are delineated upon the deposited plans and described in the deposited books of reference:

In Surrey—

(a) A triangular piece of land partly in the parish of Saint Olave Southwark and partly in the parish of Saint Thomas Southwark situate between the approach to the London Bridge terminus of the Company and Denman Street;

(b) Certain lands in the parish of Croydon adjoining the northern and western sides of the Norwood and Victoria branch railway of the Company and lying between their Norwood and Selhurst stations;

(c) A triangular piece of land in the said parish of Croydon adjoining the south side of a new road lately constructed by the Company for the Ecclesiastical Commissioners about 500 yards south of Norwood Junction station and also adjoining the eastern boundary of the land of the Company;

(d) Certain lands in the said parish of Croydon adjoining the west side of the main line of railway of the Company and the south side of Saint James Road;

(e) Certain lands in the said parish of Croydon adjoining the north side of the Croydon and Balham Railway and the Norbury station of the Company and the high road from London to Croydon;

(f) Certain lands in the said parish of Croydon adjoining the east side of the main line of railway of the Company and the south side of the Selsdon Road;

(g) Certain land in the parish of Coulsdon on the east side of and adjoining the Caterham Junction station and land of the Company thereat;

(h) Certain lands in the parish of Epsom abutting on the north side of the Epsom branch of the Company and the west side of High Street Epsom.

In Sussex—

(i) A strip of land in the parish of Worth in the county of Sussex adjoining the south-western side of the branch line of the Company from Three Bridges to Tunbridge Wells and extending

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about 500 yards along the eastern side of the main line of the Company;

(j) Certain lands in the parish of Brighton on both sides of the Kemp Town branch railway of the Company and extending northward from Elm Road about 330 yards;

(k) Certain lands in the said parish of Brighton at the Lewes Road station situate on the south side of the said Kemp Town branch between Mayo Road Richmond Road and lands belonging to the Company and on the north side of the said branch between Hollingdean Road and lands belonging to the Company;

(l) Certain land in the parish of Saint Leonard's situate at the western extremity of West Hill Road and lying between the said road and the Company's Hastings line of railway;

(m) Certain lands in the parish of Selham extending along the north-western side of the Midhurst branch railway of the Company about 470 yards in a south-westerly direction from the high road from Selham to East Lavington;

(n) Certain lands in the parish of Bosham extending on both sides of the Portsmouth railway of the Company for a distance of about 400 yards eastward of the level crossing at Bosham station;

(o) Certain lands partly in the parish of Meeching otherwise Newhaven and partly in the parish of Denton situate between the railway of the Company leading from Lewes to Seaford the River Ouse and the public road leading from Newhaven to Seaford;

(p) Certain lands in the said parish of Meeching otherwise Newhaven situate partly on the western side and partly on the eastern side of the road leading past the Newhaven Gasworks to the London and Paris Hotel and the Custom House and extending from the Seaford branch railway of the Company up to and including the lands used as and for the said gasworks.

Power to Company and London and South-western Railway Company to acquire additional lands. (Joint powers.)

20. Subject to the provisions of this Act the Company and the London and South-western Railway Company may enter upon and take compulsorily and may hold for the improvement and enlargement of their railway stations and works and for the construction of sidings and other station purposes the lands herein-after described which are delineated upon the deposited plans and described in the deposited books of reference:

(a) A portion of the foreshore in the parish and borough of Portsmouth in the county of Hants situate between the Dock-

yard railway of the Company "The Hard" the approach road to the Portsmouth Harbour Station and the stables of the Provincial Tramways Company Limited at Portsea.

(b) Certain lands in the parish of Portsea lying on both sides of the Portsmouth branch railway belonging to the two Companies such lands being bounded on the north by the southern wall of the Portsea Island union workhouse and by an imaginary line drawn westward across the railway in continuation of the said wall and bounded on the south by Milton Lane;

Provided that the Companies shall not acquire any right to the soil of the portion of foreshore herein-before described (a) but only an easement therein for the purposes mentioned in this section and that any works constructed by the said Companies or either of them thereon shall be upon iron piles in all respects to the satisfaction of the Commissioners for executing the office of the Lord High Admiral of the United Kingdom and so as to admit of the use of the said portion of foreshore by the said Commissioners as a timber pond And provided also that nothing contained in this Act shall interfere with or prejudicially affect any lease or grant or agreement for a lease which may be granted by the said Commissioners at any time within two years after the passing of this Act of any part of the said portion of foreshore to the Provincial Tramways Company Limited or shall enable the two Companies unless with the consent in writing of the said Tramways Company to enter upon take or use any land so demised or agreed to be demised to the said Tramways Company. And provided also that previously to the construction of any such works as aforesaid the Companies will at their cost remove the timber now being on the foreshore to such place as may be directed by the said Commissioners and will at the like cost on the completion of such works remove the timber back to the foreshore.

Provided also that the Company and the London and South-western Railway Company shall not nor shall either of them erect on the foreshore described in sub-section (a) any structure above the level of the rails other than signals signal-boxes or platforms nor use nor suffer the same to be used for public advertisements or placards other than notices or time bills of the Companies without the consent of the corporation of Portsmouth under their common seal.

Power to take easements &c. by agreement.

21. Persons empowered by the Lands Clauses Consolidation Act 1845 to sell and convey or release lands may if they think fit subject to the provisions of that Act and of the Lands Clauses Consolidation Acts Amendment Act 1860 and of this Act grant to

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the Company any easement right or privilege (not being an easement of water) required for the purposes of this Act or any of the purposes of their undertaking in over or affecting any such lands and the provisions of the last-mentioned Acts with respect to lands and rentcharges as far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights or privileges as aforesaid.

Period for compulsory purchase of lands.

22. The powers 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.

23. The Company shall eight weeks at least before they take in any parish fifteen houses or more occupied either wholly or partly by persons belonging to the labouring classes as tenants or lodgers make known their intention to take the same by placards hand-bills 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 they have so made known their intention.

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

24. Before taking in any parish fifteen houses or more occupied either wholly or partly by persons belonging to the labouring classes as tenants or lodgers who may for the time being be the occupier or occupiers of any house or part of any house which the Company are by this Act authorised to acquire the Company shall (unless the Company and such person or persons otherwise agree) procure sufficient accommodation elsewhere for such person or persons 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 procuring such accommodation appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase by agreement such further lands as may be necessary for such purpose and may on such lands erect labouring-class dwellings and may let or otherwise dispose of such lands and dwellings and may apply for the purposes of this section or any of them any moneys they may have already raised or are authorised to raise.

Extending time for sale of certain superfluous lands.

25. The Company may notwithstanding anything to the contrary in the Lands Clauses Consolidation Act 1845 or in any Act relating to the Company with which that Act is incorporated retain and hold any lands acquired by them under any former Act in the parishes of Saint Olave Southwark Saint Thomas Southwark Leatherhead Fetcham and Dorking in the county of Surrey and

Broadwater in the county of Sussex which have not yet been applied to the purposes for which they were acquired or sold and which are not situate near to or adjoining any railway or station of the Company or which are not required for the purposes of stations sidings or other conveniences for the period of two years from the passing of this Act:

But the Company shall at the expiration of such period of two years sell and dispose of all such parts of those lands respectively as shall not then have been applied to or are not then required for the purposes of the said railway as superfluous lands.

Compensation for damage to land by entry &c. for purposes of railways abandoned.

26. The abandonment by the Company under the authority of this Act of the Keymer Up Junction Railway and the abandonment of the portion herein-before described of the Woodside and South Croydon Railway herein-before authorised to be abandoned shall not prejudice or affect the right of the owner or occupier of any land to receive compensation for any damage occasioned by the entry of the Company or of the Woodside and South Croydon Railway Company (as the case may be) on such land for the purpose of surveying and taking levels or probing or boring to ascertain the nature of the soil or setting out of the line of railway and shall not prejudice or affect the right of the owner or occupier of any land which has been temporarily occupied by the Companies respectively to receive compensation for such temporary occupation or for any loss damage or injury which has been sustained by such owner or occupier by reason thereof or of the exercise as regards such land of any of the powers contained in the Railways Clauses Consolidation Act 1845 the London Brighton and South Coast Railway (Various Powers) Act 1879 and the Woodside and South Croydon Railway Act 1880.

Compensation to be made in respect of portions of railways abandoned.

27. Where before the passing of this Act any contract has been entered into or notice given by the Company for the purchasing of any land for the purposes of or in relation to the railway and portion of railway authorised to be abandoned by this Act the Company or the Woodside and South Croydon Railway Company (as the case may be) shall be released from all liability to purchase or to complete the purchase of any such lands but notwithstanding full compensation shall be made by the said Companies respectively to the owners and occupiers or other persons interested in such lands for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or notice and the amount and application of the compensation shal be determined in manner provided by the Lands Clauses Consoli-

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dation Act 1845 as amended by any subsequent Act for determining the amount and application of compensation paid for lands taken under the provisions thereof.

Classification table to be opened for inspection. Copies to be sold.

28. The book tables or other document in use for the time being containing the general classification of goods carried by goods or merchandise train on the railways of the Company shall during all reasonable hours be open to the inspection of any person without the payment of any fee at every station at which goods or merchandise are received for transmission and such book tables or other document as annually revised shall be kept on sale at the principal office of the Company at a price not exceeding one shilling.

Terminal charges if any to be specified on application.

The Company shall within one week after application in writing made to the secretary of the Company by any person interested in the carriage of any goods which have been or are intended to be carried over the railway render an account to the person so applying in which the charge made or claimed by the Company for the carriage of such goods shall be divided and the charge for conveyance over the railway shall be distinguished from the terminal charges if any and if any terminal charge is included in such account the nature and detail of the terminal expenses in respect of which it is made shall be specified.

Penalty.

If the Company fail to comply with the provisions of this section they shall for each offence and in the case of a continuing offence for every day during which the offence continues be liable to a penalty not exceeding five pounds which penalty shall be recovered and applied in the same manner as penalties imposed by the Regulation of Railways Act 1873 section 14.

36 & 37 Vict. c. 48.

Power to apply corporate funds to purposes of Act.

29. The Company may apply to the purposes of this Act any of the moneys which they now have in their hands or which they have power to raise by virtue of any Acts relating to the Company heretofore passed or which may be passed in the present session of Parliament and which moneys may not be required for the purposes to which they are by any such Acts made specially applicable.

Power to London and South-western and South eastern Railway Companies to apply corporate funds to purposes of Act.

30. The London and South-western Railway Company and the South-eastern Railway Company respectively may apply to the purposes of this Act which they are authorised to carry into effect any of the moneys which they have now in their hands or which they have power to raise by virtue of any Acts relating to them and which may not be required for the purposes to which they are by any such Acts made specially applicable.

Saving rights of Crown

31. Nothing contained in this Act or to be done under the authority thereof shall in any manner affect the title to any of the

subjects or any rights powers or authorities mentioned in or reserved by sections twenty-one and twenty-two of the Crown Lands Act 1866 and belonging to or exerciseable on behalf of Her Majesty her heirs or successors. under Crown Lands Act. 29 & 30 Vict. c. 62.

32. Nothing in this Act contained shall exempt the Company or the South-eastern Railway Company or any railway mentioned in this Act from the provisions of any general Act relating to railways or the better and 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. Provision as to general Railway Acts.

33. 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. Costs of Act.

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