ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

****

Cap. cxvi.

An Act for reviving the Powers of the *South-eastern* Railway Company for taking Lands and Buildings for the Purpose of enlarging their *London Bridge* Station on the North Side thereof, and for extending for a further Period such Powers, and for other Purposes. [4th *August* 1853.]

WHEREAS the following (Local or Local and Personal) Acts have been passed relating more or less directly to the *South-eastern* Railway Company, to wit, the several Acts of the Sixth of *William* the Fourth, Chapter Seventy-five; of the First of *Victoria*, Chapter Ninety-three; of the Second of *Victoria*, Chapter Forty-two; of the Second and Third of *Victoria*, Chapter Seventy-nine; of the Third of *Victoria*, Chapter Forty-six; of the Fifth of *Victoria*, Session Two, Chapter Three; of the Sixth and Seventh of *Victoria*, Chapters Fifty-one, and Fifty-two, and Sixty-two; of the Seventh of *Victoria*, Chapter Twenty-five; of the Seventh and Eighth of *Victoria*, Chapters Sixty-nine and Ninety-one; of the Eighth and Ninth of *Victoria*, Chapters One hundred and sixty-seven,

and One hundred and eighty-six, and One hundred and ninety-seven, and Two hundred; of the Ninth of *Victoria*, Chapters Fifty-five, and Fifty-six, and Sixty-four; of the Ninth and Tenth of *Victoria*, Chapters Three hundred and five and Three hundred and thirty-nine; of the Tenth and Eleventh of *Victoria*, Chapters One hundred and four and Two hundred and thirty; and of the Thirteenth and Fourteenth of *Victoria*, Chapter Thirty-one; and Fifteenth and Sixteenth of *Victoria*, Chapter One hundred and three: And whereas the *Saint James's Road* in the Parish of *Saint Mary Magdalen Bermondsey* has been carried over the *Bricklayers' Arms* Branch of the *South-eastern* Railway by means of a Wooden Bridge, and such Bridge and the Approaches thereto have fallen into Decay, and the Inclination of such Bridge and Approaches have been found inconvenient, and it is expedient that the said Bridge should be removed, and the said Road should henceforth be carried across the said Railway upon a Level therewith: And whereas a certain public Footpath now crosses the Line of the *South-eastern* Railway at the *Redhill* Station of that Railway in the County of *Surrey* upon a Level therewith, and for the Prevention of Danger it is expedient that such Footpath should be diverted, and carried under the said Railway: And whereas by the recited Act of the Tenth and Eleventh *Victoria*, Chapter Two hundred and thirty, the said Company were empowered to enlarge their *London Bridge* Station, and to widen and enlarge the *London and Greenwich* Railway: And whereas the Powers by this Act granted to the said Company for purchasing Lands and Buildings by Compulsion have ceased by Effluxion of Time, and it is expedient that the Powers of that Act for enlarging the *London Bridge* Station on the North Side thereof should be revived and continued for a further Period: And whereas the several 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, as follows; (that is to say,)

8 & 9 Vict. cc. 18. & 20. incorporated with this Act.

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

Power to South-eastern Railway to remove Bridge over Bricklayers Arms Branch.

II. That it shall be lawful for the *South-eastern* Railway Company to remove and discontinue a Bridge in the Parish of *Saint Mary Magdalen Bermondsey* by means of which a Road called the *Saint James's Road* is carried over the *Bricklayers' Arms* Branch of the *South-eastern* Railway, together with the Approaches to such Bridge, and to alter the Levels of the said Road, and to maintain the said *Brick-*

Bricklayers Arms Branch across the same, when altered, upon a Level therewith.

Power to divert Footpath at Redhill.

III. That it shall be lawful for the *South-eastern* Railway Company to divert a public Footpath at and near the *Redhill* Station of the *South-eastern* Railway in the County of *Surrey*, and to carry the said Footpath under the said Railway, and to stop up that Portion of the said Footpath which now crosses the said Railway upon a Level therewith.

Power to construct Works according to deposited Plans.

IV. Whereas Plans and Sections showing the Manner in which it is intended to alter the Level of the *Saint James's Road* and to divert the said Footpath by this Act authorized to be altered and diverted, and also Books of Reference to the said Plans containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and of the Occupiers of the Lands which may be required for the Purposes of the same, have been deposited with the Clerks of the Peace for the Counties of *Kent* and *Surrey*: Be it enacted, That the said *Saint James's Road* shall be altered and the said Footpath diverted in the Manner and upon the Lands delineated upon the said Plans and described in the said Books of Reference, and according to the Levels defined on the said Sections; and, subject to the Provisions in this and the Acts incorporated herewith contained, it shall be lawful for the Company to enter upon, take, and use such of the said Lands as may be necessary for the Purposes aforesaid: Provided always, that in altering the said *Saint James's Road* it shall not be lawful for the Company to make any lateral Deviation from the Course of such Road as shown on the said Plans, or to alter the said Road, excepting between the Points of intended Alteration as shown on the said Plans, and that the said Road and Approaches thereto shall be made and completed and opened to the Public within the Space of Six Months from the passing of this Act.

Footpath to be carried under Railway by means of a Tunnel.

V. That the said Footpath shall be carried under the said Railway by means of a Tunnel of not less than Nine Feet in Width at Six Feet from the Ground, and Nine Feet Six Inches in Height at the Centre thereof, and the Company shall cause such Tunnel to be well and sufficiently cleansed and lighted at all proper Seasons and Times, and the Mode of lighting the said Tunnel shall be such as shall be prescribed by some Surveyor to be appointed at the Cost of the Company by the Board of Trade.

Prescribing Width of altered Portion of St. James's Road.

VI. That the altered Portion of the said *Saint James's Road* shall be made with a Carriageway with Footpaths on both Sides thereof, and such Road shall not be less than Forty Feet in Width, inclusive of the Footpaths; and such Road and Footpaths shall be constructed to the

the reasonable Satisfaction of the Surveyor or Surveyors for the Time being to the Trustees of the *Bermondsey*, *Rotherhithe*, and *Deptford* Turnpike Roads, and to the Commissioners for improving the Parish of *Saint Mary Bermondsey*; and if any Dispute shall arise between the Company or their Engineer and the said Surveyor or Surveyors as to any Matter connected with the Formation of the said altered Road or Footpaths, such Dispute shall be referred to and finally decided by the Board of Trade.

A Foot-bridge to be constructed over the St. James's Road, if required.

VII. That the Company shall (if they shall at any Time hereafter be required by the said Trustees or Commissioners so to do) construct and maintain, in a sound and workmanlike Manner, over the said Railway, at the Point where the same crosses the *Saint James's Road*, a good and sufficient Bridge for the Use of Foot Passengers; and the Footpath over such Bridge shall be not less in Width than Six Feet in the clear, and shall be made on the East Side of the said *Saint James's Road*, and clear of the said Road and Footpaths; and the said Company shall cause such Bridge to be well and sufficiently cleansed and lighted at all proper Seasons and Times.

Where Roads shall hereafter be carried under the Railway, Company to light same.

VIII. And in order to provide for the lighting of the several Roads and Streets within the Parish of *Bermondsey* which shall hereafter be carried under the Arches of the Railway, under the Provisions of this or any of the recited Acts, be it enacted, That the said Company shall and they are hereby required, at their own Expense, to find and provide such Number of Gas Lamps, with all proper Fittings and Apparatus to the same, as shall by the Trustees of the said *Bermondsey*, *Rotherhithe*, and *Deptford* Roads and the said Commissioners for improving the said Parish of *Bermondsey* respectively reasonably be deemed necessary for well and effectually lighting with Gaslight the said Roads and Streets over which Arches shall hereafter be thrown by the Company, under the Provisions of this or any of the recited Acts, and such Lights shall be affixed up to or upon such Parts of the said Arches under the Direction of the said Trustees and Commissioners respectively, for the Public Safety, and for the Convenience and Protection of the Passengers travelling or passing through the Roads and Streets aforesaid, and the same Gas Lamps shall be kept lighted by the Company every Day and Night during such Time as the said Trustees and Commissioners shall respectively direct; and in case the said Company shall neglect, omit, or at any Time discontinue lighting such Gas Lamps during such Hours as the said Trustees and Commissioners shall reasonably require, it shall be lawful for the Commissioners for improving the said Parish of *Bermondsey* to cause the same to be lighted, or such of them as shall have been omitted or discontinued to be lighted as aforesaid, and all the Costs, Charges and Expenses which the said Commissioners shall

shall reasonably expend or incur thereby shall be paid by the Company, on Demand.

Limiting Term for compulsory taking of Lands.

IX. That the Powers of the Company for the compulsory taking of Lands for the Purpose of altering the said *Saint James's Road* and of diverting the said Footpath shall not be exercised after the Expiration of Six Months from the passing of this Act.

Limiting Time for Completion of Works.

X. That the Diversion of the said Footpath by this Act authorized shall be completed within One Year from the passing of this Act, and on the Expiration of that Period the Powers by this Act granted to the said Company for diverting the same shall cease.

Station or Lodge to be erected at Point of crossing St. James's Road.

XI. That for the greater Convenience and Security of the Public, the said Company shall erect and permanently maintain either a Station or Lodge at the Point of crossing the said *Saint James's Road* by the said *Bricklayers' Arms* Branch Railway; and the Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Road on the Level, or with regard to the Speed at which Trains shall pass such Road, as may from Time to Time be made by the Board of Trade; and if the Company shall fail to erect or at all Times maintain such Station or Lodge, or appoint a proper Person to watch or superintend the Crossing at such Point or Station, or to observe or abide by any such Rule or Regulation as aforesaid, they shall for every such Offence be liable to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred.

Board of Trade may require Bridges in lieu of level Crossings.

XII. That it shall be lawful for the Board of Trade, if it shall appear to them to be necessary for the Public Safety, at any Time hereafter to require the Company, within such Time as the said Board shall direct, and at the Expense of the Company, to carry the Road called the *St. James's Road* either over or under the said *Bricklayers' Arms* Branch Railway by means of a Bridge or Arch, in lieu of crossing the same on a Level, or to execute such other Works as under the Circumstances of the Case shall appear to the said Board to be best adapted for removing or diminishing the Danger arising from such level Crossing; but if such Road shall be so carried either under or over the Railway it shall not be necessary for the Company to erect or maintain any Station or Lodge at the Point where such Road may be crossed, or to appoint any Person to watch or superintend the Crossing thereat, nor shall they be liable to any of the aforesaid Penalties for Failure so to do.

Company to erect a Flight of

XIII. That the Company shall, within Three Calendar Months from and after the passing of this Act, and at their own Expense, in some con-

Stone Steps from Tooley Street to the Termini of the Railways.

convenient Place between *Glean Alley* and the North-east Side of *Joiner Street*, and fronting *Tooley Street*, erect, to the Satisfaction of a Surveyor to be appointed by the Commissioners of Pavements for the East Division of *Southwark* and the Company, and for ever thereafter maintain and keep open the same, a Flight of Stone Steps, with Iron or Stone Balustrade, so as to afford a good and convenient Access for the Public from *Tooley Street* to the *London Bridge* Termini of the several Railways under the Control and Management of the Company, and shall for ever thereafter, at their like Expense, keep the same lighted and cleansed, to the Satisfaction of the Surveyor for the Time being of the said Commissioners.

Interest on Calls not to be paid out of Capital.

XIV. That the Company shall not, out of any Money by any Act relating to the Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, pay to any Shareholder Interest or Dividend on the Amount of Calls made in respect of the Shares held by him: Provided always, that the Company may pay to any Shareholder such Interest or Money advanced by him beyond the Amount of Calls actually made as may be in conformity with the Provisions of the "Companies Clauses Consolidation Act, 1845."

Deposits not to be paid out of Capital.

XV. That the Company shall not, out of any Money by any Act relating to the Company authorized to be raised, pay or deposit any Sum of Money which by any Standing Order of either House of Parliament for the Time being in force may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the Company to construct any Railway or to execute any other Work or Undertaking.

Revival and Extension of Powers for purchasing Lands and Buildings for enlarging London Bridge Station on the North Side thereof.

XVI. That so much of Local and Personal Act, Tenth and Eleventh *Victoria*, Chapter Two hundred and thirty, as authorized the Company to purchase and take Lands and Buildings by Compulsion for enlarging their *London Bridge* Station on the North Side thereof shall be and is accordingly hereby revived, and the Period by that Act limited for the Exercise of those Powers shall be and is hereby extended for a Period of One Year from the passing of this Act, during which last-mentioned Period it shall be lawful for the Company, subject to the Provisions of that Act and the Acts incorporated therewith, to enter upon, purchase, take, and use such of the said Lands and Buildings as may be required for further enlarging the *London Bridge* Station on the North Side thereof.

Extending Time for completing the Enlarg-

XVII. That the Period limited by the said Act for the Completion of the Works thereby authorized shall, with respect to the further enlarging the *London Bridge* Station on the North Side thereof, be and

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is hereby extended for a Period of Two Years from the passing of this Act, during which last-mentioned Period it shall be lawful for the said Company further to enlarge the said Station on the North Side thereof, subject to the Provisions of the said Act and the Acts incorporated therewith. ment of the London Bridge Station on the North Side thereof.

XVIII. That the last preceding Enactment shall not prejudice or affect any Contract or Agreement for the Purchase or taking of Lands entered into before the passing of this Act, but where, before the passing of this Act, any Contract shall have been entered into or Notice given by the Company for purchasing, taking, or using any Lands or Buildings for the Purposes aforesaid, any such Contract and Notice respectively shall be construed and take effect, and the same Proceedings shall be had thereunder, and all Parties thereto shall be entitled to the same Rights and Remedies in respect thereof, both in Law and in Equity, as if this Act had not been passed. Existing Contracts not to be prejudiced.

XIX. That the Justices of the Peace, Arbitrators, Umpires, or Juries respectively, as the Case may be, who, under the Provisions of the said recited Acts or any of them, shall award or assess the Compensation to be made by the Company to Owners or Occupiers or other Persons interested in any Lands or Buildings to be taken or used under the Powers of this Act for the Purposes aforesaid, shall, in estimating the Amount of such Compensation, have regard to and make Compensation for the additional Damage, if any, sustained by such Owner, Occupier, or other Persons by reason of such Extension of Time having been granted as aforesaid. Parties aggrieved by Extension of Time may have Compensation.

XX. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of 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 Sixth Year 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 Eighth Year 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 another Act was passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act for regulating the Gauge of Railways;* and another Act was passed in the Session of Parliament held in the Fourteenth and Fifteenth Years of the Reign of Her present Majesty, intituled *An Act to repeal the Act for constituting Commissioners of Railways:* Be it enacted, That nothing Railway to be subject to 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. c. 57., and 14 & 15 Vict. c. 64.

nothing in this Act contained shall be held to exempt the *South-eastern* Railway or the Company from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect of the Railway and Company, so far as the same shall be applicable thereto.

Railways not exempt from Provisions of future General Acts.

XXI. That nothing in this Act contained shall be deemed or construed to exempt the Company from the Provisions of any General Acts relating to Railways, or to the better or more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during the present or any future Session of Parliament, of the maximum Rates of Fares and Charges authorized to be taken by the Company.

Short Title.

XXII. That in citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "The *South-eastern* (*London Bridge* Station, &c.) Act, 1853."

Expenses of Act.

XXIII. That all the Costs, Charges, and Expenses of and incidental to the passing of this Act shall be paid by the *South-eastern* Railway Company.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1853.