CHAPTER ccxix.

An Act for conferring on the South-eastern Railway Company various powers with reference to their own undertakings and the undertakings of other companies and for other purposes. [10th August 1882.]

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WHEREAS it is expedient to extend or further extend the times limited by the Acts affecting the South-eastern Railway Company (in this Act called the Company) for the compulsory purchase of certain lands and the completion of certain works:

And whereas by the South-eastern Railway Act 1881 (section 53) the undertaking of the Loose Valley Railway Company was transferred to the Company and the time limited by the Acts relating to the Loose Valley Railway Company for the compulsory purchase of lands and the completion of works has expired and it is expedient that the powers of the Company for those purposes be revived: 44 & 45 Vict. c. cxcv.

And whereas it is expedient that the Company be authorised to acquire and hold for the purposes of their undertaking the additional lands described in this Act:

And whereas by the Dover and Deal Railway Act 1874 the Company and the London Chatham and Dover Railway Company were authorised to construct two railways in the county of Kent and to exercise their powers under that Act by means of a joint committee called the South-eastern and London Chatham and Dover Joint Committee and it is expedient that such provisions as are hereinafter contained be made for amending that Act: 37 & 38 Vict. c. lii.

And whereas by an Act (local and personal) passed in the first year of King William IV. chap. 135 and by subsequent amending Acts certain commissioners (in this Act called the Rye Harbour Commissioners) are given powers for maintaining and improving the old harbour of Rye in the county of Sussex:

And whereas by the Kent and Sussex Rother Levels Act 1880 and the Acts therein recited certain commissioners (in this Act 43 & 44 Vict. c. xcviii.

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called the Rother Level Commissioners) are given powers to execute works for draining and preserving certain marsh lands and low grounds drained by the River Rother:

And whereas the Company's Hastings and Ashford Railway is carried over the River Rother at or near Rye by means of a swing bridge and it is expedient that the Company be empowered to enter into and carry into effect agreements for improving or altering the said bridge as in this Act provided:

And whereas it is expedient that the Company be empowered to appoint a representative on the board of the Rye Harbour Commissioners:

44 & 45 Vict. c. cxcviii.

And whereas by the Greenwich Dock and Railway Act 1881 the Greenwich Dock and Railway Company (in this Act referred to as the Greenwich Company) were incorporated and authorised to make a dock and a short branch railway commencing by a junction with the railway of the Company and terminating in Greenwich marshes and the Company were empowered to contribute funds to the undertaking so authorised and to make and give effect to agreements for the maintenance and working thereof by the Company:

And whereas the Greenwich Company have not raised any capital for the purposes of their undertaking and it is expedient that provision be made for transferring to the Company the railway portion of the Greenwich Company's undertaking and their powers in relation thereto and that in consideration of the provision made by this Act for the completion of the said railway the money deposited to secure its completion be repaid:

43 & 44 Vict. c. cl.

And whereas by the Woodside and South Croydon Railway Act 1880 the Woodside and South Croydon Railway Company (in this Act called the Woodside Company) were incorporated and authorised to make a railway (in this Act called the Woodside Railway) in the parish of Croydon commencing by a junction with the South-eastern Railway and provision was made for the future transfer of the undertaking thereby authorised to the Company and the London Brighton and South Coast Railway Company (in this Act called the Brighton Company):

And whereas the Woodside Company is under an agreement with the Company to have its railway worked as an integral portion of the South-eastern Railway:

And whereas it is expedient that the Woodside Company be dissolved that its undertaking be transferred to the Company and the Brighton Company and that the Woodside Railway be worked managed and maintained by a joint committee as in this Act provided with and under the powers and provisions in that behalf herein-after

contained and that in consideration of the provisions made by this Act for the completion of the Woodside Railway the money deposited to secure the completion of that railway be repaid

And whereas it is expedient that the other provisions contained in this Act be made:

And whereas plans of the lands which the Company are by this Act empowered to acquire and books of reference to those 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 Kent Surrey and Middlesex and are herein-after respectively referred to as the deposited plans sections and books of reference:

And whereas the purposes of this Act cannot be effected without the authority of Parliament:

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

Short title.

1. This Act may be cited as the South-eastern Railway (Various Powers) Act 1882.

Incorporation of general Acts.

2. The undermentioned enactments are except where expressly varied by this Act incorporated with and form part of this Act (namely):

The Lands Clauses Consolidation Acts 1845 1860 and 1869.	8 & 9 Vict. c. 18.
The provisions of the Companies Clauses Consolidation Act 1845 with respect to the following matters (namely):	23 & 24 Vict. c. 106.
The distribution of the capital of the Company into shares.	32 & 33 Vict. c. 18.
The transfer or transmission of shares.	
The payment of subscriptions and the means of enforcing the payment of calls.	8 & 9 Vict. c. 16.
The forfeiture of shares for the nonpayment of calls.	
The remedies of creditors of the Company against the shareholders.	
The borrowing of money by the Company on mortgage.	
The conversion of borrowed money into capital.	
The consolidation of shares into stock.	
The general meetings of the Company and the exercise of the right of voting by the shareholders.	
The making of dividends.	
The giving of notices and the provisions to be made for affording access to the special Act by all parties interested.	

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Part I. (relating to cancellation and surrender of shares) Part II. (relating to additional capital) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863.

26 & 27 Vict. c. 118.

Part II. (relating to extension of time) and Part V. (relating to amalgamation) of the Railways Clauses Act 1863.

26 & 27 Vict. c. 92.

Interpretation of terms.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated with this Act have the same respective meanings unless there is something in the subject or context repugnant to such construction. The expression "the Metropolitan Board" means "the Metropolitan 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 partially incorporated with this Act shall be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt and not a debt or demand created by statute.

Interpretation of term parish clerk.

8 & 9 Vict. c. 20.

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

Amendment of section 8 of Act 1881 as to time for compulsory purchase of certain lands.

5. Section 8 of the South-eastern Railway Act 1881 shall have effect and be deemed to have had effect as if the period therein referred to were a period of one year from the 11th day of August 1881 being the date of the passing of that Act.

Extension of time for purchase of certain lands under Act of 1879.

42 & 43 Vict. c. cliii.

6. The time limited by the South-eastern Railway Act 1879 for the compulsory purchase of certain lands distinguished as (1) (2) (3) (4) and (5) in section 13 of that Act (except as to so much of such lands (2) as belong to the Surrey Commercial Dock Company) is hereby extended until the expiration of a period of two years from the twenty-first day of July one thousand eight hundred and eighty-two.

Extension of time for purchase of lands under Act of 1880.

43 & 44 Vict. c. ccii.

7. The time limited by the South-eastern Railway Act 1880 for the compulsory purchase of the lands distinguished as (b) and (c) in section 17 and the lands referred to in section 18 of that Act is

hereby extended until the expiration of a period of two years from the twenty-sixth day of August one thousand eight hundred and eighty-three.

Extension of time for completing Hythe and Sandgate Railway. 39 & 40 Vict. c. ccxxviii.

8. The time limited by the South-eastern Railway Act 1876 as extended by the South-eastern Railway Act 1880 for the completion of the railway (extension of the Hythe and Sandgate Branch Railway to Folkestone) authorised by the said Act of 1876 is hereby further extended until the expiration of a period of three years from the eleventh day of August one thousand eight hundred and eighty-three.

Provided that before the said railway is opened for the public conveyance of passengers the Company shall construct a bridge for foot passengers over the said railway in the parish of Folkestone in the county of Kent at or near the point described in the deposited plans as "Marine Terrace."

Extension of time for purchase of land and completion of works in connexion with Caterham and Godstone Railways. 39 & 40 Vict. c. xcix.

9. The time limited by the South-eastern Railway Act 1880 as extended by the South-eastern Railway Act 1881 for the compulsory purchase of land for the purposes of the Caterham and Godstone Valley Railway Act 1876 is hereby extended until the expiration of a period of two years from the twenty-sixth day of August one thousand eight hundred and eighty-two and the time limited by the South-eastern Railway Act 1880 for the compulsory purchase of land for the purposes of the Godstone Village Extension Railway is hereby extended until the expiration of two years from the twenty-sixth day of August one thousand eight hundred and eighty-three and the time limited for the completion of the Railway No. 1 authorised by the said Caterham and Godstone Valley Railway Act 1876 as extended by the South-eastern Railway Act 1880 is hereby further extended until the expiration of a period of three years from the twenty-sixth day of August one thousand eight hundred and eighty-three.

Revival of powers as to purchase of land and completion of works under Loose Valley Acts. 40 & 41 Vict. c. clxxx. 43 & 44 Vict. c. xliii.

10. Notwithstanding the expiration of the time limited by the Loose Valley Railway Act 1877 as amended by the Loose Valley Railway Act 1880 for the compulsory purchase of lands for purposes of those Acts and for the completion of the railways authorised by those Acts the Company may exercise those powers until the expiration of three years from the passing of this Act. Provided that the public carriage road numbered 10 in the parish of Loose on the deposited plans referred to in the Loose Valley Railway Act 1877 shall not be crossed on the level but shall be passed under the said railway.

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Power to stop up Brewer's Lane.

11. The Company may if and when they become the owners of the land on both sides thereof stop up and discontinue the use for public and private traffic of Brewer's Lane in the parish of St. Martin-in-the-Fields in the county of Middlesex and thereupon the site and soil thereof shall be vested in the Company freed from all public and private rights and they may appropriate the same for the purposes of their undertaking.

Purchase of additional lands.

12. 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 purchase and acquire by compulsion or otherwise and hold for the purpose of enlarging and extending their stations and siding accommodation and for roads and approaches and for other purposes of their undertaking all or any of such of the lands and buildings following as are delineated on the deposited plans and described in the deposited books of reference relating thereto (namely):—

1. Parish of St. Paul Deptford in the county of Kent.

Certain lands on the western side of the Company's New Cross Station situated respectively in Railway Grove Angus Street Liardet Grove and Edward Street New Cross.

Certain lands on the eastern side of the Company's New Cross Station situated respectively in Amersham Grove Royal Naval Place Hereford Place Napier Road and Amersham Vale Road.

Provided always that nothing in this Act contained shall authorise the Company to purchase acquire or hold for any of the purposes aforesaid the property numbered on the deposited plans 105 in the parish of Saint Paul Deptford in the county of Kent and the expression "the said district board" in section 8 of the South-eastern Railway Act 1879 shall mean the board of works for the Greenwich district.

2. Parish of Saint Saviour Southwark in the county of Surrey.

Lands in the occupation of Daniel Church and Thomas Waller respectively bounded on the north by the Grove by lands in the occupation of Messrs. McDonald and Son and by lands belonging or reputed to belong to the Ecclesiastical Commissioners for England on the south by Ewer Street and by premises in the occupation of John Burrows on the west by the passage leading from Ewer Street to the Grove and on the east by lands belonging or reputed to belong to or in the occupation of Messrs. Cater and Walker.

3. Parish of St. James's Grain in the county of Kent.

(*a*) Lands abutting upon and adjoining the River Medway including the foreshore river wall and fleets and bounded on the north-east and east by lands belonging to the Company on the north and north-west by lands belonging or reputed to belong to George Bowdler Gipps the wardens and commonalty of the New Bridge of Rochester in the county of Kent Thomas Wells and Clara and Matilda Lee on the west by Colemouth Creek on the south by the River Medway which said lands belong or are reputed to belong to or are in the occupation of William Manclark or his trustees William Hedgecock Thomas Wells Henry Pye Clara Lee Matilda Lee John Robert Dickens and the wardens and commonalty of the New Bridge of Rochester.

(*b*) Lands belonging to George Bowdler Gipps abutting upon the River Medway including the foreshore river wall and fleets and extending eastward from land belonging to the Company to Cockleshell Hard and bounded on the northernmost side by an imaginary line drawn from the pilot beacon at the said Hard in a north-westerly direction to a point where Wells's Fleet is intersected by the north-eastern boundary of the Company's lands and on the south-western side by lands of the Company.

4. Parish of St. Nicholas Rochester and the parish of Chatham intra and extra in the county of Kent.

Certain lands including the foreshore of the River Medway and lying between that river and High Street and extending from William Street to Boundary Wharf.

5. Parishes of Cheriton and Newington in the county of Kent.

Certain lands lying between the Company's Hythe and Sandgate Branch Railway and the Sandgate Road and bounded on the east by the road leading from the said Sandgate Road to Cheriton and on the west by the road leading from the Sandgate Road aforesaid to the Company's approach road to Hythe Station.

Provided that the Company shall not under the powers of this Act take any lands belonging to the Sandgate Local Board without their previous consent in writing.

6. Parish of St. Martin-in-the-Fields in the county of Middlesex.

Certain lands on the north-eastern side of Craven Street lying between and abutting on West Strand and the road leading from Northumberland Avenue to Villiers Street

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Craven Street aforesaid and the Charing Cross Railway Station and buildings of the Company.

7. Parish of St. Alphage Greenwich in the county of Kent.

Certain lands belonging to the trustees of Morden College adjoining the Company's railway and lying between lands belonging or reputed to belong to the trustees of the Hatcliffe Charity the School Board for London and a roadway called the Manor Way and Woodland Road.

8. Parish of St. Olave Southwark in the county of Surrey.

(*a*) Certain lands situated between the London Bridge Station of the Company and Tooley Street and King's Arms Yard.

(*b*) Certain lands situated between the London Bridge Station King's Arms Yard aforesaid Bermondsey Street and Tooley Street.

Provided that the Company shall not except with the consent in writing of the Metropolitan Board purchase or acquire any of the said lands which the said board are authorised to purchase under the Metropolitan Board of Works (Various Powers) Act 1882.

45 & 46 Vict. c. lvi.

9. Parish of Maidstone in the county of Kent.

(*a*) Lands and buildings bounded on the north by the South-eastern Railway on the south by the River Medway and by a new road belonging or reputed to belong to the Earl of Romney on the east by lands belonging or reputed to belong to George Youngman and on the west partly by a ropery in the occupation of James Clifford and partly by meadow land also belonging to the said George Youngman.

(*b*) Land lying between the land lastly described and the River Medway and belonging or reputed to belong to the said George Youngman.

(*c*) A piece of land lying between the private road aforesaid and the Company's goods yard.

(*d*) Lands and buildings lying between the Company's yard and the said private road and now or lately belonging or reputed to belong to the Earl of Romney.

(*e*) Lands and buildings bounded on the east by the "Railway Bell" beerhouse on the south by Hart Street and on the west by the premises of the Company.

Company not to take coastguard station at

13. The Company shall not without the consent of the commissioners for executing the office of Lord High Admiral of the United Kingdom of Great Britain and Ireland to be signified in writing under

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the hand of the secretary of the Admiralty purchase or acquire the lands and coastguard station numbered 1A on the deposited plans in the parish of St. James Grain in the county of Kent.

St. James Grain without consent.

14. If any omission mis-statement or erroneous description shall have been made of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or described in the deposited books of reference it shall be lawful for the Company after giving ten days notice to the owners lessees or occupiers of the lands affected by such proposed correction to apply to two justices of the county in which such lands shall be situate for the correction thereof and if it shall appear to such justices that such omission mis-statement or erroneous description arose from mistake they shall certify the same accordingly and they shall in such certificate state the particulars of such omission and in what respect any such matter shall have been mis-stated or erroneously described and such certificate shall be in duplicate and one part thereof shall be deposited with the clerk of the peace for the county and the other part thereof shall be deposited with the parish clerk of the parish in which the lands affected thereby shall be situate and such certificate shall be kept by the said clerk of the peace and parish clerk respectively along with the other documents to which the same relate and thereupon the said plans and books of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Company to execute the works in accordance with such certificate.

Errors and omissions in plans to be corrected.

15. If the Company enter upon take or interfere with any of the lands of the Right Honourable the Earl of Romney the Earl of Courtown Sir William Hart Dyke Bart. M.P. and Sir Edward Scott Bart. they shall at the same time if required by the owners purchase their interest in all or any of the lands delineated on the plan signed by the Honourable Percy Wyndham the chairman of the committee of the House of Commons to whom the Bill for this Act was referred and thereon coloured dark pink light pink and orange. And the compensation to be paid shall be settled by arbitration as if the whole of such lands or interest which are taken or purchased had been taken compulsorily by the Company but the owners shall not be entitled to the usual allowance for forced sale in respect of any lands not included within the limits of deviation shown on the plans deposited with respect either to the Bill for this Act or the South-eastern Railway (New Lines and Widenings) Act 1882.

For the protection of the Earl of Romney and his trustees.

45 & 46 Vict. c. cclxiii.

Provided always that in any conveyance to the Company of the said lands or any of them there shall be inserted such covenants on

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the part of the purchasers as the arbitrators or umpire who shall determine the amount of compensation to be paid for the purchase of such lands shall deem reasonable having regard to the covenants or stipulations contained in conveyances by the said Earl of Romney Earl of Courtown Sir William Hart Dyke Bart. and Sir Edward Scott Bart. of any lands in the vicinity.

For the protection of George Craven and his trustees.

16. For the protection of William George Craven George Bonnor and William Mayd the owners or reputed owners of the lands and property known as the Craven estate situate in Craven Street on both sides thereof and West Strand in the parish of Saint Martin-in-the-Fields in the county of Middlesex or other the owner or owners for the time being of the said lands and property (all of whom are herein-after in this section referred to as "the owner") the following provisions shall have effect:—

(A) The Company may by agreement purchase the interest of the owner in the lands and property of the owner situate in Craven Street and West Strand aforesaid which the Company are not by this Act authorised to purchase and acquire by compulsion.

(B) If and when the Company purchase any of the lands and property of the owner which they are by this Act authorised to purchase by compulsion they shall at the same time purchase the interest of the owner in the whole of the lands and property of the owner which they are by this Act authorised to purchase both by compulsion and agreement and it shall not be lawful for the Company to enter upon take or use any portion of the said lands and property unless and until they shall have purchased the interest of the owner in the whole of the said lands and property.

Company to have option of purchasing certain land from Metropolitan Board.

17. At any time within two years after the passing of this Act the Company may by notice in writing given to the Metropolitan Board elect to purchase so much of the land acquired by the Metropolitan Board in connexion with the widening of Tooley Street under the Metropolitan Board of Works (Various Powers) Act 1882 as shall not be appropriated for the widening of the said street and the footways thereof and if within the said period of two years the Company shall elect to purchase the same land or any part thereof the Company may and shall purchase the said lands or such part thereof as they may elect to purchase accordingly and the purchase money to be paid by the Company to the Metropolitan Board in respect thereof shall if not agreed upon between them be determined by an arbitrator in the same manner as if it were a question of disputed compensation under the Lands Clauses Consolidation Act 1845.

Provided that in fixing the amount to be paid by the Company upon any such purchase the arbitrator shall take as the basis of his valuation the amount of the purchase money and compensation paid or payable by the said board in respect of the purchase of the lands acquired by them as aforesaid (including all interests therein) and all costs and expenses properly incurred or to be incurred by the said board in connexion therewith and may have regard to any other circumstances which he may deem relevant. In the event of the Company purchasing the said lands or any of them the elevation of any buildings or works erected thereon fronting Tooley Street shall be subject to the reasonable approval of the Metropolitan Board.

Period for compulsory purchase of land.

18. The powers of the Company for the compulsory purchase of land for the purpose of this Act shall not be exercised after the expiration of three years from the passing of this Act.

As to "Ship Pier" Chatham.

19. The Company shall not shut up take away or in any manner obstruct the free use and enjoyment of the pier in the parish of Chatham within the city of Rochester belonging to the mayor aldermen and citizens of that city (herein-after called the corporation) and known as the "Ship Pier" until they shall at their own expense and to the reasonable satisfaction of the corporation have provided a substituted pier of at least equal size and convenience with proper approaches thereto which substituted pier and approaches shall be placed at the river end of William Street in the parish of St. Nicholas Rochester and which substituted pier and approaches shall be the property of the corporation and be under their sole control and management and in the event of any difference between the corporation and the Company with reference to the present pier or to the substituted pier or approaches the same shall be referred to arbitration under the provisions of the Railway Companies Arbitration Act 1859 and for that purpose the corporation shall be deemed to be a railway company within the meaning of that Act.

22 & 23 Vict. c. 59.

As to works affecting River Medway.

20. Before proceeding with the execution of any works (in which expression shall be included all erections and buildings) in or upon any portion of the River Medway or the foreshore thereof other than those already authorised by any Act or Acts now in force the Company shall submit plans and sections of such works to the Conservators of the River Medway (herein-after called the Conservators) and the Company shall comply with and conform to all reasonable directions and regulations of the Conservators in the execution and subsequent maintenance of the works and shall save

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harmless the Conservators against all and every expense to be occasioned thereby and all reasonable costs charges and expenses which the Conservators may be put to in connexion therewith shall be paid to the Conservators by the Company on demand and in default may be recovered by the Conservators as any ordinary simple contract debt of the like amount.

Saving rights of Conservators of River Medway.

21. Save as in this Act expressly provided nothing herein contained shall extend or be construed to take away lessen prejudice alter damage or affect any estate right title or interest which the Conservators of the River Medway may possess of in or to the bed soil banks and shores of the River Medway or of or to all or any arms creeks streams and indraughts thereof or otherwise or of in or to any tolls dues duties rents issues franchises profits powers or authorities customs immunities rights or privileges of or belonging to the Conservators.

Differences with Conservators of River Medway to be settled by arbitration.

22. Any differences which may arise as to the construction of the provisions herein-before contained for the protection of the Conservators or as to the obligations of the Company thereunder shall be referred to arbitration under the provisions of the Railway Companies Arbitration Act 1859 and for that purpose the Conservators shall be deemed to be a railway company within the meaning of that Act.

Notice to be given of taking houses of labouring classes.

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

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

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

lands by agreement and may on such lands erect labouring class dwellings and may let or otherwise dispose of such lands.

Power to take easements by agreement.

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

Power to alter station and hotel buildings at Charing Cross. 22 & 23 Vict. c. lxxxi.

26. Subject to the provisions of sections 96 and 97 of the Charing Cross Railway Act 1859 and of this Act the Company may from time to time alter the whole or any part of their railway station and hotel buildings at Charing Cross in the parish of St. Martin-in-the-Fields in the county of Middlesex and may erect and maintain on the site thereof and on any land adjacent thereto belonging to or to be acquired by the Company any new station and hotel buildings as may appear to them expedient.

Exterior of certain works to be submitted for approval of Metropolitan Board.

27. The exterior of any works or buildings constructed erected or altered by the Company on the western side of the Charing Cross Station or on the lands on the north-eastern side of Craven Street which may be acquired under the powers of this Act shall be of a character design and elevation to be reasonably approved by the Metropolitan Board and proper drawings designs and particulars thereof shall be submitted to the Metropolitan Board twenty-one days at least before any such works or buildings are commenced.

If any difference shall arise between the Metropolitan Board and the Company with regard to the character design or elevation of the exterior of any such works or buildings such difference shall be referred to and determined by an architect to be appointed by the president for the time being of the Royal Institute of British Architects on the application of either party who shall have power to settle and prescribe such character design and elevation and whose decision thereon shall be final. Provided that nothing in this section contained shall empower the Company to interfere with any rights of light or air vested in other persons.

A certain footway at Charing Cross not to be stopped.

28. Nothing in this Act shall enable the Company to take or interfere with the footway constructed in accordance with the provisions of section 97 of the Charing Cross Railway Act 1859 numbered on the deposited plans and books of reference 19 in the

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parish of Saint Martin-in-the-Fields or shall be construed in any way to affect or limit any provision of that section.

Confirmation of award as to Charing Cross undertaking. 33 & 34 Vict. c. cxlvii.

29. The award dated the 15th day of June 1881 set forth in the schedule to this Act of Montagu William Lord Rowton the umpire appointed pursuant to the South-eastern Railway Act 1870 is hereby confirmed and the Company are hereby empowered to carry the same into effect and to create and issue such debenture stock not exceeding one hundred and seventy-one thousand pounds and such preference stock not exceeding fourteen thousand eight hundred and fifty pounds as may be required for the purposes thereof.

Exhibiting placards.

30. The Company shall not exhibit or permit to be exhibited upon any part of the works authorised by this Act within view of any public street within the metropolis any placards or advertisements except such as shall have been approved in writing by the clerk or other officer of the Metropolitan Board but this provision shall not prevent the Company from exhibiting on the exterior of their stations placards giving information to the public as to the traffic of the Company.

Power to cross street at Dover on the level.

31. 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 Railway No. 1 authorised by the Dover and Deal Railway Act 1874 may be carried with a single line only whilst it consists of a single line and afterwards with a double line only across and on the level of the public carriage road known as Seven Star Street in the parish of St. Mary-the-Virgin Dover in the county of Kent.

Amendment of Dover and Deal Railway Act as to crossing a certain road.

32. Section 5 of the Dover and Deal Railway Act 1874 (which section relates to the crossing of certain roads on the level) shall have effect as if there were omitted therefrom the following words and figures "24 and 1A" "Guston and East Langdon" and "public road."

Power to discontinue use of certain level crossings.

33. The South-eastern and London Chatham and Dover Joint Committee may at any time or times with the consent of the mayor aldermen and burgesses of the borough of Dover stop up and discontinue the use for public or private traffic of all or any of the level crossings authorised by section 5 of the Dover and Deal Railway Act 1874 as to the Railway No. 1 referred to in that section.

Power to make arrange-

34. The Company may from time to time make and carry into effect agreements with the mayor aldermen and burgesses of the

borough of Hythe in the county of Kent and the local board of Sandgate in the same county and any other authority owning or having the control of the road herein-after described or some or one of those authorities for altering or diverting so much of a certain road called Sandgate Road in the parishes of Newington-next-Hythe and Cheriton in the county of Kent as lies between its point of junction with Twiss Road and the road leading from the Sandgate Road to the Company's station at Sandgate.

ments for diverting Sandgate Road.

Alteration of bridge over Rother.

35. The Company may from time to time make and carry into effect agreements with the Rye Harbour Commissioners the Rother Level Commissioners the mayor aldermen and councillors of the borough of Rye and the local board for the town and district of Rye or such one or more of them as possess or shall at the time of entering into such agreements possess the requisite authority or jurisdiction in that behalf with reference to improving or altering the swing bridge carrying the Company's Hastings and Ashford Railway over the River Rother and if need be substituting a fixed bridge therefor.

Power for Company to appoint a Rye Harbour Commissioner.

36. The Company within six months of the passing of this Act and from time to time afterwards as occasion shall require may by writing under their common seal appoint a person to be one of the Rye Harbour Commissioners in addition to the existing Commissioners and the person so appointed shall have and enjoy and be subject to such and the like powers privileges duties and responsibilities as the Rye Harbour Commissioners now have or are subject to by virtue of the several Acts of Parliament relating to the said Commissioners or otherwise and shall form and be to all intents and for all purposes part of the body corporate of the Rye Harbour Commissioners.

Power to make agreements with Metropolitan Board of Works.

37. The Company on the one hand and the Metropolitan Board of Works on the other hand may from time to time make and give effect to agreements with respect to the sale demise or exchange of any land which the Company may be empowered to take or may require for the purposes of this Act and which the Metropolitan Board of Works may own and may not require for the purposes for which the same was acquired.

Power to make agreements with the City of London Brewery Company Limited.

38. The Company may make and carry into effect agreements with the City of London Brewery Company Limited with respect to the acquisition by the Company of any land or building right or easement which the Company may require for the purposes of their undertaking and which may be vested in or belong to the City of

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London Brewery Company Limited and with respect to the sale demise or exchange of any such land or building and the granting of any such right or easement to the Company.

Power to purchase by agreement certain lands at Hougham and Poulton.

39. The Company may from time to time make and carry into effect agreements with Robert Bartholomew Lawes with respect to the purchase by the Company from him of any of his lands in either of the parishes of Hougham or Poulton in the county of Kent near or adjacent to the Company's railway and works and not exceeding one hundred acres altogether.

Agreements to be evidenced by deed to be dulystamped.

40. Every agreement under any of the three preceding sections shall be evidenced by a deed in which the consideration shall be fully set forth and such deed shall be duly stamped.

Transfer to Company of railway undertaking of Greenwich Dock and Railway Company.

41. As from the date of the passing of this Act all the lands acquired or contracted for by the Greenwich Company for the purposes of the railway only authorised by the Greenwich Dock and Railway Act 1881 and all real and personal property belonging to the Greenwich Company for the same purposes and all the powers rights privileges and authorities granted to the Greenwich Company by that Act for the same purposes shall by virtue of this Act be transferred to and vested in the Company and as from that date the Company may exercise all the powers and shall be subject to all the duties and liabilities conferred or imposed on or incurred by the Greenwich Company for the said purposes.

Transfer to Company and Brighton Company of undertaking of Woodside Company.

42. The Woodside Company shall sell and transfer and the Company and the Brighton Company (in this Act referred to as "the two Companies") shall purchase the undertaking of the Woodside Company on the terms and conditions following (namely):—

(*a*) The transfer shall take effect from the date of the passing of this Act and as from that day the Woodside Company shall be dissolved and the undertaking of the Woodside Company shall be vested in the two Companies jointly and that date shall for the purposes of Part V. of the Railways Clauses Act 1863 and of this Act be deemed to be the time of amalgamation.

(*b*) The consideration for the purchase shall be contributed by the two Companies in equal shares and shall be such sum not exceeding the authorised capital of the Woodside Company as may be agreed on and shall be paid in equal amounts of preferential stock of the two Companies of the aggregate nominal amount so agreed on bearing interest at the rate of four pounds per centum per annum.

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(*c*) Each of the two Companies shall within six months after the passing of this Act create stock in their undertaking of the above-mentioned amount and description and shall deliver certificates therefor to the Woodside Company and a receipt or discharge signed by any three directors of the Woodside Company for the said certificates as the case may be shall be a sufficient discharge for the same.

(*d*) As from the time of amalgamation each proprietor of shares in the Woodside Company shall in substitution for such shares become and be the proprietor of an equal amount of the stock so delivered and the substituted stock shall become and be subject and liable to the trusts provisions agreements charges liens and incumbrances (if any) which immediately before the substitution affected the shares for which the same is substituted and in any testamentary instrument taking effect after the substitution words referring to the last-mentioned shares shall unless a different intention is expressed be deemed to refer to the substituted stock.

(*e*) The directors of the Woodside Company shall as soon as may be after the time of amalgamation deliver to each proprietor of shares in the Woodside Company in exchange for his certificates for those shares a certificate for an equal amount of substituted stock but until the exchange is effected a certificate for shares in the Woodside Company shall as from the time of amalgamation be deemed to be a certificate for an equal amount of substituted stock.

(*f*) Within three months after the date of the passing of this Act the two Companies shall produce to the Commissioners of Inland Revenue a deed of conveyance in which the consideration for the purchase shall be fully and truly stated and which shall be duly stamped with the proper ad valorem stamp duty in respect of the consideration and in default of the two Companies so doing the ad valorem stamp duty with interest thereon at the rate of five per centum per annum from the date of the passing of this Act to the date of payment shall be recoverable from the two Companies or either of them with costs.

Management of Woodside Railway by joint committee.

43. The powers of the two Companies with respect to the maintenance and management of the Woodside Railway and the levying of tolls and charges in respect of the use thereof shall be vested in the joint committee constituted or to be constituted under the London Brighton and South Coast Railway (Croydon Oxted and East Grinstead Railways) Act 1878 and thereupon sections 20 to 31 (both inclusive) of that Act shall (except so much of section 25 as

41 & 42 Vict. c. lxxii.

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relates to the payment of dividend on expenditure therein expressed to have been made by the Brighton Company) apply to the Woodside Railway as if it were included in the expression "joint lines" as used in those sections and as if that Act were this Act.

Penalty imposed unless the line is opened within the time limited.

44. If the Company fail to complete the railway authorised by the Act relating to the undertaking of the Greenwich Company within the period limited by that Company's Act or if the two Companies fail to complete within the period limited by the Woodside Company's Act any of the railways which the two Companies are authorised by this Act to construct or complete or if the Company fail to complete within the period limited by this Act any of the railways the time for the completion of which is extended by this Act the Company or the two Companies as the case may be shall be liable to a penalty of fifty pounds a day for every day after the expiration of the respective periods so limited until the respective railways are completed and opened for public traffic or until the sum received in respect of that penalty amounts to five per centum on the estimated cost of the works of the railways respectively. This 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. 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 the warrant or order and shall not be paid thereout except as herein-after provided. No penalty shall accrue in respect of any time during which it appears by a certificate of the Board of Trade that the Company or the two Companies was or were prevented from completing or opening the railways respectively by unforeseen accident or circumstances beyond their control but the want of sufficient funds shall not be held to be a circumstance beyond their control.

17 & 18 Vict. c. 31.

Application of penalty.

45. Every sum of money so recovered by way of penalty 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 railway or any portion of the railway in respect of

which the penalty has been incurred or who may have been subjected to injury or loss in consequence of the compulsory power conferred upon the Company or the two Companies of taking property for the purposes of the railway and have received no compensation or inadequate compensation for the injury or loss 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. If no such compensation is payable or if a portion of the sum or sums of money so recovered by way of penalty is found sufficient to satisfy all just claims in respect of the compensation then the sum or sums of money recovered by way of penalty or such portion thereof as may not be required as aforesaid shall either be forfeited to the Crown and accordingly be paid or transferred to or for the account of Her Majesty's Exchequer in such manner as the Chancery Division of the High Court of Justice on the application of the Solicitor of Her Majesty's Treasury thinks fit to order and shall be carried to and form part of the Consolidated Fund of the United Kingdom or in the discretion of the court 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 the Brighton Company or be otherwise applied as part of the assets of the Company or the Brighton Company for the benefit of the creditors thereof.

Release of Greenwich Company's deposit.

46. Subject to the provisions of section forty-six of the Greenwich Dock and Railway Act 1881 with respect to the payment of compensation to landowners and others injured and for the protection of creditors the Chancery Division of the High Court of Justice shall on production of a copy of this Act and on the application of the person or persons or a majority of the persons named in the warrant or order issued in pursuance of the Act of the ninth year of Her present Majesty chapter 20 in respect of the Greenwich Dock and Railway Act 1881 or the survivors or survivor of those persons order the payment and transfer to them or him of the sum deposited with respect to the last-mentioned Act and any interest or dividends which may have accrued thereon.

Release of Woodside Company's deposit.

47. Subject to the provisions of section 28 of the Woodside and South Croydon Railway Act 1880 with respect to the payment of compensation to landowners and others injured and for the protection of creditors the Chancery Division of the High Court of Justice shall on production of a copy of this Act and on the application of the person or persons or a majority of the persons named in the warrant

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or order issued in pursuance of the Act of the ninth year of Her present Majesty chapter 20 in respect of the Woodside and South Croydon Railway Act 1880 or the survivors or survivor of those persons order the payment and transfer to them or him of the sum deposited with respect to the last-mentioned Act and any interest or dividends which may have accrued thereon.

Railways to form part of railways of Company.

48. The railways authorised by the Acts relating to the Greenwich Company and the Woodside Company respectively shall for all purposes including the levying of tolls fares rates and charges be deemed to be part of the railways of the Company provided that in the case of a railway authorised by any Act other than this Act the Company shall not demand or take any tolls rates fares and charges exceeding those which they would have been entitled to demand under the Act by which the railway is authorised.

Power to raise additional capital.

49. The Company may subject to the provisions of Part II. of the Companies Clauses Act 1863 and of this Act from time to time raise any additional capital not exceeding in the whole three hundred and eighty thousand pounds by the issue at their option of new ordinary shares or stock or new preference shares or stock or wholly or partially by any one or more of those modes respectively but the Company shall not issue any share of less nominal value than ten pounds nor shall any share vest in the person or corporation accepting the same unless and until a sum not being less than one fifth of the amount of such share has been paid in respect thereof.

Limit of amount and number of calls.

50. The amount of any one call to be made on any share created under this Act shall not exceed one fourth of the amount of such shares and there shall be an interval of two months at least between every two successive calls and not more than three-fourths of the amount of each share shall be called up in any one year.

New shares or stock to be subject to same incidents as existing shares or stock.

51. Except as by this Act otherwise provided the capital in new shares or stock created by the Company under this Act and the new shares or stock therein and the holders thereof respectively shall be subject and entitled to the same powers provisions liabilities rights privileges and incidents whatsoever in all respects as if that capital were part of the now existing capital of the Company of the same class or description and the new shares or stock were shares or stock in that capital.

Power to borrow on mortgage.

52. The Company may in respect of the additional capital of three hundred and eighty thousand pounds which they are by this Act authorised to raise from time to time borrow on mortgage any sum not exceeding in the whole one hundred and twenty-six thousand pounds but no part thereof shall be borrowed until the shares for so

much of the said additional capital as is to be raised by means of shares are issued and accepted and one half thereof is paid up and the Company have proved to the justice who is to certify under the 40th section of the Companies Clauses Consolidation Act 1845 before he so certifies that shares for the whole of such capital have been issued and accepted and that one half thereof has been paid up and that not less than one-fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof and until stock for one-half of so much of the said additional capital as is to be raised by means of stock is fully paid up and the Company have proved to such justice as aforesaid before he so certifies that such shares or stock as the case may be were issued and accepted bonâ fide and are held by the persons or corporations to whom the same were issued or their executors administrators successors or assigns and also if the said capital is raised by shares that such persons or corporations their executors administrators successors or assigns are legally liable for the same and upon production to such justice of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence thereof.

Existing mortgages to have priority.

53. All mortgages or bonds granted by the Company in pursuance of the powers of any Act of Parliament before the passing of this Act and subsisting at the passing hereof shall during the continuance of such mortgages and bonds and subject to the provisions of the Acts under which the same were respectively granted have priority over any mortgages granted by virtue of this Act but nothing in this section shall affect any priority of the interest of any debenture stock at any time created and issued by the Company.

Debenture stock.

54. The Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Consolidation Act 1863 but notwithstanding anything therein contained the interest of all debenture stock at any time after the passing of this Act created and issued by the Company shall rank pari passu with the interest of all mortgages at any time after the passing of this Act granted by the Company and shall have priority over all principal moneys secured by such mortgages.

Power to apply corporate funds to purposes of Act.

55. The Company may apply to the purposes of this Act any money which they have raised or which they have power to raise by virtue of any Acts relating to the Company and which may not be required for the purpose to which it is by any such Act made specially applicable.

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Interest on calls not to be paid out of capital.

56. The Company shall not out of any money by this Act authorised to be raised pay interest or dividend to any shareholder on the amount of the calls made in respect of the shares held by him but nothing in this Act shall prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made in conformity with the Companies Clauses Consolidation Act 1845.

Deposits for future bills not to be paid out of capital.

57. The Company shall not out of any money by this Act authorised to be raised pay or deposit any sum which by any Standing Order of either House of Parliament now or hereafter in force may be required to be deposited in respect to any application to Parliament for the purpose of obtaining an Act authorising the Company to construct any other railway or to execute any other work or undertaking.

Power to consolidate Westerham and other preference stocks.

58. The Company may consolidate into one stock to be called the South-eastern Railway (Vested Companies) Stock the three several four per centum preference stocks created under the South-eastern Railway Act 1881 called the South-eastern Four per Cent. Westerham Company Stock South-eastern Four per Cent. Hundred of Hoo Company Stock and South-eastern Four per Cent. West Wickham Company Stock.

Power to Brighton Company to apply funds.

59. The Brighton Company may apply to the purposes of this Act so far as it relates to the Woodside Company any money which they have raised or which they have power to raise by virtue of any Act relating to them and which may not be required for the purpose to which it is by any such Act made specially applicable.

Power for Brighton Company to raise capital.

60. The Brighton Company may subject to the provisions of Part II. of the Companies Clauses Act 1863 raise by shares or stock any sum not exceeding in the whole fifty thousand pounds that being the sum which it is estimated that they may be called upon to pay as the consideration for their becoming joint owners of the Woodside Railway and they may also raise by mortgage of their undertaking or by the issue of debenture stock the sum of sixteen thousand pounds and all the provisions of this Act with respect to the raising of money by the Company by means of shares or stock and by borrowing shall apply to the Brighton Company as fully as if those provisions were herein expressly repeated concerning that Company and concerning the money which under the powers of this Act they are authorised to raise.

Power to the Company and the Brighton Company to apply corporate

61. The Company and the Brighton 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.

funds to purposes of Act.

Saving rights of Her Majesty's Principal Secretary of State for the War Department.

62. And whereas it is necessary that the lands hereditaments and works belonging to Her Majesty or vested in Her Majesty's Principal Secretary of State for the War Department for the public service should be preserved intact and free from all intrusion or obstruction Be it therefore enacted that nothing in this Act contained shall authorise the Company to enter upon use or interfere with any land soil or water or any right in respect thereof vested in or exercised by the said Principal Secretary for the time being or to take away lessen prejudice or alter any of the rights privileges or powers vested in or exercised by the said Principal Secretary for the time being without his previous consent signified in writing under his hand and which consent the said Principal Secretary for the time being is hereby authorised to give subject to such special or other conditions as he shall see fit to impose on the said Company.

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

63. 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.

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.

Saving rights of the Crown in the foreshore.

64. Nothing contained in this Act shall authorise the Company to take use or in any manner interfere with any portion of the shore

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or bed of the sea or of any river channel creek bay or estuary or any right in respect thereof belonging to the Queen's most Excellent Majesty in right of her Crown and under the management of the Board of Trade without the previous consent in writing of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may give). Neither shall anything in this Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exerciseable by the Queen's Majesty her heirs or successors.

Provisions as to general railway Acts.

65. Nothing in this Act shall exempt the Company or the Brighton Company or their respective railways 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 other future session of Parliament or from any future revision or alteration under the authority of Parliament of the authorised maximum rates of fares and charges or of the rates for small parcels.

Costs of Act.

66. All costs charges and expenses of and incident to the preparing obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company but the Company shall be repaid a proportion thereof by the Brighton Company in respect of the transfer of the Woodside undertaking as may be agreed on between the two Companies or failing agreement as may be settled by arbitration under the Railway Companies Arbitration Act 1859.

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To all to whom these presents shall come. I Montagu William Lord Rowton of Rowton Castle in the county of Salop send greeting:

Whereas by the South-eastern Railway Act 1870 section 33 the South-eastern Railway Company herein-after called the Railway Company and the Charing Cross Hotel Company Limited herein-after called the Hotel Company were authorised to enter into and carry into effect such agreements on such terms and conditions as they should think fit for the transfer to the Railway Company of the undertaking of the Hotel Company and a surrender by the Hotel Company to the Railway Company of the lease of parts of the Railway Company's Charing Cross Station and appurtenances granted to the Hotel Company or for the transfer or re-assignment to the Railway Company of any part or parts of the premises comprised in that lease and the transfer or surrender to the Railway Company of all or any of the rights and interests of the Hotel Company in or connected with the part or parts of those premises so transferred or re-assigned.

And by section 34 of the said Act it was enacted that the purchase money to be paid by the Railway Company to the Hotel Company on any purchase made under the provisions contained in the preceding section (33) of the said Act should be settled by two arbitrators one to be appointed by the Railway Company and the other by the Hotel Company at an extraordinary general meeting of that company specially convened for the purpose at which meeting the Railway Company should not be entitled to vote in respect of the shares held by them in the Hotel Company's undertaking.

And whereas by the South-eastern Railway Act 1878 section 23 it was further provided that the said recited section 33 of the South-eastern Railway Act 1870 should have effect as if the companies therein named were in addition to the powers thereby conferred on them authorised to enter into and carry into effect agreements as to the purchase by the Railway Company of the buildings then in course of erection (but which have since been completed) by the Hotel Company in the parish of Saint Martin-in-the-Fields in the county of Middlesex.

And by the said Act it was further provided that sections 34, 35, 36, 40 and 41 of the said recited Act of 1870 should extend and apply to the said buildings or to any such new or further agreements as fully and effectually as if those sections respectively were re-enacted in the now reciting Act with respect to those buildings or agreements.

And whereas by the South-eastern Railway Act 1880 it was provided that the Railway Company might pay in debenture stock of the Railway Company the whole or any part of the purchase money payable by the Railway Company

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to the Hotel Company under the South-eastern Railway Act 1870 as amended by the South-eastern Railway Act 1878.

And whereas it has been agreed between the Railway Company and the Hotel Company that pursuant to the provisions in that behalf contained in the said Acts of 1870 and 1878 respectively the Hotel Company shall transfer to the Railway Company the undertaking of the Hotel Company and shall surrender to the Railway Company the lease of parts of the Railway Company's station and appurtenances granted by the Railway Company and that the Railway Company shall accept such transfer and surrender.

And whereas at an extraordinary general meeting of the Hotel Company held in pursuance of the provisions of the said Act of 1870 (section 34) Mr. Henry Dever of the firm of Deloitte, Dever, Griffiths and Co. public accountants was duly appointed an arbitrator to settle the amount of purchase money payable by the Railway Company to the Hotel Company upon any purchase which might be made under the provisions contained in the said Act (section 33).

And whereas at an extraordinary or special general meeting of the Railway Company held in pursuance of the provisions of the said Act 1870 (section 33) Mr. Edwin Waterhouse public accountant was duly appointed an arbitrator to settle the purchase money to be paid by the Railway Company upon any purchase which might be made under the provisions of the said section of the said Act.

And whereas the said arbitrators before they entered on the matters so referred to them did in pursuance of the Lands Clauses Consolidation Act 1845 by writing under their hands duly nominate and appoint me the before mentioned Montagu William Lord Rowton to be the umpire in the matter of the said arbitration.

And whereas the said arbitrators within twenty-one days after the appointment of the last of the said arbitrators by writing under their hands duly appointed an extended time for the making of their award namely until the 24th of June 1881.

And whereas the said arbitrators disagreed and differed respecting the matters referred to them and by reason of such differences between them failed to make their award whereby the matters referred to the said arbitrators aforesaid duly came before me as umpire for determination.

Now I the said umpire having taken upon myself the burden of the said reference do make this my award of and concerning the matters referred to me as follows:—

I do award and determine:

That the purchase money to be paid by the Railway Company to the Hotel Company for the transfer to the Railway Company of the undertaking of the Hotel Company including in such undertaking the buildings erected by the Hotel Company in the parish of Saint Martin-in-the-Fields in the county of Middlesex described or referred to in section 23 of the South-eastern Railway Act 1878 and the surrender by the last-mentioned Company to the Railway Company of the lease of parts of the Railway Company's Charing Cross Station and appurtenances granted by the Railway Company to the Hotel Company

under the provisions contained in section 33 of the South-eastern Railway Act 1870 shall be as follows namely :—

1. For each 10*l.* ordinary share in the Hotel Company with the proportion of mortgage conversion stock viz. 3*l.* 18*s.* 1*d.* attached to each such share the Railway Company shall on the 1st January 1882 issue to the Hotel Company an amount of four per cent. debenture stock of the South-eastern Railway Company of the nominal value of 18*l.* but if from any cause whatever the Railway Company shall be unable to issue such four per cent. debenture stock on or before the said 1st day of January 1882 the Railway Company shall pay to the Hotel Company in respect of each such share of 10*l.* the sum of 20*l.* 10*s.* 0*d.* being the present value less dividend of 18*l.* four per cent. debenture stock of the South-eastern Railway Company.

2. For each 10*l.* four and a half per cent. preference share of the Hotel Company (upon which the sum of 5*l.* has been paid) the Railway Company shall on the 1st January 1882 issue to the Hotel Company a like amount viz. 5*l.* of four and a half per cent. preference stock of the South-eastern Railway Company but if from any cause whatever the Railway Company shall be unable to issue such preference stock on or before the 1st day of January 1882 then the Railway Company shall pay to the Hotel Company in respect of each such preference share the sum of 6*l.* being the present value of 5*l.* of four and a hal per cent. preference stock of the South-eastern Railway Company.

And I do further award that the interest which would have accrued due upon such four and a half per cent. preference shares of the Hotel Company between the date of this my award and the said 1st January 1882 shall be paid by the Railway Company to the Hotel Company at the times at which the same would have been payable.

As witness my hand this fifteenth day of June 1881.

Rowton.

Witness
Frederick Gorringe
Endwell Road Brockley Rise Kent.

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