ANNO SEXTO

GULIELMI IV. REGIS.

Cap. lxiii.

An Act for making a Railway from the *London* and *Greenwich* Railway to the *Deptford* Pier, to be called "The *Deptford* Pier Junction Railway." [21st *June* 1836.]

WHEREAS the making a Railway to communicate with the *London* and *Greenwich* Railway at *High Street* in the Parish of *Saint Paul, Deptford*, in the County of *Kent*, and to terminate at the Southern Bank of the *Thames* near a certain Pier, Wharf, or Terrace, to be called the *Deptford* Pier, in the Parish of *Saint Nicholas, Deptford*, would be of great public Advantage, by affording a more certain, speedy, and safe Means of Conveyance for Passengers and Goods to and from the said Pier, Wharf, or Terrace to the Metropolis and Places adjacent, than now exists: And whereas the *London* and *Greenwich* Railway, and the Pier or Wharf at *Deptford*, are now being carried into execution under the Provisions of the Acts passed for those Purposes respectively: And whereas the said Junction Railway is intended to be made and constructed upon Arches, and not along the Surface of the Ground: And whereas the several Persons herein-after named are willing, at their own Costs and Charges, to carry into execution the said Undertaking; but the same 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 King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *James Ayres, Owen Tickell Algar, John Yonge Akerman, Peter Anderson, Francis Atkinson, Charles Brenchley, Thomas Deane, John Wilson Davis, Adam Gordon, Charles Goldsbury, John Hooper,* Company incorporated.

Hooper, Edward Hughes, Alfred Herapath, Henry Alfred Horneman, Henry Ibbetson, Thomas Baker Knott, John Letts, Thomas Philpots, Charles Perkins, John Pattison, John C. Rutledge, William Short, George Shove, Alexander Henry Smith, Richard Smith Simonds, William Stephenson, James Townsend, John Twells, James Thorogood, Henry Watkins, Henry Whiffin, George Walter, W G Williams, and *James Walker,* and all other Persons and Corporations who have subscribed or shall hereafter subscribe towards the said Undertaking, and their several and respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby united into a Company for making and maintaining the said Railway and other Works by this Act authorized, and shall be One Body Corporate by the Name and Style of "The *Deptford* Pier Junction Railway Company," and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued, and have Power and Authority to purchase and hold Lands to them and their Successors and Assigns, for the Use of the said Undertaking, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain, and shall have and exercise all other Powers and Authorities herein-after given.

Rules for the Interpretation of this Act.

II. And be it further enacted, That where in this Act any Word shall be used importing the Singular Number or the Masculine Gender only, the same shall be understood to include several Matters as well as one Matter, several Persons as well as one Person, and Females as well as Males; and where the Word "Lands" shall be used, the same shall be understood to include Tenements and Hereditaments; and where the Word "Corporation" shall be used, the same shall be understood to mean any Body Corporate or Collegiate, Civil or Ecclesiastical, Aggregate or Sole; and where the Word "Railway" shall be used, the same shall be understood to mean and include the Railway hereby authorized to be made; and where the Word "Company" shall be used, the same shall be understood to mean the said *Deptford* Pier Junction Railway Company; unless in any of the Cases aforesaid it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction.

The whole of the Expence being subscribed for, the Work to commence forthwith.

III. And whereas the probable Expence of making the said Railway and the Works hereby authorized will amount to the Sum of Sixty thousand Pounds, and the whole of such Sum has been already subscribed for by several Persons, under a Contract, binding themselves, their Heirs, Executors, and Administrators, for Payment of the several Sums by them respectively subscribed; be it therefore enacted, That from and after the passing of this Act the Powers given by this Act in relation to the compulsory taking of Land for the Purposes of the said Railway shall be put in force.

Proprietors to raise Money amongst themselves for the Undertaking, not exceeding 60,000*l.*, to be divided

IV. And be it further enacted, That it shall be lawful for the said Company to raise amongst themselves any Sum of Money for making and maintaining the said Railway and other Works by this Act authorized, not exceeding in the whole the Sum of Sixty thousand Pounds, the whole to be divided into Three thousand Shares of Twenty Pounds each, and such Shares shall be numbered (beginning with Number One) in arithmetical Progression, and every such Share shall be distinguished by the Number to be applied to the same; and the said Shares shall be and are hereby

hereby vested in the several Parties so raising the same, and their several and respective Successors, Executors, Administrators, and Assigns, to their proper Use and Benefit, proportionably to the Sum they shall severally contribute; and all Corporations and Persons, and their several and respective Successors, Executors, Administrators, and Assigns, who shall severally subscribe for One or more Share or Shares, or such Sum or Sums as shall be demanded in lieu thereof, towards the said Undertaking, and other the Purposes of the said Subscription, shall be entitled to and shall receive, at such Time or Times as shall in manner herein-after provided be directed or appointed, in proportionable Parts, according to the respective Sums so by them respectively paid, the net Profits and Advantages which shall arise or accrue from the Rates, Tolls, and other Sums of Money to be received by the said Company, as and when the same shall be divided by the Authority of this Act. into Shares of 20*l.* each.

V. And be it further enacted, That all the Money to be raised by the said Company by virtue of this Act shall be laid out and applied, in the first place, in paying and discharging all Costs and Expences incurred in applying for, obtaining, and passing this Act, and all other Expences preparatory or relating thereto; and the Remainder of such Money shall be applied in and towards purchasing Lands, and making and maintaining the said Railway and other Works, and in otherwise carrying this Act into execution. Application of Money to be raised.

VI. And be it further enacted, That it shall be lawful for the said Company and they are hereby empowered, subject to the Provisions herein-after contained, to make and maintain a Railway, with all proper Works and Conveniences connected with the said Railway, in the Line or Course, and upon, across, under, or over the Lands delineated in the Plan herein-after mentioned; that is to say, such Railway to commence on the Line of and to form a Junction with the Railway from *London* to *Greenwich* where it crosses a certain Highway or Street called *Butt Lane* otherwise *High Street*, in the Parish of *Saint Paul, Deptford*, in the County of *Kent*, and to extend to or pass through or into the Parish of *Saint Nicholas, Deptford*, and to terminate at or near the intended Pier, Wharf, or Terrace to be called the *Deptford Pier*, in the said Parish of *Saint Nicholas* in the said County of *Kent*. Company empowered to make a Railway.

VII. Provided always, and be it further enacted, That the said Company shall, at their own Expence, make and from Time to Time maintain an Approach by a Flight of Steps on an Inclined Plane to the said Railway at or near the Pier at *Deptford* to be called the *Deptford* Pier; and the same, where it shall be constructed within the Works or Line taken by the *Deptford* Pier, shall be constructed under the Direction and to the Satisfaction of the Surveyor for the Time being of the *Deptford* Pier and Improvement Company, and where it shall be constructed beyond or without the said Works or Line, and in or adjoining to any public Street, Passage, or Place in the said Parish of *Saint Nicholas, Deptford*, shall be constructed to the Satisfaction of the Commissioners for the Time being for putting into execution an Act passed in the Forty-fourth Year of the Reign of King *George* the Third, intituled *An Act for the better paving, cleansing, lighting, and watching the Streets, Lanes, and other public Passages and Places within the Parish of* Saint Nicholas, Deptford, *in the* Company empowered to make Approaches from the Railway to Deptford Pier. 44 G. 3. c. 53.

County

County of Kent, *and for removing and preventing Encroachments, Obstructions, Nuisances, and Annoyances therein.*

Plan and Book of Reference to remain in Custody of Clerks of the Peace.

VIII. And whereas a Map or Plan describing the Line of the said Railway, and the Lands upon or through which the said Railway and the Works connected therewith are intended to be carried or made, together with a Book of Reference thereto, containing Lists of the Names of the Owners and Occupiers or reputed Owners and Occupiers of such Lands, has been deposited with the Clerk of the Peace for the County of *Kent*; be it therefore enacted, That the said Map or Plan and Book of Reference, so deposited, shall remain with and be kept by the said Clerk of the Peace, and all Persons shall have Liberty at all reasonable Times to inspect and make Extracts from or Copies of the said Map or Plan and Book of Reference, paying to the said Clerk of the Peace for every Inspection the Sum of One Shilling, and for Copies of or Extracts from the said Book of Reference after the Rate of Sixpence for every One hundred Words; and the said Map or Plan and Book of Reference, or true Copies thereof, or of so much thereof respectively as shall relate to any Matter which may be in question, shall be and are hereby declared to be good Evidence in all Courts of Law or elsewhere.

Copy of the Map or Plan to be deposited with the Commissioners of Pavements of Saint Nicholas, Deptford.

IX. And be it enacted, That within the Space of Six Calendar Months from and after the passing of this Act a true and correct Copy of the said Map or Plan and Sections and Book of Reference shall be made by and at the Expence of and be authenticated under the Common Seal of the said Company, and delivered to the Commissioners for the Time being for putting into execution the said Act made and passed in the Forty-fourth Year of the Reign of King *George* the Third, or to the Clerk for the Time being of the said Commissioners, and such Copy so to be delivered shall be certified under the Hand of the Chairman of the Directors or of the Clerk for the Time being of the said Company as the Copy delivered to the said Commissioners by virtue and in pursuance of this Act, and after the same shall have been so delivered shall be deemed and taken to be and shall be the Property of and vested in the Commissioners for the Time being for putting the said last-mentioned Act into execution, and shall be kept and preserved in the same Manner and under the same Regulations as the Books or Records of the said Commissioners are by the said last-mentioned Act directed to be kept and preserved; and all the Parishioners and Inhabitants of the said Parish of *Saint Nicholas, Deptford*, shall at all reasonable Times be at liberty to inspect and peruse the same and to take Extracts therefrom; and the said Copy of such Map or Plan, Sections, and Book of Reference respectively, so authenticated and certified as aforesaid, and delivered to the said Commissioners or their Clerk, shall be and is hereby declared to be good Evidence in any Matter in dispute in any Court of Law or elsewhere.

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

X. Provided always, and be it further enacted, That it shall be lawful for the said Company to make the said Railway and other Works in the Line or Course and upon or through the Lands delineated on the said Map or Plan, although such Lands or any of them, or the Situation thereof respectively, shall be omitted, mis-stated, or erroneously described in this Act or in the Schedule thereto, or in the Book of Reference to the said Map or Plan, if it shall appear to any Two or more Justices of the Peace

for the said County of *Kent* (in case of Dispute about the same), and be certified by Writing under their Hands, that such Omission, Mis-statement, or erroneous Description proceeded from Mistake; and the Certificate of such Justices shall be deposited with and remain in the Custody of the said Clerk of the Peace.

Company empowered to deviate from Plans to an Extent not exceeding Ten Yards.

XI. And be it further enacted, That the said Company in making the said Railway and other Works by this Act authorized shall have full Power and Authority to deviate from the Line delineated on the Map or Plan so deposited with the Clerk of the Peace as herein-before mentioned: Provided always, that no such Deviation shall extend to a greater Distance than Ten Yards from the Line so delineated upon the said Plan, nor shall such Deviation extend into the Lands or Property of any Person whose Name is not mentioned in the said Book of Reference, without the previous Consent in Writing of such Person, unless the Name of such Person shall have been omitted by Mistake, and the Fact that such Omission proceeded from Mistake shall have been certified in manner herein-before provided in Cases of unintentional Errors in the said Book of Reference.

Company not to take certain Property of W. J. Evelyn without his Consent.

XII. Provided always, and be it further enacted, That nothing herein contained shall authorize or empower the said Company, without the Consent in Writing of *William John Evelyn*, or the Owners or Trustees for the Time being of the Estate herein-after next described or referred to, to purchase, enter upon, or take or use for the Purposes of this Act any Part of the Messuages and Hereditaments on the Western Side of *High Street*, and at the South-west Corner of *High Street* and *Broomfields* in the Parish of *Saint Paul, Deptford*, or the Yards, Stables, or Premises thereto respectively belonging, which are the Property of *William John Evelyn*, and are mentioned, described, or referred to in and by the aforesaid Map or Plan and Book of Reference, and are in the Schedule to this Act numbered respectively from 53 to 65 both inclusive; and the Centre of the said Railway and Works shall be at the least Thirty Feet distant from the Western Boundary of such of the same Messuages, Yards, and Premises as are numbered respectively 61 and 65.

To authorize W. J. Evelyn to make Exchanges of Lands.

XIII. Provided always, and be it further enacted, That notwithstanding any thing herein contained it shall be lawful for the said *William John Evelyn*, or other the Person or Persons for the Time being entitled to the Rents and Profits of the Estates devised by the Will of Dame *Mary Evelyn* deceased, and for his or their Guardians or Guardian during his or their Minority or Minorities, to accept and take Recompence or Satisfaction in Land or Hereditaments for the Land or Hereditaments devised by the said Will, which may be required for the Purposes of this Act, or for any Part thereof, or for and in lieu of any Sum or Sums of Money which may be payable to the said *William John Evelyn*, or such other Person or Persons as aforesaid, under the Provisions of this Act; and that the Lands and Hereditaments so to be accepted and taken shall be subject to such and the like Uses, Estates, Charges, and Interests as the Lands and Hereditaments so to be required for the Purposes of this Act shall for the Time being be subject or liable to.

Company not to deviate from the Line without Consent, &c.

XIV. Provided also, and be it further enacted, That the said Company, in constructing the said Railway, so far as the same shall be connected with the *Bermondsey*, *Rotherhithe*, and *Deptford* Roads, or with any of the Streets, Lanes, public Passages or Places in the said Parish of *Saint Nicholas*, *Deptford*, shall not deviate from the Line delineated in the said Plan deposited with the Clerk of the Peace for the County of *Kent*, nor shall the Arch or Arches herein-after authorized and required to be made over the said *Bermondsey*, *Rotherhithe*, and *Deptford* Roads, and the Streets, Lanes, and public Passages and Places within the Parish of *Saint Nicholas*, *Deptford*, or under the Jurisdiction or Control of the herein-before mentioned Commissioners respectively, or any of them, be made at any other Places or Place than the Places marked out for that Purpose in the said Plan, without the Consent in Writing of the Surveyor to the said Trustees of the *Bermondsey*, *Rotherhithe*, and *Deptford* Roads, so far as the same shall be connected with such Roads, or without the like Consent of the Commissioners aforesaid, or the major Part of such Commissioners who shall be assembled according to the Provisions of the said Act passed in the Forty-fourth Year of His late Majesty King *George* the Third, so far as any such Arch or Arches shall be connected with such Streets, Lanes, and other public Passages and Places for any of the Purposes first had and obtained.

Directing how Arches to be built over Broomfields and New King Street.

XV. Provided also, and be it further enacted, That where the said Railway crosses the *Bermondsey*, *Rotherhithe*, and *Deptford* Turnpike Roads at *Broomfields* and *New King Street*, *Deptford*, the same shall be carried across the said Turnpike Road by means of One or more Arch or Arches, as shall be required by the Trustees of the said Roads; and such Arch or Arches shall be built at Right Angles with the said Road, and according to such Plans or Designs as shall be approved by the said Trustees, but nevertheless the said Turnpike Road shall not be lowered or sunk in any Part thereof.

Works connected with the Bermondsey, Rotherhithe, and Deptford Roads to be constructed under the Superintendance of the Surveyor to the Trustees.

XVI. Provided always, and be it further enacted, That the Arches hereby required to be constructed over the said *Bermondsey*, *Rotherhithe*, and *Deptford* Roads at *Broomfields* and *New King Street*, *Deptford*, and all Approaches, Walls, and other Works belonging to such Arches, and all Repairs and Renewals of the said several Arches which shall hereafter be made by the said Company, shall be constructed and made and formed under the Direction and Superintendence from Time to Time of the Surveyor for the Time being of the Trustees of the said *Bermondsey*, *Rotherhithe*, and *Deptford* Roads; and that the Plans and Designs for the said Arches and the Works belonging thereto (which shall respectively be as ornamental as shall be consistent with the Nature and Situation of the Work), and that the Materials whereof the same shall be constructed, shall be determined and approved of by the said Surveyor for the Time being, and previously to the Commencement of the Works for building the said Arches, Plans, Sections, and Specifications thereof, to be made at the Expence of the said Company, shall be submitted to and approved of by the said Surveyor for the Time being; and in case in the Construction of the said Arches or either of them the said Company shall do or cause to be done any Injury or Damage to the said Roads, and shall not forthwith proceed to repair and make good such Injury or Damage to the Satisfaction of the Surveyor to the Trustees of the Roads, or if by reason of the Con-

struction of any of the Works hereby authorized or required to be constructed by the said Company any Alterations of the said Roads, or of the Drains or Sewers under the same, shall in the Judgment of the said Surveyor for the Time being be rendered necessary, then and in any such Cases it shall be lawful for the said Surveyor to cause all such Repairs and Alterations to be made as he in his Discretion shall think fit; and all Costs and Expences of such Repairs and Alterations shall be paid on Demand by the said Company, or in default of Payment for Twenty-one Days after such Demand, may be recovered by the said Trustees from the said Company, with full Costs of Suit, by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*.

For lighting Arches where the same cross Turnpike Roads.

XVII. And be it further enacted, That until the said Company shall be rated for that Purpose they shall and are hereby required, at their own Expence, to do and perform and for ever to continue all such Acts and Things in the way of lighting and other precautionary Measures upon, under, and about each of the said Arches of the said Railway by which the same shall be carried over the said *Bermondsey*, *Rotherhithe*, and *Deptford* Roads, as shall by the Surveyor to the Trustees for the said Roads for the Time being be deemed necessary and required to be done by the said Company for the Public Safety, or for the Convenience and Protection of the Passengers travelling the said *Bermondsey*, *Rotherhithe*, and *Deptford* Roads, by reason of the Construction and using of the said Railway.

Company to keep in repair Arches connected with Turnpike Roads.

XVIII. Provided also, and be it further enacted, That after the said Arches over the said Turnpike Roads shall have been constructed, pursuant to the Directions of this Act, the said Company shall and they are hereby required at all Times thereafter to keep the said Arches, and all Approaches, Walls, and other Works belonging to such Arches, in good and complete Repair to the Satisfaction of the Surveyor for the Time being to the Trustees of the said Turnpike Roads; and in case of any Want of Repair to the said Arches, Approaches, Walls, and other Works, or any of them, and Notice thereof be given to the said Company by or on behalf of the said Trustees of the said Turnpike Roads, if the said Company shall not for the Space of Three Days after the Service of such Notice commence such Repair, and proceed therein with all reasonable Expedition until the same shall be completed, it shall be lawful for the said Trustees of the said Turnpike Roads to proceed to repair and make good the same, causing as little Obstruction to the said Railway in the Progress of such Repairs as may be; and all the Costs, Charges, and Expences incurred by the said Trustees shall be paid, on Demand, by the said Company, or in failure of Payment for Twenty-one Days after such Demand the same may be recovered by the said Trustees from the said Company, with full Costs of Suit, by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*.

Directing how Arches to be built over Butcher Row, New Street, and Dock Street.

XIX. Provided also, and be it further enacted, That where the said Railway shall cross either of the Streets called *Butcher Row*, *New Street*, *King Street*, or *Dock Street* otherwise *Dog Street*, or any other of the public Streets within the Jurisdiction or Authority of or over which the Powers of the Commissioners for the Time being appointed and acting under the said herein-before mentioned Act passed in the Forty-fourth Year of

of the Reign of King *George* the Third extends, then and in every such Case the said Railway shall be constructed as last aforesaid, by means of an Arch of One Span, of the whole Width of the Road, including the Footpaths thereof, and be built at Right Angles with the Street over which such Arch shall cross; but nevertheless it shall not be lawful for the said Company, or any Person acting under or by virtue of any Authority or Direction from the said Company, to raise or lower any of the public Streets aforesaid, without the previous Consent in Writing of the said Commissioners for the Time being, or of the major Part of them, at some public Meeting duly and lawfully assembled, and according to the Directions of the said last-mentioned Act; and in every such Case the said Street shall be raised or lowered only according to the Stipulations of the said Commissioners, and the Work shall be performed to the Satisfaction of their Surveyor for the Time being, but at the Cost and Expence in all respects of the said Company, who are also hereby required, at their own like Cost and Expence, under the Inspection and to the Satisfaction of the said Commissioners, to make, form, execute, and complete all proper Drains and Sewers from each and every such Street so to be lowered into the River *Thames* or River *Ravensborne*, for the complete and effectual Drainage of such Street.

Works connected with Streets under Jurisdiction of Commissioners to be constructed under Superintendence of their Surveyor.

XX. And be it further enacted, That all Arches or Passing Places to be constructed for the Purposes of the said Railway over or across any of the Streets, Lanes, and public Passages and Places within or under the Jurisdiction of the Commissioners for putting into execution the aforesaid Act passed in the Forty-fourth Year of King *George* the Third, and all Repairs and Renewals of the same Arches or Passing Places which shall hereafter be made, shall be constructed, made, and formed under the Superintendence and to the Satisfaction of the Surveyor for the Time being of the said Commissioners.

Company to keep in repair Arches, &c.

XXI. And be it further enacted, That after the said Arches and Passing Places respectively shall have been constructed the said Company shall and they are hereby required at all Times thereafter to keep the said Arches and Passing Places, where the same pass over or cross any of the Streets, Lanes, or other public Passages or Places under the Jurisdiction of the said Commissioners for putting the said Act of the Forty-fourth Year of King *George* the Third into execution, in good, substantial, and complete Repair, to the Satisfaction of the Surveyor for the Time being of the said Commissioners; and in case of any Want of Repair to the said Arches or Passing Places, or any of them, if the said Company shall not within the Space of Three Days next after any Notice of such Want of Repair to be given to the said Company by or on behalf of the said Commissioners, commence such Repair, and proceed therein with all reasonable Expedition until the same shall be completed to the Satisfaction of the said Surveyor for the Time being of the said Commissioners, it shall be lawful for the said Commissioners to proceed to repair and make good the same, causing as little Obstruction to the said Railway in the Progress of such Repairs as may be; and all the Costs and Expences of or incident to such Repairs from Time to Time incurred by the said Commissioners shall be reimbursed and paid by the said Company to the said Commissioners, or to their Treasurer for the Time being, within Three Days after

after Demand thereof in Writing under the Hands of the said Commissioners or the major Part of them assembled as aforesaid, or of their Clerk for the Time being; and in case such Costs and Expences shall not be so paid, the Amount thereof may be recovered by such and the like Ways and Means, and by the like Powers, as well as to the said Costs and Expences, as to all Costs, Charges, and Expences of or incident to the recovery and levying the same, as are herein directed or provided concerning the recovering or levying any other Costs or Expences of the said Commissioners directed to be paid by the said Company; or otherwise, if the Amount thereof shall exceed Twenty Pounds, the same, with full Costs of Suit, may be recovered by the said Commissioners for the Time being of or from the said Company, by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*.

Notice to be given of breaking up the Pavements in Saint Nicholas, Deptford.

XXII. And be it further enacted, That it shall not be lawful for the said Company, or any Person acting by or under their Authority, to break or take up or disturb, or cause to be broken or taken up or disturbed, for the Purposes of this Act, any Stones, Ground, Soil, or Pavement in any Street, Lane, public Passage or Place under the Jurisdiction, Control, or Direction of the Commissioners for putting into execution the beforementioned Act passed in the Forty-fourth Year of the Reign of King *George* the Third, unless Notice in Writing of their Intention to break or take up or disturb the same, signed by the Clerk of the Company, specifying the Street, Lane, or Place, and the particular Part of such Street, Lane, or Place in which such Stones, Ground, Soil, or Pavement are or is intended to be broken or taken up or disturbed, shall have been given to the said Commissioners, or to their Clerk or Surveyor for the Time being, for the Space of Three Days at least before such Stones, Ground, Soil, or Pavement, or any Part thereof, shall be broken or taken up or in any way disturbed; and if the said Company, or any Person acting by or under their Authority, shall break or take up or disturb, or cause to be broken, taken up, or in any way disturbed, any such Stones, Ground, Soil, or Pavement, without such Notice having been previously given or left as aforesaid, then and in every such Case the said Company shall forfeit and pay to the said Commissioners a Sum not exceeding Five Pounds nor less than Forty Shillings for any Quantity not exceeding One Square Yard, and a like Sum for every Square Yard exceeding the first Square Yard of Stones, Ground, Soil, or Pavement which shall be so broken or taken up or disturbed without such Notice being given or left as aforesaid, to be recovered and levied in such and the like Manner as any other Penalties and Forfeitures by this Act imposed are directed to be recovered and levied.

Pavements to be reinstated to Satisfaction of Commissioners.

XXIII. And be it further enacted, That in case the said Company shall break or take up, disturb, or remove the Stones, Ground, Soil, or Pavement in or of any Street, Lane, public Passage or Place under the Control or Jurisdiction of the said last-mentioned Commissioners, or any Part thereof, and it shall be deemed necessary by the said Commissioners, or the major Part of them, assembled as aforesaid, that the same should be reinstated, or the Pavement of any such Street, Lane, public Passage or Place so broken or taken up, disturbed or removed, or any Part thereof, made good, or that any of the Stones, Ground, Soil, or Pavement near or contiguous thereto should be relaid or reinstated, and

if the said Commissioners, or the major Part of them assembled as aforesaid, or their Clerk or Surveyor, should thereof give Notice to the said Company under their or his Hands or Hand, then, and when and so often as any such Case shall happen, the said Company shall within the Space of Three Days next after every or any such Notice proceed to reinstate, make good, or relay, as the Case may be, such Stones, Ground, Soil, and Pavement, and with all reasonable and proper Expedition, in a good and workmanlike Manner, to the Satisfaction of the said last-mentioned Commissioners or the major Part of them assembled as aforesaid, or of their Surveyor for the Time being, shall complete and finish all the Work necessary to be done therein; and in case the said Company shall not at their own Expence from Time to Time in manner aforesaid reinstate, make good, or relay, as the Case may be, such Stones, Ground, Soil, and Pavement, to the Satisfaction of the said Commissioners or the major Part of them assembled as aforesaid, or of their Surveyor, then and in every such Case it shall be lawful for the said Commissioners or the major Part of them assembled as aforesaid, according to their Discretion and to their Satisfaction, without any further or other Notice or Requisition, to reinstate, make good, or relay, as the Case may be, such Stones, Ground, Soil, or Pavement, or to cause the same to be reinstated, make good, or relayed, and to find all such Materials and other Things as they may deem necessary for that Purpose, and the Expence and Cost thereof shall from Time to Time be borne and paid by the said Company; and if the said Company shall at any Time neglect or refuse to pay to the said Commissioners, or to such Person as they or the major Part of them assembled as aforesaid shall nominate to receive the same, all the Costs and Expences which they shall from Time to Time incur or be put unto in or about or incident to any such reinstating and making good or relaying as aforesaid, for the Space of Seven Days next after the Amount thereof shall be notified in Writing to the said Company by the said Commissioners, or by their Clerk or Surveyor, and the said Company shall have been required to pay the same, then and in every such Case the said Costs and Expences, together with all reasonable Costs and Charges of and incident to the Recovery thereof, or any Distress or Sale herein-after directed, shall and may be recovered by Distress and Sale of the Goods and Chattels of the said Company or of their Treasurer for the Time being, under and by virtue of a Warrant to be issued, at the Request of the said Commissioners or the major Part of them, or their Clerk for the Time, under the Hand and Seal of some One of His Majesty's Justices of the Peace acting in and for the County of *Kent*, which Warrant any and every such Justice is hereby authorized and required to issue accordingly: Provided always, that before the issuing of any such Warrant the Justice who shall be required to issue the same shall be satisfied by the solemn Declaration of the Person requesting such Warrant, such solemn Declaration to be made according to the Act passed in the Fifth and Sixth Years of His present Majesty's Reign, in this Act more particularly mentioned or referred to, or by some other reasonable Evidence to be adduced before him, that the Sum demanded of the said Company, and for which such Warrant shall be required to be issued, shall not exceed the Amount incurred for such Costs and Expences.

Compensation to be made for

XXIV. Provided also, and be it further enacted, That in case any Injury or Damage or Deterioration in Value shall be occasioned to any Houses

or Buildings which shall be purchased or taken for the Purposes of the said Railway, by reason of the Pavements in the immediate Front thereof or immediately adjoining thereto having been permanently lowered or raised by virtue of this Act; such Sum or Sums of Money shall be paid by the said Company, out of the Monies to be raised for the Purposes of this Act, to the Owner and Occupier of and other Persons interested in such Houses or Buildings respectively, in Compensation or Satisfaction for such Injury, Damage, or Detriment as shall be agreed upon between such Owners and Occupiers and other Persons respectively and the said Company; and in case such Owners and Occupiers and other Persons respectively and the said Company shall not agree as to the Amount or Value of such Compensation or Satisfaction, then the same, if the Sum demanded shall exceed the Sum of Twenty Pounds, shall be ascertained and settled by the Verdict of a Jury in manner herein directed for ascertaining and settling the Amount of other Compensations by this Act directed to be paid and to be ascertained by Verdict of a Jury; and in case the Sum demanded shall not exceed the Sum of Twenty Pounds, then the Amount to be paid by way of Compensation and Satisfaction for such Injury, Damage, or Detriment shall be, upon Request or Application of the Person entitled to receive or claiming the same, ascertained and determined by Two of His Majesty's Justices of the Peace acting in and for the County of *Kent*, who are hereby authorized and required upon such Request or Application to summon the Person or Party against whom such Request or Application shall be made, and all necessary Witnesses, to appear before them or such other of His Majesty's Justices of the Peace for the County of *Kent* as shall be assembled at some Time and Place to be mentioned and appointed in the Summons to be issued in that Behalf; and any Two of such Justices so assembled, upon Proof of the Service of such Summons, shall and they are hereby required to proceed to hear and determine the Matter of every such Request or Application, and to award and order Payment of all such Sum and Sums of Money as they shall think reasonable by way of Compensation or Satisfaction for such Injury, Damage, or Detriment as aforesaid; and in case it shall happen that any Person to be summoned to give Evidence before such Justices shall neglect or refuse to appear according to the Exigency or Direction of such Summons, then, upon Proof of the Service of such Summons by delivering the same or a true Copy thereof to, or leaving the same or a true Copy thereof at the last or most usual Place of Abode of the Person so to be summoned, Two Days at the least before the Day on which the Person named in such Summons shall be thereby required to appear and give Evidence, the Person making default therein shall forfeit and pay to the Person at whose Request or on whose Behalf he shall have been summoned any Sum not exceeding Twenty Pounds nor less than Five Pounds, to be recovered and levied, together with the Costs of recovering and levying the same, by all such and like Ways and Means as any other Penalties are by this Act authorized to be recovered and levied.

Loss or Damage to Premises by Pavements being raised or lowered.

XXV. And be it further enacted, That if any Corporation or other Party by this Act authorized to sell and convey any Lands, Tenements, or Hereditaments shall be applied to by or on behalf of the said Company to treat for, sell, dispose of, or convey any Part of any House, Warehouse, Building, or Manufactory in the actual Occupation of One Person, or of several Persons

No Person compellable to sell Part of his House, &c. if willing to sell the Whole.

Persons jointly, and shall by Notice in Writing, to be left with the Clerk of the said Company within Twenty-one Days after such Application, signify his Inclination or Desire to treat for, sell, dispose of, and convey the whole of such House, Warehouse, Building, or Manufactory, and if it shall happen that the said Company shall not think proper or be willing to purchase the whole of such House, Warehouse, Building, or Manufactory, and any Land attached thereto not exceeding Half an Acre, then and in every such Case nothing in this Act contained shall extend or be construed to extend to compel such Corporation or Party interested therein to treat for, sell, dispose of, or convey, or to authorize the said Company to take or use, Part only or less than the Whole of such House, Warehouse, Building, or Manufactory and Land; any thing herein contained to the contrary thereof in anywise notwithstanding.

Where small Parcels of Land are intersected, Company compellable to purchase the Whole.

XXVI. Provided also, and be it further enacted, That if in the Execution of any of the Powers of this Act any Land shall be cut through and divided, so that what shall be left thereof on both Sides or on either Side of the said Railway shall be less than Half an Acre in Quantity, and if the Owner of any such Land shall not have any other Land adjoining to that which shall be so left, then and in every such Case, if such Owner shall so require, but not otherwise, the said Company shall also purchase the Land so left on both or on either of the Sides of the said Railway, being less than Half an Acre in Quantity as aforesaid, the Value thereof to be ascertained in the same Manner as is directed concerning any Land to be taken or used for the Purposes of this Act; or in case such Owner as aforesaid shall have any other Land adjoining to that which shall be so left, he may require the said Company, at the Expence of such Company, to throw the same into the adjoining Land of such Owner, by removing the Fences and levelling the Sides thereof, and soiling the same in a sufficient and workmanlike Manner: Provided always, that if in respect of any Land which shall be so left, being less than Half an Acre in Quantity, and the Owner whereof shall not have any Land adjoining on the same Side of the said Railway, the said Company shall be called upon to make any Bridge or Culvert for the Purpose of making a Communication therewith, it shall be lawful for the said Company and they are hereby empowered to take and purchase such Piece of Land being less than Half an Acre in Quantity.

Houses and Gardens not to be used unless specified in Schedule.

XXVII. And be it further enacted, That nothing herein contained shall authorize the said Company, or any Person acting under their Authority, to take, injure, or damage, for the Purposes of this Act, any House or other Building which was erected or built on or before the Thirtieth Day of *November* One thousand eight hundred and thirty-five, or any Ground which was then set apart and used as and for a Garden, Orchard, Yard, Park, Paddock, Plantation, planted Walk or Avenue to a House, or any inclosed Ground planted as an Ornament or Shelter to a House, or planted and set apart as a Nursery for Trees, other than and except such as are specified in the Schedule to this Act annexed, without the previous Consent in Writing of the Owner and Occupier thereof respectively, unless the Omission thereof in such Schedule shall have proceeded from Mistake, and it shall be so certified in manner herein-before provided for in Cases of unintentional Errors in the said Book of Reference.

XXVIII. And

Breadth of Land to be taken for *Railway*.

XXVIII. And be it further enacted, That the Lands to be taken for the Line of the said Railway shall not exceed Twenty-five Yards nor be less than Twenty Yards in Breadth, except in those Places upon the Line of such Railway where a greater Breadth shall be judged necessary for Carriages to wait, load, or unload, and to turn or pass each other, or for the Erection or Establishment of any Toll House, House, Warehouse, Wharf, or other Erections and Buildings, and not in any Place exceeding Seventy Yards, on each Side of the Line of Railway, at or near the Terminations of the Line of such Railway, unless with the previous Consent in Writing of the Owners and Occupiers of any Lands which the said Company shall be desirous of appropriating to the obtaining greater Space for the Purposes herein-before mentioned.

If Land not contracted for within Two Years, Power to take Property on Compulsion to cease.

XXIX. And be it further enacted, That unless the said Company shall, within the Space of Two Years, to be computed from the passing of this Act, agree for or cause to be valued and paid for, as in this Act is mentioned, the Lands which they are by this Act empowered to take or use, or otherwise so much thereof as shall be by them deemed necessary and proper for the Purposes of making the said Railway and other Works hereby authorized, save and except the Three Acres of Land which the said Company are by this Act authorized to purchase in addition to the Lands hereby authorized to be taken or used for making the said Railway and other Works, then and from thenceforth the Powers which are hereby granted to them for taking or using such Lands shall cease and be utterly void, save so far as the same may be exercised with the Consent in Writing of the Owners and Occupiers of such Lands respectively.

If Railway not completed in Three Years, Powers to cease, except as to any Part completed.

XXX. And be it further enacted, That in case the said Railway and Works shall not have been made and completed (unless prevented by inevitable Accident) within the Space of Three Years, to be computed from the passing of this Act, then from and after the Expiration of the said Term of Three Years all the Powers, Authorities, and Privileges given by this Act shall cease and determine, save only and except as to so much (if any) of the said Railway and Works as shall have been completed within the said Term of Three Years.

If Railway abandoned, the Land to revert to *Owners* on each Side.

XXXI. And be it further enacted, That if the said Railway or any Part thereof shall at any Time hereafter be abandoned or given up by the said Company; or, after the same shall have been completed, shall for the Space of Three Years cease to be used and employed as a Railway, then and in such Case the Lands so purchased or taken by the said Company for the Purposes of this Act, or otherwise the Parts thereof over which the said Railway or any Part of such Railway which shall be so abandoned or given up by the said Company shall pass, shall vest in the Owners for the Time being of the Land adjoining that which shall be so abandoned or given up in manner following; that is to say, One Half thereof in the Owners of the Land on the one Side, and the Remainder thereof in the Owners of the Land on the other Side thereof.

Company may let the Arches under the Railway.

XXXII. And whereas it is intended to make, maintain, and construct the said Railway on Arches; be it therefore further enacted, That the said Company shall have full Power and Authority to grant on Lease or let the said Arches or any of them to any Person whomsoever, for a Term of

Years or for any shorter Period, and for such Considerations in gross, annual Rents, or other Compensations, and on such Conditions, as to the said Company shall seem meet; and the Amount of such annual Rents or other Considerations shall be paid, applied, and disposed of for the Purposes of this Act.

Penalty on obstructing Persons employed in the Construction of Railway.

XXXIII. And be it further enacted, That if any Person shall obstruct or prevent any Person employed by the said Company, according to the Provisions of this Act, in setting out the Line of the said Railway, or engaged in the Construction thereof or of any Part thereof, or shall pull up or remove any Stakes that may have been driven into the Ground for the Purpose of setting out the Line of the said Railway according to the Provisions of this Act, he shall forfeit and pay any Sum not exceeding Ten Pounds for every such Offence.

Power to treat for the Purchase of Lands.

XXXIV. And be it further enacted, That it shall be lawful for the said Company to treat and agree for the Purchase of any Lands authorized to be taken and used by them as aforesaid, and of any subsisting Leases, Terms, Estates, Rights, and Interests therein and Charges thereon, or such of them or such Part thereof as the said Company shall think proper; and it shall be lawful for all Corporations, Tenants in Tail or for Life, or for any other partial or qualified Estate or Interest, Husbands, Guardians, Trustees, and Feoffees in Trust for charitable or other Purposes, Committees, Executors, and Administrators, and all Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of all Persons entitled in Reversion, Remainder, or Expectancy after them, if incapacitated, unborn, or not to be found, and for and on behalf of their Wives, Wards, Lunatics, and Idiots respectively, and in the same Manner and to the same Extent as such Wives, Wards, Lunatics, and Idiots respectively could have done by Law under the Powers of this Act in case they had been sole, of full Age, and of sound Mind, and for and on behalf of the Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons, and to and for all Femes Covert seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest in, and for all other Persons whatsoever seised or possessed of or interested in any such Lands, whether Freehold, Copyhold, or howsoever otherwise, to contract for, sell, and convey the same or any Part thereof unto the said Company; and all such Contracts, Sales, and Conveyances shall be made at the Expence of the said Company, and may be made according to the following Form, or as near thereto as the Number of the Parties and the Circumstances of the Case will admit; (that is to say,)

Form of Conveyance.

‘ I of in consideration of
‘ the Sum of to me, *or* to *A. B.* of
‘ and *C. D.* of
‘ Two Trustees appointed to receive the same, pursuant to the Act after
‘ mentioned, paid by the *Deptford* Pier Junction Railway Company, in-
‘ corporated by an Act passed in the Year of the
‘ Reign of King *William* the Fourth, intituled [*here set forth the Title of*
‘ *this Act*], do hereby convey [*or, in case of Copyhold or Customary*
‘ *Lands requiring Surrender*, do hereby agree to surrender] to the said
‘ Company,

'Company, their Successors and Assigns, all [*describing the Premises to be conveyed*], together with all Ways, Rights, and Appurtenances thereunto belonging, and all my Estate, Right, Title, and Interest in and to the same and every Part thereof, to hold the Premises to the said Company, their Successors and Assigns, for ever, according to the true Intent and Meaning of the said Act. In witness whereof I have hereunto set my Hand and Seal the Day of in the Year of our Lord .'

And all such Conveyances as aforesaid shall be valid and effectual in the Law to all Intents and Purposes, and shall operate to vest all Copyhold or Customary Lands, and merge all Terms of Years attendant by express Declaration or by Construction of Law on the Estate or Estates, Interest or Interests so thereby conveyed or aliened, and to bar and destroy all Estates Tail, and all other Estates, Rights, Titles, Remainders, Reversions, Limitations, Trusts, and Interests whatsoever of and in the Lands in such Conveyances respectively comprised; but although Terms shall be merged they shall in Equity afford the same or the like Protection and Priority as if they were assigned and kept on foot in Trust for the Company, and to attend the Reversion or Inheritance.

Power to purchase the Release of Lands wanted from Rents charged thereon.

XXXV. And be it further enacted, That where any Lands purchased or intended to be purchased by the said Company shall be subject, solely, or jointly with other Lands not intended to be purchased, to or with any Rent Service, Rent Charge, or Chief Rent, or other Rent, Payment, or Incumbrance, it shall be lawful for the said Company to agree for the Release of the Lands so purchased or intended to be purchased from such Rent, Payment, or Incumbrance, and also (where necessary) for an Apportionment of such Rent, Payment, or Incumbrance, for such Sum as shall be agreed upon between the said Company and the Party who under the Provisions of this Act shall agree to sell or apportion the same, and which Agreement may be entered into by all Corporations and other Persons by this Act authorized and empowered to sell or convey Lands; and in case any Difference shall arise respecting the Value of such Rent, Payment, or Incumbrance, or respecting the Apportionment thereof, the same shall be determined by a Jury, if required, in like Manner as the Price of Lands by this Act directed to be settled in case of Dispute as to the Value thereof, which Jury shall assess and determine the Value of the Rent, Payment, or Incumbrance affecting the Lands purchased or intended to be purchased, and shall also (where necessary) apportion the Rent, Payment, or Incumbrance affecting the Lands jointly subject to such Rent, Payment, or Incumbrance as herein-before mentioned, according to the respective Values of the Lands purchased or intended to be purchased, and of the Lands not intended to be purchased by the said Company: Provided always, that when any of the Lands purchased by the said Company shall be released from any Rent, Payment, or Incumbrance affecting the same jointly with other Lands not purchased by the said Company, such last-mentioned Lands shall be charged only with the Remainder of such Rent, Payment, or Incumbrance, and such Apportionment shall not prejudice the Remedies for such Remainder, but the same shall at all Times thereafter remain as effectual as if the Lands not so purchased had been originally charged with that Amount only.

XXXVI. And

Mortgagees to convey to Company.

XXXVI. And be it further enacted, That all Persons and Corporations having any Mortgage on any Lands which shall be required to be taken for the Purposes of this Act (and whether entitled thereto in their own Right or in Trust for any other Person or Corporation) shall, on Tender of the Principal Money and Interest due on such Mortgage, and the just Costs (if any) then due, together with the Amount of Six Calendar Months Interest on the said Principal Money, by the said Company, immediately convey, assign, and transfer the respective Interests of such Mortgagees in the Lands which shall be so required to the said Company, or to such Person as they shall appoint, and which Conveyance, Assignment, or Transfer may be of the like Form as the Conveyances by this Act directed to be used in Cases of Conveyance of Lands, or as near thereto as the Circumstances of the Case will permit; or in case such Mortgagees shall have Notice in Writing from the said Company that they will pay off the Principal Money and Interest which shall be due on such Mortgage at the End of Six Calendar Months (to be computed from the Day of giving such Notice), then, at the End of such Six Calendar Months, on the Payment of the Principal Money and Interest so due, together with any just Costs then due, such Mortgagees shall convey, assign, and transfer their respective Interests in the Lands which shall be so required for the Purposes of this Act to the said Company, or as they shall direct; and in case any such Mortgagee shall refuse to convey, assign, or transfer as aforesaid on such Tender or Payment, then all Interest on every such Mortgage Debt shall from thenceforth cease and determine: Provided always, that in case any Mortgagee shall neglect or refuse to convey, assign, or transfer as aforesaid, then, upon Payment of the Principal Money and Interest, and the Costs (if any) due on any such Mortgage as aforesaid, into the Bank of *England*, at the End of Six Calendar Months from the Day of giving such Notice as aforesaid, or in lieu of such Notice, and in addition to the said other Monies, of Six Calendar Months Interest in advance for the Use of such Mortgagee, the Cashier of the said Bank shall give a Receipt for the said Money in like Manner as is by this Act directed in Cases of other Payments into the said Bank, and thereupon, or upon such Conveyance, Assignment, or Transfer by any such Mortgagee as aforesaid, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of such Mortgagee, and of all Persons in Trust for him, or for whom he shall be Trustee, shall vest in the said Company, and the said Company shall be deemed to be in the actual Possession of the Premises and Estate comprised in such Mortgage, or so much thereof as shall be required for the Purposes of this Act, to all Intents and Purposes whatsoever.

For settling Disputes between Company and Mortgagees of Land.

XXXVII. And be it further enacted, That in all Cases where a Part only of any Lands subject to any Mortgage shall be required for the Purposes of this Act, and the Mortgagee thereof shall not consider the remaining Parts of such Lands to be a sufficient Security for the Money charged thereon, or shall not be willing to release the Part required for the Purposes of this Act from the Principal or Mortgage Money and all Interest due or to become due thereon, and all Costs, the Value of such Part of the said Lands as shall be so required for the Purposes aforesaid, or, as the Case may be, of the Estate or Interest therein mortgaged, and also the Satisfaction or Compensation (if any) for any Damage done, shall be settled and agreed upon by and between such Mortgagee and the Person entitled

entitled to the Equity of Redemption of such Lands, on the one Part, and the said Company on the other Part; and in case of any Difference between them then such Value and Satisfaction or Compensation shall be determined by the Verdict of a Jury in the same Manner and subject to such Provisions and Conditions as in other Cases of Difference; and the Amount of such Value and Satisfaction or Compensation, being so agreed upon or determined as aforesaid, shall be paid to such Mortgagee in satisfaction of his Claim, so far as the same will extend, or in case of his neglecting or refusing to assign or transfer as herein-before directed, then into the Bank of *England* as by this Act is provided; and such Payment to the Mortgagee, or into the Bank as last aforesaid, shall be and be accepted in satisfaction of the Claim of such Mortgagee so far as the same will extend, and also in full Discharge and Exoneration of such Part of the mortgaged Premises as shall be so taken or used from all Principal and Interest and other Money due or secured thereon: Provided nevertheless, that notwithstanding any thing herein-before contained all such Mortgagees shall have the same Powers and Remedies for recovering or compelling Payment of their Mortgage Money, or the Residue thereof (as the Case may be), or the Interest thereof respectively, upon and out of the Residue of the mortgaged Lands not required for the Purposes aforesaid, as they would otherwise have had or been entitled to for recovering or compelling Payment thereof upon or out of the whole of the Lands originally comprised in such Mortgage.

Parties to deliver a Statement of their Estates and Claims within One Calendar Month after Notice.

XXXVIII. And be it further enacted, That on or before the Expiration of One Calendar Month next after Notice in Writing from the said Company or their Agent duly authorized, of their Intention to take or use any Lands, or any Part thereof, for the Purposes of this Act, shall have been given to any Person or Corporation seised, possessed, or interested therein, such Person or Corporation shall deliver or cause to be delivered at the Office of the said Company or of their Solicitor a Statement in Writing of the Particulars of the Estate, Share, Interest, or Charge which he or they claim to be entitled to, or to be authorized to receive Satisfaction and Compensation for, and of the Injury or Damage sustained by him or them, and of the Amount of the Sum of Money which he or they may expect or be willing to receive in satisfaction and compensation for the Value of such Estate, Share, Interest, or Charge, and for such Injury or Damage respectively; and in every Case in which the said Company shall give Notice of such their Intention as aforesaid, and the Person to whom such Notice shall have been given or directed shall, in compliance therewith, or of the Provisions of this Act, have delivered or caused to be delivered such Statement as aforesaid, the said Company shall and they are hereby required (if the Person delivering such Statement shall so require), within the Space of Three Calendar Months from the Delivery of such Statement, to agree in manner hereinafter mentioned with the Owners and Occupiers and other Persons interested in the Land to be mentioned in such Notice as intended to be taken or used by the said Company for such Estate, Share, Interest, or Charge, and for the Sum of Money to be paid by the said Company as Satisfaction or Compensation for any Injury, Damage, Loss, or Inconvenience for which any Person is by this Act authorized to receive Satisfaction or Compensation; and in case the said Company shall not be able to agree or shall not agree with such Owners, Occupiers, and other Persons respectively,

respectively, within Three Calendar Months from the Delivery of such Statement to the said Company, the said Company shall, if required by the Party, cause a Jury to be summoned in manner herein-after mentioned for the Purpose of ascertaining and settling the Amount of the Value of such Estate, Interest, or Charge, and of such Injury or Damage respectively.

Satisfaction to be made for Lands taken.

XXXIX. And be it further enacted, That all Corporations and other Parties by this Act capacitated to sell and convey any Lands, or any Rights or Interests in Lands, and the respective Owners and Occupiers of any Lands through or upon which the said Railway or other Works hereby authorized are intended to be made, may agree to accept and receive and may accept and receive Satisfaction for the Value of such Lands, or of the Interest therein by them conveyed, and also Compensation for and on account of any Damage sustained by them or him by reason of the severing or dividing of such Lands, or by reason or on account of the Execution of any of the Works by this Act authorized, and also for and on account of any Damage, Loss, or Inconvenience which may be sustained by such Corporations or other Persons by reason of the Execution of any of the Powers of this Act, in such gross Sums as shall be agreed upon between the said Owners and Occupiers respectively and the said Company; and in case the said Company and such Parties respectively shall not agree as to the Amount or Value of such Purchase Money, Compensation, or Satisfaction, the same respectively, or any of them, concerning which they do not so agree, shall be ascertained and settled by the Verdict of a Jury, if required, as herein-after is directed.

Power to purchase Lands on Chief Rents.

XL. And be it further enacted, That it shall be lawful for any Person who shall be seised in Fee of any Lands authorized to be purchased for the Purposes of this Act, and who shall be willing to sell the same Lands for a perpetual annual Rent Charge in lieu of a Sum in gross, to sell and convey the same Lands or any Part thereof unto the said Company for and in consideration of an annual Rent Charge payable by the said Company, their Successors and Assigns, to the Person so selling and conveying, and to his Heirs and Assigns; and all such Sales and Conveyances shall be made at the Expence of the said Company, and may be made according to the following Form, or as near thereto as the Number of the Parties and the Circumstances of the Case will admit; (that is to say,)

Form of Conveyance.

‘ I of in consideration of
‘ the Rent Charge to be paid to me, my Heirs and Assigns, as herein-
‘ after mentioned, by the *Deptford* Pier Junction Railway Company,
‘ incorporated by an Act of Parliament passed in the Year of
‘ the Reign of King *William* the Fourth, intituled [*here set forth the Title*
‘ *of this Act*], do hereby convey to the said Company, their Successors
‘ and Assigns, all [*describing the Premises to be conveyed*], together with
‘ all Ways, Rights, and Appurtenances thereto belonging, and all my
‘ Estate, Right, Title, and Interest in and to the same and every Part
‘ thereof, to hold the said Premises to the said Company, their Successors
‘ and Assigns, for ever, according to the true Intent and Meaning of the
‘ said Act, they the said Company, their Successors and Assigns, yield-
‘ ing and paying unto me, my Heirs and Assigns, One clear yearly Rent

'of by equal [quarterly *or* half-yearly, *as the*
'*Case may be agreed on*,] Portions henceforth on the [*stating the Days*],
'clear of all Taxes and Deductions. In witness whereof I have hereunto
'set my Hand and Seal the Day of
'in the Year of our Lord .'

And all such Conveyances as aforesaid shall be valid and effectual to all Intents and Purposes, and shall operate to merge all Terms of Years attendant by express Declaration or by Construction of Law on the Estate or Interest so thereby conveyed; but although Terms shall be merged they shall in Equity afford the same or the like Protection and Priority as if they were assigned as herein-before mentioned.

For paying the Expences of Conveyances to the Company.

XLI. And be it further enacted, That all the Costs, Charges, and Expences on the Part as well of the Seller as of the Purchaser of all Conveyances and Assurances of any Lands and Hereditaments which shall be purchased or taken by the said Company for the Purposes of this Act, and of deducing, evidencing, and verifying such Title as the said Company may require to the said Lands and Hereditaments, and of all attested Copies which the said Company may require of any Deeds, Evidences, or Writings relating thereto, and all Expences whatsoever incident to the Investigation, Deduction, or Verification of such Title, shall be exclusively borne and paid by the said Company; and the said Company, before entering into Possession of the Lands and Hereditaments so purchased, shall pay the Amount of such Costs, Charges, and Expences, or in case there shall be any Dispute about the same shall deposit, for the Purpose of paying the same, in such Manner as herein-after mentioned, the Amount of the Costs, Charges, and Expences claimed by the Party or Parties from whom the Lands and Hereditaments shall be purchased: Provided always, that the said Company shall not be prevented from entering into Possession of the Lands and Hereditaments so purchased by reason of the Nonpayment of the said Costs, Charges, and Expences, or by reason of the Deposit herein mentioned not having been made, unless the Party or Parties from whom such Lands and Hereditaments shall have been purchased shall, within Seven Days after Notice in Writing for that Purpose shall have been given to them by the said Company, deliver a Bill of their said Costs, Charges, and Expences to the said Company, with the Name of a Solicitor as their Referee for the Purposes herein-after mentioned; and if the said Company and the Party or Parties aforesaid cannot agree as to the Amount of such Costs, Charges, and Expences, the said Company shall name a Solicitor as a Referee on their Part, and deposit the Amount of the Costs, Charges, and Expences claimed by such Party or Parties as aforesaid in the Hands of the said Two Referees, to answer the same, and such Costs, Charges, and Expences shall be settled and determined by the said Two Referees, or in case they shall differ about the same, then by a Third Solicitor as Umpire, to be named and appointed by such Two first Referees before they proceed on the Matter referred to them; and the Award and Determination of the said Two Referees, or of the said Umpire, as the Case may be, shall be binding and conclusive, and shall be made within One Calendar Month from the Time of making such Deposit as is herein-before mentioned; and upon such Award and Determination being made the said Two Referees shall, by and out of the Money so deposited with them, pay to the Party or Parties from

'whom

whom the said Lands and Hereditaments shall be so purchased as aforesaid the Amount of the Costs, Charges, and Expences which shall be so awarded and determined, and the Remainder of the said Money so deposited shall be returned to the said Company: Provided also, that the Expence of determining such Costs, Charges, and Expences as aforesaid shall be paid and borne by the said Company, unless One Sixth of the said Costs, Charges, and Expences shall be disallowed, in which Case the Expence of determining the same shall be paid and borne by the said Sellers, and the Amount thereof may then be deducted by the said Company from the Sum payable by them under the Award and Determination of the said Two Referees or of the said Umpire.

Yearly Rents charged on the Rates.

XLII. And be it further enacted, That all such yearly Rents or Sums as shall be agreed on between the said Company and the Parties interested in such Lands as aforesaid shall be charged on the Rates arising by virtue of this Act, and shall be paid by the said Company as the same shall become due and payable; and in case the same shall not be paid within Twenty-one Days next after the same shall so become due and payable, it shall be lawful for the Person to whom such yearly Rents or Sums shall be due and owing as aforesaid to sue for and recover the same from the said Company, with Costs of Suit, by Action of Debt in any of His Majesty's Courts of Record, or otherwise to seize and distrain any Engines, Carriages, or other Goods or Effects of the said Company which shall be found upon the said Railway, or in or upon the Wharfs, Quays, Warehouses, or other Works thereto belonging, (Information of such Distress being immediately given to the said Company by Notice in Writing,) and to detain the same until Payment of such yearly Rents or Sums then due and owing, together with the reasonable Charges attending such Distress; and if such Distress shall not be redeemed within Twenty-one Days next after making the same, and Notice thereof given in Writing as aforesaid, then such Engines, Carriages, or other Goods or Effects so distrained shall and may be sold or disposed of in such Manner as the Law directs in case of a Distress for Rent.

In case Parties refuse or are incapable to treat, the Value of Land and Damages to be settled by a Jury.

XLIII. And for settling all Differences which may arise between the said Company and the several Owners and Occupiers of or Persons or Corporations interested in any Lands which shall or may be taken, used, damaged, or injuriously affected by the Execution of any of the Powers hereby granted, be it further enacted, That if any Corporation, Trustee, or other Person so interested, or entitled and capacitated to sell, agree, or convey as aforesaid, shall not agree with the said Company as to the Amount of such Purchase Money or Satisfaction or other Compensation as aforesaid, or if any of the Parties entitled to receive such Purchase Money or Satisfaction or other Compensation as aforesaid shall refuse to accept such Purchase Money or Satisfaction or other Compensation aforesaid as shall be offered by the said Company in Writing, and shall give Notice thereof in Writing to the said Company within Twenty-one Days next after such Offer shall have been made, and the Party giving such Notice shall therein request that the Matter in dispute may be submitted to the Determination of a Jury, or if any of such Parties as aforesaid shall (for the Space of Twenty-one Days next after Notice in Writing shall have been given to the Clerk, Agent, or principal Officer of any such Corporation, or to any such Trustee

Trustee or Person respectively, or left at his last or usual Place of Abode, or with the Tenant or Occupier of any Lands required for the Purposes of this Act,) neglect or refuse to treat, or shall not agree with the said Company for the Sale and Conveyance of their respective Estates or Interests, or the respective Estates or Interests which they respectively are hereby capacitated to convey therein, or for the Satisfaction, Recompence, or Compensation to be paid to them for such Damage or Injury as aforesaid, or shall by reason of Absence be prevented from treating, or shall by reason of any Impediment or Disability not provided for by this Act be incapable of making such Agreement or Conveyance, or shall not disclose and prove the State of the Title to the Premises of which they respectively may be in Possession and claim to be entitled unto or interested in, or in any other Case where Agreement for Compensation for Damages incurred in the Execution of this Act cannot be made, then and in every such Case the said Company shall and they are hereby required from Time to Time to issue a Warrant under their Common Seal, or under the Hands and Seals of Three at least of the Directors of the said Company, to the Sheriff of the County in which the Lands in question shall be situate, or the Matter in dispute shall arise, or in case such Sheriff or his Under Sheriff shall be in anywise interested in the Matter in question, then to any of the Coroners of such County not interested as aforesaid, or if all the Coroners shall be so interested then to some Person then living in the County and free from personal Liability who shall have filled the Office of Sheriff or Coroner in the said County, and not interested as aforesaid, (a Person having more recently served either Office being always preferred;) commanding such Sheriff or Coroner or other Person to impannel, summon, and return, and the said Sheriff, Coroner, or other Person is hereby accordingly empowered and required to impannel, summon, and return, a Jury of at least Twenty-four sufficient and indifferent Men, qualified according to the Laws of this Realm to be returned for Trials of Issues in His Majesty's Courts of Record at *Westminster*; and the Persons so to be impannelled, summoned, and returned are hereby required to appear before the said Sheriff, Under Sheriff, Coroner, or other Person at such Time and Place as in such Warrant shall be appointed, and to attend from Day to Day until duly discharged; and out of such Persons so to be impannelled, summoned, and returned a Jury of Twelve Men shall be drawn by the said Sheriff, Under Sheriff, Coroner, or other Person, or by some Person to be by them respectively appointed, in such Manner as Juries for Trials of Issues joined in His Majesty's Courts of Record at *Westminster* are by Law directed to be drawn; and in case a sufficient Number of Jurymen shall not appear at the Time and Place to be appointed as aforesaid, such Sheriff, Under Sheriff, Coroner, or other Person shall return other honest and indifferent Men of the Standers-by, or of others that can speedily be procured to attend that Service (being so qualified as aforesaid), to make up the said Jury to the Number of Twelve; and all Parties concerned may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said Sheriff, Under Sheriff, Coroner, or other Person is hereby empowered and required, on Request in Writing by either Party, to summon before him all Persons who shall be thought necessary to be examined as Witnesses touching the Matters in question, and may authorize or order the said Jury, or any Six or more of them,

to view the Place or Matter in controversy; and such Jury shall upon their Oaths, or being Quakers or Separatists upon their Affirmations, (which Oaths and Affirmations, as well as the Oaths and Affirmations of all such Persons as shall be called upon to give Evidence, the said Sheriff, Under Sheriff, Coroner, or other Person is hereby empowered and required to administer,) inquire of and assess and give a Verdict for the Sum of Money to be paid for the Purchase of such Lands, and also the Sum of Money to be paid by way of Satisfaction or Compensation either for the Damages which shall before that Time have been done or sustained as aforesaid, or for the future temporary or perpetual or for any recurring Damages to be done or sustained as aforesaid; which Satisfaction or Compensation for such Damage or Loss shall be inquired into and assessed separately and distinctly from the Value of the Lands so to be taken or used as aforesaid; and the said Sheriff, Under Sheriff, Coroner, or other Person shall accordingly give Judgment for such Purchase Money, Satisfaction, or Compensation as shall be assessed by such Jury; which said Verdict, and the Judgment thereon to be pronounced as aforesaid, shall be binding and conclusive to all Intents and Purposes upon all Corporations and Persons whatsoever; and in all such Proceedings the Party claiming Compensation shall have all the Rights and Privileges to which Plaintiffs are by Law entitled: Provided always, that not less than Fourteen Days Notice in Writing of the Time and Place at which such Jury are so required to be returned shall be given by the said Company to the Party with whom any such Controversy shall arise, or by leaving such Notice either at the Dwelling House of the Persons or of the Clerk or Agent or principal Officer of the Corporation, or with some Tenant or Occupier, or, in case the Premises are void, by affixing the same to the Door of the Premises intended to be valued or respecting which or any Damage to which any such Question shall arise.

Value of Lands and Damages to be ascertained separately.

XLIV. Provided also, and be it further enacted, That in ascertaining the Sum of Money to be paid for the Purchase of any Lands or other Rights to be taken or used for the Purposes of this Act, the Jury shall also ascertain and assess the Compensation and Satisfaction to be paid by the said Company for any Damage which shall or may be sustained by any Body or Person to whom Notice of such Jury shall be given in manner aforesaid, being Owner or Occupier of or interested in such Lands or other Rights, for or by reason of the severing or dividing the same from other Lands or other Rights belonging to any such Body or Person as aforesaid, and for and on account of the Detriment, Loss, Injury, Damage, or Prejudice which shall or may accrue to or be sustained by any such Body, Owner, or Occupier or other Person interested in such Lands or other Rights, or any of them, by reason of the making and maintaining of any Works hereby authorized to be made, or by reason or means of the Execution of any of the Powers hereby given to the said Company, such Damages and Compensation to be settled and ascertained separately and distinctly from the Value of the Lands or other Rights so to be taken and used as aforesaid.

Compensation Money to be apportioned.

XLV. And be it further enacted, That the said Juries shall and they are hereby respectively empowered, if thereunto required, to settle what Shares and Proportions of the Purchase Money or Compensation for Damages

Damages which shall be assessed as aforesaid shall be allowed to any Tenant or other Person having a particular Estate, Term, or Interest in the Premises, for his Interest therein.

Verdicts to be recorded.

XLVI. And be it further enacted, That the said Verdicts and Judgments, being first signed by the said Sheriff, Under Sheriff, Coroner, or other Person presiding at the taking of such Verdict, shall be kept by the Clerk of the Peace for the County or Place in which the Matter of Dispute shall have arisen among the Records for the Quarter Sessions for such County or Place, and shall be deemed Records to all Intents and Purposes; and the same or true Copies thereof shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling, and also to take or make Copies thereof, paying for every Copy after the Rate of Sixpence for every One hundred Words.

Penalty upon Sheriffs, &c. and upon Witnesses making Default.

XLVII. And be it further enacted, That if any such Sheriff or his Under Sheriff, or any Coroner or other Person herein-before authorized and directed to act in the Stead of such Sheriff, and shall make default in the Premises, he shall for every such Offence forfeit and pay the Sum of Fifty Pounds to the Parties who shall be prejudiced or injured thereby; and if any Person so summoned and returned upon such Jury as aforesaid shall not appear, or appearing shall refuse to be sworn, or being a Quaker or Separatist to make Affirmation, or shall refuse to give his Verdict, or shall in any other Manner wilfully neglect his Duty, contrary to the true Intent of this Act, or if any Person so summoned to give Evidence as aforesaid shall not appear, on being paid or tendered a reasonable Sum for his Expences, or appearing shall refuse to be sworn, or being a Quaker or Separatist to make Affirmation, or to give Evidence, every Person so offending, having no reasonable Excuse, (to be judged of and determined by the said Sheriff, Under Sheriff, Coroner, or other Person so presiding as aforesaid,) shall forfeit and pay for every such Offence, for the Benefit of the Party for whom or on whose Account such Jury or Witness shall have been summoned, any Sum not exceeding Twenty Pounds; all which said Penalties and Forfeitures shall and may be levied by virtue of a Warrant under the Hand and Seal of any Justice of the Peace for the County or Place in which the said Lands shall be situate or the said Inquisition shall be held, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to him, on Demand, the Overplus of the Money thereby produced, if any, after such Penalty and the Charges and Expences of such Distress and Sale have been deducted.

Jurors to be under the same Regulations as those of the Courts at Westminster.

XLVIII. And be it further enacted, That every such Jury and Juryman as aforesaid shall also be subject to the same Regulations, Pains, and Penalties as if such Jury and Juryman had been returned for the Trial of any Issue joined in any of His Majesty's Courts of Record at *Westminster*; and all Persons who in any Examination to be taken by virtue of this Act upon their Oath, or being Quakers or Separatists upon their Affirmation, shall wilfully and corruptly give false Evidence before any such Jury, Sheriff, Under Sheriff, Coroner, or other Person, or before any Justice of the Peace acting as such in the Execution of this Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject to the

the Pains and Penalties to which Persons guilty of wilful and corrupt Perjury shall or may by Law be subject.

Expences of Jury, how to be paid.

XLIX. And be it further enacted, That in every Case in which the Verdict of a Jury shall be given for the same or a greater Sum than shall have been previously offered by the said Company for the Purchase of any Lands to be used or taken by them for the Purposes of this Act, or as Compensation or Satisfaction for any Damage or Loss which may happen or arise in the Execution of any of the Powers hereby granted, or in case a Verdict shall be given for the same or a greater Sum of Money when no Sum of Money shall have been previously offered by the said Company, all the reasonable Costs, Charges, and Expences of causing and procuring such Compensation or Satisfaction to be assessed and awarded, and of assessing and awarding the same, shall be defrayed by the said Company; and such Costs, Charges, and Expences shall be settled and determined by the said Sheriff, Under Sheriff, Coroner, or other Person so presiding as aforesaid; and in case such Costs, Charges, and Expences shall not be paid to the Party entitled to receive the same within Ten Days after the same shall have been demanded, then the same shall and may be levied and recovered by Distress and Sale of any Goods or Chattels of the said Company under a Warrant to be issued for that Purpose by any Justice of the Peace for the County or Place where such Inquisition shall be held, not interested in the Matter in question, which Warrant such Justice is hereby authorized and required to issue under his Hand and Seal, on Application to him for that Purpose by any Party entitled to receive such Costs, Charges, and Expences; but if the Verdict of the Jury shall be given for a less Sum than shall have been previously offered by the said Company in Writing, or in case the said Company shall have required a Statement of the Manner in which any Amount of Money which shall have been demanded as a Satisfaction or Compensation has been computed and made up, and the Jury shall be of opinion that no sufficient Statement was delivered by the Claimant to enable the said Company to make a proper Offer, One Moiety of the said Costs, Charges, and Expences shall be defrayed by the Party with whom the said Company shall have such Controversy or Dispute, and the Remainder shall be defrayed by the said Company, and the other Moiety of such Costs, Charges, and Expences, having been ascertained and settled in manner herein-before mentioned, shall be paid by the Claimant, and shall and may be deducted out of the Money adjudged to be paid to such other Party, as so much Money advanced to and for the Use of such Party, and the Payment or Tender of the Remainder of the Money so adjudged shall be deemed and taken to all Intents and Purposes to be a good Payment or Tender in satisfaction of the whole thereof: Provided always, that in Cases in which by reason of Absence in Foreign Parts, or from any other Cause or Disability not herein-before provided for, any Person shall have been prevented from treating and agreeing as aforesaid, the whole of such Charges and Expences shall be borne and paid by the said Company.

Notice of Injury to be given to the Company

L. And be it further enacted, That the said Company shall not be obliged, nor shall any Jury to be summoned by virtue of this Act be allowed, without the Consent of the said Company, to receive or take

notice of any Complaint to be made by any Party for any Loss or Injury by him sustained or supposed to be sustained in consequence of the Execution of any of the Powers of this Act, unless a Notice in Writing by or on the Behalf of the Corporation or Person making such Complaint, stating the Particulars of such Loss or Injury, and the Amount of the Compensation claimed in respect thereof, shall have been given by such Corporation or Person to the said Company Twenty-one Days before the summoning of such Jury, and within the Space of Six Calendar Months after the Time of such supposed Loss or Injury having been sustained, or after the doing or committing thereof shall have ceased. before Complaint.

LI. And be it further enacted, That all Tenants at Will, Lessees for a Year, Tenants from Year to Year, and other Persons in Possession of any Lands which shall be intended to be taken or used for the Purposes of this Act, and who shall have no greater Interest in the Premises than as Tenants at Will or Lessees for a Year, or as Tenants from Year to Year, shall respectively deliver the Possession of such Premises to the said Company, or to such Person as they shall appoint to take Possession of the same, at the Expiration of Six Calendar Months next after Notice to that Effect shall have been given by the said Company to such respective Tenants or Lessees or Persons in Possession, or left upon the said Premises, or at such other Time after the Expiration of Six Calendar Months as in such Notice they shall be respectively required, whether such Notice be given with reference to the Time of the Commencement of such Tenants holding or not, and whether such Notice be given before or after the said Premises shall be purchased by the said Company; and in case any such Tenant or Lessee or Person so in Possession as aforesaid shall refuse to deliver such Possession as aforesaid, it shall be lawful for the said Company to issue their Precept, either under their Common Seal or under the Hands and Seals of Three at least of the Directors of the said Company, to the Sheriff, or other Person authorized to act in his Stead, of the County in which the Premises shall be situate, to deliver Possession of the said Premises to such Person as shall in such Precept be nominated to receive the same, and the said Sheriff is hereby required to deliver Possession of the said Premises accordingly, and to levy and satisfy such Costs as shall accrue from the Issuing and Execution of such Precept on the Person so refusing to deliver Possession, by Distress and Sale of his Goods and Chattels. Tenants at Will or for Years to quit Lands after Notice.

LII. And be it further enacted, That where any such Tenant or Lessee who shall be required to deliver the Possession of any Premises occupied by him before the Expiration of his Term or Interest therein shall give to the said Company previous Notice in Writing thereof, the said Company shall and they are hereby required to make or tender to such Tenant or Lessee, before they shall issue their Precept to the Sheriff to give Possession of the Premises in the Occupation of such Tenant or Lessee, Satisfaction or Compensation for the Value of his unexpired Term or Interest in the said Premises, which Satisfaction or Compensation in case of Difference shall be ascertained and determined in the same Manner as any other Satisfaction or Compensation for any Lands taken or used by the said Company is by this Act directed to be ascertained or determined. Interests of such Tenants may be settled by a Jury.

Persons holding by virtue of Leases to produce the same.

LIII. And be it further enacted, That in all Cases in which any Party shall claim any Satisfaction or Compensation for or in respect of any unexpired Term or Interest which he shall claim to be possessed of or entitled unto in any Lands intended to be taken or used under the Authority of this Act, under or by virtue of any Lease or Agreement for Lease or Grant thereof, the said Company are hereby authorized to require such Party to produce or shew the Lease or Agreement for Lease or Grant in respect of which such Claim to Satisfaction or Compensation shall be made; and if such Lease or Agreement for a Lease or Grant shall not be produced or shewn within Ten Days after Demand made by the said Company, or any Person by them authorized, the Party claiming such Compensation or Satisfaction shall be considered as holding only from Year to Year, unless it can be shewn to the Satisfaction of the said Company, or to the Jury, that such Lease is lost or mislaid, or beyond the Control of the Party claiming as aforesaid, or that he did not wilfully neglect or refuse to produce the same, in which Case reasonable Proof of the Nature of the Party's Interest shall be adduced.

Settling Disputes as to Damages to a small Amount.

LIV. And be it further enacted, That in case any Difference shall arise between the said Company and any of the Owners or Occupiers of the Property to be used or injured for the Purposes of this Act, as to the Existence, Amount, or Value of the Damages alleged to be done by the said Company, their Agents or Workmen, to such Property in the Execution of any of the Powers of this Act, and such Difference cannot be adjusted and settled between the said Parties, the same shall, in case the Amount of Damage alleged to be sustained and claimed does not exceed the Sum of Twenty Pounds, be ascertained and determined by some Two or more Justices of the Peace for the County of *Kent*, who, upon Application made to them by both or either of the said Parties, shall examine into the Matter in dispute, and shall determine and settle the Amount of Compensation (if any) which shall be payable by the said Company.

Application of Compensation Money when amounting to 200*l.*

LV. And be it further enacted, That if any Money shall be agreed or awarded to be paid for the Purchase of any Lands to be taken or used by virtue of the Powers of this Act, or for the Release of any such Lands from any Rents or other Incumbrances charged thereon, or for the Enfranchisement of any such Lands being of Copyhold or Customary Tenure, or for any Compensation or Satisfaction under this Act which any Corporation, Tenant for Life or in Tail, or Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or any Person whose Lands are limited in strict or other Settlement, or any Person under any other Disability or Incapacity, or unborn, shall be entitled unto, interested in, or hereby capacitated to convey, such Money shall in case the same shall amount to or exceed the Sum of Two hundred Pounds with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account *ex parte* 'The *Deptford* Pier Junction Railway Company," pursuant to the Method prescribed by an Act passed in the First Year of the Reign of
1 G. 4. c. 35. His late Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at*

Westminster

Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; and shall when so paid in there remain until the same shall, by Order of the said Court made in a summary Way upon Petition to be presented to the said Court by the Party who would have been entitled to the Rents and Profits of the Lands in respect whereof such Money shall be paid, be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Discharge of any Debt or other Incumbrance affecting such Lands, or affecting other Lands standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes, as the said Court shall authorize to be purchased or paid, or such Part thereof as shall be necessary; or until the same shall upon the like Application be laid out, by Order of the said Court made in a summary Manner, in the Purchase of other Lands, which shall be conveyed, limited, and settled to, for, and upon such and the same Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands which shall be so purchased, taken, or used as aforesaid, or in respect of which such Compensation or Satisfaction shall be paid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking effect; and in the meantime and until such Purchase can be made the said Money may, by Order of the said Court upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime, and until such Annuities or Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, or shall be called in or cancelled, the Dividends or Interest and annual Produce thereof shall from Time to Time, by Order of the said Court, be paid to the Party who would for the Time being be entitled to the Rents and Profits of such Lands so to be purchased and settled.

When less than 200*l.* and exceeding 20*l.*

LVI. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid as last herein-before is mentioned shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then the same shall, at the Option of the respective Parties for the Time being entitled to the Rents and Profits of the Lands in respect whereof such Money shall be awarded or agreed to be paid, or of their respective Husbands, Guardians, or Committees, in case of Coverture, Infancy, Idiotcy, Lunacy, or other Incapacity, with the Approbation of the said Company signified in Writing under the Hands of Three at least of the Directors of the said Company, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General, and to be placed to his Account as last aforesaid, in order to be applied in manner last herein-before directed; or otherwise the same may be paid, at the like Option and with the like Approbation, to Two Trustees, to be nominated by the respective Parties exercising such Option, (such Nomination to be approved of by the said Company, and such Nomination and Approbation to be signified in Writing under the Hands of the nominating Parties, and of Three at least of the Directors of the said Company,) and the Money so paid to such Trustees, and the Dividends and Produce so arising thereon and therefrom, shall be by such Trustees applied in like Manner as

as is last herein-before directed with respect to the Money so to be paid into the Bank of *England* in the Name of the Accountant General of the Court of Exchequer, but without being required to obtain any Order of the said Court touching the Application thereof.

When not exceeding 20*l.*

LVII. Provided also, and be it further enacted, That where any Money so agreed or awarded to be paid as last herein-before mentioned shall not exceed the Sum of Twenty Pounds, the same shall be paid to the respective Parties who would for the Time being have been entitled to the Rents and Profits of the Lands in respect whereof such Money Compensation or Satisfaction shall be paid, for their own Use and Benefit; or in case of Coverture, Infancy, Idiotcy, Lunacy, or other Incapacity, then such Money shall be paid for their Use to their respective Husbands, Guardians, Committees, or Trustees.

In case of not making out Titles, &c. the Money to be paid into the Bank of England.

LVIII. And be it further enacted, That in case any Party to whom any Money shall be agreed or awarded to be paid for the Purchase of any Lands to be taken or used by virtue of the Powers of this Act, or for any Right or Interest to, in, or affecting any such Lands, or otherwise, for Compensation or Satisfaction as aforesaid, shall refuse to accept the same, or cannot conveniently be found, or shall be absent from *England*, or shall refuse, neglect, or be unable to make a Title to the Lands, Right, or Interest for or in respect whereof such Money Compensation or Satisfaction shall be agreed or awarded to be paid, or if any Party entitled unto or to convey such Lands, Right, or Interest shall not be known, or cannot conveniently be found, or shall be absent from *England*, or shall refuse or neglect to convey the same, or shall not be shown to the Satisfaction of the said Company to be such Party, then and in every such Case, where not otherwise provided by this Act, it shall be lawful for the said Company to order the Money so agreed or awarded as aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Lands (describing them so far as the said Company can do), subject to the Control and Disposition of the said Court; which said Court, on the Application of any Party making claim to such Money or to any Part thereof by Petition, is hereby empowered, in a summary Way of Proceeding or otherwise, as to such Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the Estate or Interest of the Party making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem proper; and the Cashier of the Bank of *England* who shall receive such Money is hereby required to give to the said Company, or to any Party paying any Money into the Bank of *England* under or in pursuance of this Act, a Receipt for such Money, mentioning and specifying therein for what and for whose Use (described as aforesaid) the same is received.

Persons in Possession presumptively entitled.

LIX. Provided always, and be it further enacted, That where any Question shall arise in reference to the Provisions aforesaid, or otherwise upon this Act, touching the Title of any Party to any Lands, or to any Interest in any Lands, or to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said

Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, or of any Estate, Right, Title, or Interest in any Lands to be taken or used in pursuance of this Act for the Purposes aforesaid, or for Compensation or Satisfaction as aforesaid, or to any Annuities or Securities to be purchased with any such Money as herein mentioned, or to the Dividends or Interest of any such Annuities or Securities, the Parties respectively who shall have been last in Possession or Receipt of the Rents or Profits of such Lands, or at the Time of such Purchase, and all Corporations and Persons claiming under such Parties, or under the Possession of such Parties, shall be deemed to have been lawfully entitled to such Lands according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court; and the Dividends or Interest of the Annuities or Securities to be purchased with such Money, and also the Capital of such Annuities or Securities, shall be paid, applied, and disposed of accordingly.

The Court of Exchequer may order Expences of Purchases to be paid by the Company.

LX. And be it further enacted, That when, by reason of the Disability or Incapacity of any Person or Corporation entitled to any Lands, Tenements, or Hereditaments to be taken under or by virtue of this Act, or from any other Cause whatsoever, the Purchase Money for such Lands, Tenements, or Hereditaments, or any Money to be paid for or by way of Compensation or Satisfaction for any Injury or Damage done to the same, shall be required to be paid into the Bank of *England*, and be subject to the Orders and Directions of the Court of Exchequer, under the Provisions herein contained, it shall be lawful for the said Court to order all the reasonable Costs, Charges, and Expences attending such Purchase, taking, or using of any Lands, Tenements, and Hereditaments, or which may be incurred in consequence thereof, and also of the Investment of the Purchase or Compensation Money paid in respect of such Lands, Tenements, and Hereditaments, in Real or Government Securities, and likewise the Reinvestment of such Purchase or Compensation Money, or the Government and Real Securities purchased therewith, in the Purchase of Lands, Tenements, and Hereditaments, as herein-before mentioned, together with the Costs, Charges, and Expences of obtaining the proper Orders and of the other Proceedings for such Purposes, and of the Payment of the Dividends and Interest of the said Government or Real Securities, and of the Payment of the Principal of the said Purchase or Compensation Money, and of the Government or Real Securities purchased therewith, out of Court, to be paid by the said Company, and the said Company shall from Time to Time pay such Sums of Money for the said Costs, Charges, and Expences as the said Court shall direct.

Power to enter Lands &c. on Payment or Tender of Purchase Money.

LXI. And be it further enacted, That upon Payment or legal Tender of such Sums of Money as shall have been agreed upon or awarded for the Purchase of any Lands, or as a Satisfaction and Compensation for any Loss or Injury as aforesaid, to the respective Proprietors of such Lands, or other Persons respectively interested therein, and entitled, according to the Provisions of this Act, to receive such Money or Satisfaction or Compensation respectively, within Twenty-one Days next after the same shall have been so agreed on or awarded, and demanded in Writing by the Party entitled thereto, or some Person duly authorized on his Behalf, or whenever any of the respective Cases shall happen wherein such Money, Satisfaction, or Compensation is herein-before authorized or directed to

to be paid into the Bank of *England*, then upon Payment of the same, if so required, within the Time aforesaid, into the Bank of *England* in manner in such Case herein-before authorized or directed, it shall be lawful for the said Company immediately to enter upon such Lands, and thereupon such Lands, and the Fee Simple and Inheritance thereof, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of all Parties therein, shall thenceforth be vested in and become the sole Property of the said Company to and for the Purposes of this Act; and the said Company shall not be bound to see to the Application of any such Purchase Money, Compensation, or Satisfaction; and such Payment or Tender and such Conveyance as herein-before mentioned, or such Deposit in the Bank of *England* as aforesaid, shall operate to merge all outstanding or other Terms of Years, and to bar and destroy all Dower, and all Estates Tail and other Estates in Reversion and Remainder, and all Rights, Titles, Limitations, and Trusts whatsoever of and in the said Lands; but although Terms shall be merged they shall in Equity afford the same or the like Protection and Priority as if they were assigned as herein-before mentioned: Provided nevertheless, that before such Payment, Tender, or Deposit in the Bank as aforesaid it shall not be lawful for the said Company, or for any Person acting under their Authority, to bore under, dig, or cut into or enter upon such Lands for any of the Purposes of this Act, save for the Purpose of ascertaining and setting out the same for the Purposes of this Act, without the previous Consent of the Owners and Occupiers thereof respectively.

If Company do not complete Purchase within Nine Months, Power to cease.

LXII. Provided always, and be it further enacted, That in case the said Company shall not within the Space of Nine Months next after any Notice in Writing shall have been given by them or their Agent duly authorized, of their Intention to take any Lands for the Purposes of this Act, cause to be valued and paid for the Estate, Share, Interest, or Charge of any Person or Corporation to whom such Notice shall have been given in any of such Lands respectively according to the Provisions herein contained, then and in every such Case, from and immediately after the Expiration of the said Nine Months, the Powers hereby granted to the said Company for taking or using such Lands shall cease and be utterly void, save so far as the same may be exercised with the Consent in Writing of such Person or Corporation respectively; and no Statement in Writing of the Particulars of any such Estate, Share, Interest, or Charge, and of the Value thereof, nor any other Document delivered by such Person or Corporation in pursuance of any such Notice in Writing from the said Company or their Agent as aforesaid, shall be deemed, construed, or taken to be an Agreement for the Sale of such Lands, or of any such Estate, Share, Interest, or Charge in, to, out of, or upon the same respectively, to the said Company, so as that specific Performance thereof may be compelled by virtue of this Act or otherwise howsoever from and after the Expiration of such Nine Months as aforesaid, provided that an Abstract of Title to the Lands required to be sold shall be delivered to the said Company or their Solicitor Three Months previously to the Expiration of such Nine Months.

Empowering Company to

LXIII. And be it further enacted, That it shall be lawful for the said Company and they are hereby empowered to contract with any Person or

or Corporation (who shall be willing to sell the same) for the Purchase of any Land not exceeding in the whole Three Statute Acres, in addition to the Lands herein-before authorized to be taken, in such Places as shall be deemed eligible for the Purpose of making and providing additional Stations, Yards, Wharfs, waiting, loading, and unloading Places, Warehouses, and other Buildings and Conveniences, for receiving, depositing, loading, or keeping any Cattle, or any Goods, Articles, Matters, or Things conveyed or intended to be conveyed upon the said Railway, or for making convenient Roads or Ways thereto, or for any other Purposes whatsoever connected with the said Undertaking which the said Company shall judge requisite; and it shall be lawful for all Corporations and Persons, including especially such Corporations and Persons as are herein-before capacitated to sell and convey other Lands for the Purposes of this Act, to sell or grant and convey to the said Company and their Successors any Lands whatever for the Purposes herein-before mentioned, or any of them, in the same Manner as is herein-before directed concerning the Lands to be taken for the Purpose of making the said Railway and other Works.

purchase Three Acres of Land for the Purpose of additional Stations, &c.

LXIV. And be it further enacted, That it shall be lawful for the said Company to sell and dispose of such additional Lands as they are by this Act empowered to purchase and shall have actually purchased for the Purposes of additional Stations, Yards, Wharfs, waiting, loading, and unloading Places, Warehouses, and other Buildings and Conveniences as herein-before authorized, or such Parts of such Lands as the said Company shall think proper, and in such Manner and to such Persons as the said Company shall think proper, and by Deed under their Common Seal to convey such Lands to the Purchaser thereof, and again to purchase other Lands which the said Company shall deem more eligible for the Purposes aforesaid, and afterwards to sell and dispose of the same in manner herein-before mentioned, and so from Time to Time as the said Company shall deem proper, so that the total Number of Acres to be purchased and held by the said Company for the Purposes last herein-before mentioned shall not exceed at any One Time the Number of Acres for those Purposes expressly specified or allowed in this Act; and in the meantime, and until the said Company shall think proper to make such Sale, it shall be lawful for the said Company to let such Lands or any Part thereof to any Person willing to become the Tenant thereof, in such Manner and such Terms as the said Company shall think proper.

Company authorized to sell Lands not required for additional Stations, and afterwards to purchase other Lands for the same Purposes.

LXV. And whereas the said Company, in addition to the Lands hereby authorized to be taken for making the said Railway and other Works, are enabled to purchase of Persons and Corporations willing to sell the same Three Statute Acres of Land, by virtue of this Act, for the Purpose of providing additional Stations, Yards, Wharfs, waiting, loading, and unloading Places, Warehouses, and other Buildings and Conveniences: And whereas it is expedient to restrain the said Company from selling Lands so purchased from Corporations or from Persons being under legal Disability or Incapacity, and again purchasing other Lands from the same or from any other Corporations or Persons being under legal Disability or Incapacity, in lieu of the Lands so sold; be it therefore enacted, That it shall not be lawful for the said Company to purchase from any Corporation, Trustee, or Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee,

Restraining Company from purchasing more than Three Acres of Land for additional Stations from incapacitated Persons.

Committee, or other Trustee for or on behalf of any Infant, Lunatic, Idiot, Feme Covert, or Cestuique Trust, or from any Tenant for Life or in Tail, or Person to whom or for whose Benefit Lands are limited in strict Settlement, or other Person being under legal Disability or Incapacity, more than such Three Statute Acres for the Purposes last aforesaid; and in case the said Company shall purchase such Three Statute Acres from any Corporations or other Persons under such legal Disability or Incapacity as aforesaid, and shall afterwards sell the Whole or any Part of such Three Statute Acres so purchased, it shall not be lawful for the said Company to purchase of or from the same, or of or from any other Corporation or Person being under legal Disability or Incapacity, nor for the same nor for any other Corporation or Person being under legal Disability or Incapacity to sell to the said Company, any other Lands in lieu of such Three Statute Acres of Land, or any Part thereof, so sold or disposed of by the said Company.

Enabling the Company to sell Lands not wanted.

LXVI. And whereas by means of the Purchases which the said Company are empowered or required to make by virtue of this Act they may happen to be seised of more Lands than will be necessary for effecting the Purposes of this Act, or of Lands not applicable to the Purposes thereof; be it therefore enacted, That it shall be lawful for the said Company and they are hereby required, within Ten Years after the passing of this Act, to sell, and by any Deed under their Common Seal to convey to the Purchasers thereof, any Part of such superfluous Lands, or any Estate or Interest purchased by the said Company in such Lands or any Part thereof, in such Manner as they shall deem most advantageous; and such Conveyances from the said Company shall be valid and effectual to all Intents and Purposes: Provided always, that the said Company, before they shall dispose of any such superfluous Lands, shall first offer to sell the same to the Person or to the several Persons whose Lands or Premises shall immediately adjoin the Lands so proposed to be sold, such Persons being at the Time when such Lands shall be sold in *England*, and conveniently to be found, and capable of entering into a Contract for the Purchase of such Lands; and such respective Persons, in case they shall be desirous of purchasing the same, shall signify such their Desire and Intention in that Behalf to the said Company within Twenty-one Days after such Offer of Sale shall have been made; and in case such Persons shall decline to avail themselves of such Offer, or shall neglect to signify their Desire and Intention to purchase such Lands for the Space of Twenty-one Days, the Right of Pre-emption of every such Person so declining or neglecting in respect of the Lands included in such Offer of Sale shall cease; and a Declaration pursuant to an Act passed in the Sixth Year of the Reign of His present Majesty, intituled *An Act to repeal an Act of the present Session of Parliament, intituled 'An Act for the more effectual 'Abolition of Oaths and Affirmations taken and made in various Departments 'of the State; and to substitute Declarations in lieu thereof, and for the more 'entire Suppression of voluntary and extra-judicial Oaths and Affidavits,' and to make other Provisions for the Abolition of unnecessary Oaths*, made before a Master or Master Extraordinary in the High Court of Chancery, or before any Justice of the Peace for the County of *Kent*, by some Person not interested in such Lands, stating that at the Time when such Lands shall have been sold the Person entitled to such Right of Pre-emption was not in *England*, or was not found, or was not capable of entering into a Contract for

6 W. 4. c. 62.

the Purchase of such Lands, or that such Offer was made by or on behalf of the said Company, and that such Offer was refused, or was not accepted by the Person to whom the same was made within the Space of Twenty-one Days from the Time of making the same, shall in all Courts whatsoever be sufficient Evidence and Proof of the Fact or Facts therein stated; and in case such Person as last aforesaid shall be desirous of purchasing any such Lands, and he and the said Company shall not agree with respect to the Price thereof, then the Price thereof shall be ascertained and settled by a Jury in the Manner by this Act directed with respect to the disputed Value of Lands to be taken or used by the said Company; and the Expence of hearing and determining such Difference shall be borne and paid in like Manner as in this Act is directed with respect to the disputed Value of Lands to be taken or used by the said Company, *mutatis mutandis*; and the Money produced by the Sale which may be made by the said Company of such Lands as aforesaid shall be applied to the Purposes of this Act; and in the meantime, and until the said Company shall think proper to make such Sale, it shall be lawful for the said Company to let any such superfluous Lands to any Person willing to become the Tenant thereof, in such Manner and upon such Terms as the said Company shall think proper.

Company, upon Payment of Money, to give Receipts.

LXVII. And be it further enacted, That upon Payment of the Money which shall arise from the Sale of any Lands or of any Interest therein belonging to the said Company, which shall be sold by the said Company under the Authority of this Act, or upon Payment of any Money under this Act, it shall be lawful for any Three Directors of the said Company, or for the Secretary or Clerk or any Officer appointed by the said Directors for the Purpose, to sign and give a Receipt for the Money so paid, which Receipt shall be a sufficient Discharge to all Persons for the Purchase Money for such Lands or Interests as shall be sold, or for such other Money as in such Receipt shall be expressed to be received, and such Persons shall not afterwards be answerable or accountable for any Loss, Misapplication, or Nonapplication of such Purchase Money or other Money, or of any Part thereof.

The Word "grant" in Conveyances from the Company to amount to certain Covenants.

LXVIII. And be it further enacted, That in all Conveyances to be made by the said Company under or in pursuance of this Act the Word "grant" shall operate as and be construed and adjudged, without further or other Evidence of Title, in all Courts of Judicature and elsewhere, to be express Covenants to or with the respective Grantees therein named, and the Successors, Heirs, Executors, Administrators, or Assigns of such Grantees, according to the Quality or Nature of such Grantees Interest therein, and the Estate or Interest therein expressed to be thereby conveyed by or from the said Company, for themselves and their Successors, that they the said Company, notwithstanding any Act or Default done by them, were at the Time of the Execution of such Conveyances seised or possessed of the Lands or Premises thereby granted for an indefeasible Estate of Inheritance in Fee Simple, free from all Incumbrances done or occasioned by them, or otherwise for such Estate or Interest as therein expressed to be thereby granted, free from Incumbrance done or occasioned by them, that the Purchaser thereof, his Heirs and Assigns, Successors and Assigns, or Executors, Administrators, and Assigns, (as the Case may be,) shall quietly enjoy the same against the said Company and their Successors, and all claim-

ing under them, and be indemnified and saved harmless by the said Company and their Successors from all Incumbrances omitted by the said Company, and also for further Assurance, at the Expence of the Parties requiring the same, of such Lands and Premises, by the said Company or their Successors, and all claiming under them, unless except and so far as the same Word shall be restrained and limited by express particular Words contained in such Conveyances; and all such Grantees, and their several Successors, Heirs, Executors, Administrators, and Assigns respectively, according to their respective Quality or Nature, and the Estate or Interest expressed to be conveyed, shall and may in all Actions to be brought assign Breach or Breaches thereupon as they might do in case such Covenants were expressly inserted in such Conveyances.

Railway to cross Turnpike Roads or Streets on Arches.

LXIX. And be it further enacted, That where the said Railway shall cross any Turnpike Road or any Street or Lane the said Railway shall be carried over the said Turnpike Road, Street, or Lane, at the Expence of the said Company by means of One or more Arch or Arches of such Construction as is herein mentioned.

Regulations as to Width and Height of Bridges over public Roads.

LXX. And be it further enacted, That where any Arch or Arches shall be erected by the said Company for the Purpose of carrying the said Railway over or across any Turnpike Road or public Carriage Road, the Span of such Arch or Arches shall be formed, and shall at all Times be and be continued, of such Width as to leave a clear and open Space under every such Arch, at Right Angles with the said Road, of not less than the Width of the said Road, and of a Height from the Surface of such Road or public Carriage Road to the Soffit of such Arch of not less than Eighteen Feet.

Providing for Injury to Roads.

LXXI. And be it further enacted, That in all Cases wherein in the Exercise of any of the Powers hereby granted any Part of any Carriage or Horse Road, either public or private, shall be found necessary to be cut through, raised, sunk, taken, or so much injured as to be impassable or inconvenient for Passengers or Carriages, or the Persons entitled to the Use thereof, the said Company shall, at their own Expence, before any such Road shall be so cut through, raised, sunk, taken, or injured as aforesaid, cause another good and sufficient Road (as the Case may require) to be set out and made instead thereof, as convenient for Passengers and Carriages as the said Road so to be cut through, raised, sunk, taken, or injured as aforesaid, or as nearly so as may be; and where the Road cut through, raised, sunk, or injured shall be a Turnpike Road, the substituted Road, if temporary, shall be set out and made to the Satisfaction of the Surveyor of the Trustees of the said Turnpike Road, and the principal Road shall be restored, within Six Calendar Months after the Commencement of the Operation; and in case any Obstruction shall be occasioned to the Passage of Passengers and Carriages along any such Turnpike Road by the Execution of any of the Works hereby authorized the said Company shall forfeit and pay the Sum of Twenty Pounds for every Day such Obstruction shall continue.

Railway to be screened

LXXII. And be it further enacted, That in case the said intended Railway shall at any Time or Times hereafter, from its near Approach to any

any Turnpike Road, occasion Danger to the Travellers on such Road in consequence of Horses being frightened by the Sight of the Engines and Carriages travelling upon the said Railway, it shall be lawful for any Person or Persons to make Complaint thereof to any Two Justices of the Peace acting for the Limit where such Turnpike Road shall be, who shall summon the Clerk or Treasurer for the Time being of the said Company, or One of the Directors thereof, before them, to answer such Complaint; and if it shall appear to such Justices that the said Complaint is reasonable, then the said Company shall, within such Time as shall be ordered by the said Justices in that Behalf, and after Notice of such Order served upon them, or their principal Engineer, Clerk, or other Officer, within such Time as shall be appointed by the said Justices, commence, and within such Time as shall be appointed by the said Justices complete, such Works in the Nature of a Screen near to or adjoining the Sides of the said Turnpike Road or of the said intended Railway as shall be directed by the said Justices, so as to prevent such Danger to Travellers upon the said Turnpike Road; and in case such Company shall neglect within the Time appointed in that Behalf to commence or shall not continue to execute such Works until the due Completion thereof, or shall not complete the same within the Time in that Behalf appointed, the said Company shall forfeit and pay, for every Day during which the said Company shall not commence or shall not proceed in the Completion of such Works, or during which the said Works shall not be completed after the Time appointed for the Completion thereof, the Sum of Twenty-five Pounds, to be recoverable by the Commissioners or Trustees of the said Turnpike Road from the said Company in such and the same Manner as any other Penalties incurred by the said Company for which no special Provision is made by this Act.

from Turnpike Road.

LXXIII. And whereas the said Railway will be erected on Arches across the Lands of the different Persons on the Line thereof; be it further enacted, That the said Company shall at their own Expence, after any Part of the said Railway shall have been laid out and formed, forthwith make and erect, and from Time to Time maintain, such and so many Bridges, Arches, Culverts, and Passages under the said Railway, of such Dimensions and in such Manner as Two or more Justices of the Peace for the said County of *Kent* shall, in case the same shall not be settled by Agreement between the Parties (which Agreement all Persons and Corporations by this Act capacitated to convey are hereby empowered to enter into), judge necessary and appoint for the Use of the Owner or Owners of the respective Lands through which such Railway shall be made, and for the commodious Use and Occupation of the Lands on either Side of the said Railway, or any other Matter or Thing to be done in pursuance of this Act; and all such Bridges, Arches, Culverts, and Passages so to be made as aforesaid shall from Time to Time and at all Times thereafter be maintained in sufficient Repair and Condition by the said Company; and for the Purpose of enabling the said Company to make and erect such Bridges, Arches, Culverts, and Passages, and from Time to Time to maintain the same, the said Company, their Agents and Workmen, are hereby authorized and empowered to enter into and upon all Lands adjoining the said Railway, and to lead and carry the Materials for making or repairing such Bridges, Arches, Culverts, and Passages, in Carts and other Carriages, across or along such

Company to make Arches for Use of adjoining Land.

such Lands, in such Manner as to do as little Damage as may be to the same, and in making Compensation in manner by this Act directed for any Damage which may be occasioned thereby; and in case the said Company shall refuse or neglect to make or erect or to maintain such Bridges, Arches, Culverts, and Passages as herein-before directed, or any of them, for the Space of Twenty-one Days next after the Time to be appointed for those Purposes respectively by such Justices, it shall be lawful for the respective Owners or Occupiers of the said Lands who shall find themselves aggrieved by such Neglect or Refusal, to make and erect, or, as the Case may require, to maintain and repair, such Bridges, Arches, Culverts, and Passages as the said Justices shall have before directed or appointed to be made and erected as aforesaid, so that in making, erecting, repairing, or maintaining such Bridges, Arches, Culverts, and Passages as aforesaid the said Railway or any of the Works by this Act authorized to be made or constructed by the said Company shall not be obstructed for any longer Space of Time or be used in any other Manner than shall be unavoidably necessary; and all the reasonable Costs and Charges thereof, to be settled and allowed by the said Justices in case there shall be any Dispute about the same, shall be repaid to the respective Owners or Occupiers of the said Lands who shall have so made and erected, repaired and maintained such Bridges, Arches, Culverts, and Passages as aforesaid, by the said Company, within the Space of Twenty-one Days next after the same shall have been so settled and allowed, and an Account and Demand in Writing shall have been delivered to and made from the said Company; and in default of Payment of the said Costs and Charges within the Time aforesaid the said Justices are hereby required, by Warrant under their Hands and Seals, to levy the said Costs and Charges by Distress and Sale of any of the Goods and Chattels of the said Company, for the Use of the Party to whom such Costs and Charges shall have been allowed, rendering to the said Company the Overplus (if any), on Demand, after deducting the reasonable Charges of making such Distress and Sale, to be settled by the said Justices; and the Owners or Occupiers, upon Refusal or Neglect by the said Company to pay the said Costs and Charges as aforesaid, shall and may also have such and the like Remedy against them for the Recovery thereof by Action at Law, to be commenced and prosecuted in like Manner as in other Cases is in and by this Act directed.

Compensation in lieu of Gates, Bridges, &c.

LXXIV. Provided always, and be it further enacted, That in every Case in which the Owner of any Lands or other Person by this Act capacitated to convey shall in their Arrangements with the said Company have received or agreed to receive Compensation for Gates, Arches, Hollows, Culverts, Fences, Ditches, Drains, or Passages, instead of the same being erected or formed by the said Company, for the Purpose of facilitating the Passage to or from either Side of Lands severed or divided by the said Railway, it shall not be lawful for such Owners, or those claiming under them, to pass and they shall be for ever prevented from passing or crossing the said Railway from one Part to the other Part of their Lands so severed and divided.

Provision for Deficiencies

LXXV. And whereas by reason of the Exercise of the Powers by this Act granted there may be Deficiencies in the Assessments for Land Tax in

the several Parishes of *Saint Nicholas*, *Deptford*, and *Saint Paul*, *Deptford*, in the County of *Kent*; be it therefore enacted, That the said Company shall, from and after they have become seised and possessed by virtue of this Act of any Premises charged with the Land Tax, and until the Works hereby authorized to be made shall be completed and assessed to such Land Tax, unless the said Company shall think fit to redeem the same under the Powers of the Acts for the Redemption of Land Tax, be subject and liable from Time to Time to pay and make good to or in aid of such several Parishes as aforesaid, out of the Monies to arise by virtue of this Act, all such Sums of Money as shall be deficient in the said several Assessments for Land Tax within the said several Parishes by reason of taking down or using for the Purposes of this Act any Premises liable to such Assessments, according to the Rental at which the same were valued or rated at the Time of the passing of this Act; and the Treasurer or Collector or Receiver to be appointed under this Act is hereby required to pay all such Deficiencies, on Demand thereof, to the Collector of the said Assessments. Land Tax.

LXXVI. And whereas by reason of the pulling down Houses and Buildings, in pursuance of this Act, there may be Deficiencies in the Produce of the several Rates herein-after mentioned in the Parishes of *Saint Nicholas*, *Deptford*, and *Saint Paul*, *Deptford*, respectively, and also in the Rates made and to be made under and by virtue of an Act passed in the Forty-fourth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the better paving, cleansing, lighting, and watching the Streets, Lanes, and other public Passages and Places within the Parish of* Saint Nicholas, Deptford, *in the County of* Kent, *and for removing and preventing Encroachments, Obstructions, Nuisances, and Annoyances therein*; be it therefore enacted, That from and after the said Company shall have become seised and possessed, by virtue of this Act, of any Premises charged or chargeable with any County Rates, Police Rates, Highway Rates, or with any other Parochial Rates, Charges, or Assessments not herein otherwise provided for, now or hereafter charged or chargeable within the said Parishes respectively, and from and after the Occupier of any Premises so charged or chargeable as aforesaid shall have quitted Possession thereof in pursuance of any Notice to be given by the said Company, and from and after any Premises so charged or chargeable as aforesaid shall have become unoccupied by reason of any such Notice or of any other Proceedings by the said Company, and until the Works hereby authorized to be made shall be completed, used, or occupied, and assessed to such Rates respectively, the said Company shall be subject and liable from Time to Time to pay and make good to or in aid of the said Parishes respectively all such Sums of Money as would have been payable in respect of or for all such Premises whereof the said Company shall so have become seised and possessed, and One Half of all such Sums of Money as would have been payable in respect of or for all such Premises whereof such Occupier shall have quitted Possession in pursuance of such Notice as aforesaid, or which shall have become unoccupied by reason of any such Notice or other Proceeding of the said Company, in case all such Premises had been actually rated and assessed to such Rates respectively, according to the Rental at which the same were rated or valued at the Time of the passing of this Act; and the Treasurer to be appointed under or by virtue of this Act is hereby required to pay all such Sums of Provision for Deficiencies of Rates. 44 G. 3. c. 53.

Money, on Demand thereof, to the Collector of the said Rates respectively, or other Person duly authorized to receive the same.

In default of Payment of Rates by the Company they may be levied by Distress.

LXXVII. And be it further enacted, That all and every the Parliamentary, Parochial, and District Rates herein-before mentioned, and the Sums of Money which shall become payable on account thereof under or by virtue of this Act, shall be paid and payable by the Treasurer of the said Company; and in case of Default of such Payment by the said Treasurer for the Space of Twenty-one Days next after the same shall have been demanded by Notice signed by the Collector of such Rate or Rates respectively, left at the Office of the said Company or of their Clerk or Treasurer, then and in every such Case the Amount of such Rates respectively, together with the Costs and Charges of recovering and levying the same respectively, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Company by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by any Justice of the Peace for the said County of *Kent* (which Warrant such Justice is hereby authorized and required to grant under his Hand and Seal), on Application made to him for that Purpose by the Collector of any such Rate so in arrear; and in case any Overplus shall remain after Payment of such Rates, Costs, and Charges aforesaid, and of the Costs and Charges of any such Distress and Sale, then and in such Case the Overplus shall be paid or returned to the said Company or their Directors, or the Treasurer for the Time being, as the Case may be; and it shall be lawful for the Treasurer to retain out of any Monies which he may have received or shall receive in pursuance of this Act all such Monies, Damages, Costs, Charges, and Expences as he shall pay or shall sustain or be put unto in respect of any such Rates or Assessments, or under or in consequence of any such Warrant or Distress as aforesaid.

Or by Action at Law, or in Court of Requests.

LXXVIII. And be it further enacted, That in case of any such Default of such Payments as aforesaid the Collector of any such Parliamentary, Parochial, or District Rate or Rates shall or may, in addition to or in lieu of such Power of Distress and Sale as is herein-before provided, bring or cause to be brought any Action of Debt or Special Action on the Case or other Action in any of His Majesty's Courts of Record at *Westminster*, or to proceed in the Court of Requests for the Hundred of *Blackheath* in the County of *Kent*, against such Treasurer, for Recovery of any such Sums of Money so in arrear, by and in the Name of the Collector entitled to receive the same, with full Costs of Suit; and the said Court of Requests is hereby authorized and empowered to hear and determine such several Claims, and to proceed thereon in such Manner and to such Amount as they are now or hereafter may be authorized and empowered to do on any Debt.

First and other General Meetings.

LXXIX. And be it further enacted, That the First General Meeting of the said Company shall be held at some convenient Place within Twelve Calendar Months next after the said Railway shall be completed and opened for the Public; and from and after such First General Meeting of the said Company there shall be a Special General Meeting of the said Company in the first Week in *June* in each and every Year, or within the

the Space of Fourteen Days next after each of such Periods, and also such and so many Special General Meetings of the said Company as the Directors of the said Company shall think proper to convene, or as shall be convened by the Proprietors in manner herein-after provided; of which said General Meetings and Special General Meetings Fourteen Days public Notice at the least shall be given in the Manner herein-after directed; and every such Notice of a Special General Meeting shall specify the Purpose for which any such Special General Meeting is called; and such First General Meeting, and all other General Meetings and Special General Meetings, may be adjourned from Time to Time as shall be found expedient.

Meetings of Proprietors may be specially convened.

LXXX. And be it further enacted, That Twenty or more Proprietors of the said Company holding in the aggregate Five hundred Shares or upwards in the said Undertaking, upon which all Calls actually previously made shall have been paid and satisfied, may at any Time, by Writing under their Hands left at the Office of the said Company, or given to at least Three Directors of the said Company, or left at or delivered to some Inmate of their last or usual Places of Abode, require the Directors of the said Company to call a Special General Meeting of the Proprietors of the said Company, to be held in *Deptford*, so as such Requisition fully express the Object for which such Special General Meeting is required to be called; and in case of Neglect or Refusal of the said Directors to call such Meeting for the Space of Fourteen Days next after such Notice given as aforesaid, the same may be called by such Twenty or more Proprietors by giving Fourteen Days Notice thereof in One or more *London* or *Kent* Newspapers; and the said Company are hereby authorized to meet in pursuance of such Notice, and such of the Proprietors thereof as shall be present at such Meeting shall proceed to the Execution of the Powers of this Act given to the said Company with respect to the Matters so specified in such Notice; and all Acts of the major Part in Votes of the Proprietors of the said Company so present at any such Special General Meeting shall be as valid with respect to the Matters specified in such Notice as if the same had been done at a General Meeting held at the Time herein-before appointed for holding the same.

Business at Special and Adjourned General Meetings.

LXXXI. And be it further enacted, That no Business shall be transacted at any Special General Meeting other than the Business for which it shall have been called, and no Business shall be transacted at any adjourned General or Special General Meeting other than the Business left unfinished at the Meeting from which such Adjournment took place.

Notice of Meetings how to be given.

LXXXII. Provided always, and be it further enacted, That all Notices in this Act directed to be given at any General or Special General Meeting of the Proprietors of the said Company, or of any other Matters, to any of the Proprietors of the said Company, and not herein otherwise provided for, shall be signed by the Secretary or Clerk of the Directors of the said Company, and shall be given by Advertisements inserted in One or more *London* or *Kent* Newspapers; and such Notices, when so published and given, shall be deemed and considered the same as personal Notices.

Proprietors entitled to

LXXXIII. And be it further enacted, That every Person or Corporation who shall for the Time being be entitled to and be in actual Possession of

vote in respect of their Shares.

of Two Shares of and in the said Undertaking shall have in respect of such Two Shares of which he shall so be in Possession One Vote, in respect of Five Shares Two Votes, in respect of Ten Shares Three Votes, and in respect of Twenty Shares and upwards Five Votes, at all Meetings of the said Company to be held in pursuance of this Act; and every Question, Matter, or Thing which shall be proposed, discussed, or considered at any Meeting of the said Company to be held in pursuance of this Act shall be determined by the Majority of Votes then present.

The Person whose Name stands first as a joint Proprietor to be entitled to vote.

LXXXIV. And be it further enacted, That whenever several Persons shall be jointly possessed of or entitled to any Share in the said Undertaking, the Person whose Name shall stand first in the Books of the said Company as Proprietor of such Share shall, for the Purpose of voting at any General or Special General Meeting of the said Company, be deemed the Proprietor of such Share, and all such Proprietors shall be entitled to give their Votes in respect thereof by the Person whose Name shall so stand first in the Books of the said Company as Proprietor of such Share, and whose Vote shall on all Occasions be deemed and allowed to be the Vote for or in respect of the whole Property in such Share, without Proof of the Concurrence of the other Proprietor or Proprietors of such Share; and all Notices by this Act directed to be given to the Proprietors of Shares in the said Undertaking shall and may, for or in respect of any such Share so jointly held, be given to the Person whose Name shall so stand first in the Books of the said Company, or be left with some Inmate of the last or usual Place of Abode of such Person, or be inserted in a *London* or *Kent* Newspaper, or the *London Gazette*, as herein mentioned, (as the Case may require,) and such Notice to such Person shall be deemed sufficient Notice to all the Proprietors of such Share for all the Purposes for which such Notice is intended to be given.

Lunatics and Minors to vote by Committees and Guardians.

LXXXV. And be it further enacted, That in case any Proprietor entitled to vote at any such Meeting as aforesaid shall be a Lunatic or Idiot or Minor, such Lunatic or Idiot shall or may vote at such Meeting by his Committee or by any of his Committees, and such Minor shall and may vote by his Guardian or by any of his Guardians: Provided always, that every such Committee or Guardian may also vote in right of his own Share, if he have any, as well as in the Character of Committee of any Lunatic or Idiot, or of Guardian of any Minor.

Proprietors in arrear not to vote.

LXXXVI. And be it further enacted, That no Proprietor of any Share on which any Call shall have been made shall, after the Day appointed for Payment of the same, be allowed to vote at any Meeting of the Proprietors of the said Company until the Money called for in respect of such Share shall have been fully paid.

First Directors of the Company.

LXXXVII. And be it further enacted, That *Adam Gordon*, *Edward Hughes*, *Charles Perkins*, *Thomas Philpots*, *John Twells*, and *George Walter*, and the Survivors and Survivor of them, shall be the first Directors of the said Company, and, being neither removed or disqualified, shall continue in Office until the First General Meeting of the said Company to be held next after the Completion of the Works hereby authorized to be made, and until others shall be elected in their Stead.

LXXXVIII. And

Directors to go out annually by Rotation.

LXXXVIII. And be it further enacted, That at the General Meeting to be held next after the Completion of the Works hereby authorized to be made Two of the Directors (to be determined by Ballot among themselves) shall go out of Office and cease to be Directors of the said Company, and an equal Number of Persons who shall be Proprietors, and respectively possessed in their own Right of Twenty Shares each at the least in the said Undertaking, shall be elected by the said Company to be Directors in their Place and Stead; and at the General Meeting to be held in any subsequent Year Two of the remaining Directors who shall have been so primarily elected as aforesaid (to be determined as aforesaid) shall go out of Office and cease to be Directors of the said Company, and their Places be supplied in like Manner.

Directors going out of Office re-eligible.

LXXXIX. Provided always, and be it further enacted, That every Director who shall by Ballot or Rotation go out of Office on any Day of Election may be immediately or at any future Time re-elected by the said Company a Director of the said Company, and after such Re-election he shall with reference to the going out by Rotation be considered as a new Director.

General Meetings for choosing Directors to consist of not less than 10 Persons possessed of at least Two hundred Shares.

XC. Provided always, and be it further enacted, That if at any such General Meeting there shall not within One Hour from the Time appointed for such Meeting be Ten Persons present who shall in the whole be entitled to vote in respect of at least Two hundred Shares no Choice of Directors shall be made, nor shall any Business be transacted, but in such Case there shall be another Meeting of the said Company at the same Place at the Expiration of Fourteen Days from that Time, and if such sufficient Number of Proprietors shall not then attend thereat such Meeting shall stand adjourned to the following Day, and in case such Number of Persons qualified as aforesaid shall not then be present the Directors for the Time being shall continue to act and have the same Powers as they had and were possessed of until new Directors shall be appointed at the General Meeting which shall be held in the following Year.

For supplying Vacancies in the Direction.

XCI. And be it further enacted, That when and so often as any Director of the said Company shall die, or shall resign, or shall become disqualified or incompetent to act as a Director, or shall cease to be a Director by any other Cause than that of going out of Office by Ballot or Rotation as aforesaid, it shall be lawful for the remaining Directors, if they shall think proper so to do, to elect some other Proprietor duly qualified to be a Director; and every such Proprietor so elected to fill up any such Vacancy shall be a Member of the same Committee, and shall continue in Office as a Director so long only as the Person in whose Place or Stead he may be elected would have been entitled to continue had he lived and remained in Office.

No Person holding Office to be a Director.

XCII. Provided nevertheless, and be it further enacted, That no Person holding any Office or Place of Trust or Profit under the said Company, or being concerned or interested in any Contract with the said Company, shall be capable of being chosen a Director of the said Company, nor shall any Director be capable of accepting any other Office or Place of Trust or Profit under the said Company, or of being concerned or interested

terested in any Contract with the said Company, during the Time he shall be a Director of the said Company; and if any Director of the said Company shall at any Time subsequently to his Election accept or continue to hold any other Office or Place of Trust or Profit under the said Company, or shall either directly or indirectly be concerned in any Contract with the said Company, or shall participate in any manner in any Work to be done for the said Company, or shall at any Time cease to be a Proprietor of Twenty Shares at the least in the said Undertaking, the Office of such Director shall thereupon become vacant, and he shall thenceforth be disqualified from voting or acting as a Director.

Powers and Duties of Directors.

XCIII. And be it further enacted, That the Directors for the Time being of the said Company shall superintend all the Affairs thereof, and have the Custody of the Common Seal of the said Company, with Power to use the same on their Behalf, and shall have full Power and Authority to do all Acts whatsoever for carrying into effect the Purposes of this Act, and for the Management, Regulation, and Direction of the Affairs of the said Company, or relative thereto, which the said Company are by this Act authorized to do, except such as are herein required and directed to be done at some General or Special General Meeting of the said Company; and the said Directors shall appoint and displace all the Officers and Servants of the said Company, and allow to them such Salaries, Gratuities, or Recompences as to the said Directors shall seem proper; and the said Directors shall have Authority to meet and adjourn from Time to Time and from Place to Place as they shall think proper; and there shall be Three Directors at least present in order to constitute a Meeting; and all Questions, Matters, and Things which shall be discussed or considered at any Meeting of the Directors shall be finally determined by the Majority of Votes then present; and no Director shall have more than One Vote at any such Meeting, except the Chairman of such Meeting, who in case of an equal Division shall have a second or casting Vote as such Chairman: Provided also, that the said Directors shall and they are hereby required to take sufficient Security from every Person who shall be appointed Treasurer of the said Company, and from every Receiver, Collector, or Officer of the said Company who shall have the Custody or Control of any Money received by virtue of this Act, for the faithful Execution of his Office, before he shall enter thereupon.

Contracts to be signed by Directors.

XCIV. And be it further enacted, That all Contracts in Writing relating to the Affairs of the said Company which shall be signed by any Three of the Directors of the said Company shall be binding on the said Company and all other Parties thereto, their respective Successors, Heirs, Executors, and Administrators, and Actions and Suits may be maintained thereon, and Damages and Costs recovered by or against the said Company, or any of the Parties thereto failing in the Execution thereof.

Orders and Proceedings to be entered in a Book.

XCV. And be it further enacted, That the Orders and Proceedings of all Meetings, as well General as Special, of the said Company, shall be entered in some Book or Books to be provided and kept for that Purpose, and shall be signed by the Chairman of such respective Meetings; and such Orders and Proceedings, when so entered and signed, shall be

deemed original Orders and Proceedings, and shall be allowed to be read in Evidence in all Courts, and before all Judges, Justices, and others, and that without Proof of such respective Meetings having been duly convened, or of the Persons making or entering such Orders or Proceedings being Proprietors, or being Directors, or Members of the Committee, as the Case may be.

Directors to cause Accounts to be kept.

XCVI. And be it further enacted, That the said Directors shall cause a Book or Books of Account to be kept by a Clerk, who shall be appointed by the said Directors for that Purpose, and who shall enter or cause to be entered in the said Book or Books true and regular Accounts of all Sums of Money received and expended for or on account of the said Undertaking, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed and paid; and such Book or Books shall at all reasonable Times be open to the Inspection of the respective Loan Creditors for Money advanced and lent for the Purposes of this Act, without Fee or Reward, and the said Loan Creditors or any of them may take Copies of or Extracts from the said Book or Books without paying any thing for the same; and in case the said Clerk or other Person appointed to keep such Book shall refuse to permit or shall not permit such Loan Creditors or any of them to inspect such Book or Books, or to take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay for every such Offence any Sum of Money not exceeding Twenty Pounds, to be levied and applied in the same Manner as other Penalties are by this Act directed to be levied and applied.

Chairman to be appointed.

XCVII. And be it further enacted, That at the First Meeting of Directors which shall be held after the passing of this Act the Directors present at such Meeting of Directors shall choose out of the Directors of the said Company a Chairman of the said Directors, and the Chairman for the Time being of the said Directors shall have the Custody of the Common Seal of the said Company: Provided always, that when and so often as the Chairman to be chosen by virtue of this Act shall die, or resign, or become disqualified to act, or otherwise cease to be a Director, it shall be lawful for the Directors in like Manner, at the Meeting to be held next after such Vacancy, to choose some other of the said Directors to be Chairman; and every such Chairman to be chosen as last aforesaid to fill such Vacancy shall continue in such Office so long only as the Person in whose Place or Stead he may be so elected would have been entitled under the Provisions of this Act to continue if such Vacancy had not happened.

Chairman to preside at Meetings.

XCVIII. And be it further enacted, That at all Meetings of the said Directors, and at all General and Special General Meetings of the said Company, the Chairman of the said Directors, or in his Absence any of the Directors of the said Company to be chosen at any such Meeting, or, in the Absence of all the Directors from any such General or Special General Meeting, any Proprietor to be chosen at such Meeting, shall preside as Chairman.

Indemnity of Directors.

XCIX. And be it further enacted, That the Directors of the said Company, their Heirs, Executors, and Administrators, shall be indemnified and saved harmless from and against all Payments made or Liability incurred, and all Acts, Deeds, Matters, and Things executed, done, or ordered,

and

and all Sums of Money, Losses, Costs, Charges, and Damages which they shall incur in the Execution of the Powers and Authorities hereby granted to them, and they shall be so indemnified out of the Assets for the Time being of the said Company, and if necessary by Calls for that Purpose of the Capital which may remain unpaid; and the Directors for the Time being of the said Company shall apply the then existing Funds, Assets, and Capital of the said Company for the Purposes of such Indemnity and Reimbursement.

Directors not personally answerable for Acts legally done.

C. And be it further enacted, That none of the Directors of the said Company hereby appointed, or hereafter to be appointed under the Authority of this Act, shall by reason or means or on account of his being Party to, or making, signing, or executing in his Capacity of Director of the said Company, pursuant to this Act, any Contract or other Instrument for or on behalf of the said Company, or otherwise lawfully executing any of the Powers and Authorities given to the said Directors by this Act, be subject or liable to be sued, prosecuted, or impleaded, either collectively or individually, by any Person whomsoever, in any Court of Law or Equity or elsewhere; and that the Bodies, Goods, Chattels, Lands, or Tenements of the said Directors or any of them shall not, by reason, on account, or in consequence of any such Contract or other Instrument so entered into or made, signed, or executed by them or any of them as aforesaid, or any other lawful Act which shall be done by them or any of them in the Execution of any of the Powers and Authorities given to them or any of them by this Act, be liable to be arrested, seized, detained, or taken in Execution; but that in every such Case any Person making any Claim or Demand upon the said Company or upon any Directors thereof, under or by virtue of any such Contract or Instrument or other lawful Act, may sue and implead the said Company in like Manner as if such Contract, Instrument, or other Act had been entered into and executed and done under the Common Seal of the said Company.

No Person to hold the Offices of Secretary or Clerk and Treasurer at the same Time.

CI. And be it further enacted, That it shall not be lawful for the said Directors to appoint any Person who may be appointed the Secretary or Clerk in the Execution of this Act, or the Partner of such Secretary or Clerk, or any Person in the Service or Employ of such Secretary or Clerk or of his Partner, to be the Treasurer for the Purposes of this Act, or to appoint any Person who may be appointed Treasurer, or the Partner of any such Treasurer, or any Person in the Service or Employ of such Treasurer or of his Partner, to be the Secretary or Clerk of the said Company for the Purposes of this Act; and if any Person shall accept both the Offices of Secretary or Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of such Secretary or Clerk, or in the Service or Employ of such Secretary or Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Treasurer or the Partner of such Treasurer, or in the Service or Employ of such Treasurer or of his Partner, shall accept the Office of Secretary or Clerk in the Execution of this Act, or shall act as Deputy of such Secretary or Clerk, or in any Manner officiate for such Secretary or Clerk, or if any such Treasurer shall hold any Place of Profit or Trust under the said Company other than that of Treasurer, every

Person

Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*.

Officers to account.

CII. And be it further enacted, That every Officer and Person who shall be appointed or employed by virtue of this Act shall from Time to Time, when thereunto required by the said Directors, make out and deliver to them, or to such Persons as they shall for that Purpose appoint, a true and perfect Account, in Writing under his Hand, of all Monies which shall have been by him received by virtue of this Act, and such Account shall state when, how, and to whom and for what Purpose the same shall have been disposed of, together with Vouchers and Receipts for such Payments; and every such Officer or Person shall and is hereby required to pay all such Monies as upon the Balance of such Account shall appear to be owing from him to the said Directors, or to such Persons as the said Directors shall appoint to receive the same; and if any such Officer or Person shall refuse or neglect to render such Account, or to produce and deliver up the Vouchers and Receipts relating to the same, or to pay the Balance thereof when thereunto required in manner aforesaid, or shall refuse or neglect to deliver up to the said Directors, or to such Persons as they shall appoint, within Three Days after being thereunto required by the said Directors or by such other Persons as last aforesaid, all Books, Papers, and Writings in his Possession or Power relating to the Execution of this Act, then and in every such Case, Complaint being made thereof by the said Directors, or by any Person on their Behalf, to any Justice of the Peace acting within his Jurisdiction, such Justice may and he is hereby required, by Warrant under his Hand and Seal, to cause such Officer or Person to be brought before him, and upon his appearing, or not being to be found, to hear and determine the Matter of such Complaint in a summary Way, and to the said Account, if produced, in such Manner as the said Directors might have done; and if, upon the Confession of the Officer or Person against whom such Complaint shall be made, or by the Oath of any credible Witness, or by the solemn Affirmation of any Person being a Quaker or Separatist, it shall appear to such Justice that any of the Monies which shall have been collected and received shall be in the Hands of or be owing from such Officer or Person, such Justice may and he is hereby empowered, upon Nonpayment thereof, by Warrant under his Hand and Seal to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person; and if sufficient Goods or Chattels shall not be found to answer and satisfy such Money, and the Charges of taking and making such Distress and of selling the same, or if such Officer or Person shall not appear before such Justice at the Time and Place appointed for that Purpose, or if appearing shall refuse or neglect to make out and deliver to such Justice such Account in Writing as aforesaid, or to produce and deliver to the said Justice the several Vouchers and Receipts relating to such Accounts, or to deliver up such Books, Papers, and Writings as aforesaid, then and in any of the Cases aforesaid the said Justice may and he is hereby required by Warrant under his Hand and Seal to commit to some Common Gaol or House of Correction within his Jurisdiction such Officer or Person, there to remain without Bail or Mainprize until he shall have made out and delivered such

Account, and have delivered up the Vouchers and Receipts (if any) relating thereto, and have delivered up such Books, Papers, and Writings (if any) as aforesaid, and shall have paid all the Money which shall appear to be in the Hands of or owing from him, and the reasonable Charges of such Distress and Sale as shall in that respect have been made, or until he shall have compounded with the said Directors for such Money and Charges, and have paid the Composition Money to the said Directors (and which Composition the said Directors are hereby empowered to make), or have given Satisfaction in respect of such Vouchers, Receipts, Books, Papers, and Writings to the said Directors: Provided always, that no Person who shall be committed for Want of sufficient Distress only shall be detained in Prison for any longer Space of Time than Six Calendar Months.

Company empowered to make Bye Laws.

CIII. And be it further enacted, That the said Directors shall have full Power and Authority from Time to Time to make such Bye Laws, Rules, and Orders as to them shall seem expedient for the good Government of the Officers and Servants of the said Company, and for regulating the Proceedings and reimbursing the Expences of the said Directors, and for the Management of the said Undertaking in all respects whatsoever, and from Time to Time to alter or repeal such Bye Laws, Orders, and Rules, or any of them, and to make others, and to impose and inflict such reasonable Fines and Forfeitures upon all Persons offending against the same as to the said Directors shall seem meet, not exceeding the Sum of Five Pounds for any One Offence, such Fines and Forfeitures to be levied and recovered as any Penalty may by this Act be levied and recovered; which said Bye Laws, Orders, and Rules, being reduced into Writing under the Common Seal of the said Company, may be printed and published, and such Bye Laws, Orders, and Rules (except such as shall relate solely to the Proprietors or Directors of the said Company, or to any of their Officers or Servants) shall be painted on Boards, and hung up and affixed and continued on the Front or other conspicuous Part of the several Toll Houses to be erected on the said Railway, and other Buildings or Places at which any Rates or Tolls shall be collected or paid under the Authority of this Act, and shall from Time to Time be renewed as often as the same or any Part thereof shall be obliterated or destroyed; and such Bye Laws, Orders, and Rules, when so published and affixed, shall be binding upon and be observed by all Parties, and shall be sufficient in all Courts of Law or Equity to justify all Persons who shall act under the same, provided that such Bye Laws, Orders, or Rules be not repugnant to the Laws of *England*, or to any Directions in this Act contained; and all such Bye Laws, Orders, and Rules shall be subject to Appeal in manner herein-after mentioned.

Dividend to be declared.

CIV. And be it further enacted, That it shall be lawful for the said Directors and they are hereby empowered, from Time to Time, at any General Meeting, or at a Special General Meeting to be called for that Purpose, to declare and make a Dividend out of the clear Profits of the said Undertaking; and such Dividend shall be after the Rate of so much *per* Share upon the several Shares held by the Members of the said Company in the Joint Stock thereof: Provided always, that such Dividends shall not be made oftener than half-yearly; and no

Dividends shall be made exceeding the net Amount of clear Profit at the Time being in the Hands of the said Company, nor whereby the Capital of the said Company shall in any Degree be reduced or impaired, nor shall any Dividend be paid in respect of any Share after a Day appointed for Payment of any Sum of Money in respect thereof, until such Call shall have been paid.

Power to close Transfer Books at certain Periods.

CV. And be it further enacted, That it shall be lawful for the said Directors and they are hereby authorized to close the Books kept for entering Memorials of Transfers of Shares for a Period not exceeding Twenty-eight Days before Payment of Dividends, and to fix a Day for that Purpose, during which Time the said Directors shall not be bound to take notice of any Transfer which shall not have been registered previously to the Day fixed for closing the Books, but all such Transfers shall, as between the Party claiming under the same and the said Company, but not otherwise, be considered as made subsequently to such Payment of Dividends: Provided always, that Seven Days Notice at least of the Day on which the Transfer Books shall be closed shall be given in One or more public Newspapers published in *London* or the said County of *Kent*.

Names of Proprietors to be entered and certified.

CVI. And be it enacted, That the said Directors shall and they are hereby required from Time to Time to cause the Names of the several Corporations, and the Names and Additions of the several Persons, who shall from Time to Time become entitled to Shares in the said Undertaking, with the Number of Shares which they are respectively entitled to, and the Amount of the Subscriptions paid thereon, and also the proper Number by which every Share shall be distinguished, to be fairly and distinctly entered in a Book to be kept by the said Company, and after such Entry made to cause their Common Seal to be affixed thereto; and the said Company shall from Time to Time cause a Certificate or Ticket, with the Common Seal of the said Company affixed thereto, to be delivered to every such Proprietor on Demand, specifying the Share or Shares to which he is entitled in the said Undertaking.

Granting new Certificates when old ones destroyed.

CVII. And be it further enacted, That if any such Certificate or Ticket as aforesaid shall be worn out or damaged, then, upon the same being produced at some Meeting of the Directors of the said Company, such Certificate or Ticket may be cancelled or destroyed, and another similar Certificate or Ticket to be given to the Party in whom the Property of such Certificate or Ticket, and of the Shares therein mentioned, shall be at the Time vested; or in case such Certificate or Ticket shall be burnt or totally destroyed, or lost, then, upon due Proof thereof, a similar Certificate or Ticket shall be given to the Party who was the Proprietor of or entitled to the Certificate or Ticket so burnt, destroyed, or lost; and a due Entry of the Substitute or Duplicate of each such Certificate or Ticket shall be made by the said Directors in manner herein directed, the Clerk or Secretary of the said Company receiving, if authorized by the Directors so to do, for every such Certificate or Ticket which shall so be given or exchanged the Sum of Two Shillings and Sixpence, and no more.

For ascertaining Pro-

CVIII. And whereas by the Death of or by other Events happening to Proprietors, or by the Marriage of Female Proprietors of Shares in the said

prietorship of Shares in Cases of Death, &c.

said Undertaking, it may be difficult to ascertain to whom such Shares or the Dividends arising or becoming due upon such Shares may belong or ought to be paid; be it therefore enacted, That in all Cases when the Right of Property in any Share in the said Undertaking shall pass from any Proprietor thereof to any other Person or Corporation by any other legal Means than by a Transfer or Conveyance thereof, duly made and executed as herein-after directed, a Declaration pursuant to the said recited Act of the Sixth Year of His present Majesty's Reign shall be made by some credible Person before some Master or Master Extraordinary in the High Court of Chancery, or any of His Majesty's Justices of the Peace, stating the Manner in which such Share hath passed to such other Person or Corporation, and such Declaration shall be transmitted to the Directors of the said Company, who shall thereupon enter and register the Name of every such new Proprietor in the Register Book or List of Proprietors of the said Company; and the Secretary or Clerk of the said Company shall, if authorized by the Directors so to do, be entitled to receive for each such Entry as is herein-before directed the Sum of Two Shillings and Sixpence, and no more; and the said Directors shall not be bound to see to the Execution of any Trust, whether express or constructive, to which any such Share or Shares shall be subject or liable; and before such Declaration shall have been transmitted and such Entry made as aforesaid, no Person or Corporation to whom any such Share shall have passed as aforesaid shall be entitled to receive any Part of the Profits of the said Undertaking, or to vote or exercise any of the Privileges of a Proprietor in respect of such Share: Provided always, that before any Person who shall claim any Part of the Profits of the said Undertaking in right of Marriage with any Female Proprietor shall be entitled to receive the same, or to vote or to exercise any of the Privileges of a Proprietor in respect of any Share so claimed, a Declaration pursuant to the said Act of the Sixth Year of His present Majesty's Reign, containing a Copy of the Register of such Marriage or other Particulars of the Celebration thereof, and identifying the Wife as the Proprietor of the Share in respect whereof any such Claim may be made, shall be made by some credible Person before some Master or Master Extraordinary in the High Court of Chancery, or any of His Majesty's Justices of the Peace, and shall be transmitted to the said Company, who shall file the same and make an Entry thereof in the Book which shall be kept for the Entry of Transfers or Sales of Shares in the said Undertaking; and before any Person or Corporation who shall claim any of the Profits of the said Undertaking by virtue of any Bequest or Will, or in the Course of Administration, shall be entitled to receive the same, or to vote or to exercise any of the Privileges of a Proprietor in respect of any Share so claimed, the said Will, or the Probate thereof, or the Letters of Administration, or any Office Copy of such Will or Letters of Administration, shall be produced and shewn to the said Company.

To compel Payment of Subscriptions.

CIX. And be it further enacted, That the several Parties who have subscribed or who shall hereafter subscribe for or towards the said Undertaking shall and they are hereby required to pay the respective Sums of Money by them respectively subscribed for, or such Parts or Proportions thereof and at such Times and Places as shall from Time to Time be called for by the Directors of the said Company under and by virtue of the Powers of this Act; and in case any Party shall refuse or neglect to pay the Money by him so subscribed for, or the Part thereof

thereof so called for, at the Time and in the Manner required for that Purpose, it shall be lawful for the said Company to sue for and recover the same in any Court of Law or Equity, together with Interest on such unpaid Sum of Money at the Rate of Five Pounds *per Centum per Annum* from the Time when the same shall have been directed to be paid by the said Directors as aforesaid.

Power to pay Subscriptions in advance.

CX. And be it further enacted, That it shall be lawful for the several Proprietors for the Time being of the said Undertaking and they are hereby empowered, whether before or after any Call shall have been paid in respect of any Shares held by them respectively, to pay in advance, in case the Directors shall think proper to accept the same, which they are hereby authorized to do, to such Person as the said Directors shall appoint, the respective Sums of Money by them respectively subscribed for, or such Part or Proportion thereof as shall be wanting (over and above the Amount (if any) actually paid in respect of such Shares) to make up the full Sum of Twenty Pounds in respect of each such Share; and the said Company shall and they are hereby required to pay Interest at such Rate, not exceeding the Rate of Four Pounds for every One hundred Pounds by the Year, upon the Principal Monies which shall have been so paid in advance, or for so much thereof as shall from Time to Time exceed the Amount of the Calls which shall have been made upon the Shares in respect of which such Money shall have been paid in advance as aforesaid, as the Subscriber paying such Sum in advance and the Directors for the Time being of the said Company shall agree upon.

Power of Directors to make Calls, and in case of Nonpayment thereof to sell the Shares.

CXI. And be it further enacted, That the said Directors shall have Power from Time to Time to make such Calls of Money from the Subscribers to and Proprietors of the said Undertaking, to defray the Expences of and carry on the same, as they from Time to Time shall find necessary, so that an Interval of One Calendar Month at the least shall always elapse between the Day appointed for Payment of one Call and the Day appointed for Payment of the next succeeding Call, and Fourteen Days Notice at the least shall be given of every such Call by Advertisement inserted in One or more *London* or *Kent* Newspapers; and all Monies so called for shall be paid to such Persons and in such Manner as in such Notice shall be appointed; and the respective Owners of Shares in the said Undertaking shall pay their rateable Proportion of the Monies to be called for as aforesaid to such Persons and at such Times and Places as shall be appointed as aforesaid; and if any Owner of any such Share shall not so pay such his rateable Proportion, then and in such Case, and as often as the same shall happen, such Owner shall pay Interest for the same after the Rate of Five Pounds *per Centum per Annum* from the Day appointed for the Payment thereof up to the Time when the same shall be actually paid; and if any Owner of any such Share shall neglect or refuse so to pay such his rateable Proportion, together with the Interest, if any, which shall accrue for the same, then, or at any Time thereafter, it shall be lawful for the said Company to sue for and recover the same in any of His Majesty's Courts of Record, by Action of Debt or on the Case, or by Bill, Suit, or Information, or the said Directors may and they are hereby authorized to declare the Shares belonging to any Person or Corporation so refusing or neglecting to pay any

any such Calls, together with Interest in manner last aforesaid, to be forfeited, and to order the same to be sold, subject to the Provisions of this Act: Provided nevertheless, that no Advantage shall be taken of any Forfeiture of any Share in the said Undertaking until Notice in Writing, under the Hands of Three Directors or the Secretary or Clerk of the said Company, of such Share having been declared by the Directors forfeited, shall have been given, or sent by the Post unto, or delivered to some Inmate of the last or usual known Place of Abode of the Owner of such Share, or, in the Case of a Corporation, of the Clerk of such Corporation; and after such Declaration of Forfeiture shall have been given or sent as aforesaid the said Directors may sell and dispose of such Shares at a public Auction or by private Contract, and together or in Lots, or in such other Manner and for such Price as they may think fit; and a Declaration pursuant to the said Act of the Sixth Year of His present Majesty's Reign, made by some credible Person not interested before any Justice of the Peace, or before a Master or Master Extraordinary in the High Court of Chancery, stating that such Call had been made by the said Directors, and that such Notice had been given, and that such Default in Payment had been made in respect of the Share so sold, and that the same had been declared to be forfeited in manner herein-before mentioned, shall be sufficient Evidence of the Facts therein stated; and the Purchaser of such Share shall not be bound to see to the Application of his Purchase Money, nor shall his Title to such Share be affected by any Irregularity of Proceeding in reference to such Sale, but such Declaration, and the Receipt of any Three Directors of the said Company for the Price of such Share, shall be sufficient Evidence of Title thereto for all Purposes whatsoever.

Surplus Money of forfeited Shares to be paid to the Owners of such Shares.

CXII. And be it further enacted, That in case the Money produced by the Sale of any Share which shall be forfeited by reason of the Non-payment of any Call, as herein authorized, shall be more than sufficient to pay all such Arrears of Calls as aforesaid, and legal Interest thereon as aforesaid, and the Expence attending the Sale thereof, or otherwise occasioned by such Forfeiture, the Surplus of such Purchase Money shall, on Demand, be paid to the Party to whom such forfeited Share shall have belonged: Provided always, that it shall not be lawful for the said Directors to sell or transfer more of the Shares of such Defaulter in Payment of Calls than shall be sufficient, as near as may be, at the Time of such Sale, to pay the Arrears of Calls due from such Defaulter, and the Interest and Expences attending the same; and from and after Payment of such Arrears, and the Interest and Expences aforesaid, any Share vested in the said Company as aforesaid which shall remain in their Hands unsold shall revert to and again become the Property of the Party to whom such Share shall have belonged immediately before such Forfeiture as aforesaid, in such Manner as if such Calls had been duly paid.

Proceedings in Actions for Calls.

CXIII. And be it further enacted, That in any Action to be brought by the said Company against any Proprietor of any Share in the said Undertaking, to recover any Money due and payable to the said Company for or by reason of any Call made by virtue of this Act, it shall be sufficient for the said Company to declare and allege that the Defendant, being a Proprietor of a Share or so many Shares (as the Case may

may be) in the said Undertaking, is indebted to the said Company in such Sum of Money as the Call or Calls in arrear shall amount to for a Call or so many Calls of such Sum or Sums of Money upon a Share or so many Shares belonging to the said Defendant, whereby an Action hath accrued to the said Company by virtue of this Act, without setting forth the special Matter; and on the Trial of such Action it shall only be necessary to prove that the Defendant, at the Time of making such respective Calls, was a Proprietor of such Share or Shares in the said Undertaking as such Action is brought in respect of, or some One such Share, and that such Notice was given as is directed by this Act of such Call or Calls having been made, without proving the Appointment of the Directors who made such Call or Calls, or any other Matter whatsoever; and the said Company shall thereupon be entitled to recover what shall appear due, including Interest, computed as aforesaid, on such Call or Calls, unless it shall appear that the Principal Monies previously paid on any such Share, together with such Call, exceeded the Sum of Twenty Pounds on each Share, or that any such Call was made payable before the Expiration of One Calendar Month from the Day appointed for Payment of the last preceding Call; and in order to prove that the Defendant was a Proprietor of such Share or Shares in the said Undertaking, as alleged, the Production of the Books in which the said Company is by this Act directed to enter and keep respectively the Names and Additions of the several Proprietors of Shares in the said Undertaking, with the Number of Shares they are respectively entitled to, and an Account of the Names of the several Corporations, and of the Names and Places of Abode of the several Persons who shall from Time to Time be entitled to Shares in the said Undertaking, shall be *primâ facie* Evidence that such Defendant is a Proprietor, and of the Number and Amount of his Shares therein.

For ascertaining the Proprietorship of Shares in case of Deaths, &c. in order to make Calls in respect of such Shares.

CXIV. And whereas, in Cases in which Proprietors of Shares in the said Undertaking shall die, or being Females shall marry, or become insolvent or bankrupt, or go out of the Kingdom, or shall transfer their Right and Interest therein to other Persons, and no Registers shall have been made of the Transfer thereof with the Secretary or Clerk of the said Company, it may not be in the Power of the said Company to ascertain who are the Proprietors of such Shares, in order to give to them, or to their respective Executors, Administrators, Husbands, Successors, or Assigns, Notice of Calls to be made on such Shares, or to maintain Actions, Suits, or other Proceedings against them, or against their respective Executors, Administrators, Husbands, Successors, or Assigns, for Recovery of the same; be it therefore enacted, That in all Cases where the Right of Property in any Share in the said Undertaking shall pass from the original Proprietor thereof to any other Person or Corporation by any other legal Means than by a Transfer or Conveyance thereof duly made and executed as therein provided, and such Declaration as is herein-before in that Behalf directed shall have been transmitted to the said Company, then and in any of the Cases aforesaid, after Seven Days Notice in Writing shall have been given under the Hand of Three Directors, or by the Secretary or Clerk of the said Company, to the Person or Corporation stating or claiming in such Declaration to be the then Proprietor of such Share, or delivered to some Inmate of the last or usual known Place of Abode of such Person,

or

or of the Clerk of such Corporation, to pay his or their Proportion of Money to be called for, and if such Person or Corporation shall not have paid such his or their Proportion as aforesaid, it shall be lawful for the said Directors, after the Expiration of such Notice, to declare every such Share to be forfeited, and in such Case the same shall become forfeited, and shall and may be sold and disposed of in such Manner, on such Evidence of Title, and with such Powers, and with such Indemnity to Purchasers, as in other Cases of Sales of Shares forfeited for the Nonpayment of Calls thereon, or such Shares made, at the Option of the said Directors, be consolidated in the general Fund of the said Company; and in case there shall be no such Declaration made as aforesaid, then such Notice as is herein-before directed to be given shall be served upon or delivered to some Inmate of the last known Place of Abode of the Executors or Administrators of such Proprietor so dying, or of the Husband of such Female Proprietor so marrying, or of the Assignees or Trustees of such Proprietor so becoming bankrupt or insolvent, or in the Event of the Shares having been otherwise disposed of without such Disposition having been registered or entered, then of the last Proprietor appearing in the Books of the said Company to have been possessed of the same; and in case the last or usual Place of Abode of any such Proprietor cannot be ascertained upon Inquiry, or in case the Proprietor of the Share shall be out of the Kingdom, such Notice shall be inserted in the *London Gazette;* and in all such Cases, and after such Notices, on default being made, the said Shares shall be forfeited, and may be sold, or be consolidated with the general Fund of the said Company in manner aforesaid, and the like Evidence of Title shall be sufficient on any Sale, and the like Indemnity to the Purchaser shall exist, as in other Cases of Sales on account of the Nonpayment of Calls: Provided always, that in the Cases of Proprietors being Abroad the Shares shall not be forfeited until the Expiration of Six Calendar Months after the Day on which such Notice shall have been delivered to some Inmate of their last known or usual Place of Abode in *England* (if any such shall be known), or inserted in the *London Gazette* as aforesaid.

Shares to be deemed Personal Estate.

CXV. And be it further enacted, That all the Shares and Proportions of and in the said Undertaking, or the Joint Stock or Fund of the said Company, shall to all Intents and Purposes be deemed Personal Estate, and be transmissible as such.

Proprietors of Shares may sell the same.

CXVI. And be it further enacted, That it shall be lawful for the several Proprietors of Shares in the said Undertaking, and their respective Executors and Administrators and Successors, to sell and dispose of any Shares to which they shall be entitled therein, subject to the Rules and Conditions herein mentioned; and the Form of Conveyance of Shares shall be by Writing duly stamped, and may be in the following Words or to the like Effect, varying the Names and Descriptions of the contracting Parties as the Case may require; (that is to say,)

Form of Conveyance.

'I *A. B.* of , in consideration of the Sum of
' paid to me by *C. D.* of , do hereby assign and
' transfer to the said *C. D.* Share [*or* Shares] numbered
' of and in the Undertaking called "The *Deptford* Pier
' Junction Railway," to hold unto the said *C. D.*, his Executors, Ad-
' ministrators,

'ministrators, and Assigns [*or* Successors and Assigns], subject to the 'several Conditions on which I held the same immediately before the 'Execution hereof; and I the said *C. D.* do hereby agree to accept and 'take the said Share [*or* Shares], subject to the Conditions aforesaid. 'As witness our Hands and Seals the Day of '

And on every such Sale the Deed or Conveyance (being executed by the Seller and Purchaser) shall be left with the said Company, or with the Secretary or Clerk of the said Company, who shall enter in some Book to be kept for that Purpose a Memorial of such Transfer and Sale, and indorse the Entry of such Memorial on the said Deed of Sale or Transfer, for which Entry and Indorsement the Sum of Two Shillings and Sixpence, and no more, shall, if demanded, be paid to the Secretary or Clerk of the said Company; and the said Company, or the said Secretary or Clerk, is hereby required to make such Entry or Memorial accordingly, and on Demand to make an Indorsement of such Transfer on the Certificate of each Share so sold; and deliver the same to the Purchaser for his Security; and such Indorsement, being signed by the said Secretary or Clerk, shall be considered in every respect the same as a new Certificate; and until such Memorial shall have been made and entered as before directed the Seller of such Share shall remain liable for all future Calls, and the Purchaser shall have no Part or Share of the Profits of the said Undertaking, nor any Interest in respect of such Share paid to him, nor any Vote in respect thereof as a Proprietor of the said Undertaking.

After a Call made, no Share to be sold until Call is paid.

CXVII. And be it further enacted, That no Person or Corporation shall sell or transfer any Share which he or they shall possess in the said Undertaking after any Call shall have been made for any Sum of Money in respect of such Share, unless he or they, at the Time of such Sale or Transfer, shall have paid the full Sum of Money which shall have been called for in respect of such Share.

Receipt of One Proprietor of a Share to be a sufficient Discharge.

CXVIII. And be it further enacted, That the Receipt of the Person or of any One of the Persons in whose Name or Names any Share in the said Undertaking shall stand in the Books of the said Company shall from Time to Time be a sufficient Discharge to the said Company and the Directors thereof for any Dividend or other Sum of Money which shall become payable and be paid for or in respect of such Share, notwithstanding any Uses or Trusts upon or to which such Share shall be then settled, conveyed, or assigned, and the said Company shall not be bound to see to the Application of the Money mentioned in such Receipt; and where Money shall be payable under the Provisions of this Act to any Proprietor who shall be a Minor, Idiot, or Lunatic, the Receipt of the Guardian, if any, or if not of the Parent of such Minor, or of the Committee of such Idiot or Lunatic, shall be a sufficient Discharge to the said Company and their Treasurer for the same.

Proprietors to raise an additional Sum, if necessary, by Mortgage.

CXIX. And be it further enacted, That in case the Money hereby authorized to be raised by Subscription as herein-before mentioned shall be found insufficient for the Purposes of this Act, it shall be lawful for the said Company from Time to Time, by an Order of any General or Special General Meeting of the said Company, to borrow and take up at Interest any further or additional Sum not exceeding in the whole the Sum of

Twenty thousand Pounds, on the Credit of the said Undertaking; and the said Company, after an Order shall have been made for that Purpose at any General or Special General Meeting of the said Company, are hereby empowered to mortgage, assign, or charge the Property of the said Undertaking, and the Rates, Tolls, and other Sums arising or to arise by virtue of this Act, or any Part thereof (the Costs and Charges of the same to be paid out of such Rates, Tolls, or Sums), as a Security for any such Money to be borrowed as aforesaid, with Interest, to or for the Benefit of the Party who shall advance the same, or to his Trustee; and a Copy of the Order of any General or Special General Meeting of the said Company, authorizing the borrowing of any such Sum of Money, certified by One Director or by the Secretary or Clerk of the said Company to be a true Copy, shall be sufficient Evidence of the Money authorized to be raised by Subscription being insufficient for the Purposes of this Act, and of the making of the Order for raising such additional Sum of Money; and all which Mortgages, Assignments, and Charges shall be made under the Common Seal of the said Company, in the Words or to the Effect following, or with such Variation therein as the Circumstances of the Case may render necessary; (that is to say,)

'*Deptford* Pier Junction Railway Company.

Form of Mortgage.

'Number

'BY virtue of an Act passed in the Year of the Reign of 'King *William* the Fourth, intituled [*here set forth the Title of this* '*Act*], we, the *Deptford* Pier Junction Railway Company, incorporated 'by and under the said Act, in consideration of the Sum of 'to us in hand paid by *A. B.* of , do assign 'unto the said *A. B.*, his Executors, Administrators, and Assigns, the 'said Undertaking, and all and singular the Rates, Tolls, and Sums 'of Money arising by virtue of the said Act, and all the Estate, Right, 'Title, and Interest of the said Company in and to the same, to hold unto 'the said *A. B.*, his Executors, Administrators, and Assigns, until the 'said Sum of , together with Interest for the 'same after the Rate of for every One hundred Pounds 'for a Year, shall be fully paid and satisfied. Given under our Common 'Seal this Day of in the 'Year of our Lord .'

And the respective Parties to whom such Mortgages, Assignments, or Charges shall be made shall be entitled one with the other to their respective Proportions of the said Rates, Tolls, and Sums, and Premises, according to the respective Sums in such Mortgages, Assignments, or Charges mentioned to be advanced, without any Preference by reason of Priority of the Date of any such Order of Meeting, or Priority in Date of such Mortgage or Assignment, or on any other Account whatsoever; and an Entry or Memorial of such respective Mortgages, Assignments, or Charges, containing the Numbers and Dates thereof, and the Names of the Parties, with their proper Additions, to whom the same shall have been made, and of the Sums borrowed, together with the Rate of Interest to be paid thereon respectively, shall within Fourteen Days next after the Date thereof be entered in some Book to be kept by the Secretary or Clerk of the said Company, which said Book may be perused at all reasonable Times by any of the Mortgagees of the said Undertaking without Fee or Reward; and all Parties to whom any such

Mortgage, Assignment, or Charge shall have been made as aforesaid, or who shall be entitled to the Money due thereon, may from Time to Time transfer their respective Rights and Interests therein to any other Party or Parties; and every Transfer thereof may be in the Words or to the Effect following; (that is to say,) Mortgages may be transferred.

'I *A. B.* of , in consideration of the Sum of paid by *C. D.* of , do hereby transfer to the said *C. D.*, his Executors, Administrators, and Assigns, a certain Mortgage, Number , made by the *Deptford* Pier Junction Railway Company to , bearing Date the Day of , for securing the Sum of and Interest, and all my Right, Estate, and Interest in and to the Money thereby secured, and in and to the Rates, Tolls, Sums of Money, and Property thereby assigned. Dated this Day of in the Year of our Lord .' Form of Transfer.

And every such Transfer shall within Seven Days after the Date thereof if executed in *England*, or otherwise within Twenty-one Days after the Arrival thereof in *England* if executed elsewhere, be produced to the Secretary or Clerk of the said Company, who shall cause an Entry or Memorial to be made thereof in the same Manner as of the original Mortgage or Assignment, for which the said Company shall be paid the Sum of Two Shillings and Sixpence; and after such Entry or Memorial made every Transfer shall entitle such Assignee, his Successors, Executors, Administrators, or Assigns, to the full Benefit thereof and Payment thereon, and it shall not be in the Power of any Party who shall have made such Transfer to make void, release, or discharge the Mortgage so transferred, or any Money thereon due or thereby secured, or any Part thereof.

CXX. And be it further enacted, That in case the said Company at any General or Special Meeting to be called as in this Act is directed, instead of borrowing such further or additional Sum as aforesaid by way of Mortgage or continuing the same on Mortgage, shall think it advisable to raise such further or additional Sum or any Part thereof by way of Augmentation of their Capital Stock, or shall deem it expedient to borrow or continue at Interest only a Part of the said further or additional Sum by way of Mortgage, and to raise the Remainder thereof or Part of the Remainder thereof by way of Augmentation of their Capital Stock, then and in either of the said Cases it shall be lawful for the said Company by the issuing of new Shares to augment the Capital Stock of the said Company by any further Sum or Sums of Money, so as the same, together with any Sum of Money that may be borrowed and continuing at Interest by way of Mortgage as aforesaid, shall not exceed such further and additional Sum of Twenty thousand Pounds hereby authorized to be raised as aforesaid; and all such further and additional Capital Stock, not exceeding such additional or further Sum as aforesaid, as shall be so raised, shall be considered as Part of the general Capital Stock of the said Company, and be under and subject to the same Provisions, Regulations, Directions, and Management in all respects, and to all Intents and Purposes, as if the same had been Part of the original Capital Stock of the said Company, except as to the Times of making Calls, which Times and the Amount of such Calls respectively shall Power to increase Capital Stock by raising the Amount of Shares.

shall from Time to Time be appointed by the said Company: Provided always, that all the Regulations, Provisions, and Authorities herein contained in relation to the Calls for the Capital Stock of the said Company, and to the Recovery thereof or of any Arrears thereof, and to the Forfeiture of any Sums advanced by reason of any Neglect or Refusal to comply with such Calls, shall be applicable to the Calls for the said further and additional Sum hereby authorized to be raised or subscribed as aforesaid, or such Part thereof as shall be required to be raised by way of additional Capital Stock as aforesaid, and to the Refusal or Neglect to comply with such last-mentioned Calls.

Interest of Money borrowed to be paid in preference to Dividends.

CXXI. And be it further enacted, That the Interest of the Money which shall be raised by any such Mortgage, Assignment, or Charge as aforesaid shall be paid half-yearly to the several Parties entitled thereto, and in preference to any Dividends payable by virtue of this Act to the Proprietors of the said Company or any of them; and in case such Interest or any Part thereof shall be unpaid by the Space of Fourteen Days next after the same shall have become due and payable as aforesaid, and the same shall not be paid within Fourteen Days next after Demand in Writing shall have been made to the said Company, it shall be lawful for Two or more Justices of the Peace acting for the said County of *Kent*, not being interested in the Matter in question, and they are hereby respectively required, on Request to them made by or on behalf of any Mortgagee or Assignee of a Mortgagee whose Interest shall be so in arrear, by an Order under their Hands to appoint some Person to receive the Whole or such Part of the said Rates, Tolls, or Sums as are liable to pay such Interest so due and unpaid as aforesaid; and the Money so to be received by such Person is hereby declared to be so much Money received by or to the Use of the Party to whom such Interest shall be then due, until the same, together with the Costs and Charges of recovering and receiving such Rates, Tolls, or Sums, shall be fully paid and satisfied, and after such Interest and Costs shall have been paid and satisfied the Power and Authority of such Receiver for the Purposes aforesaid shall cease and determine; or otherwise the said Interest so due and unpaid as aforesaid may be sued for and recovered from the said Company, with Costs, by an Action of Debt in any of His Majesty's Courts of Record at *Westminster*.

Power to borrow Money of Exchequer Loan Bill Commissioners, and give Security.

3 G. 4. c. 86.

CXXII. And be it further enacted, That it shall be lawful for the said Company at any Time or from Time to Time, by Order of any General or Special General Meeting, to borrow of the Commissioners for carrying into execution an Act passed in the Third Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to amend Two Acts, of the Fifty-seventh Year of His late Majesty and the First Year of His present Majesty, for authorizing the Issue of Exchequer Bills, and the Advance of Money for carrying on Public Works and Fisheries, and Employment of the Poor, and to authorize a further Issue of Exchequer Bills for the Purposes of the said Act*, any Sum of Money not exceeding in the whole the Sum of Money hereby authorized to be raised by Mortgage as aforesaid, and by Deed under the Common Seal and at the Costs of the said Company to assign and assure to the Secretary for the Time being of the said Commissioners, and as they shall direct, free from all Incumbrances, the said Undertaking, and all the Works and Property of the said

said Company, and all Rates, Tolls, Profits, and Receipts accruing and thereafter to accrue to or for the Use of the said Company under or by virtue of the Authority of this Act, or otherwise for securing to the said Commissioners the Repayment of the Amount of the Exchequer Bills to be so borrowed as aforesaid.

Security to Commissioners to have Priority.

CXXIII. And be it further enacted, That every Security to be given to the said Commissioners as aforesaid shall not be affected by any Informality in any Meeting or Proceeding of the said Company or the said Directors, and shall have Priority over all other Mortgages, Charges, and Securities whatsoever to be created by the said Company under the Authority of this Act.

Creditors not to vote.

CXXIV. Provided always, and be it further enacted, That no Party to whom any such Mortgage or Assignment as aforesaid shall be made or transferred shall by reason thereof be deemed a Proprietor of any Share, or be capable of acting or voting as such at or taking any Part in the Proceedings of any Meeting of the said Company.

For securing Repayment of Principal Money borrowed.

CXXV. And be it further enacted, That in case of Nonpayment of any Principal Sum of Money which shall be secured by any such Mortgage or Assignment as aforesaid by virtue of this Act, or of any Part of such Principal Monies, at the Time or Times when the same ought to be paid, and in case the same shall not be paid within Six Calendar Months next after the same shall be so payable as aforesaid, and after Demand thereof in Writing shall have been made to the said Company, it shall be lawful for Two or more Justices of the Peace acting for the said County of *Kent*, not being interested in the Matter in question, and they are hereby respectively required on Request to them made by or on behalf of any One or more of the Parties entitled to any such Mortgages as aforesaid, and to whom any Principal Sums of Money shall be then due thereon and unpaid, amounting together to the Sum of One hundred Pounds, by an Order under their Hands to appoint some Person to receive the Whole or such Part of the said Rates, Tolls, or Sums as are liable to pay such Principal Monies so due and unpaid as aforesaid; and the Money so to be received by such Person is hereby declared to be so much Money received by or to the Use of the Persons and Corporations to whom such Principal Money shall be due, and on whose Behalf such Receiver shall have been so appointed, until the same, together with the Costs and Charges of recovering and receiving such Rates, Tolls, or Sums, and all Interest then due thereon, shall be fully paid and satisfied; and after such Principal, Interest, and Costs shall have been paid and satisfied the Power and Authority of such Receiver for the Purposes aforesaid shall cease and determine; or otherwise the said Principal Money so due and unpaid as aforesaid may be sued for and recovered from the said Company, with Costs, by an Action of Debt in any of His Majesty's Courts of Record at *Westminster*.

In case Mortgages paid off, the Company may raise Money again.

CXXVI. And be it further enacted, That in case the said Company shall raise the Whole or any Part of the Money herein-before authorized to be raised by Mortgage, Assignment, or Charge as aforesaid, and shall afterwards pay off all or any Part of the Principal Money so secured as aforesaid, then and in every such Case it shall be lawful for the said Company

Company immediately or at any Time thereafter again to raise, in lieu of the Principal Money so paid off by them, such Sum of Money as they shall from Time to Time have paid off or any Part thereof, and so from Time to Time as often as the same shall happen, but so nevertheless that the said Company shall not in any Event before the Completion of the Works hereby authorized to be made borrow upon Mortgage, Assignment, or Charge as aforesaid in such Manner or to such Extent as that the Monies which shall be owing at any One Time on Mortgage or Assignment of or as a Charge upon the said Undertaking, together with the Monies (if any) which shall have been raised by way of additional Capital as aforesaid, shall amount in the whole to more than the Sum of Twenty thousand Pounds over and above the Amount of the Calls for the Time being remaining unpaid, and still to be called for by the said Company in respect of the said Sum of Sixty thousand Pounds so authorized to be raised as first herein-before mentioned.

Property to revert to the Company after Payment of Mortgage Debts.

CXXVII. And be it further enacted, That after Payment or Satisfaction of all the Monies due from the said Company upon or by virtue of any Mortgage made by them under the Powers of this Act, all the Estate, Property, Premises, Rights, and Interests by such Mortgage vested in the Mortgagee, his Successors, Heirs, Executors, Administrators, or Assigns, shall, without any Transfer or Conveyance, or any other Act or Deed, immediately revert to and revest in the said Company.

Railway to be free on Payment of Rates, &c.

CXXVIII. And be it further enacted, That all Persons shall have free Liberty to pass along and upon and to use and employ the said Railway, with Carriages properly constructed as by this Act directed, upon Payment only of such Rates and Tolls as shall be demanded by the said Company, not exceeding the respective Rates or Tolls by this Act authorized, and subject to the Rules and Regulations which shall from Time to Time be made by the said Company or by the said Directors by virtue of the Powers to them respectively by this Act granted.

Rates of Tonnage allowed to be taken by the Company for the Use of the Railway.

CXXIX. And be it further enacted, That it shall be lawful for the said Company to demand, receive, and recover, to and for the Use and Benefit of the said Company, for the Tonnage of all Articles, Matters, and Things which shall be conveyed upon or along the said Railway for any Distance, any Rates or Tolls not exceeding the following; (that is to say,)

For all Sugar, Grain, Corn, Flour, Dye Woods, Earthenware, Timber, Staves and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, Two-pence *per* Hundred Weight:

For all Cotton and other Wools, Hides, Drugs, manufactured Goods, and all other Wares, Merchandize, Articles, Matters, or Things, Two-pence *per* Hundred Weight.

Tolls allowed to be taken by the Company on Carriages conveying Passengers or Cattle.

CXXX. And be it further enacted, That it shall be lawful for the said Company to demand, receive, and recover, to and for the Use and Benefit of the said Company, for and in respect of Passengers, Beasts, Cattle, and Animals conveyed in Carriages upon the said Railway for any Distance, any Tolls not exceeding the following; (that is to say,)

For every Person conveyed in or upon any such Carriage, the Sum of Three-pence:

For

For every Horse, Mule, Ass, or other Beast of Draught or Burthen, and for every Ox, Cow, Bull, or Neat Cattle conveyed in or upon any such Carriage, the Sum of Nine-pence:

For every Calf, Sheep, Lamb, or Pig conveyed in or upon any such Carriage, the Sum of Three-pence:

For every other Animal or Live Stock of any Description conveyed in or upon any such Carriage, the Sum of Three-pence:

For every Article, Matter, or Thing not expressly enumerated, conveyed over or upon the said Railway, not specifically exempted, the Sum of One Penny *per* Hundred Weight:

And it shall be lawful for the said Company to demand, receive, and recover in like Manner, for every Carriage of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, any Toll not exceeding the Sum of One Shilling.

Company empowered to provide and charge for locomotive or other Engines.

CXXXI. And be it further enacted, That it shall be lawful for the said Company and they are hereby empowered to provide locomotive or stationary Engines and other Power for the drawing or propelling of any Articles, Matters, or Things, Persons, Cattle, or Animals, upon the said Railway, and also upon and along any other Railway communicating therewith, and to receive, demand, and recover such Sums of Money for the Use of such Engines or other Power as the said Company shall think proper, in addition to the several other Rates, Tolls, or Sums by this Act authorized to be taken.

Engines not to be set up in Deptford without Consent of Vestry.

CXXXII. Provided always, and be it further enacted, That nothing in this Act contained shall authorize or empower, or be deemed, taken, or construed to authorize or empower, the said Company, or any Person acting by or under their Direction, Authority, or Permission, to set up or make any fixed or permanent Engine for the Purposes of the said Railway, or of the Traffic thereupon, upon any Place in either of the Parishes of *Saint Nicholas* and *Saint Paul, Deptford*, without the Consent of the Inhabitants in Vestry assembled first duly obtained.

Steam Engines not to burn Coals.

CXXXIII. Provided always, and be it further enacted, That no stationary or locomotive Steam Engine or other Engine to be erected, built, or used by the said Company, or by any other Corporation, or by any Person, upon the said Railway, or for the Purposes of the same, or of any of the Works hereby authorized to be made, shall be fed or supplied with Fire by Coals, but every such Engine shall be fed or supplied with Fire only by good Coke or Charcoal, or by other Fuel which shall not cause or emit any Smoke, or cause any Smoke to escape therefrom; and if the said Company, or any Corporation, or any Person, shall use or cause to be used upon the said Railway, or for the Purposes of the same, or of any of the Works hereby authorized to be made, any stationary or locomotive Steam Engine or other Engine which shall be fed or supplied with Fire by Coals, or any Engine which shall emit Smoke, contrary to the Provisions herein contained, the said Company or other Corporation or Person who shall use or cause to be used any such Engine shall forfeit and pay any Sum not exceeding Five Pounds and not less than Twenty-five Shillings for every Time that such Engine shall be so used, to be recovered in a summary Way by the Order and Adjudication of One

or

or more Justice or Justices of the Peace, on Complaint to him or them for that Purpose made, in the same Manner as other Penalties and Forfeitures for the Recovery whereof no special Directions are given are by this Act directed to be recovered; one Moiety of which Penalty, as often as the same shall be recovered, shall be paid to the Informer, and the other Moiety to the Vestry Clerk or other proper Officer of the Parish or Place where such Offence shall be committed, for the Benefit of the Poor of such Parish or Place.

As to Packages containing Goods of a dangerous Quality.

CXXXIV. And for the better preventing of Accidents or Injury which might arise on the said Railway and Works from the unsafe and improper Carriage of certain Goods and Merchandize upon the same, be it further enacted, That every Person who shall send or cause to be sent by the said Railway any Aquafortis, Oil of Vitriol, Gunpowder, or other Goods of a dangerous Quality, shall distinctly mark or state the Nature of such Goods on the Outside of the Package containing the same, or shall otherwise give Notice in Writing to the Book-keeper or other Servant of the said Company with whom the same shall be left, at the Time of so sending the said Goods or causing the same to be sent, on pain of forfeiting for every Default herein the Sum of Ten Pounds: Provided always, that the said Company shall not be compelled or compellable to carry upon the said Railway any Gunpowder or other Goods which in the Judgment of the said Company shall be of a dangerous Character, and it shall be lawful also for the said Company to restrain any other Persons from carrying thereon Gunpowder or such other Goods as aforesaid.

Passengers may carry Luggage without Charge.

CXXXV. And be it further enacted, That without extra Charge it shall be lawful for every Passenger travelling upon or along the said Railway to take with him his Articles of Clothing, not exceeding Fourteen Pounds in Weight and One Cubic Foot in Dimensions; and the said Company shall in no Case be in any way liable or responsible for the safe Carriage or Custody of or for any Loss of or Injury to any Articles, Matters, or Things whatsoever carried upon or along the said Railway with or accompanying the Person of or belonging to any Passenger, or delivered for the Purpose of being carried, other than and except such Passengers Articles of Clothing not exceeding the Weight and Dimensions aforesaid: Provided always, that nothing herein contained shall in any Case extend or be deemed or construed to extend to charge or make liable the said Company further or in any other Case than where according to the Laws of this Realm for the Time being Stage Coach Proprietors and Common Carriers would be liable, nor shall any thing herein contained extend or be deemed or construed to extend in any Degree to deprive the said Company of a Protection or Privilege which either now or at any Time hereafter Common Carriers or Stage Coach Proprietors have or may have, but the said Company shall from Time to Time and at all Times have and be entitled to the Benefit of every such Protection and Privilege.

Act not to prevent the Company from hiring locomotive Engines.

CXXXVI. Provided always, and be it further enacted, That nothing in this Act contained shall be construed to prevent the said Company from making any Agreement with any Person for the Hire or Use of any locomotive Engines, or of any Carriage, or from paying for the same such reasonable Sum as may be agreed on between the said Company

and such Person; any thing herein contained to the contrary thereof notwithstanding.

Company authorized to fix the Prices of small Parcels.

CXXXVII. And be it further enacted, That it shall be lawful for the said Directors from Time to Time to make such Orders for fixing the Sum to be charged by the said Company in respect of small Parcels (not exceeding Five Hundred Weight each) as to them shall seem proper: Provided always, that the Provision last herein-before contained shall not extend to Articles, Matters, or Things sent in large aggregate Quantities, although made up of separate and distinct Parcels, such as Bags of Sugar, Coffee, Meal, and the like, but only to single Parcels unconnected with Parcels of a like Nature which may be sent upon the said Railway at the same Time.

Regulating the Charge in Cases of fractional Parts of a Ton.

CXXXVIII. And be it further enacted, That without Prejudice to any of the Provisions contained, in all Cases in which there shall be a Fraction of a Ton a Proportion of the said Rates or Tolls may be demanded and taken for such Fraction according to the Number of Quarters of a Ton contained therein, and when there shall be a Fraction of a Quarter of a Ton such Fraction shall be deemed and considered as a Quarter of a Ton.

Power to reduce the Rates or Tolls.

CXXXIX. And be it further enacted, That it shall be lawful for the said Company, from Time to Time as they shall think fit, to reduce all or any of the Rates or Tolls by this Act authorized to be taken, and afterwards from Time to Time again to raise the same or any Part of them, so that the same respectively shall not at any Time exceed the Amount by this Act authorized.

Rates or Tolls not to be reduced partially.

CXL. Provided always, and be it further enacted, That the said Company shall not partially raise or lower the Rates or Tolls payable under this Act, but all such Rates and Tolls shall be so fixed as that the same shall be taken from all Persons alike under the same or similar Circumstances.

Power to contract with other Companies.

CXLI. And be it further enacted, That it shall be lawful for the said Company hereby incorporated, and they are hereby empowered from Time to Time to make and enter into any Contract or Agreement with any Railway or other Company, or any other Person (and which Contract or Agreement all other Companies and other Persons are hereby authorized and empowered to make and enter into), either for the Division or Apportionment of Tolls, Rates, and Duties, or for the Passage over or along the Railway by this Act authorized to be made of any Engines, Coaches, Waggons, or other Carriages of or belonging to any other Railway Company or other Person, or which shall pass over or along any other Line of Railway, or for the Passage over or along any other Line of Railway of any Engines, Coaches, Waggons, or other Carriages which shall belong to the said Company hereby incorporated, or which shall pass over or along their Line of Railway, upon the Payment of such Tolls, Rates, and Duties, and under such Conditions and Restrictions, as may be deemed advisable and be mutually agreed upon, and also to make and enter into any other Contract with any other Company or other Person that may be deemed advisable; and any such Contract

may contain such Covenants, Clauses, Provisions, Conditions, and Agreements as the contracting Parties may respectively think advisable and mutually agree upon: Provided always, that no such Contract shall in any manner alter, affect, increase, or diminish any of the Rates, Tolls, or Duties which the respective Companies or other Persons, Parties to such Contracts, shall for the Time being be respectively authorized and entitled to have, recover, or receive of or from any other Person or Company, but that all other Persons and Companies shall notwithstanding any such Contract be entitled to the Use and Benefit of any of the said Railways upon the same Terms and Conditions, and on Payment of the same Tolls, Rates, and Duties as they would have been in case no such Contract had been entered into; nor shall any such Contract give any Preference or Advantage to any Company or Person, Party thereto, over any other Company or Person, but all such Companies and Persons so contracting shall, notwithstanding such Contract, pay the same Amount of Tolls, Rates, or Duties as shall from Time to Time be charged to other Companies or Persons not being Parties to such Contracts; and no Person or Party using the said Railway shall pay or be liable to pay any greater Amount of Toll or Rate for or in respect of any Carriage, Passenger, Goods, Articles, Matters, or Things carried or conveyed upon or along or using the said Railway than any of such Railway Companies.

List of Rates, &c. to be painted on Boards, and affixed in conspicuous Places.

CXLII. And be it further enacted, That the said Company shall cause to be painted on Boards, and to be affixed and continued, and renewed as often as the same shall be obliterated or defaced, to or upon every Toll House or Building at which any of the Tolls or Rates by this Act authorized shall be collected or received, in some conspicuous Place, in large and legible Characters, an Account or List of the several Rates and Tolls which the said Company shall from Time to Time direct and appoint to be taken, and which shall be payable by virtue of this Act; and in case any Owner or Master of or Person having or assisting in the Charge of any Carriage passing upon the said Railway, or any Collector of the Rates or Tolls aforesaid, shall, after and whilst such Account or List shall be affixed as aforesaid, demand or take more than the Amount thereon specified, such Owner, Master, Collector, or other Person as aforesaid shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Rates or Tolls only payable whilst the Boards so remain.

CXLIII. Provided always, and be it further enacted, That it shall not be lawful for the said Company to demand or take any Rates or Tolls for or in respect of any Article, Matter, or Thing, or any Carriage, Passenger, or Cattle, except during the Time that the Board on which such Rates or Tolls shall be so painted as aforesaid shall remain affixed to such Toll House or Building at which such Rates or Tolls shall be received as aforesaid, and for and during such Time only as the Stones or other conspicuous Marks, with proper Inscriptions thereon, by this Act directed to be set up, for ascertaining the Distance for which such Rates or Tolls shall be taken, shall remain so set up.

Penalty on Persons defacing Boards.

CXLIV. And be it further enacted, That if any Person shall, except by the Direction of the Directors of the said Company, wilfully pull down, remove, deface, or destroy any Board whereon any Rules, Orders, Bye Laws,

Laws, Rates, or Tolls shall have been painted according to the Directions of this Act, or any Stone or Mark set up to denote Distances on the said Railway, or shall actually or constructively concur or aid therein, he shall, on Conviction, forfeit and pay a Sum not exceeding Five Pounds for every Offence.

For preventing Toll Collectors misbehaving.

CXLV. And be it further enacted, That every Collector of the Rates or Tolls by this Act granted shall, and he is hereby required to place his Christian and Surname, painted on a Board in legible Characters, in the Front or on some other conspicuous Part of the Toll House or other Building whereat he shall be on Duty, immediately on his coming on Duty, each of the Letters of such Names to be at least Two Inches in Height and of a Breadth in proportion, and painted either in White Letters on a Black Ground or in Black Letters on a White Ground, and shall continue the same so placed during the whole Time he shall be upon Duty; and if any Collector of the said Rates or Tolls shall not place such Board as aforesaid, and keep the same there during the Time he shall be on Duty as aforesaid, or shall demand or take a greater or less Rate or Toll from any Person than he shall be authorized to do by virtue of the Powers of this Act, and of the Orders of the said Company made in pursuance thereof, or shall demand or take a Rate or Toll from any Person who shall be exempt from the Payment thereof and claim such Exemption, or shall refuse to permit or shall not permit any Person to read or shall in anywise hinder any Person from reading the Inscription on the Board to be affixed as aforesaid, or shall refuse to tell his Christian or Surname to any Person who shall demand the same, and who shall have paid the legal Rates or Tolls, or shall in answer to such Demand give a false Name or Names, or upon the legal Rate or Toll being paid or tendered shall unnecessarily detain or wilfully obstruct or hinder any Carriage or any Person from passing upon the said Railway, or shall make use of any scurrilous or abusive Language to any Officer or Servant of the said Company, or to any Passenger upon or to any Person lawfully using the said Railway, then and in every such Case every such Collector shall forfeit and pay any Sum not exceeding Ten Pounds for every such Offence.

Recovery of Rates or Tolls.

CXLVI. And be it further enacted, That the Rates or Tolls hereby authorized to be taken shall be paid to such Person, at such Places upon or near the said Railway, and in such Manner and under such Regulations as the said Directors shall, by Notice to be annexed to the Account or List of Rates or Tolls, direct or appoint; and in case of Refusal or Neglect, on Demand, to pay such Rates or Tolls as may have accrued due unto the respective Persons appointed to receive the same as aforesaid, the said Company may, in case such Rates or Tolls shall amount to or exceed the Sum of Twenty Pounds, sue for and recover the same by an Action of Debt or upon the Case in any of His Majesty's Courts of Record, or the Person to whom such Rates or Toll ought to have been paid may and he is hereby empowered, whether such Rates or Tolls shall amount to the Sum of Twenty Pounds or not, to seize the Goods, Articles, and other Things for or in respect whereof any such Rates or Tolls ought to be or to have been paid, or any Part thereof, and the Carriage laden therewith, and detain the same until such Payment shall be made, together with all reasonable Charges for such Seizure and Detention; and if such Goods, Articles, and Things

Things shall not be redeemed within Twenty-one Days next after the taking thereof, the same shall be appraised and sold, and such Rates, Tolls, and Charges satisfied thereout, as the Law directs in Cases of Distress for Rent.

Owners of Carriages to give Account of Lading.

CXLVII. And be it further enacted, That the respective Owners or Persons having the Care of Carriages passing upon the said Railway shall give an exact and true Account in Writing signed by them to the Collectors of the Rates or Tolls, at the Places where they shall attend for that Purpose, of the Quantity of Goods and other Things as aforesaid which shall be in or upon the Carriages so belonging to them or under their Care, and from whence such Carriages are brought, and where the same are intended to be unloaded or left, or taken off the said Railway; and if the Goods or other Things in or upon any such Carriage shall be liable to the Payment of different Rates or Tolls, then such Owners or other Persons shall specify the respective Quantities liable to each or any of the said Rates or Tolls; and in case any such Owner or other Person as aforesaid shall neglect or refuse to give and deliver such Account, or to produce his Bill of Lading to any Collector demanding the same, or shall give a false Account, or shall unload, leave, or take off the said Railway or any Part of his Lading or Goods at any other Place than is mentioned in such Account, with an Intent to avoid the Payment of any of the said Rates or Tolls, and shall be thereof convicted before any Justice of the Peace acting within his Jurisdiction, every Person so offending shall for every such Offence forfeit and pay to the said Company any Sum not exceeding Forty Shillings for every Ton of Goods, or for any Parcel not exceeding Five hundred Pounds, and so in proportion for any less Quantity of Goods than a Ton or Five hundred Pounds, as the Case may be, which shall be in or upon such Carriage of which such Account shall be so neglected or refused to be given, or concerning which such Bill of Lading shall not be produced as aforesaid, or of which a false Account shall have been given, or which shall be fraudulently left, unladen, or taken off as aforesaid, as the Case shall happen, over and above the Rate or Toll to which such Goods or Things may be liable.

Weight of Goods ascertained.

CXLVIII. And for the better ascertaining the Weight of Goods and other Things to be charged with the Payment of Tonnage Rates or Tolls as aforesaid, be it further enacted, That as respects all such Goods and other Things as aforesaid, except Stone and Timber, One hundred and twelve Pounds Weight shall be deemed One Hundred Weight, and Twenty such Hundred Weight shall be deemed One Ton; and as respects Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Beech, and Ash, and Fifty Cubic Feet of all other Timber, shall be deemed One Ton Weight, and so in proportion for any smaller Quantity; any Usage to the contrary notwithstanding.

If any Difference concerning the Weight, Collector may weigh or measure the Carriage.

CXLIX. And be it further enacted, That if any Difference shall arise between any Collector of the said Rates or Tolls, or any other Officer or Servant of the said Company, and any Owner of or Person having the Charge of any Carriage passing upon the said Railway, or of any Goods, Articles, or Things in or on such Carriage, respecting the Goods, Articles, or Things in or on such Carriage, or the Rates or Tolls due in respect thereof,

thereof, it shall be lawful for such Collector or other Officer as aforesaid to detain such Carriage, and to examine, weigh, measure, and gauge, or cause to be examined, weighed, measured, and gauged, such Carriage, and all such Goods, Articles, and Things as shall be therein or thereon; and in case the same shall, upon such examining, weighing, measuring, or gauging, appear to be of greater Weight or Quantity or of different Quality than shall be stated in the Account given thereof as aforesaid, then the Person giving in such Account shall pay, and the Owner of such Carriage, and the respective Owners of such Goods and other Things, shall also, at the Option of the said Company, be liable to pay, the Costs and Charges of such examining, weighing, measuring, or gauging; all which Costs and Charges, upon Refusal or Neglect of Payment thereof on Demand, shall and may be recovered and levied by or in such Ways and Manner as the said Rates and Tolls are in this Act authorized to be recovered and levied; but if such Goods, Articles, or Things shall appear to be of the same Quality and of the same Weight or Quantity as, or of the same Quality as and of less Weight or Quantity than shall be stated in such Account, then the said Company shall pay the Costs and Charges of such examining, weighing, measuring, or gauging, and shall also pay to such Owner of or Person having Charge of such Carriage, and to the respective Owners of such Goods, Articles, or Things, such Damage as shall appear to any Justice of the Peace acting within his Jurisdiction, on the Oath, or, in the Case of a Quaker or Separatist, Affirmation of any credible Witness to have arisen from or by such Detention; but in case it shall at any Time be made to appear to such Justice upon the Complaint of the said Company, and upon the like Oath or Affirmation, that such Detention, and examining, weighing, measuring, or gauging, was without reasonable Ground or Belief, or that it was vexatious on the Part of such Collector or other Officer as aforesaid, then such Collector or other Person as aforesaid shall himself pay the Costs and Expences of such weighing, measuring, or gauging, and shall also pay to such Owner or Person, or to the respective Owners of such Goods, Articles, or Things as aforesaid, such Damage as shall appear to such Justice, or in default of immediate Payment thereof by the said Company or by such Collector or other Officer as aforesaid (as the Case may be), the same may be recovered by Distress and Sale of the Goods of the said Company or of the said Collector or other Officer as aforesaid (as the Case may be), by Warrant under the Hand and Seal of such Justice, rendering the Overplus (if any), upon Demand, after deducting the Costs of such Distress and Sale, to the said Company or to the said Collector or other Officer as aforesaid, as the Case may be.

For settling Disputes about the Amount of Rates, &c.

CL. And be it further enacted, That if any Dispute shall arise concerning the Amount of the Rates or Tolls due to the said Company, or concerning the Charges occasioned by any Distress to be taken by virtue of this Act, it shall be lawful for the Collector or Person distraining to detain such Distress, or, as the Case may require, the Proceeds of the Sale thereof, until the Amount of the Rates or Tolls due, or, as the Case may require, the Amount of the Charges of seizing, distraining, keeping, or selling such Distress, shall be ascertained by some Justice of the Peace acting within his Jurisdiction, who, upon Application made to him for that Purpose, shall examine the said Matter upon Oath or Affirmation of

the Parties or other Witnesses, and determine the Amount of the Rates or Tolls due or (as the Case may be) of the said Charges; and it shall be lawful for such Justice to assess and award such Costs to be paid by either of the said Parties to the other of them as he shall think reasonable; and in case of Nonpayment thereof on Demand, such Costs shall be levied by Distress and Sale of the Goods and Chattels of the Party directed to pay the same, by Warrant under the Hand and Seal of such Justice.

Company empowered to lease the Rates or Tolls.

CLI. And be it further enacted, That it shall be lawful for the said Company from Time to Time to let the Rates and Tolls by this Act made payable, or any Part thereof, upon the Whole or any Part of the said Railway, to any Corporation or Person, for any Term which they shall think proper, not exceeding Seven Years from the Commencement of any such Lease, and to commence in Possession upon or within Three Calendar Months next after granting the same; and every such Lease shall be valid, and the respective Lessees thereof, and also such Persons as such Lessees shall appoint to collect and receive the Rates or Tolls so let, shall during the Continuance of such Lease be deemed Collectors of the Rates or Tolls so let out for the proper Use of the Lessees thereof, and shall have the same Powers and Authorities for collecting and recovering the same, and be subject to the same Rules and Penalties, as if they had been appointed for that Purpose by the said Company: Provided always, that public Notice of the Intention to let the said Rates and Tolls, or any Part thereof intended to be let, shall be given by the said Company by Advertisement to be inserted in some *London* or *Kent* Newspaper at least Fourteen Days prior to any Meeting of the said Company or of the said Directors at which it may be intended that such Rates and Tolls shall be let as aforesaid.

Power of Entry in case of Non-performance of Conditions, &c.

CLII. And be it further enacted, That in case any of the Rates or Tolls granted by this Act shall be demised or let to farm to any Person in any Manner whatsoever, and the Lessee or Farmer thereof shall neglect or refuse to perform the Terms and Conditions on which the same shall be so demised or let, or any of them, or in case all or any Part of any Rent agreed to be paid by any such Lessee or Farmer shall be in arrear or unpaid for the Space of Five Days next after any of the Days on which the same ought to be paid pursuant to the Lease, Agreement, or Contract for demising or letting the same Rates or Tolls, or in case any temporary or other Collector of any of the said Rates or Tolls shall be discharged from his Office by virtue of this Act, or shall die, abscond, or absent himself, and any such Collector who shall be so discharged, or the Wife, Widow, or any of the Children or Family or any Representative of any such Collector who shall die, abscond, or absent himself or be discharged, or any other Person, being in Possession thereof, shall refuse to deliver up or shall not deliver up Possession of any Toll House, Office, Weighing Machine, or other Building, with the Appurtenances thereto respectively belonging, to be erected or provided under the Powers or to be used for any of the Purposes of this Act, for or within the Space of Five Days after Demand thereof made in Writing given or left at such Toll House, Office, Weighing Machine, or Building, or at any of such Toll Houses, Offices, Weighing Machines, or Buildings which shall be or have been in the Possession or Occupation of such Collector or Person, such Demand in Writing to be signed by any Three or more of the said

said Directors, or by the Secretary or Clerk for the Time being of the said Company, or in case any such Lease, Agreement, or Contract shall in any Manner become void or voidable, or shall have expired, then and in any of the said Cases it shall be lawful for any Two or more Justices of the Peace for the said County of *Kent*, upon Application made by the said Directors, or by the Secretary or Clerk for the Time being of the said Company, by Warrant under the Hands and Seals of such Justices respectively, to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to enter upon and take Possession of every or any such Toll House, Weighing Machine, or other Building, with the Appurtenances thereunto belonging, and to remove and put such Lessee, Farmer, Collector, or other Person who shall be found therein, together with his Goods, from and out of the same and the Possession thereof, and from the Collection of such Rates or Tolls, and to put the said Company or their Agent, or their new Lessee, Farmer, or Collector, into the Possession thereof; and thereupon it shall be lawful for the said Company to vacate and determine the Lease, Contract, or Agreement, if any, which was previously subsisting, and the same shall accordingly be utterly void to all Intents and Purposes (save as to the Covenants and Agreements for Payment of the Rent or Rents thereby reserved, or other unperformed or broken Obligations, Covenants, or Agreements on the Lessee's Part); and it shall be lawful for the said Company in every such Case, either during such Proceedings or on the Termination thereof, again to demise or let to farm the said Rates or Tolls to the same or any other Person or Corporation, or cause the same to be collected in such and the same Manner as if no former Demise, Contract, or Agreement had been made relative thereto.

Weights allowed to be carried on Railway.

CLIII. And be it further enacted, That no Carriage shall carry at any One Time upon the said Railway, including the Weight of such Carriage, more than Five Tons Weight, except in any One Piece of Timber, Block, or Stone, Boiler, Cylinder, Bob, or single Piece of Machinery, or other single Article, which shall nevertheless not exceed the Weight of Eight Tons, including the Weight of the Carriage, and for the Tonnage of which the said Company are hereby authorized to demand, receive, and recover such Rates as they may from Time to Time direct or appoint, not exceeding Four-pence *per* Ton; and no Piece of Timber, Stone, Machinery, or other Article exceeding the Weight of Eight Tons, including the Weight of the said Carriage, shall be carried upon any Part of the said Railway without the special Licence of the said Company or their Agents, and for the Tonnage of which the said Company are hereby authorized to demand, receive, and recover such Sum as they may deem proper.

Company to regulate the Passage on the Railway.

CLIV. And be it further enacted, That it shall be lawful for the Directors of the said Company from Time to Time to make such Orders and Regulations as they shall think proper for regulating the travelling upon and Use of the said Railway, and the Times when the same shall be open for Use, and for or relating to Travellers and Carriages passing upon the said Railway, and for or relating to the Mode or Means by which and the Speed at which such Carriages shall from Time to Time be moved or propelled, and the Times of their Departure and Arrival, and the loading and unloading thereof respectively, and the Delivery of Goods and other Things which

which shall be conveyed in or upon such Carriages, and also for preventing the smoking of Tobacco and the Commission of any other Nuisance in or upon any such Carriages, or in any of the Stations or Premises occupied by or belonging to the said Company, and generally for regulating the passing upon, using, or working the said Railway and other Works by this Act authorized, or in anywise relating thereto respectively; and all such Orders and Regulations, when published and affixed in the same Manner as Bye Laws, shall be binding upon and be conformed to by the said Company, and by all Owners of and Persons having the Care or Conduct of such Carriages, and by all Persons using or working the said Railway and other Works, and by all Travellers and Passengers passing upon the said Railway, upon pain of forfeiting and paying a Sum not exceeding Five Pounds for every Default: Provided always, that in every Case of Infraction or Nonobservance of any such Rules or Regulations which shall be attended with Danger to the Public or Annoyance to Travellers, or which shall obstruct or hinder the said Company in their due and lawful Use and working of the said Railway, it shall be lawful for the said Directors and their Agents summarily to interfere to obviate such Danger, or to remove or prevent such Obstruction, Nuisance, or Hindrance.

Carriages not to be used unless constructed as directed by the Company.

CLV. And be it further enacted, That no Carriage shall pass along or be upon the said Railway or any Part thereof, or the Works connected therewith, (except in directly crossing the same, as herein authorized, for the Occupation of the respective Lands through which such Railway shall be laid, or in passing any public or private Carriage Road which may happen to cross the said Railway,) unless such Carriage shall have been originally constructed according to the Rules and Regulations which the said Company may from Time to Time make in regard to Carriages, (and which Rules and Regulations the said Company are hereby required to make, and are authorized wholly or partially to alter or revoke, from Time to Time, with Power to make new Rules and Regulations from Time to Time in lieu of or in addition to any former Rules and Regulations), nor unless such Carriage shall at all Times, so long as it shall be used or shall be on the said Railway and Works, or any Part thereof, remain and be of such Construction and in such State and Condition as the Rules and Regulations of the said Company may from Time to Time or at any Time require: Provided always, that all the Rules and Regulations which the said Company may from Time to Time make in regard to such Carriages shall, before they shall have any Effect as Rules and Regulations, be published once in some *London* Newspaper; and such Publication as aforesaid shall be deemed and taken to be sufficient for all Purposes, and to be express Notice of all such Rules and Regulations to all Persons and Companies whomsoever; and the Production of such Newspaper, containing a Notice purporting to be a Notice of the Rules and Regulations of the said Company, shall for all Purposes be considered as sufficient Evidence of the due making and Publication of such Rules and Regulations: Provided also, that if any Dispute shall at any Time and from Time to Time arise between the said Company and the Owner of any such Carriage as to the original Construction, or as to the State or Condition, from Time to Time or at any Time, of any such Carriage, in reference to the then past or existing Rules and Regulations of the said Company, such Disputes shall from Time to Time, when and as often

often as they may arise, be immediately referred to Three indifferent Persons, one to be appointed by the said Company, and another by the Owner of any such Carriages, and the third to be appointed by the Two so first appointed previous to their entering on the Business of the Reference; and the Decision in Writing of such Two Arbitrators and their Umpire, or of any Two of them, (as the Case may be,) shall be final and conclusive, and which Decision they are hereby required to make; and if either the said Company or the said Owner shall, for Ten Days after being so required in Writing by the other of them, neglect or refuse to appoint a Referee to act on their or his Behalf, then the Referee of the other Party shall alone make a final Decision in Writing; and such Award or Decision shall upon Proof of the Signatures thereto be admitted in all Courts, and before all Judges, Justices, and others, as sufficient Evidence for all Purposes whatsoever of all the Facts therein stated; and if any Carriage not originally constructed according to the then Rules and Regulations of the said Company, or not from Time to Time or at any Time being in the State and Condition which the Rules and Regulations of the said Company in existence at that Time may require, shall pass or be upon any Part of the said Railway or the Works connected therewith, (except as aforesaid,) the Owner thereof or his Servant, or any One of his Servants, having for the Time being the Charge of any such Carriage, shall forfeit and pay any Sum not exceeding Ten Pounds for every such Offence.

Engines used on the Railway to be approved by the Company.

CLVI. And whereas, for the greater Security of Passengers and other Persons travelling upon and using the said Railway, it is expedient that the moving Powers to be from Time to Time used in drawing or propelling Carriages upon or along the said Railway should be under the Control of the said Directors; be it therefore enacted, That no locomotive or stationary Engine or other Description of moving Power shall at any Time be brought upon or used on the said Railway unless the same shall first have been approved by the Engineer to the said Company; and it shall be lawful for the said Directors and they are hereby required, within Fourteen Days after Notice given to them by any Company or Person desirous of bringing or using any such Engine on the said Railway, to cause their Engineer or other Agent to inspect and examine such Engine, and to report thereon to the said Company, who shall within Seven Days after such Report, in case such Engine shall be fit and proper to be used on the said Railway, give a Certificate to the Party requiring the same of their Approval of every such Engine; and it shall be lawful for the said Directors from Time to Time, upon any Engine used upon the said Railway being out of repair or unfit to be used upon the said Railway, to order the same to be taken off, or to forbid the same to be used upon the said Railway; and in case any Person shall bring or use upon the said Railway any locomotive or other Engine without having first obtained such Certificate of Approval as aforesaid, or in case, after Notice given by the said Company to remove from or not to use upon the said Railway any such insufficient Engine as aforesaid, the Person to whom such Engine shall belong shall not forthwith remove the same, or shall use any such Engine upon the said Railway without having first sufficiently repaired the same and obtained such Certificate of Approval as aforesaid, every such Person shall forfeit and pay any Sum not exceeding Twenty Pounds for every such Offence, and the said Company are hereby authorized to remove any such Engine from the said Railway.

Steam Engines and Locomotive Engines to consume their own Smoke.

CLVII. And be it further enacted, That the Boiler of every stationary or locomotive Steam Engine or other Engine burning Fuel to be erected, built, or used by the said Company or by any other Corporation, or by any Person, upon the said Railway, for the Purposes of the same or any of the Works hereby authorized to be made, shall be constructed upon the Principle of consuming its own Smoke, under a Penalty not exceeding Five Pounds and not less than Twenty-five Shillings for every Offence, to be recovered in a summary Way by the Order and Adjudication of Two or more Justice or Justices of the Peace, on Complaint to him or them for that Purpose made, in the same Manner as other Penalties and Forfeitures for the Recovery whereof no special Directions are given are by this Act directed to be recovered, Half of which Penalty, as often as the same shall be recovered, shall be paid to the Informer, and the other Half to the Vestry Clerk or other proper Officer of the Parish or Place where such Offence shall be committed, for the Benefit of the Poor of such Parish or Place.

Owners to put their Names, &c. on the Outside of their Carriages.

CLVIII. And be it further enacted, That the respective Owners of Carriages passing or being upon the said Railway, and carrying Passengers or Goods for Pay, Hire, or Reward, shall cause their Names and Places of Abode, and the Numbers, Weights, and Gauges of their respective Carriages, to be entered with the Secretary, Clerk, or other Officer of the said Company appointed for that Purpose, and shall also cause such Names, Places of Abode, Numbers, Weights, and Gauges to be painted and continued in large White Capital Letters and Figures on a Black Ground, Two Inches in Height at the least and of a proportionate Breadth, on some conspicuous Part of the Outside of every such Carriage, so as to be always open to view, and shall permit every such Carriage to be weighed, measured, and gauged at the Expence of the said Company, whenever it shall be required by the said Company, or by any Person by them appointed for that Purpose; and every Owner or other Person having the Care of any Carriage, or who shall conduct the same upon the said Railway, without having such Carriage previously weighed, measured, and gauged, and the Weight, Measure, and Gauge thereof, together with the Number thereof, and also the Name and Place of Abode of the Owner thereof, entered with the Secretary, Clerk, or other Officer of the said Company appointed for that Purpose, or without having such Name, Place of Abode, Number, Weight, and Gauge marked upon each such Carriage as herein-before directed, or who shall alter, erase, deface, or hide such Name, Place of Abode, Number, Weight, or Gauge, or any of them, or any Part thereof, or shall fix thereon any false Name, Place of Abode, Number, Weight, or Gauge, or shall refuse to permit or shall not permit any such Carriage to be weighed, measured, or gauged as aforesaid, shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence.

Owners of Carriages to be accountable for Damage done by their Servants.

CLIX. And be it further enacted, That the respective Owners of Engines and Carriages passing or being upon the said Railway and Works or any Part thereof shall be and they are hereby respectively made answerable for any Trespass, Damage, or Mischief which may be done by their Engines or Carriages, or by any of the Servants or other Persons belonging to or employed by them, to or upon the said Railway, Machinery, Apparatus, or other Works made by virtue of this Act, or to or upon the Property of any other Person, either by loading or unloading such Carriages,

Carriages, or by any Means whatsoever; and every such Owner shall, for every such Trespass, Damage, or Mischief, upon Conviction of any such Servant or other Person before some Justice of the Peace, either by Confession of the Party offending, or upon the Oath, or, in the Case of a Quaker or Separatist, the Affirmation of some credible Witness, pay to the said Company or to the Person injured the Damages to be ascertained by such Justice, so that the same do not exceed the Sum of Twenty Pounds, and also shall, over and above such Damages, forfeit and pay to the Informer any Sum not exceeding Forty Shillings, and all Costs, Charges, and Expences attending such Conviction; all which Damages, Penalties, Costs, Charges, and Expences shall be levied by Distress and Sale of the Goods and Chattels, if any can be conveniently found, of the Owner of such Engine or Carriage, by Warrant under the Hand and Seal of such Justice; and the Overplus (if any) of the Proceeds of such Sale, after Deduction of such Damages, Penalties, Costs, Charges, and Expences, together with the Costs and Charges of such Distress and Sale, shall be returned, upon Demand, to the Owner of such Goods and Chattels; and in case no sufficient Distress can be conveniently found, then the Owner of such Engine or Carriage shall be committed to Prison as herein-after directed with respect to Persons who are convicted in any Penalty and have no sufficient Goods whereon such Penalty can be levied; but if the Value or Amount of such Trespass, Damages, or Mischief shall exceed the Sum of Twenty Pounds, the Owner of such Engine or Carriage, his Executors or Administrators, may be, at the Option of the said Company or the Party injured (as the Case may be), sued and prosecuted for the same in any of His Majesty's Courts of Record, and if a Verdict or Judgment shall be given against him, either upon Proof made or by Default or upon Demurrer, the Plaintiff in any such Case shall recover his Damages sustained as aforesaid, will full Costs of Suit.

Owners to recover from their Servants Money paid for their Neglect, &c.

CLX. Provided always, and be it further enacted, That in case any Owner of any Engine or Carriage passing or being upon the said Railway and Works or any Part thereof shall be compelled to pay any Penalty or to make any Satisfaction for any Damage by reason of any wilful Act, Neglect, or Default of any of his Servants, every such Servant shall be liable to pay such Penalty or Satisfaction for Damages, or both, (as the Case may be,) with the Costs attending the same, to such Owner; and in case of Nonpayment thereof, on Demand, and Oath, or, in the Case of a Quaker or Separatist, Affirmation made by such Owner of the Payment by him of such Penalty and Satisfaction, or either of them, (as the Case may be,) and that the same hath not been repaid to him by such Servant, although demanded, (such Oath or Affirmation being made before some Justice of the Peace for the County or Place in which such Penalty or Damage was incurred,) such Penalty and Satisfaction or either of them (as the Case may be), and the Costs aforesaid, shall be levied by Warrant under the Hand and Seal of such Justice, by Distress and Sale of the Goods and Chattels of such Servant, together with all Costs and Charges attending such Distress and Sale; and the said Penalty and Satisfaction, or either of them, (as the Case may be,) and Costs and Charges as aforesaid, when recovered, shall be paid to such Owner in discharge of such Penalty and Satisfaction or either of them, and the Costs so by him paid for the wilful Act, Neglect, or Default of such Servant as aforesaid; and in case no sufficient Distress can be had such Justice shall

and

and is hereby required to commit such Servant to some Common Gaol or House of Correction for such County or other Place, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months.

Railway not to be used as a Passage for Horses and other Cattle.

CLXI. Provided always, and be it further enacted, That if any Person, save and except the said Company, and their Agents and other Persons authorized by them, and by them authorized for the Purposes only of the said Undertaking, shall ride, lead, or drive, or cause to be ridden, led, or driven, or shall aid or assist in leading or driving, upon such Railway or any Part thereof, any Horse, Mule, or Ass, or any Cow or other Neat Cattle, Sheep, Swine, or any other Beast or Animal, except only at Places to be appointed for the necessary Occupation as herein-after authorized of the respective Lands through which the said Railway shall pass, every Person so offending shall forfeit and pay any Sum not exceeding Ten Pounds for every such Offence.

Prohibiting Cattle coming on the Railway.

CLXII. And be it further enacted, That it shall be lawful for the said Company to remove any Horse, Mule, or Ass, Cow or other Cattle, Sheep, Swine, or other Beasts, that may be found on the said Railway or other Works, or any Part thereof; and the Owner of any such Horse, Mule, or Ass, Cow or other Cattle, Sheep, Swine, or other Beasts, found upon the said Railway, shall forfeit and pay a Sum not exceeding Ten Pounds for every Offence.

Penalty on Persons on Foot using the Railway.

CLXIII. And whereas it may be attended with very great Danger to the Public if the said Railway shall be used by Persons on Foot; be it therefore enacted, That if any Person shall travel or pass upon Foot upon the said Railway without the Licence and Consent of the said Company (unless for the Purpose of attending the Carriage under his Care), any Person so offending shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence.

Penalty on Persons obstructing the free Course of Railway.

CLXIV. And be it further enacted, That if any Person shall throw or place, or wilfully scatter or drop, any Gravel, Stone, Rubbish, or other Matter or Thing upon any Part of the said Railway, or shall extinguish any Light or Lamp set up on or near the said Railway or other Works, unless by Authority of the said Company, or shall wilfully obstruct or prevent any Person in the lawful Execution of this Act, or shall do any Act, Matter, or Thing to obstruct the free Passage of the said Railway or any Part thereof, he and every Person actually or constructively assisting therein shall respectively forfeit and pay any Sum not exceeding Ten Pounds nor less than Five Pounds for every such Offence.

Penalty for destroying the Works.

CLXV. And be it further enacted, That if any Person shall wilfully and to the Detriment of the said Undertaking or of the said Company injure, break, throw down, destroy, steal, or feloniously take away any Part of the said Railway or other Works erected or made by virtue of this Act, or any Part of the Materials of any such Works, every Person lawfully convicted of any such Offence shall be subject and liable to the Pains and Penalties to which Persons shall be liable in Cases of Simple Larceny.

Penalty for obstructing the Railway.

CLXVI. And be it further enacted, That if the Loading of any Carriage using the said Railway shall be suffered to extend more than Thirty

Inches over and beyond the Flanch or Lip of each or any Wheel of such Carriage, or if any Carriage or any Goods or Things shall be placed or shall be suffered to remain on any Part of the said Railway or other Works so as to obstruct the Passage or working thereof, and the Person having the Care of such Carriage, Goods, or Things shall not, immediately upon Request made, remove the same, then and in every such Case, and without Prejudice to any other Provision in this Act contained, such Person shall forfeit and pay for every such Offence any Sum not exceeding Twenty Shillings for every Hour during which such Obstruction shall continue after the making of such Request, and so in proportion for any less Period than an Hour; and it shall be lawful for any Agent or Officer of the said Company to cause any such Carriage, Goods, or Things to be unloaded, if necessary, and to be removed in such Manner as shall be proper for preventing, terminating, or removing such Obstruction, and to detain such Carriage, Goods, or Things, or any Part thereof, until the Expences occasioned by such Unloading, Removal, or Detention shall be paid; and the said Company shall not, nor shall any Agent or Officer of the said Company, be liable or accountable for any Damage or Loss occasioned by any such Unloading, Removal, or Detention, or for any Delay occasioned thereby, or in any other Way relating thereto, except for wilful Damage done to any Carriage, Goods, or Things so unloaded, removed, or detained, nor shall they or he be liable for the safe Custody of any such Carriage, or any Goods or Things which shall be so detained, unless the same shall be wrongfully detained by the said Company, or by the said Agent or Officer, and then only for so long a Time as the same shall be so detained.

Punishment of Persons in the Service of the Company for Drunkenness.

CLXVII. And whereas it is expedient for the further Security of Property, and the better Conduct of the Business on the said Railway, after the same or any Part thereof shall be completed, that Punishment beyond that which is now by Law provided should be inflicted upon any Person in the Service of the said Company who may be found in a State of Drunkenness on any Part of the said Railway, or in any of the Stations, Warehouses, or other Works connected therewith; be it therefore enacted, That if any Person in the Service for the Time being of the said Company shall be found on any Part of the said Railway, or within any of the Stations, Warehouses, or other Premises connected therewith, to be in a State of Drunkenness, every such Person shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds nor less than Ten Shillings, to be recovered and applied in like Manner as Penalties imposed by this Act are directed to be recovered and applied.

Indictments, Informations, &c. how to be preferred.

CLXVIII. And be it further enacted, That in all Indictments, Informations, or legal Proceedings whatsoever to be preferred, instituted, or carried on against any Person for feloniously taking, stealing, or embezzling, or for destroying, damaging, or injuring, removing or carrying away any Goods, Chattels, or Property of or belonging to the said Company, or any Goods, Chattels, or Property in their Custody or Possession, or in the Custody or Possession of any Officer or Servant of the said Company for or on behalf of the said Company, or for or on behalf of any other Person or Corporation having deposited such Goods, Chattels, or Property in the Care or Custody of the said Company or their Officers or Servants, or any Goods, Chattels, or Property in or on the said Railway

or any of the Yards, Stations, Works, Warehouses, or Premises belonging to the said Company, and in all other Indictments, Informations, or legal Proceedings whatsoever of or concerning such Goods, Chattels, or Property respectively, it shall be sufficient to describe and refer to such Goods, Chattels, and Property respectively as the Goods, Chattels, and Property of the said Company, and in case the same shall have been so as aforesaid feloniously taken, stolen, embezzled, or removed or carried away, to allege that the same were so feloniously taken, stolen, embezzled, removed, or carried away (as the Case may be) from the said Company; and it shall be sufficient on the Trial or Hearing of any such Indictment, Information, or other legal Proceeding to prove that at the Time when such Goods, Chattels, and Property respectively were so feloniously stolen, taken, or embezzled, or so damaged, destroyed, or injured, or removed or carried away, or when other the Matter or Thing complained of in such Indictment, Information, or other legal Proceeding took place, such Goods, Chattels, and Property were in or on the said Railway, or some of the Yards, Stations, Works, Warehouses, or Premises belonging to the said Company, or in the Custody or Possession of some Officer or Servant of the said Company for and on behalf of the said Company, or for and on behalf of some Person or Corporation having deposited the same with the said Company, without any other Proof of Property.

Damages and Charges in case of Dispute to be settled by Justices.

CLXIX. And be it further enacted, That in all Cases wherein Damages or Charges are by this Act directed or authorized to be paid, and the Manner of ascertaining the Amount thereof is not specified or provided for, such Amount, in case of Nonpayment thereof, or of any Dispute respecting the same, shall, upon Application or Request of the Party or Person claiming or requiring Payment of such Damages or Charges, be ascertained and determined by some Two or more Justices of the Peace for the County, Liberty, or Place wherein such Damages or Charges shall be incurred (such Justices not being interested in the Matters in question); and where by this Act any Damages or Charges are directed to be paid in addition to any Penalty for any Offence, the Amount of such Damages and Charges, in case of Nonpayment thereof, or of any Dispute respecting the same, shall be settled and determined by the Justices by or before whom any Offender shall be convicted of such Offence; and such Justices respectively are hereby authorized and required, on Nonpayment of the Damages in any of the Cases aforesaid, to levy such Damages and Charges by Distress and Sale of the Offenders Goods and Chattels in manner by this Act directed for the levying of any Penalties or Forfeitures.

In case of Nonpayment of Compensation for Damages, &c.

CLXX. And be it further enacted, That whenever any Money shall by any Justice of the Peace be ordered to be paid, in pursuance of this Act, as or by way of Compensation or Satisfaction for any Materials or Costs, or for any Damage or Injury of any Nature or Kind soever done, occasioned, or committed by the said Company, or by any Person acting by or under their Authority, and such Money shall not be paid by the said Company to the Party entitled to receive the same within Twenty-one Days after Demand in Writing shall have been made upon the said Company in pursuance of an Order made by such Justice, and in which Demand the Order of such Justice shall be stated, then and in such Case the Amount of such Compensation or Satisfaction and Costs shall and

may

may be levied and recovered by Distress and Sale of any Goods or Chattels of the said Company, under a Warrant to be issued for that Purpose by such Justice, which Warrant any such Justice is hereby authorized and required to grant, under his Hand and Seal, on Application made to him for that Purpose by the Party entitled to recover such Money; and in case any Overplus shall remain after Payment of such Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then such Overplus shall be returned, on Demand, to the said Company.

Recovery and Application of Penalties.

CLXXI. And be it further enacted, That all Penalties and Forfeitures inflicted or imposed by this Act, or by virtue of any Bye Law, Rule, or Order made in pursuance thereof, (the Manner of levying and recovering whereof is not herein otherwise particularly directed,) may in case of Nonpayment thereof be recovered in a summary Way by the Order or Adjudication of Two or more Justices of the Peace for the said County of *Kent*, as the Case may require, on Complaint to them for that Purpose made, and afterwards be levied, as well as the Costs, if any, of such Proceedings, on Nonpayment, by Distress and Sale of the Goods and Chattels of the respective Offenders or Persons liable to pay the same, by Warrant under the Hands and Seals of such Justices; and the Overplus (if any) of the Money so raised or recovered, after discharging such Penalty or Forfeiture, and the Costs and Expences as aforesaid, shall be returned, on Demand, to the Party whose Goods and Chattels shall be distrained; all which Penalties and Forfeitures not herein directed to be otherwise applied shall be paid, Half to the Informer, and the Remainder to the said Company, unless such Penalties or Forfeitures shall be incurred by the said Company, in which Case the same shall be paid, Half to the Informer, and the Remainder to the Overseers of the Poor of the Parish or Place within which the Offence shall be committed, to be applied by such Overseers for the Benefit of the Poor of such Parish or Place; and in case such Penalties and Forfeitures shall not be forthwith paid it shall be lawful for such Justices and they are hereby required to order the Offender so convicted to be detained in safe Custody until Return can conveniently be made to such Warrant of Distress, unless such Offender shall give sufficient Security to the Satisfaction of such Justices of the Peace for his Appearance before such Justices, or before some other Justices of the Peace having Jurisdiction, at such Time as shall be appointed for the Return of such Warrant of Distress, (such Time being not more than Eight Days from the taking of such Security,) and which Security any of the said Justices are hereby empowered to take by way of Recognizance or otherwise; but in case upon the Return of such Warrant it shall appear that no such sufficient Distress could be had whereupon to levy the said Penalties or Forfeitures and such Costs and Expences as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of such Justices, upon the Confession of the Offender or otherwise, that he hath not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expences could be levied if a Warrant of Distress should be issued, (in which last-mentioned Case such Justices shall not be required to issue such Warrant of Distress,) then and in either of such Cases such Justices are hereby required by Warrants under their Hands and Seals to commit such Offender to some Common Gaol or House of Correction for the County

or

or Place within their Jurisdiction, there to remain for any Time not exceeding Three Calendar Months, or until such Penalty or Forfeiture shall be sooner paid and satisfied, together with all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justices, or until such Offender shall otherwise be discharged by due Course of Law.

Justices may proceed by Summons in Recovery of Penalties.

CLXXII. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before any Justice of the Peace it shall be lawful for the Justices of the Peace before whom any Complaint shall be made for any Offence committed against this Act, or against any Bye Law, Order, or Rule made in pursuance hereof, to summon before him the Party complained against, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed in the Recovery of the same, although no Information in Writing or in Print shall have been exhibited before such Justice; and all such Proceedings by Summons, without Information in Writing or in Print, shall be as valid and effectual to all Intents and Purposes as if an Information in Writing or in Print had been exhibited.

For securing Offenders whose Names, &c. are unknown.

CLXXIII. And be it further enacted, That it shall be lawful for any Officer or Agent of the said Company, and all such Persons as he shall call to his Assistance, to seize and detain any Person whose Name and Residence shall be unknown to such Officer or Agent, and who shall commit any Offence against this Act, and to convey him before some Justice for the County, Liberty, or Place within which such Offence shall be committed, without any other Warrant or Authority than this Act, and such Justice is hereby empowered and required to proceed immediately to the hearing and determining of the Complaint.

Forms of Information and Conviction:

CLXXIV. And be it further enacted, That all Justices of the Peace before whom any Person shall be informed against or convicted for or in respect of any Offence against this Act may cause the Information (whenever an Information shall be taken in Writing or in Print) and the Conviction respectively to be drawn up according to the following Forms, or any other Forms to the same Effect, as the Case may require; (that is to say,)

Information.

‘ } BE it remembered, That on the Day of
‘ to wit. } *A. B.* of
‘ informeth me *C. D.*, One of His Majesty's Justices of the Peace for the
‘ County of *Kent*, that *E. T.* of [*here describe the*
‘ *Offence, and the Time and Place where committed*], contrary to an Act
‘ passed in the Year of the Reign of His Majesty King
‘ *William* the Fourth, intituled [*here insert the Title of this Act*], which
‘ hath imposed a Forfeiture of for the said Offence.
‘ Taken the Day of before me *C. D.*’

Conviction.

‘ } BE it remembered, That on the
‘ to wit. } Day of in the Year of our
‘ Lord , *A. B.* is convicted before me
‘ *C. D.*, One of His Majesty's Justices of the Peace for the County of
‘ *Kent*

'*Kent* [*here describe the Offence, and the Time and Place when and where committed*], contrary to an Act passed in the Year of the Reign of His Majesty King *William* the Fourth, intituled [*here set forth the Title of this Act*]. Given under my Hand and Seal the Day and Year first above written. *C. D.*'

Justices to appoint Special Constables.

CLXXV. And be it further enacted, That it shall be lawful for Two or more Justices of the Peace for the said County of *Kent* from Time to Time to appoint such Persons as shall be nominated to them in Writing by any Three of the Directors of the said Company for that Purpose to be Special Constables within the said Railway and other Works and every or any Part thereof; and every Person so appointed shall take an Oath, to be administered by any of the Justices of the Peace for the said County, duly to execute the Office of a Constable for the said Premises; and every Person so appointed and sworn as aforesaid shall have Power to act as a Constable for the Preservation of the Peace, and for the Security of Persons and Property against Felonies and other unlawful Acts, within the Limits of the said Premises, and shall have, use, exercise, and enjoy all such Powers, Authorities, Protections, and Privileges for apprehending Offenders as well by Night as by Day, and for doing all Acts, Matters, and Things for the Prevention, Discovery, and Prosecution of Felonies and other Offences, and for the Preservation of the Peace, as Constables duly appointed now have by the Laws and Statutes of this Kingdom; and it shall be lawful for the said Justices, or any Three or more Directors of the said Company, to dismiss or remove any such Constable from his Office of Constable; and upon every such Dismissal or Removal of all Powers, Authorities, Protections, and Privileges by virtue of such Appointment as aforesaid vested in any Person so dismissed or removed shall wholly cease.

For compelling Witnesses to attend.

CLXXVI. And be it further enacted, That if any Person who shall be summoned as a Witness to attend and give Evidence before any Justice of the Peace touching any Matter or Fact contained or involved in or affecting any Information or Complaint for any Offence committed against this Act, either on the Part of the Prosecutor or on the Part of the Party summoned or accused, shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, having been paid or tendered a reasonable Sum for his Costs and Expences, without a reasonable Excuse for his Refusal or Neglect, or appearing shall refuse to be examined upon Oath, or in the Case of a Quaker or Separatist on Affirmation, to give Evidence before such Justices, then and in either of the said Cases every such Person shall forfeit and pay any Sum not exceeding Ten Pounds for every such Offence.

Officers may be Witnesses.

CLXXVII. And be it further enacted, That no Person shall be deemed incompetent to give Evidence, or be disqualified from giving Testimony or Evidence, in any Action, Suit, or Prosecution, or other legal Proceedings to be brought or had in any Court of Law or Equity, or before any Justice of the Peace, under or by virtue of this Act, by reason of being a Solicitor, Secretary, Clerk, Engineer, or other Officer or Servant of the said Company, nor shall such Testimony or Evidence for any of the Reasons aforesaid be rejected or liable to be questioned or set aside.

Persons aggrieved may appeal to Quarter or any other Sessions.

CLXXVIII. And be it further enacted, That all Corporations and Persons who may think themselves aggrieved by any Bye Law, Rule, or Order of the said Company or of the said Directors, or any Order or Judgment made or given thereon, and also the said Company and all other Corporations and Persons who may think themselves aggrieved by any Order, Judgment, or Determination of any Justice of the Peace relating to any Matter or Thing in this Act mentioned or contained, and for which no Power of Appeal is by this Act specifically given, may, within Four Calendar Months next after such Order, Judgment, or Determination shall have been made or given, appeal to the Justices of the Peace at any General or Quarter Sessions to be held for the County or Place where the alleged Cause of Appeal shall arise, first giving Ten Days Notice in Writing of such Intention to appeal, and of the Grounds and Nature thereof, to the Party against whom such Complaint is intended to be made, or to the said Company, as the Case may be, and forthwith after such Notice, in the Case of an Individual appealing, entering into Recognizance before some Justice of the Peace, with Two sufficient Sureties, conditioned to try such Appeal, and abide the Order and Award of the said Court thereon; and the said Justices shall in a summary Way either hear and determine the said Complaint at such General or Quarter Sessions, or, if they think proper, may adjourn the hearing thereof to the following General or Quarter Sessions of the Peace to be held for such County or Place; and the said Justices may, if they see Cause, mitigate any Penalty or Forfeiture, and may order any Money to be returned which shall have been levied in pursuance of such Bye Law, Rule, Order, or Determination, and may also order any such further Satisfaction to be made to the Party injured as they shall judge reasonable, and may also order such Costs to be paid to the Party aggrieved by the Party aggrieving as they shall think reasonable.

Declaring what shall be good Service of Notice on the Company.

CLXXIX. And be it further enacted, That in all Cases in which it may be necessary for any Person or Corporation to serve any Summons or Demand, or any Notice, or any Writ or other Proceeding at Law or in Equity, upon the said Company, personal Service thereof upon the Solicitor, Secretary, or Clerk of the said Company, or leaving the same at the Office of the said Company, or of such Solicitor, Secretary, or Clerk, or delivering the same to some Inmate at such Office of the said Company, or at the last or usual Place of Abode of such Secretary or Clerk, or in case the same respectively shall not be found or known, then personal Service thereof upon any other Agent of or Officer employed by the said Company, or any One Director of the said Company, or delivering the same to some Inmate of the last or usual Place of Abode of such Agent or Officer, shall be deemed good and sufficient Service of the same respectively on the said Company.

Declaring what shall be good Service of Notice by the Company.

CLXXX. And be it further enacted, That in all Cases in which it may be necessary for the said Company to serve any Summons or Demand, or any Notice, or any Writ or other Proceeding at Law or in Equity, upon any Person or Corporation, under the Provisions of this Act, personal Service thereof respectively upon such Person, or upon some Member or upon the Clerk or other Officer of such Corporation, or delivering the same to some Inmate of the last or usual Place of Abode of such Person, or of such Member, Clerk, or other Officer of such Corporation,

or at the Office of such Clerk or other Officer, shall be deemed good and sufficient Service of the same respectively upon such Person or Corporation (as the Case may be), except in Cases in which any other Mode of Service is by this Act particularly directed: Provided always, that every Summons, Demand, or Notice, or other Document requiring Authentication by the said Company, may, except where the same is by this Act otherwise expressly directed, be signed by One Director, or by the Secretary or Clerk of the said Company, and need not be under the Common Seal of the said Company, and may be in Writing or in Print, or partly in Writing and partly in Print.

How Debts may be proved in Cases of Bankruptcy.

CLXXXI. And be it further enacted, That in case any Person against whom the said Company shall have any Claim or Demand shall become bankrupt or insolvent, it shall be lawful for any Person who shall from Time to Time in that Behalf be appointed, by Writing under the Hand of any Three or more of the Directors of the said Company for the Time being, to act on behalf of the said Company in respect of any such Claim or Demand, and for that Purpose to do all the same Acts, and to have and exercise all the same Powers and Privileges, as to the Establishment or Proof of Debts, voting in the Choice of Assignees, and signing Certificates, and otherwise in respect of or relating to the Claim or Demand of the said Company, as any Person being a Creditor of such Bankrupt or Insolvent, or a Claimant against his Estate, could have or exercise in respect of such Person's Debt or Claim.

Directors empowered to grant Releases to Witnesses.

CLXXXII. And be it further enacted, That in all Actions, Suits at Law or in Equity, and in all Proceedings under this Act or otherwise, against or by or on behalf of the said Company, and in all Arbitrations, References, or other Proceedings in or consequent upon or arising out of any such Actions, Suits, or Proceedings, it shall be lawful for any Three or more of the Directors of the said Company to make, sign, seal, execute, and deliver such general or other Releases as may be or may be deemed necessary for the Purpose of qualifying any Person to give Evidence as a Witness in any such Action, Suit, Arbitration, Reference, or other Proceeding as aforesaid, and also to do any other Act, Matter, or Thing in any such Action, Suit, Arbitration, Reference, or other Proceeding which any Plaintiff or Defendant may do in any Action, Suit, Arbitration, Reference, or other Proceeding; and every such Release, Act, Matter, and Thing shall be as valid and effectual in all respects, and to all Intents and Purposes whatsoever, as if the same were made under the Seal of the said Company.

Authenticated Bye Laws to be Evidence.

CLXXXIII. And be it further enacted, That in all Cases of Prosecutions for Offences against the Bye Laws, Rules, or Orders of the said Company the Production of a written or printed Paper purporting to be the Bye Laws, Rules, or Orders of the said Company, and authenticated by having the Common Seal of the Company affixed thereto, shall be Evidence of the Existence and of the due making of such Bye Laws, Rules, or Orders; and it shall be sufficient to prove that a printed Paper or painted Board, containing a Copy of such of the Bye Laws, Rules, or Orders as shall subject any Person (not being a Proprietor of the said Company) to any Fine or Penalty, hath been affixed and published in manner by this Act directed, and in case of its being afterwards displaced

placed or damaged hath been replaced as soon as conveniently might be, unless Proof shall be adduced by the Defendant that such printed Paper or painted Board is not a Copy of such Bye Laws, Rules, or Orders, or hath not been duly affixed and generally continued in manner by this Act directed.

Distress not unlawful for Want of Form.

CLXXXIV. And be it further enacted, That where any Distress shall be made for any Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor shall any Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall such Party be deemed a Trespasser *ab initio* on account of any Irregularity which shall be afterwards committed by him, but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction for the special Damage by an Action upon the Case.

Proceedings not to be quashed for Want of Form.

CLXXXV. And be it further enacted, That no Proceedings to be had or taken in pursuance of this Act shall be quashed or vacated for Want of Form, or be removed by Certiorari or by any other Writ or Proceeding whatsoever into any of His Majesty's Courts of Record at *Westminster* or elsewhere, any Law or Statute to the contrary notwithstanding.

Limitation of Actions.

CLXXXVI. And be it further enacted, That no Action, Suit, or Information, nor any other Proceeding, of what Nature soever, shall be brought, commenced, or prosecuted against any Person or Corporation for any thing done or omitted to be done in pursuance of this Act, or in the Execution of the Powers or Authorities or any of the Orders made, given, or directed in, by, or under this Act, unless Twenty Days previous Notice in Writing shall be given by the Party intending to commence and prosecute such Action, Suit, Information, or other Proceeding, to the intended Defendant, nor unless such Action, Suit, Information, or other Proceeding shall be brought or commenced within Six Calendar Months after the Act committed, or, in case there shall be a Continuation of Damage, then within Six Calendar Months next after the doing or committing such Damage shall have ceased, nor unless such Action, Suit, or Information shall be laid and brought in the County or Place where the Matter in dispute or Cause of Action shall arise; and the Defendant in such Action, Suit, or Information or other Proceedings may plead the General Issue, and give this Act and the special Matter in Evidence, at any Trial to be had thereupon, and that the Acts were done or omitted to be done in pursuance of or by the Authority of this Act; and if they shall appear to have been so done or to have been so omitted to be done, or if it shall appear that such Action, Suit, Information, or other Proceeding shall have been brought otherwise than as herein-before directed, then and in every such Case the Jury shall find for the Defendant; upon which Verdict, or if the Plaintiff shall become nonsuited, or shall suffer a Discontinuance of his Action, Suit, Information, or other Proceeding after the Defendant shall have appeared thereto, or if a Verdict shall pass against the Plaintiff therein, or if, upon Demurrer or otherwise, Judgment shall be given against the Plaintiff, the Defendant shall have his Costs, and shall have such Remedy for recovering the same as Defendants have for recovering Costs of Suit by Law in other Cases.

CLXXXVII. And

Plaintiff not to recover after Tender of Amends

CLXXXVII. And be it further enacted, That no Plaintiff shall recover in any Action for any Irregularity, Trespass, or other wrongful Proceeding made or committed in the Execution of this Act if Tender of sufficient Amends shall have been made by or on behalf of the Party who shall have committed such Irregularity, Trespass, or other wrongful Proceeding, before such Action brought; and in case no Tender shall have been made it shall be lawful for the Defendant in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit, whereupon such Proceeding, Order, and Adjudication shall be had and made in and by such Court as in other Actions where Defendants are allowed to pay Money into Court.

Saving the Rights of Commissioners of Pavements.

CLXXXVIII. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend so as to affect, alter, or abridge the Powers, Jurisdictions, and Authorities of the Commissioners appointed or to be appointed under the herein-before mentioned Act passed in the Forty-fourth Year of the Reign of His late Majesty King *George* the Third.

Saving the Rights of the Commissioners of Sewers.

CLXXXIX. Provided always, and be it further enacted, That nothing herein contained shall alter, take away, or abridge, or be construed to alter, take away, or abridge, any of the Rights, Powers, Privileges, or Authorities vested in the Commissioners of Sewers for the Limits extending from *East Moulsey* in *Surrey* to *Ravensbourne* in *Kent*, but all such Rights, Powers, Privileges, and Authorities shall be as good, valid, and effectual to all Intents and Purposes as if this Act had not been made.

Sewers not to be interfered with until others are made.

CXC. And be it further enacted, That nothing herein contained shall authorize or empower the said Company, without the Consent in Writing of the Commissioners of Sewers for the Limits extending from *East Moulsey* in *Surrey* to *Ravensborne* in *Kent*, to stop up, alter, break into, or interfere with any Sewer, Drain, or Watercourse under the Jurisdiction of the said Commissioners of Sewers, nor until such other Sewers and Drains, with the necessary Sluices, Putlocks, and other Works as may be required by the said Commissioners of Sewers, in lieu of those so intended to be stopped up, interfered, or intermeddled with, shall be made, executed, and completed by the said Commissioners, by and at the Expence of the said Company.

Not to affect Greenwich Railway Company.

CXCI. Provided always, and be it further enacted, That nothing herein contained shall be construed to alter, take away, control, affect, or abridge any of the Rights, Powers, Privileges, or Authorities vested in the *London* and *Greenwich* Railway Company; but all such Rights, Powers, Privileges, and Authorities shall be as good, valid, and effectual to all Intents and Purposes as if this Act had not been made.

Saving the Rights of Deptford Pier and Improvement Company.

CXCII. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to alter, take away, control, or abridge any of the Rights, Powers, Privileges, or Authorities vested in the *Deptford* Pier and Improvement Company under an Act passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act for making and maintaining a Pier and other Works at* Deptford *in the*

the County of Kent, or to authorize or empower the said Company hereby incorporated to purchase, take, or use, for the Purposes of the said Railway, any Lands belonging to the said *Deptford* Pier and Improvement Company, or which under and by virtue of the said Act they are empowered to take, without the special Licence and Consent in Writing of the said *Deptford* Pier and Improvement Company first had and obtained; and so much of the said Railway as after such Licence and Consent as aforesaid shall be constructed over or upon any Lands belonging to the said *Deptford* Pier and Improvement Company, or over or upon Lands which they are empowered to take, and all Walls, Arches, and other Works belonging thereto, and the Plans and Designs for the same, and the Materials whereof the same shall be constructed, shall be made, determined, and approved of by the said *Deptford* Pier and Improvement Company, or by their Engineer or Surveyor for the Time being.

Company not to take Land belonging to Greenwich Railway Company.

CXCIII. Provided always, and be it further enacted, That nothing herein contained shall authorize or empower the said Company hereby incorporated to purchase or take any Land or Ground belonging to the said *London* and *Greenwich* Railway Company, but they may nevertheless erect Piers or Arches according to such Plan and under such Superintendence as aforesaid over any such Land or Ground over which the Line of the said Railway is delineated in the said Maps or Plans hereinbefore mentioned or referred to; and either of the said Companies which shall so erect Piers or Arches on any Part of the Land of the other of the said Companies shall make or render to the other full Compensation for all Damage that may be so done to the Arches, Land, and Property of the Company to which the said Land belongs; and in case of Difference between the Parties respecting the Amount thereof the same shall be determined by a Jury in like Manner as the Price of Lands is by this Act directed to be settled in case of Dispute as to the Value thereof or otherwise.

Greenwich Railway Company may take up Rails in certain Cases.

CXCIV. Provided always, and be it further enacted, That notwithstanding any thing herein contained it shall be lawful for the said *London* and *Greenwich* Railway Company, for the Purpose of widening their said Railway, at any Time (and without the Consent of the said Company hereby incorporated) to take up the Rails and alter and remove any Portion of the Building or Works belonging to the said Railway which shall be placed upon or built over any Land or Property now belonging to the said *London* and *Greenwich* Railway Company, and to set back the Junction between the said Railways in such Manner as they may think proper, (the said *London* and *Greenwich* Railway Company making Compensation to the said Company hereby incorporated for any Loss or Damage occasioned by such Alteration, and not deviating from the Line of such Railway to a greater Extent than is herein-before authorized,) and from thenceforth so much of the said Railway and Works as shall be situate upon or be built over the Land or Property of the said *London* and *Greenwich* Railway Company shall be maintained and supported by the said *London* and *Greenwich* Railway Company.

Saving the Rights of Trustees of Roads under

CXCV. Provided always, and be it further enacted, That nothing herein contained shall be deemed, construed, or taken to alter, take away, abridge, or in any manner interfere with the Rights, Powers, Authorities,

Provisoes, Penalties, Forfeitures, Matters, and Things heretofore granted by an Act passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for more effectually repairing, amending, and improving certain Roads in the several Parishes of* Saint Mary Magdalen Bermondsey *and* Saint Mary *at* Rotherhithe, *in the County of* Surrey, *and* Saint Paul, Deptford, *and* Saint Nicholas, Deptford, *in the County of* Kent, or by an Act passed in the Forty-third Year of the Reign of King *George* the Third, intituled *An Act for building a Bridge over the River* Ravensbourne *at or near its Mouth or Outlet into the River* Thames *in the County of* Kent, *and for making and maintaining proper Approaches thereto;* but all such Rights, Powers, Authorities, Penalties, Forfeitures, Matters, and Things respectively shall be as good, valid, and effectual as if this Act had not been made.

4 G. 4. c. 84., and of the Deptford Creek Bridge Company.

CXCVI. Provided always, and be it further enacted, That nothing in this Act contained shall extend to authorize and empower the said Company to raise, or to sink or lower, or alter the Position or Course of, or in any other Manner to interfere with, any Main or Pipe, or Stop Cock, Plug, or Branch, laid down, fixed, or set up by a certain Company incorporated by the Name of "The Company of Proprietors of the *Kent* Waterworks," pursuant to an Act passed in the Forty-ninth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for supplying with Water the Inhabitants of* Deptford, Greenwich, *and several other Parishes and Places in the Counties of* Kent *and* Surrey, and to another Act made and passed in the Fifty-first Year of the Reign of His said Majesty King *George* the Third, intituled *An Act to enable the Company of Proprietors of the* Kent *Waterworks to raise a further Sum of Money, and to alter and enlarge the Powers of an Act of His present Majesty for making the said Waterworks, and to extend the same*, or to One of such Acts, and which before the passing of this Act shall have been laid down, fixed, or set up by the said last-mentioned Company, pursuant to and for the Purpose of carrying into effect the said Two last-mentioned Acts or either of them, unless Seven Days Notice in Writing shall have been first given to the said Company of Proprietors of the *Kent* Waterworks, to be served on the Clerk for the Time being of the said Company, or left for him at the Works of the said Company in *Mill Lane, Deptford*, of the Intention of the said hereby incorporated Company to raise, or to sink, lower, or alter the Position or Course of, or otherwise to interfere with any such Main Pipe, Stop Cock, Plug, or Branch, and after and notwithstanding such Notice then only to such Extent and Degree as shall be absolutely necessary for the Purpose of enabling the said Company hereby incorporated to carry into effect the Provisions of this Act, and not further or otherwise; and that when and so often as the said Company hereby incorporated shall, pursuant to the provisions above mentioned, raise or sink or lower, or alter the Position or Course of, or in any other Manner interfere with, any of the said Main Pipes, Stop Cocks, Plugs, or Branches, that then and in every such Case the said Company hereby incorporated shall, with all convenient and possible Speed, at their own Costs, Charges, and Expences, do or cause to be done all such Work and Repairs, and do and cause to be done and taken every such Act or other Measure as shall be necessary and proper for the Purposes of completing and perfecting the said Main Pipe, Stop Cock, Plug, or Branch which shall have been so raised

Company not to alter the Pipes of Kent Waterworks without Notice, 49 G. 3. c. 189. 51 G. 3. c. 145.

raised or sunk or lowered, or the Position or Course of which shall have been so altered, or which shall have been so interfered with as aforesaid, and for rendering the same in every respect as useful and beneficial to the said Company of Proprietors of the *Kent* Waterworks, and as available and serviceable, to all Intents and Purposes, to and for the Ends and Intentions for which the same were originally laid down, fixed, or set up, as if no such Alteration of or Interference with the said Mains or Pipes, Stop Cocks, Plugs, or Branches, or any of them, had been made; and further, that if it shall happen that the said Company of Proprietors of the *Kent* Waterworks shall be required and obliged to pay and shall actually pay any Penalty or Penalties whatsoever by reason of the Non-supply of Water to any Person or Persons, Bodies Politic or Corporate, who may have contracted and agreed with them, or shall be required and obliged to pay and shall actually pay any other Penalty whatsoever, and they shall become liable to such Penalty in consequence of and by reason of the raising or sinking or lowering, or Alteration of or Interference with any of their Mains, Pipes, Stop Cocks, Plugs, or Branches, by the said Company hereby incorporated, during the Period of Time that such Alteration of or Interference with the same may be going on, or after such Alteration or Interference shall have been finished or be at an End; by reason of the imperfect or incomplete Manner in which the Alteration may have been made or the Interference taken place by the said Company hereby incorporated, or in case the said Company of Proprietors of the *Kent* Waterworks shall incur, suffer, or sustain any other Damage, Loss, Injury, or Inconvenience whatsoever by the Alteration of or Interference with any of their Mains, Pipes, Stop Cocks, Plugs, or Branches, or any other of their Works, by the said Company, pursuant to the Provisions of this Act, that then and in every such Case, and as often as the same shall happen, the said Company shall repay and reimburse the said Company of Proprietors of the *Kent* Waterworks every Penalty so incurred and paid by them on the Grounds aforesaid, or shall indemnify them (as the Case may be and require) by the Payment of such a Sum of Money as shall be a sufficient Compensation and Satisfaction to them for any such Damage, Loss, Injury, or Inconvenience so sustained by them as aforesaid, to be recovered, with full Costs of Suit, by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*: Provided always, that nothing herein contained shall entitle the said Company of Proprietors of the *Kent* Waterworks to Compensation for any Loss of Water Rents paid by the Owners or Occupiers of Houses which may be pulled down by virtue of this Act.

Not to prevent Water Company from laying down Pipes across Railway.

CXCVII. Provided always, and be it further enacted, That nothing in this Act contained shall extend to prevent the said Company of Proprietors of the *Kent* Waterworks, or their Workmen, Servants, and Agents, at any Time or Times hereafter, or from Time to Time, as they may think best, from raising or sinking, laying down, repairing, or altering, any Main or Pipe, Stop Cock, Plug, or Branch which now is upon or under or crossed by the Line of the said intended Railway to be made by virtue of or under the Provisions of this Act, or upon or under any Land or Ground which shall be in the Occupation of the said Company hereby incorporated, or from laying down, fixing, and setting up upon or

or under the said intended Line of Railway or any of the Land or Ground which shall be in the Occupation of the said hereby incorporated Company, and being within the Limits prescribed by the said several Acts of the Forty-ninth and Fifty-first Years of the Reign of His said Majesty King *George* the Third, or by either of such Acts, and subject to the Restrictions and Limitations therein contained in and provided for, any new and additional Main Pipe, Stop Cock, Plug, or Branch which the said Company of Proprietors of the *Kent* Watewrorks may from Time to Time think necessary, either for the Purpose of supplying with Water any Part or Parts of their said Limits not now supplied by the said Company of Proprietors, or for the more perfectly and completely supplying with Water all or any Part or Parts of their said Limits which now is or are or which have hitherto at any Time been supplied with Water by the said Company of Proprietors, or to prevent the said Company of Proprietors from breaking up, opening, or removing, at their own Costs and Charges, any of the Ground, Stones, Soil or Pavement, Iron or other Work of the said intended Railway, or of the Land or Ground in the Occupation of the said Company hereby incorporated, which it may be necessary to break up, open, or remove for all or any of the Purposes aforesaid, so that the said Company of Proprietors shall from Time to Time first give to the said Company hereby incorporated Fourteen Days Notice in Writing of their Intention to break up, open, or remove the said Ground, Stones, Soil, Pavement, Iron or other Work of the said intended Railway, or the Land or Ground in the Occupation of the said hereby incorporated Company, such Notice to set forth the Nature and Particulars of the Works contemplated or intended to be done, and to be signed by the Clerk for the Time being of the said Company of Proprietors, and to be served upon the said Company hereby incorporated in the Manner provided for by this Act for the Service of Notices, and so that the said Company of Proprietors shall not thereby in any Manner injure the said intended Railway or the Foundations thereof, or interfere with the Traffic upon the said Railway, and in the Exercise of such Powers do or cause to be done, with all convenient and possible Speed, at their own Costs and Charges, all such Work, Repairs, Acts, and other Matters as shall be necessary and proper to restore the said intended Railway, or the said Land so in the Occupation of the said hereby incorporated Company, or the said Ground, Stones, Soil, Pavement, Iron or other Works, to the same State, Plight, and Condition as the same was or were in before being broken up, opened, or removed; and further, the said Company of Proprietors of the *Kent* Waterworks, as often as the same shall happen, making to the said Company hereby incorporated reasonable and sufficient Satisfaction and Compensation in Money for any Loss, Damage, Injury, or Inconvenience the said Railway Company shall or may sustain, suffer, or incur by reason of any Act or Thing done or occasioned by the said Company of Proprietors as aforesaid, such Compensation, in case the said Company of Proprietors of the *Kent* Waterworks and the Company hereby incorporated shall differ about the same, to be recovered, with full Costs of Suit, by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*.

Railway not to be exempt from

CXCVIII. Provided always, and be it further enacted, That nothing herein contained shall extend, or be construed, deemed, or taken to extend, to exempt the Railroad to be formed under or by virtue of the

the Operation of any General Act for the Regulation of Railroads.

Powers in and by this Act contained and given, or any Branch thereof, from the Provisions of any General Act or General Acts for the Regulation of Railroads which may be passed before the Expiration of One Year from the passing of this Act, if Parliament shall be sitting at the Expiration of such Period of One Year, or (if Parliament shall not then be sitting) before the End of the then next Session of Parliament.

Public Act.

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

SCHE-

SCHEDULE to which the foregoing Act refers.

SAINT PAUL, DEPTFORD, KENT.

No.	Freeholder.	Leaseholder.	Occupier.	Description of Property.
			High Street.	
1	London and Greenwich Railway.	-	Isaac Porritt	Piece of Garden Ground.
2	Ditto	-	Ditto	House, Shed, and Yard.
3	Ditto	-	James Johnson	Same and Fore Court.
4	Joseph Sharp	-	Edward Oriel	House, Yard, and Ditto.
5	Ditto	-	Elizabeth Miles	Ditto.
6	——Hamilton, Esq.	-	HarryJoseph Wilton	Ditto.
7	Ditto	-	Thomas Allen	Ditto.
8	Ditto	-	Thomas Speers	Ditto.
9	Ditto	-	William Wilton	House and Yard.
10	Ditto	-	James Short	Ditto.
11	Ditto	-	Mary Wilson	House and Fore Court.
12	Ditto	-	James Stevens'	Ditto.
13	Ditto	-	John Bell	Ditto.
14	Ditto	-	William Cockell	House, Sheds, Yard, and Ditto.
15	Ditto	Thomas B. Knott	Thomas Baker Knott	Ditto.
16	Ditto	Ditto	Matthias Markham	Ditto.
17	Ditto	Ditto	William Blake	Ditto.
18	Ditto	-	Agnes Brown	Ditto.
19	Ditto	-	Ive M'Cutchan	House and Yard.
20	Ditto	-	John Platt	House, Shed, Yard, and Fore Court.
21	Ditto	-	John Chappell	Ditto.
22	Ditto	-	Joseph Lester	Ditto.
23	Ditto	-	Michael Lane	Ditto.
24	Ditto	-	James Dean	Ditto.
25	Ditto	-	Susan Gordon	Ditto.
26	Ditto	-	William Hobbs	Ditto.
27	Ditto	-	William Gray	Ditto.
28	Ditto	-	Phebe Browning	Ditto.
29	Ditto	-	Susannah Taylor	Ditto.
30	Ditto	-	William M'Carthy	Ditto.
31	Ditto	-	James Varney	Ditto.
32	Ditto	-	Samuel Butler	Ditto.
33	Ditto	-	William Wood	Ditto.
34	Ditto	-	William Bennett	Ditto.

No.	Freeholder.	Leaseholder.	Occupier.	Description of Property.
35	—— Hamilton, Esquire.	- -	Isaac Carver	House, Shed, Yard, and Fore Court.
36	Ditto	- -	John Leighton	Ditto.
37	Ditto	- -	Jarvis Thompson	House, Yard, and Fore Court.
38	Ditto	John Cockle	John Cockle	House, Sheds, and Yard.
39	Ditto	James Cockle	James Cockle	Ditto.
40	Ditto	- -	Benjamin Rogers	House, Shed, and Yard.
41	Ditto	- -	Henry Duckworth	Ditto.
42	Ann Eve	James Mathews	James Mathews	Ditto.
43	Ditto	Ditto	William Hancock	House, Shed, and Yard.
44	—— Smith	James Grierson	James Grierson	Ditto.
45	Jane Rogers	Joseph Burnby	Joseph Burnby	House, Sheds, and Yard.
46	George Evans	Henry Hurrell	Henry Hurrell	House and Yard.
47	George Burridge	Elisha Smith	Elisha Smith	Ditto.
48	Ditto	John Baldery	John Baldery	House, Sheds, and Yard.
49	—— Hamilton, Esquire.	- -	—— Addison	Garden Ground.
50	Ditto	- -	Thomas B. Knott	Ditto.
51	Ditto	- -	John Cockle	Meadow Land.
52	Ditto	- -	William Cotton	Ditto.
53	Evelyn Estate	Thomas Bowditch	James Walker	Shops, Sheds, and Yard.
54	Ditto	Ditto	Thomas Bowditch	Yard, Stable, and Premises.
55	Ditto	Sharp	James Pavey	House, Yard, and Premises.
56	Ditto	Ditto	—— Pitman	Ditto.
57	Ditto	Ditto	Rupert Miller	Ditto.
58	Ditto	William Cotton	William Cotton	Swan Public House, Yard, Stables, &c.
59	Ditto	Ditto	Frederick Pearce	House and Yard.
60	Ditto	Henry Sharp	Henry Sharp	House, Yard, Factory, and Stables.
61	Ditto	Thomas Williams	Thomas Williams	Red Cow Public House, and Premises.
62	Ditto	George Wade	George Wade	House, Yard, and Premises.
63	Ditto	C. Jessop, T. Palmer	Charles Jessop	House, Yard, and Bakehouse.
64	Ditto	- -	Empty	House, Yard, and Premises.
65	Ditto	- -	Ditto	House, Yard, and Stabling.
66	London and Greenwich Railway.	- -	London and Greenwich Railway.	

No.	Freeholder.	Leaseholder.	Occupier.	Description of Property.
		Wellington Place.		
1	Evelyn Estate	S. P. Thomas	—— Weston	House, Yard, and Premises.
2	Ditto	Ditto	—— Colliver	Ditto.
3	Ditto	Ditto	—— Streek	Ditto.
4	Ditto	Ditto	—— Cox	Ditto.
5	Ditto	Ditto	James Samuel Freeborn	House, Stables, Yard, and Premises.
6	Ditto	Ditto	—— Hill	House and Premises.
7	Ditto	Ditto	—— Davis	Ditto.
8	Ditto	Ditto	—— Friar	Ditto.
9	Ditto	Ditto	—— Rockliffe	Ditto.
10	Ditto	Ditto	—— Wilmott	Ditto.
		Broomfield Place.		
1	Evelyn Estate	- -	William Flowers	House, Sheds, and Yard.
2	Ditto	Joseph Wood	Joseph Wood	House and Yard.
3	Ditto	Reverend Thomas Beck	Sarah Beer	Ditto.
4	Ditto	Ditto	James Fish	Ditto.
5	Ditto	Ditto	Mary Walton	House, Shed, and Yard.
6	Ditto	Ditto	Thomas Beck, junior	House, Shed, and Yard.
7	Ditto	H. W. Hawes	H. W. Hawes	House, Yard, and Premises.
8	Ditto	S. P. Thomas	Thomas Willson	Ditto.
9	Ditto	Ditto	Ditto	Ditto.
10	Ditto	Ditto	George Morgan	Ditto.
11	Ditto	Ditto	Richard Attwood	Ditto.
12	Ditto	Ditto	Empty	Ditto.
		New King Street.		
1	Evelyn Estate	Reverend Thomas Beck	Sarah Lowdell	House and Yard.
2	Ditto	Ditto	Susannah Piddell	Ditto.
3	Ditto	James Keech	James Keech	Ditto.
4	Ditto	Messieurs Wests and Family.	Elizabeth Challis	House, Shed, and Yard.
5	Ditto	Ditto	Henry Steel	House and Yard.
6	Ditto	Thomas James Hill	Thomas James Hill	House, Bakehouse, Stabling, and Yard.
7	Ditto	William Cook	William Cook	House, Sheds, and Yard.
8	Ditto	- -	John Allen	Ditto.
9	Ditto	ChristopherSeabrook	ChristopherSeabrook	Ditto.
10	Ditto	William Evans	Joseph Cunningham	Ditto.
11	Ditto	Ditto	James Strutt	House, Sheds, and Yard.
12	Ditto	- -	Harriott Sanders	Ditto.
13	Ditto	- -	Empty	House, Shed, and Garden.
14	Ditto	Matthew Finch	Matthew Finch	House, Outhouses, Stabling, Warehouses, and Premises.

No.	Freeholder.	Leaseholder.	Occupier.	Description of Property.
15	Evelyn Estate	William Edwards	William Edwards	House, Shed, and Yard.
16	Ditto	William Carpenter	John Jeffries	Ditto.
17	Thomas Josling	Constable, Marsden, and Company	James Ward	Navy Arms Public House and Premises.
18	Ditto	Ditto	Edmond Bircham	House, Shop, and Yard.
19	Ditto	Ditto	William Walker	Ditto.
20	Timothy Riordan	- -	Timothy Riordan	Public House and Premises.
21	Ann Day	Elizabeth Hopkins	Elizabeth Hopkins	House, Shed, and Yard.
22	Mann and others	George W. Knight Durham.	George W. Knight Durham.	Ditto.

Bowyer's Alley.

1	John Spicer	- -	Edward Askew	House, Shed, and Yard.
2	Ditto	- -	John Spicer	Shed and Yard.
3	Mrs. Bassett	- -	Empty	House and Yard.
4	Ditto	- -	Ditto	Ditto.
5	Ditto	- -	Ditto	Ditto.
6	Ditto	- -	Ditto	Ditto.
7	Ditto	- -	Ditto	Ditto.
8	Ditto	- -	Ditto	Ditto.
9	Ditto	- -	Ditto	Yard.
10	Ditto	- -	Ditto	House and Yard.
11	Ditto	- -	Peter Cassity	Ditto.
12	Ditto	- -	Empty	Ditto.
13	John Spicer	- -	William Owen	Ditto.
14	Ditto	- -	Mary Griffin	Ditto.

New King Street—continued.

23	Charles Stock	John White	John White	Sheer Hulk Public House and Premises.
24	Ann Marshall	Ditto	Ditto	House, Shed, and Yard.
25	Coheiresses of W. H. Evans.	- -	Benjamin Mace	House and Yard.
26	Ditto	- -	Empty	Fox Public House and Premises.

Barne's Alley.

1	Coheiresses of W. H. Evans.	- -	Empty	House and Yard.
2	Ditto	- -	Ditto	Ditto.
3	Ditto	- -	Ditto	Ditto.
4	George Beale	- -	Thomas Foster	House or Tenement.
5	Ditto	- -	John Pine	Ditto.
6	Ditto	- -	Sarah Usher	Ditto.
7	Ditto	- -	Allen Dunn	Ditto.

No.	Freeholder.	Leaseholder.	Occupier.	Description of Property.
8	George Beale	- -	Andrew Snee	House, Shed, and Yard.
9	John Spicer	- -	John Donnovon	House and Yard.
10	Ditto	- -	William Russell	House, Shed, and Yard.
11	John Spicer	- -	John Reynolds	House, Shed, and Yard.
12	John Baldery	- -	Dennis Burke	Ditto.
13	Ditto	- -	Empty	Ditto.
14	George Beale	- -	George Beale	Shed and Yard.
15	Timothy Riordan	- -	Michael Lane	House, Shed, and Yard.
16	Ditto	- -	John Gormon	Ditto.
17	Ditto	- -	Empty	Ditto.
18	Ditto	- -	Dennis Leary	House and Yard.
19	—— Crussel	- -	John Plowman	Ditto.
20	Ditto	- -	Morrice Carroll	Ditto.
21	Not known	- -	William Jones	House, Shed, and Yard.
22	John Baldery	- -	Margaret M'Carthy	Ditto.
23	—— Ward	- -	Edward Raby	House and Yard.

New King Street—continued.

27	George Beale	- -	George Beale	House, Sheds, and Yard.
28	Ditto	- -	Empty	House and Yard.
29	John Wright	- -	James Connor	House, Yard, Shed, and Fore Court.
30	Ditto	- -	John Mitchell	Ditto.
31	William Alwin	- -	William Alwin	House, Yard, Shed, and Fore Court.
32	Thomas Baker Knott	- -	Edward Furness	House, Yard, and Fore Court.
33	Ditto	- -	Elizabeth Sheen	Ditto.

Queen's Court.

1	Thomas B. Knott	- -	Empty	Stabling and Out-houses.
2	James Wolverton	- -	Ditto	Vacant Ground.
3	Ditto	- -	Ditto	House, Shed, and Yard.
4	William Knott	- -	David Reece	Ditto.
5	William Hughesdon	- -	James Callow	Ditto.
6	John Hall	- -	Henry Ive	Ditto.
7	Ditto	- -	Empty	Ditto.
8	John Spicer	- -	Alexander Purvis	Ditto.
9	Ditto	- -	James Brady	House and Yard.
10	William Knott	- -	John Marr	Ditto.
11	Ditto	- -	David Harrison	Ditto.
12	Ditto	- -	John Sims	Ditto.
13	Captain Allen	- -	John Berry	Ditto.
14	Mrs. Langley	- -	Jeremiah Chappell	House, Sheds, and Yard.
15	Ditto	- -	Empty	House and Yard.
16	Ditto	- -	Thomas Gill	Ditto.

No.	Freeholder.	Leaseholder.	Occupier.	Description of Property.
		New King Street—continued.		
34	Mrs. Langley	- -	Edmund S. Seabrook	House and Yard.
35	Ditto	- -	William Shorter	Ditto.
36	Charles Grimwood	- -	Charles Grimwood	House, Buildings, and Premises.
37	—— Lloyd	- -	Edmund Andrews	House, Shed, and Yard.
		Queen Street.		
1	—— Lyde	- -	Andrew Joiner	House and Yard.
2	Ditto	- -	Richard Crocket	Ditto.
3	Ditto	- -	William Roberts	Ditto.
4	Miss Smith	- -	Patrick Fitzgerald	Ditto.
5	Ditto	- -	Bridget Gearing	Ditto.
6	Mrs. Hunt	- -	Mary Bishop	Ditto.
7	Ditto	- -	Jane Aston	Ditto.
8	—— Lyde	- -	Michael Sculley	Ditto.
9	Ditto	- -	William Portman	Ditto.
10	Ditto	- -	Charles Dyer	Ditto.
11	Ditto	- -	Benjamin Freeman	Ditto.
12	Ditto	- -	William Ormond	Ditto.
13	Ditto	- -	G. West	Ditto.
14	Ditto	- -	Empty	Ditto.
15	Ditto	- -	Ditto	Ditto.
16	Ditto	- -	Mary Spencer	Ditto.
17	Ditto	- -	James B. Sandwell	Ditto.
		New King Street—continued.		
38	Unknown	- -	James Tilby	House and Premises.
39	Ditto	- -	Empty	Ditto.
40	William Riddall	- -	Ditto	House, Premises, and Fore Court.
41	Ditto	- -	—— Snow	Ditto.
42	—— Busbee	- -	Elizabeth Ogles	House, Shed, and Yard.
43	Ditto	- -	Thomas Sheppard	House, Yard, and Fore Court.
44	J. G. Erion	- -	Thomas Morris	House and Yard.
		Old King Street (West Side).		
1	Miss Wests and others	- -	Miss Wests	House, Garden, and Shed.
2	Ditto	- -	Elizabeth Kavannah	House and Yard.
3	Henry Raiman	- -	Rebecca Eling	Ditto.
4	John Gill	- -	John Gill	House, Sheds, and Yard.
5	Thomas Thomas	- -	Thomas Thomas	Ditto.
6	Ditto	- -	Ditto	Ditto.
7	Charles Thomas	- -	Charles Thomas	Ditto.
8	John Flowers	- -	—— Furgusson	House and Yard.
9	Richard Hughes	- -	George Wheeler	Ditto.
10	Ditto	- -	Charles Williams	Ditto.

No.	Freeholder.	Leaseholder.	Occupier.	Description of Property.
11	Arthur Berry	- -	Elizabeth Bennett	House, Sheds, and Ground.
12	Richard Edmonds	- -	Samuel Mears	Ditto.
13	Ditto	- -	George Mead	House and Yard.
14	Charlotte Cook	- -	Charlotte Cook	Ditto.
15	John Legassick	- -	David Jones	House, Shed, and Yard.
16	—— Scott	- -	Thomas Jones	House and Yard.
17	—— Cowell	- -	Rebecca Murdock	Ditto.
18	John Coffee	- -	John Griffiths	House, Shed, and Yard.
19	Sarah Denham	- -	Sarah Denham	House and Yard.
20	—— Deal	- -	Christopher Hyland	Ditto.
21	John Spicer	- -	John Spicer	Ditto.
22	Mrs. Basset	- -	Empty	Ditto.
23	Executors of —— Cummings.	- -	Jasper Fittock	House, Shed, and Yard.
24	—— Dilley	- -	Mary Dunlop	Ditto.
25	William Riddall	- -	William Riddall	Ditto.
26	James Parlett	- -	Empty	Ditto.

ST. NICHOLAS, DEPTFORD.

Old King Street—continued.

27	Reverend John Drake	- -	Ralph Neuby	House, Shed, and Yard.
28	Ditto	- -	John Finlay	Ditto.
29	Ditto	- -	Jane M'Donald	Ditto.
30	Ditto	- -	William Gosling	Ditto.
31	Ditto	- -	Thomas Collen	Ditto.
32	Ditto	- -	Thomas Farnell	Ditto.
33	Ditto	- -	Empty	Ditto.
34	Ditto	- -	Ditto	House, Bakehouse, and Yard.
35	—— Horne	- -	William Williams	Bull and Butcher Public House and Premises.
36	Reverend John Drake	- -	Mrs. Bruce	House, Shed, and Yard.
37	Ditto	- -	Robert Murrell	Ditto.
38	Ditto	- -	Ellis Smith	Ditto.
39	Ditto	- -	Empty	Ditto.
40	Ditto	- -	Mary Croucher	Ditto.
41	Ditto	- -	Elizabeth Berry	Ditto.
42	William Henley	- -	Elizabeth Chapman	House, Sheds, and Yards.
43	Thomas Jones	- -	Empty	House and Yard.
44	Ditto	- -	Thomas Jones	Ditto.
45	—— Fielding	- -	Empty	House, Sheds, and Yards.
46	Ditto	- -	Ditto	Ditto.
47	James Jenney	- -	Ditto	Ditto.
48	John Hooper	- -	William Crouch	Ditto.
49	James Jenney	- -	Ann Baker	Ditto.
50	—— Brown	- -	John Rutter	Ditto.
51	Reverend John Drake	- -	John Roberts	Ditto.

No.	Freeholder.	Leaseholder.	Occupier.	Description of Property.
		Old King Street (East Side).		
52	Bridge House Estate	- -	Empty	Vacant Ground.
53	Richard Hughes	- -	Johnstone Barry	House, Shed, and Yard.
54	Ditto	-	William Hyman	Ditto.
55	Miss Bonds	- -	James Dockett	Ditto.
56	Miss Jordans	- -	Richard Matthews	Ditto.
57	Richard Hughes	- -	Empty	House, Shed, and Yard.
58	Trustees of —— Miles.	- -	Mary Halfhide	House.
59	John Spicer	- -	William Coleman	House and Yard.
60	Ditto	- -	Francis West	House, Yard, and Stable.
61	Miss Jordan	- -	Empty	House.
62	Ditto	- -	Ditto	Ditto.
63	Ditto	- -	Sarah Murphy	Ditto.
64	Ditto	- -	Empty	Ditto.
65	William Riddall	- -	William Riddall	House, Shed, and Yard.
66	William Smith	- -	William Smith	Ditto.
67	Robert Woodman	- -	George Edmeads	Ditto.
68	Ditto	- -	Robert Woodman	Ditto.
69	John Slade	- -	John Slade	Ditto.
70	—— Bragger	- -	Empty	Ditto.
71	Ditto	- -	Ditto	Ditto.
72	Captain Limbrey	- -	Ditto	House and Yard.
73	James Gale	- -	Mary Gribble	House, Shed, and Yard.
74	William Evans	- -	—— Davis	Ditto.
75	Thomas B. Knott	- -	Empty	Ditto.
76	Gideon Slous	- -	Jonathan Matthews	Ditto.
77	William Alwin	- -	Henry Reynolds	House, Sheds, and Yard.
78	—— Grout	- -	Bartholomew Leary	House and Yard.
79	Elizabeth Hopkins	- -	Thomas Williams	House, Shed, and Yard.
80	Sarah Fairey	- -	Edward Blake	Ditto.
81	John Davison	- -	Empty	Vacant Ground.
82	Thomas B. Knott	- -	Ditto	House, Shed, and Yard.
83	—— Wild	- -	Ditto	Ditto.
84	Not known	- -	Ditto	Open Space.
85	Robert Salmon	- -	Robert Salmon	House, Blacksmith's Shop, Sheds, and Yard.
86	Mary Wallis	- -	Mary Wallis	House and Yard.
		Dock Street, or Dog Street, St. Paul, Deptford.		
1	Thomas Josling	Constable, Marsden, and Company	—— Parkes	House and Yard.
2	Ditto	Ditto	Empty	House.
3	Ditto	Ditto	Grace Hooker	Ditto.
4	Ditto	Ditto	Ann Davies	Ditto.
5	Ditto	Ditto	Sarah Wallis	Ditto.
6	Ditto	Ditto	Mary Holland	Ditto.

No.	Freeholder.	Leaseholder.	Occupier.	Description of Property.
7	Thomas Josling	Constable, Marsden, and Company.	Sarah Wallis	House.
8	Ditto	Ditto	Charlotte Pitt	Ditto.
9	Ditto	Ditto	Thomas Wilkinson	Lord Nelson Public House and Premises.
10	—— Risty	—— Scrivener	Mary Horne	House, Shed, and Yard.
11	Thomas Press	- -	Samuel Lloyd	House and Court Yard.
12	Ditto	- -	Henry Morris	Ditto.
13	Ditto	- -	Henry Stevens	Ditto.
14	John Baldery	- -	Empty	Vacant Ground.
15	—— Fulcher	- -	George Birch	House, Shed, and Yard.
16	Ditto	- -	David Davis	Ditto.
17	Henry Raiman	- -	Anthony Manley	Ditto.
18	Ditto	- -	Ditto	Ditto.
19	—— Joules	- -	Empty	Ditto.
20	Henry Meux and Company.	- -	Ditto	Ditto.
21	Ditto	Elizabeth Runham	Elizabeth Runham	Dog and Bear Public House and Premises.
22	Ditto	Ditto	Empty	House and Court Yard.
23	Ditto	Ditto	Mary Farmer	Ditto.
24	Ditto	- -	Empty	House and Yard.
25	Ditto	- -	William Bennett	House, Shed, and Yard.

Dock Street, or Dog Street, St. Nicholas, Deptford.

26	William Bartram	- -	Agnes Russell	House and Yard.
27	Ditto	- -	Eliza Baxfield	Ditto.
28	Ditto	- -	Sarah Hughes	Ditto.
29	Ditto	- -	Samuel Jones	Ditto.

The Orchard.

1	William Bartram	- -	Ann Morgan	House and Yard.
2	Reverend John Drake	- -	Nancy True	House, Garden, and Shed.
3	Ditto	- -	Empty	House and Yard.
4	Ditto	- -	John Bott	Ditto.

Middle Watergate.

1	John Ayrwater	- -	John Manning	House, Shed, and Yard.
2	Richard Graham	- -	Ann Hayes	House and Yard.
3	Ditto	- -	David Inward	Ditto.
4	Ditto	- -	Empty	House.
5	Ditto	- -	Mark Roach	Ditto.
6	Ditto	- -	Sarah Gilbert	Ditto.
7	Ditto	- -	William Arter	Ditto.
8	Ditto	- -	William Willers, William Seymour.	Ditto.
9	Ditto	- -	Sarah Jones, Samuel Pash.	Ditto.
10	Ditto	- -	Thomas Black	Ditto.
11	Ditto	- -	Robert Buck	House and Yard.

No.	Freeholder.	Leaseholder.	Occupier.	Description of Property.
		Thames Street.		
1	Messieurs Hills	- -	Matthew Daley	House, Shed, and Yard.
2	Deptford Pier Company.	- -	Empty	Ditto.
3	Ditto	- -	Ditto	Ditto.
4	Ditto	- -	Samuel Lowe	House.
5	Ditto	- -	Empty	Ditto.
6	Ditto	- -	Ralph Nubby	Ditto.
7	Jeremiah Selmes	- -	Patrick Doyle	House, Sheds, and Yard.
8	Austin and Stanhope	- -	Harriott Ford	Ditto.
9	Ditto	- -	William Austin	Ditto.
10	Ditto	- -	Ann Rule	Ditto.
		Butcher Row.		
1	Reverend John Drake	William Smith	Samuel Edwards	House and Yard.
2	Ditto	Ditto	James Jackson	House.
3	Ditto	Ditto	Elizabeth Ramshaw	Ditto.
4	Ditto	Ditto	Richard Pretty	Ditto.
5	Ditto	Ditto	William Woulfe	Ditto.
6	Ditto	Ditto	Empty	Ditto.
7	Ditto	Ditto	Henry Cavander	Ditto.
8	Ditto	Ditto	Richard Libertin	Ditto.
9	Ditto	Ditto	C. W. Collier	Ditto.
10	Ditto	Ditto	Empty	House and Shed.
11	Ditto	Ditto	William Robinson	House and Yard.
12	Glebe	Richard Hughes	Thomas Vaughan	House and Yard.
13	Reverend John Drake	William Smith	Thomas Howlett	House, Shed, and Yard.
14	Ditto	Ditto	Betsy Beiderbeck	House and Yard.
15	Ditto	Ditto	Andrew Fletcher	House, Shed, and Yard.
16	Ditto	Ditto	Dean and Chappell	Yard, Carpenter's Shop, &c.
17	Ditto	Ditto	Empty	House.
18	Ditto	Ditto	Ditto	Ditto.
19	Ditto	Ditto	Ditto	House and Yard.
20	Ditto	Ditto	John Cox	Ditto.
21	Ditto	Ditto	William Berrecloth	House, Sheds, Yard, and Garden.
23	A. Stringer	- -	Elizabeth Howlett	House, Sheds, and Garden.
24	Ditto	- -	Martha Knight	House, Sheds, and Yard.
25	—— Pyke	- -	Empty	Ditto.
26	A. Stringer	- -	Andrew Lowe	House and Yard.
27	Godfrey Hill	- -	James Wall	House.
28	Ditto	- -	Empty	Ditto.
29	Ditto	- -	James M'Cartney	Ditto.
30	A. Stringer	- -	Empty	Ditto.
31	Ditto	- -	Sophia Grimes	House, Shed, and Yard.

No.	Freeholder.	Leaseholder.	Occupier.	Description of Property.
32	—— Pyke	- -	John Jenkins	House, Shed, and Yard.
33	Joseph Sharp	- -	Empty	House, Shed, and Yard.
34	John Bennett	- -	Ditto	Ditto.
35	T. Culley	- -	Sarah Townsend	Ditto.
36	Richard Powell	- -	Thomas Grosvenor	House and Yard.
37	A. J. Kempe	James Goddard	James Goddard	House, Shed, and Yard.
38	C. R. Parker	- -	Empty	House and Yard.
39	Ditto	- -	William Hughesdon	Blacksmith's Shop, Sheds, and Yard.
40	Ditto	- -	Empty	House.
41	Ditto	- -	Ditto	House and Yard.
42	Ditto	- -	Mary Burgess	Ditto.
43	Rt. Charsley	- -	Empty	Yard.
44	David M'Cleanc	- -	David M'Cleanc	House and Yard.
45	William Knott	- -	Jonathan Chappell	House.
46	Ditto	- -	Thomas Blake	Garden Ground.
47	Susannah Barnett	- -	Susannah Barnett	House, Shed, and Garden.
48	John Soar	- -	Empty	House, Shed, and Yard.
49	Ditto	- -	Ditto	House and Yard.

Elliott Square.

1	A. J. Kempe	- -	Empty	House.
2	William Smith	- -	Thomas Davis	House, Shed, Yard, and Fore Court.
3	Thomas Wilson Mills	- -	James Healey	Ditto.
4	George Fletcher	- -	—— Gilbert	House, Shed, and Yard.
5	—— Cleverly	- -	Sarah Knight	Ditto.
6	Ditto	- -	Joseph Essen	Ditto.
7	Joseph Banks	- -	Matthew Bromley	Ditto.
8	Joseph Booth	- -	John Veronelly	Ditto.

New Street.

1	William Wright	Richard Hughes	Empty	Warehouse.
2	Susannah Milne	- -	James Mayes, John Beadle, W. Carter.	House, Yard, and Shed.
3	Jonas Rowley	- -	Empty	Ditto.
4	Ditto	- -	Ditto	House and Yard.
5	Edward Lynnell	- -	William Watson	House, Shed, and Yard.
6	Jonas Rowley	- -	Empty	House and Yard.
7	—— Cole	- -	William Branoly	Ditto.
8	James Franks	- -	James Ives and others	Ditto.
9	—— Addis	- -	Robert Delmain	House, Shed, and Yard.
10	Jonas Rowley	- -	Francis Russell	Ditto.
11	Richard Trott	- -	John Trott	Ditto.
12	James Scott	- -	James Scott	House.
13	Jonathan Bear	- -	Jonathan Bear and others.	House, Yard, and Shed.

No.	Freeholder.	Leaseholder.	Occupier.	Description of Property.
		New Street (West Side).		
14	Sarah Murry	- -	Sarah Murry	House, Shed, and Yard.
15	John Holloway	- -	Jane Lewellyn	Ditto.
16	Catharine Hunt	- -	Richard Hughes	Ditto.
17	Ditto	- -	Thomas Crayton	Ditto.
18	Ditto	- -	Catharine Hunt	Ditto.
19	Susannah F. Milne	- -	Susannah F. Milne	Rope Makers Arms Public House, Shed and Yard.
20	Ditto	- -	Samuel Meadows	House, Shed, and Yard.
21	John Moore	- -	John Bear	House and Yard.
22	Godfrey Hill	- -	Daniel Rahill	Ditto.
23	Ditto	- -	Robert Catchesides	Ditto.
24	William Smith	- -	Andrew Brown	Ditto.
25	Richard Hughes	- -	Edmond Blake	Sheds and Yard.
26	James Jenney	- -	Patrick Doyle	Coal Shed.
27	Richard Hughes	- -	Sarah Halfpenny	House and Yard.
A.	- -	- -	- -	Occupation Road, or Highway, known as Loving Edward's Lane.
B.	Trustees of Bermondsey, Rotherhithe, and Deptford Roads.	- -	- -	Lower Road to London from Deptford.
C.	Ditto	- -	- -	New King Street, otherwise Back Lane.
D.	- -	- -	- -	Queen Street.
E.	- -	- -	- -	Queen's Court.
F.	- -	- -	- -	Barne's Alley.
G.	- -	- -	- -	Bower's Alley.
H.	- -	- -	- -	Dock Street, or Dog Street.
I.	- -	- -	- -	The Orchard.
K.	- -	- -	- -	Old King Street.
L.	- -	- -	- -	New Street.
M.	- -	- -	- -	Butcher Row.
N.	- -	- -	- -	Thames Street.
O.	- -	- -	- -	Elliott Square.

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