CHAPTER ccxxiv.

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An Act to incorporate a Company, and authorise the construction of Tramways in the county of Kent; and for other purposes. [5th August 1873.]

WHEREAS the laying down in certain roads in this Act mentioned, in the county of Kent, of tramways to be worked by animal power only, and constructed so as not to impede or injure the ordinary traffic of the roads, would be of great local and public advantage:

And whereas it is expedient that the persons herein-after named, with others, should be incorporated into a company, and should be empowered to lay down, use, work, and maintain the several tramways in this Act particularly described:

And whereas plans and sections showing the lines and levels of the tramways and works by this Act authorised to be made, and the lands and property to be taken for the purposes thereof, and books of reference to those plans containing the names of the owners or reputed owners, lessees or reputed lessees, and occupiers of those lands and property, have been deposited with the clerk of the peace for the county of Kent, and those plans, sections, and books of reference are in this Act referred to as the deposited plans, sections, and books of reference:

And whereas the objects of this Act cannot be attained without the authority of Parliament:

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

Short title.

1. This Act may be cited for all purposes as The Kent Tramways Act, 1873.

Provisions of general Acts herein

2. The Companies Clauses Consolidation Act, 1845, Part I. (relating to cancellation and surrender of shares) of the Companies

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named incorporated.

Clauses Act, 1863, the Lands Clauses Consolidation Acts, 1845, 1860, and 1869 (except the provisions thereof with respect to the purchase and taking of lands otherwise than by agreement, and with respect to the entry upon lands by the promoters of the undertaking), and section 3 and Parts II. and III. of the Tramways Act, 1870, are (except where expressly varied by this Act) incorporated with and form part of this Act.

Interpretation of terms.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or in part incorporated herewith shall have the same respective meanings, unless there be something in the subject or context repugnant to such construction, or unless herein otherwise expressly provided; the expression—

"The Company" shall mean the Company incorporated by this Act;

The expression "the tramway," "the tramways," or "the undertaking," shall mean the tramways and works and undertaking by this Act authorised, or any part thereof;

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

Company incorporated.

4. Arthur Gilbert, Richard Henogan Lawrie, Septimus Francis Porter, George Albemarle Cator, and all other persons and corporations who have already subscribed to or shall hereafter become proprietors in the undertaking, and their executors, administrators, successors, and assigns respectively, shall be united into a company for the purpose of making and maintaining the tramways, and for other the purposes of this Act, and for those purposes shall be incorporated by the name of the Kent Tramways Company, and by that name shall be a body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes of this Act.

Power to make tramways according to deposited plans.

5. Subject to the provisions of this Act, and of Parts II. and III. of the Tramways Act, 1870, the Company may make, form, lay down, work, use, and maintain, in the lines and according to the levels shown on the deposited plans and sections, and in all respects in accordance with the deposited plans and sections, the street tramways herein-after described, with all proper rails, plates, works, and conveniences connected therewith, and may enter upon, take, and use such of the lands and property delineated on the said plans and described in the deposited books of reference as may be

required for that purpose. The tramways herein-before referred to and authorised by this Act are,—

A tramway (No. 1) (single line), marked tramway No. 5 on the deposited plans, five miles three furlongs and five chains in length, commencing five yards north of the municipal boundary of the borough of Dover, near the Dover Castle turnpike gate, thence proceeding in a north-easterly direction from the point of commencement thereof along the Dover, Deal, and Sandwich turnpike road where that road passes through the parishes of Guston, Saint Margaret, West Cliffe, East Langdon, Oxney, Ringwould, and Ripple, terminating at the Ripple toll-gate.

The following passing-places connected with tramway No. 1:

A tramway (No. 1a) (single line) on the Dover, Deal, and Sandwich turnpike road, opposite the Dover Castle Farm, commencing by a junction with tramway No. 1 at a point one chain fifty links, measured from the commencement of the said tramway No. 1, as herein-before described, proceeding in an easterly direction along the Dover, Deal, and Sandwich turnpike road, and terminating at a junction with tramway No. 1 in the said road.

A tramway (No. 2b) (single line) on the Dover, Deal, and Sandwich turnpike road, commencing by a junction with tramway No. 1 at a point thirty chains or thereabouts, measured in a westerly direction, from the boundary of the parish of Saint Margaret, and thence proceeding in an easterly direction for a distance of two and a half chains, and terminating by a junction with the herein-before mentioned tramway No. 1.

A tramway (No. 3c) (single line) on the Dover, Deal, and Sandwich turnpike road, commencing by a junction with tramway No. 1 at a point of intersection of the parish boundary of Westcliffe, thence proceeding in a north-easterly direction along the said road for a distance of two and a half chains, and terminating by a junction with the herein-before mentioned tramway No. 1 in the said road.

A tramway (No. 4d) (single line) on the Dover, Deal, and Sandwich turnpike road, commencing at a point of intersection of the parish boundary of East Langdon, thence proceeding in a north-easterly direction along the said road for a distance of two and a half chains, and terminating by a junction with the before-mentioned tramway No. 1 in the said road.

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A tramway (No. 5e) (single line) on the Dover, Deal, and Sandwich turnpike road, commencing by a junction with a tramway No. 1 at a point four chains or thereabouts, measured in a westerly direction, from the intersection of the boundary of the parish of Oxney, thence proceeding in a north-easterly direction along the Dover, Deal, and Sandwich turnpike road for a distance of two and a half chains, and terminating by a junction with tramway No. 1 in the said road.

A tramway (No. 6f) (single line) on the Dover, Deal, and Sandwich turnpike road, commencing by a junction with tramway No. 1, marked tramway No. 5 on the deposited plans, at the point of intersection of the parish boundary of Ringwould, thence proceeding in a north-easterly direction along the said Dover, Deal, and Sandwich turnpike road for a distance of two and a half chains, and terminating by a junction with tramway No. 1 in the said road.

A tramway (No 7g) (single line) on the Dover, Deal, and Sandwich turnpike road, commencing by a junction with tramway No. 1 at a point of intersection with the north corner of the road leading to Ripple Court and Great Mongeham, proceeding in a north-easterly direction along the said road for a distance of two and a half chains, and terminating by a junction with tramway No. 1 of the said road.

A tramway (No. 8h) (single line) on the Dover, Deal, and Sandwich turnpike road, commencing by a junction with tramway No. 1 at a point two and a half chains, measured in a south-westerly direction, from the south corner of Ripple Gate toll-house, thence proceeding in a north-easterly direction along the said Dover, Deal, and Sandwich turnpike road for a distance of two and a half chains, and terminating by a junction with tramway No. 1 at a point opposite the south corner of the Ripple Gate toll-house.

A tramway (No. 2) (single line), marked tramway No. 6 on the deposited plans, two miles five furlongs and five chains in length, commencing by a junction with tramway No. 1 at the termination thereof at Ripple Gate as herein-before described, proceeding in a north-easterly direction through the town of Walmer, and terminating in the borough of Deal in Lower Street at a distance of five furlongs or thereabouts in a northerly direction from Queen Street.

The following passing-places connected with tramway No. 2:

A tramway (No. 1a) (single line) on the Dover, Deal, and Sandwich turnpike road, commencing by a junction with

tramway No. 2 at a point two and a half chains, measured in a westerly direction, from a point of intersection of the south-west angle of the road which leads to Walmer Castle, thence proceeding in an easterly direction along the said Dover, Deal, and Sandwich turnpike road for a distance of two and a half chains, and terminating by a junction with tramway No. 2 as herein-before described.

A tramway (No. 2b) (single line) on the Dover, Deal, and Sandwich turnpike road, commencing by a junction with tramway No. 2 at a point two and a half chains, measured in a south-westerly direction, from a point of intersection at the south angle of the Deal Barracks, proceeding for a distance of two and a half chains in a north-easterly direction along the Dover, Deal, and Sandwich turnpike road, and terminating by a junction with tramway No. 2 at a point of intersection at the south angle of Deal Barracks.

A tramway (No. 3c) (single line) on the Dover, Deal, and Sandwich turnpike road, commencing by a junction with tramway No. 2 at a point of intersection with the centre line of South Street, thence proceeding in a northerly direction for a distance of four and a half chains along the Dover, Deal, and Sandwich turnpike road, and terminating by a junction with tramway No. 2 at the point of intersection of Queen Street and Lower Street, in the borough of Deal.

A tramway (No. 3) (single line), marked tramway No. 7 on the deposited plans, twelve miles one furlong and seven chains or thereabouts in length, commencing by a junction with tramway No. 2 at the point of intersection with Lower Street, Deal, passing through Queen Street, in the borough of Deal, along the Dover, Deal, and Sandwich, the Sandwich, Margate, and Ramsgate, and the Canterbury and Ramsgate turnpike roads to Ramsgate, terminating at a point of intersection of Boundary Road with Chatham Street, in the parish of Saint George, Ramsgate.

The following passing-places connected with tramway No. 3:

A tramway (No. 1a) (single line) on the Dover, Deal, and Sandwich turnpike road, commencing by a junction with tramway No. 3 at a point four and a half chains west of a point of intersection with the road leading to Lower Deal, thence proceeding in an easterly direction for a distance of two and a half chains, and terminating by a junction with tramway No. 3 in the said road.

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A tramway (No. 2b) (single line) on the Dover, Deal, and Sandwich turnpike road, commencing by a junction with tramway No. 3 at a point of intersection with the parish boundary of Northbourne, proceeding in a northerly direction for a distance of two and a half chains, and terminating by a junction with tramway No. 3 in the Dover, Deal, and Sandwich turnpike road.

A tramway (No. 3c) (single line) on the Dover, Deal, and Sandwich turnpike road, commencing by a junction with tramway No. 3 at a point of intersection of the road leading to Foulmead, thence proceeding in a northerly direction for a distance of two and a half chains, and terminating by a junction with tramway No. 3 in the Dover, Deal, and Sandwich turnpike road.

A tramway (No. 4d) (single line) on the Dover, Deal, and Sandwich turnpike road, commencing at a point of intersection with the road connecting the villages of Ham and Worth, thence proceeding in a northerly direction for a distance of two and a half chains, and terminating at a point of intersection of the Dover, Deal, and Sandwich turnpike road.

A tramway (No. 5e) (single line), commencing at a point of intersection with the centre of the public walk, measured in an easterly direction, along Galliard Street, thence proceeding in a north-easterly direction along Galliard Street (otherwise Gilliard Street), Chain Street, and High Street, in the town of Sandwich, and terminating by a junction with tramway No. 3 at a point one chain north of Strand Street, Sandwich aforesaid.

A tramway (No. 6f) (single line) in the Sandwich, Margate, and Ramsgate turnpike road, commencing by a junction with tramway No. 3 at a point of intersection of the road leading to Great Stonar, and proceeding in a northerly direction along the Sandwich, Margate, and Ramsgate turnpike road for a distance of two and a half chains, and terminating by a junction with tramway No. 3 in the Sandwich, Margate, and Ramsgate turnpike road.

A tramway (No. 7g) (single line) in the Sandwich, Margate, and Ramsgate turnpike road, commencing at a point three chains or thereabouts, measured in a northerly direction, from the north end of the bridge over Stonar Cut, thence proceeding in a northerly direction along the Sandwich, Margate, and Ramsgate turnpike road aforesaid for a distance

of two and a half chains, and terminating by a junction with tramway No. 3 in the said road.

A tramway (No. 8h) (single line) on the Sandwich, Margate, and Ramsgate turnpike road, commencing by a junction with tramway No. 3 at a point of intersection of the road at the "Halfway House," thence proceeding in a north-easterly direction along the Sandwich, Margate, and Ramsgate turnpike road for a distance of two and a half chains, and terminating by a junction with tramway No. 3 in the said road.

A tramway (No. 9i) (single line) on the Sandwich, Margate, and Ramsgate turnpike road, commencing by a junction with tramway No. 3 at a point of intersection of the road leading to Great Cliffs, thence proceeding in a south-easterly direction along the Sandwich, Margate, and Ramsgate turnpike road for a distance of two and a half chains, and terminating by a junction with tramway No. 3 in the said road.

A tramway (No. 10k) (single line) in the Canterbury and Ramsgate turnpike road, commencing by a junction with tramway No. 3 at a point of intersection with the turnpike road to Margate, thence proceeding in an easterly direction along the Canterbury and Ramsgate turnpike road for a distance of two and a half chains, and terminating at a point of junction of the tramway No. 3 in the said road.

A tramway (No. 11l) (single line) on the Canterbury and Ramsgate turnpike road, commencing by a junction with tramway No. 3, proceeding in a northerly direction along the Canterbury and Ramsgate turnpike road for a distance of two and a half chains, and terminating by a junction with tramway No. 3 in the said road.

A tramway (No. 12m) (single line) in the Boundary Road, Ramsgate, commencing by a junction with tramway No. 3 at a point two and a half chains west of the point of intersection of the road leading to the South-eastern Railway Station, thence proceeding in an easterly direction for a distance of two and a half chains, and terminating by a junction with tramway No. 3 at the intersection of the road leading to the South-eastern Railway Station herein-before mentioned.

A tramway (No. 4) (single line), four miles one furlong and two chains in length, commencing at the termination of tramway No. 3 at the point of intersection of Boundary Road and Chatham Street, in the parish of Saint George, Ramsgate, as herein-before described, proceeding in a north-

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westerly direction along the turnpike road through the parishes of Saint Lawrence, Saint Peter, and Saint John, Margate, also along Eton Road, Eton Terrace, and Marine Terrace, terminating at a point in Lower Marine Terrace opposite the west corner of the Shakespeare Hotel, in the parish of Saint John, Margate, as shown on the deposited plans.

The following passing-places connected with tramway No. 4:

A tramway (No. 1a) (single line) in the Margate and Ramsgate turnpike road, commencing at a junction with tramway No. 4 at a point two and a half chains, measured in a south-easterly direction, from the point of intersection with the road leading from Whitehall Farm, and thence proceeding in a north-westerly direction for a distance of two and a half chains, and terminating at the point of intersection with the road leading from Whitehall Farm aforesaid.

A tramway (No. 1b) (single line) in the Margate and Ramsgate turnpike road, commencing by a junction with tramway No. 4 at a point two and a half chains, measured in a south-easterly direction, from the point of intersection with the road to St. Peter's, thence proceeding for a distance of two and a half chains in a north-westerly direction, and terminating at a point of junction with the road leading to St. Peter's aforesaid.

A tramway (No. 1c) (single line) on the Margate and Ramsgate turnpike road, commencing by a junction with tramway No. 4 at a point five and a half chains, measured in a south-easterly direction, from the south-east corner of the toll-house, thence proceeding in a north-westerly direction along the Margate and Ramsgate turnpike road for a distance of two and a half chains, and terminating by a junction with tramway No. 4 aforesaid.

A tramway (No. 1d) (single line) in the Margate and Ramsgate turnpike road, commencing by a junction with tramway No. 4 at a point two and a half chains south-east of a point of intersection of the road leading to Updown, thence proceeding in a north-westerly direction for a distance of two and a half chains, and terminating by a junction with tramway No. 4 at the point of intersection of the road leading to Updown aforesaid.

A tramway (No. 1e) (single line) in the Margate and Ramsgate turnpike road, commencing by a junction with tramway No. 4 at a point two and a half chains, measured in a

westerly direction, from at point of intersection of the road leading from Twenties to Academy, thence proceeding in an easterly direction for a distance of two and a half chains, and terminating by an junction with tramway No. 4 at the point of intersection of the road leading from Twenties to Academy aforesaid.

A tramway (No. 1f) (single line) in Marine Terrace, Margate, commencing at a point of junction with tramway No. 4 at the point of intersection of Eton Terrace and Marine Terrace, thence proceeding in a north-westerly direction for a distance of two and a half chains, and terminating at a point of junction with tramway No. 4 aforesaid.

A tramway (No. 1g) (single line) in Marine Terrace, Margate, commencing at a point of junction with tramway No. 4 at a point two and a half chains, measured in a southerly direction, from the point of termination of tramway No. 4 as herein-before mentioned, thence proceeding in a northerly direction for a distance of two and a half chains, and terminating by a junction with tramway No. 4 aforesaid.

Company not to cross the South-eastern Deal Branch.

6. The Company shall not lay any tramway along that part of the Dover, Deal, and Sandwich turnpike road which lies between the gates erected on each side of where that road is crossed on the level by the South-eastern Deal Branch Railway, or within ten yards on either side of those gates.

Reserving power of road authorities to alter level of roads.

7. If any road authority shall hereafter alter the level of any road along or across which any tramway by this Act authorised is laid or authorised to be laid, the Company shall alter or (as the case may be) lay their rails so that the uppermost surface thereof shall be on a level with the surface of the road as altered.

Power to make additional crossings, &c.

8. The Company may, subject to the provisions of this Act, and with the consent of the road authority and local authority, from time to time make, maintain, alter, and remove such crossings, passing-places, sidings, junctions, and other works, in addition to those particularly specified in and authorised by this Act, as they find necessary or convenient for the efficient working of the tramways, or for providing access to any warehouses, stables, or carriage-houses or works of the Company: Provided always, that in the construction of any such works no rail shall be so laid that a less space than nine feet six inches shall intervene between such rail and the outside of the footpath on either side of the road, if the owner or owners, or occupier or occupiers, of the premises abutting on the place where such rail is proposed to be laid shall by writing

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under their hand addressed to the Company express their objection thereto.

Company not to obstruct entrances to South-eastern Railway Station without consent.

9. Provided also, that no passing-place, whether shown on the deposited plans or not, shall be made or laid down opposite to any of the entrances to any of the stations of the South-eastern Railway Company without the consent in writing of that company under their common seal first had and obtained.

Company not to obstruct approach to South-eastern Railway Station.

10. The Company shall not impede or interfere with the arrival or departure of any carts, waggons, or carriages at or from any of the stations of the South-eastern Railway Company, nor shall any carriage or other vehicle of the Company stop opposite to the entrance to any such station, and the Company shall forfeit and pay to the South-eastern Railway Company the sum of ten pounds for every infraction by the Company of this enactment.

Application of road materials excavated in construction of works.

11. Any paving, metalling, or material excavated by the Company in the construction of the undertaking from any road under the jurisdiction or control of any road authority may be applied by the Company, so far as may be necessary, in or towards the reinstating of the road, and the maintenance for six months after completion of any of the tramways within the district of such road authority of so much of the roadway on either side of such tramways as the Company are by this Act, or by Part II. (incorporated herewith) of the Tramways Act, 1870, required to maintain, and the Company shall, if so required, deliver the surplus paving, metalling, or material not used or required to be retained for the purposes aforesaid to the surveyor for the time being of the road authority, or to such person or persons as he may appoint to receive the same: Provided that if within seven days after the excavation of any such paving, metalling, or material, and due notice given, the surplus thereof as aforesaid is not removed by the said surveyor, or by some other person or persons named by him for that purpose, such surplus paving, metalling, or material shall absolutely vest in and belong to the Company, and may be dealt with, removed, and disposed of by them in such manner as they may think fit. Any difference between the Company and any road authority or surveyor or other person with reference to any of the matters aforesaid shall be determined in manner provided by the Tramways Act, 1870, with respect to differences between the promoters and any road authority.

Mode of formation of tramways.

12. Every tramway to be made, formed, or laid down under this Act shall be constructed with two grooved rails on a gauge of four feet eight and a half inches, laid and maintained in such

manner that the uppermost surface of the rail shall be on a level with the surface of the street or road, and shall not be opened for public traffic until the same have been inspected and certified to be fit for such traffic by the Board of Trade.

Penalty for not maintaining rails and road in good condition.

13. The Company shall at all times maintain and keep in good condition and repair, and so as not to be a danger or annoyance to the ordinary traffic, the rails of which any of the tramways for the time being consist, and the substructure upon which the same rest, and if the Company at any time fail to comply with this provision, or with any of the requirements of section 28 of "The Tramways Act, 1870," they shall be subject to a penalty not exceeding five pounds for every day on which such act of omission continues, and such penalty may be recovered in manner provided by section 56 of the said Act.

Sewer authority to have access to sewers.

14. Every sewer authority shall at all times have free access to and communication with all their sewers and drains, and power to lay lateral and private drains to communicate therewith, without the consent or concurrence of the Company, and the provisions contained in the 32nd and 33rd sections of "The Tramways Act, 1870," shall be applicable in the case of any sewer or private drain of or under the control of the sewer authority as if the same were a pipe for the supply of gas or water.

Errors and omissions in plans to be corrected.

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

As to construction of tramway in Chain Street

16. In constructing the tramway in Chain Street, Sandwich, the Company shall, before commencing the construction thereof, widen the street by taking down the wall forming the western boundary

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and junctions therewith.

thereof for a distance of seventy-four feet or thereabouts from its southern end, and by rebuilding the same in a workmanlike manner, and with good materials, to the same height as the existing wall, in a line three feet behind or west of the present line of wall, the Company obtaining the land necessary for the purpose upon the terms and conditions included in an agreement between the Company and Mr. John Slaughter.

Company to construct tramway so as to facilitate traffic upon the quay.

17. The Company shall construct the tramway No. 3 so as to afford all reasonable facilities to the transmission of the traffic of the quay to and upon the tramway.

Company to construct tramway to the goods store of the South-eastern Railway.

18. The Company shall also take all proper steps and use their best endeavours to obtain authority and permission to construct, and having obtained such authority and permission shall forthwith construct, the portion of the tramway No. 3 commencing with the junction of the tramway in the Dover, Deal, and Sandwich turnpike road, in the parish of St. Clement, to the goods store of the South-eastern Railway Company there.

Notice to be given to Corporation of Sandwich before commencement of works on Sandwich Bridge.

19. The Company shall, before commencing operations for construction of any works by this Act authorised upon the Sandwich Bridge, or the approaches thereof, give to the Corporation of Sandwich at least fourteen days notice in writing of their intention to commence such operations, which notice shall be accompanied by a detailed specification of the works so intended to be constructed, and the said works shall be executed only in a manner and with materials to be approved previously to the commencement thereof by and to the satisfaction of the surveyor or engineer for the time being of the Corporation of Sandwich, and such works shall not be commenced until such approval has been given in writing.

Company to make good flooring, &c. over Sandwich Bridge.

20. The Company shall at their own expense lay down and make good the flooring or roadway over the said bridge to the full width required by the "Tramways Act, 1870," and, so long as the tramway shall continue, maintain and keep in good repair the said flooring or roadway.

Company to be answerable for damages in respect to bridge.

21. The Company shall be answerable for all accidents, damages, adn injuries occasioned by the acts or defaults of the Company, or of their officers or servants, on and with respect to the said bridge and the approaches thereto, and shall indemnify and save harmless the Corporation of Sandwich against all damages, costs, and penalties in respect of any such accident or injuries.

Works not to impede swinging of

22. Notwithstanding anything in this Act contained, the works to be constructed upon the Sandwich Bridge or the approaches

thereto shall not impede or in any manner interfere with the opening and swinging the said bridge for the passage of vessels in manner heretofore practised; but the Corporation of Sandwich, and their lessees and agents, may open and swing the said bridge to allow of the passage of vessels, and otherwise for the convenience of the navigation, without being answerable or accountable for any loss or damage caused by the interruption or delay of the traffic on the tramway thereby occasioned; provided that in all such cases the said bridge shall be replaced and the continuity of the road restored with as little delay and as little inconvenience to the traffic upon the tramway as may be reasonably practicable.

bridge or passage of vessels.

23. If it shall be requisite at any time to repair, rebuild, enlarge, or make any alteration in or about the Sandwich Bridge or its approaches, and for any of those purposes to stop or interrupt the traffic passing over such bridge, the Corporation of Sandwich shall be at liberty so to do upon giving one calendar month's notice to the Company (unless in the case of sudden damage to the bridge by storm or flood, or any unforeseen accident, in which case no such notice shall be necessary), and thereupon the traffic shall be stopped or interrupted during the construction of and completion of the necessary works for such rebuilding, alteration, or repairs as aforesaid without any liability to the Company, or any other person or persons whomsoever, for any loss, damage, or inconvenience occasioned thereby: Provided that in all such cases the works shall be completed and the bridge and road restored in such manner and within such reasonable time as shall cause as little interruption or inconvenience as may be to the traffic over the bridge, and in case of difference between the Company and Corporation of Sandwich thereupon such difference shall be determined by an engineer to be appointed by and between the Company and Corporation by mutual agreement, or failing such agreement by the Board of Trade.

Corporation of Sandwich may stop traffic over bridge in certain events.

24. The pontage tolls payable to the Corporation of Sandwich under the Act of the 28th George the 2nd, chapter 55, entitled "An Act for building a bridge over the water or haven "between the town of Sandwich and the opposite shore, in the "county of Kent," or any Act for the time being in force altering or varying the said Act, in respect of the Company's horses or carriages passing over the said bridge, and carrying or conveying passengers or goods for hire or reward, shall be paid for each time of passing and repassing over the said bridge, and shall be recovered as in the said Act is provided for the recovery of the said pontage tolls thereunder, and all the provisions in the said Acts shall be applicable thereto accordingly.

Pontage tolls on vessels to be payable as heretofore.

The Company and Corporation may agree for composition of tolls in respect to the traffic over the bridge.

25. The Company and the Corporation of Sandwich may enter into an agreement with each other for the payment of a composition to the Corporation in respect of the use of the bridge for such tramway and the convenience of traffic thereon, and may from time to time alter such agreement.

Power to use tramways with flange-wheel carriages.

26. The Company may use on the tramways carriages with flange wheels, or wheels specially adapted to run on or in a grooved rail; and, subject to the provisions of this Act, they shall have the exclusive use of the tramways for carriages with flange wheels, or other wheels specially adapted to run on or in a grooved rail. All carriages used on any of the tramways shall be moved by animal power only.

As to speed in passing through the parish of Saint Lawrence.

27. In passing through the parish of Saint Lawrence the speed of the tramway carriages shall not exceed the rate of four miles an hour.

Capital.

28. The capital of the Company shall be one hundred and fifty thousand pounds, in fifteen thousand shares of ten pounds each.

Shares not to be issued until one fifth paid up.

29. The Company shall not issue any share created under the authority of this Act, nor shall any share vest in the person accepting the same, unless and until one fifth of the amount of such share shall have been paid in respect thereof.

Calls.

30. One fifth of the amount of a share shall be the greatest amount of a call, and two months at least shall be the interval between successive calls upon any share.

Power to divide shares.

31. Subject to the provisions of this Act, the Company, with the authority of three fifths of the votes of the shareholders present in person or by proxy at a general meeting of the Company specially convened for the purpose, may from time to time divide any share in their capital into half shares, of which one shall be called "preferred half share," and the other shall be called "deferred half share:" Provided always, that the Company shall not divide any share under the authority of this Act unless and until not less than sixty per centum upon such share shall have been paid up, and upon every such division fifty per centum upon the entire share shall be carried to the credit of the deferred half share, being the whole amount payable thereon, and the residue to the credit of the preferred half share.

Dividends on half shares.

32. The dividend which would from time to time be payable on any divided share if the same had continued an entire share shall be applied in payment of dividends on the two half shares in

manner following; (that is to say,) first, in payment of dividend, after such rate not exceeding six pounds per centum per annum, as shall be determined once for all at a general meeting of the Company specially convened for the purpose, upon the amount for the time being paid up on the preferred half share, and the remainder (if any) in payment of dividend on the deferred half share.

Dividend on preferred shares to be paid out of the profits of the year only.

33. Each preferred half share shall be entitled out of the profits of each year to the dividend which may have been attached to it by the Company as aforesaid, in priority to the deferred half share bearing the same number; but if in any year ending the thirty-first day of December there shall not be profits available for the payment of the full amount of dividend on any preferred half share for that year, no part of the deficiency shall be made good out of the profits of any subsequent year, or out of any other funds of the Company.

Half shares to be registered and certificates issued.

34. Forthwith after the creation of any half shares the same shall be registered by the directors, and each half share shall bear the same number as the number of the entire share certificate in respect of which it was issued, and the directors shall issue certificates of the half shares accordingly, and shall cause an entry to be made in the register of the entire shares of the conversion thereof: Provided always, that the directors shall not be bound to issue a certificate of any half share until the certificate of the existing share be delivered to them to be cancelled, unless it be shown to their satisfaction that the certificate is destroyed or lost, and on any certificate being so delivered up the directors shall cancel it.

Terms of issue to be stated on certificates.

35. The terms and conditions on which any preferred half share or deferred half share created under this Act is issued shall be stated on the certificate of each such half share.

Forfeiture of preferred shares.

36. The provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the forfeiture of shares for nonpayment of calls, shall apply to all preferred half shares to be created under the authority of this Act, and every such preferred half share shall for that purpose be considered a whole share distinct from the corresponding deferred half share: Provided always, that until any forfeited preferred half share shall be sold by the directors of the Company all dividends which would be payable thereon if the same had not been forfeited shall be applied in or towards payment of any expenses attending the declaration of forfeiture thereof, and of the arrears of calls for the time being due thereon, with interest.

Preferred shares not to be cancelled or surrendered.

37. No preferred half share created under the authority of this Act shall be cancelled or be surrendered to the Company.

Half shares to be half shares in capital.

38. The several half shares under this Act shall be half shares in the capital of the Company, and every two half shares, whether preferred or deferred, or one of each, held by the same person shall (subject to the provisions herein-before contained) confer such right of voting at meetings of the Company, and shall have all such other rights, qualifications, privileges, liabilities, and incidents as attach and are incident to an entire share.

Receipts on behalf of incapacitated persons.

39. If any money be payable to any shareholder being a minor, idiot, or lunatic, the receipt of the guardian or committee of his estate, as the case may be, shall be a sufficient discharge to the Company for the same.

Power to borrow.

40. The Company may from time to time borrow on mortgage any sum not exceeding in the whole thirty-seven thousand five hundred pounds, but no part thereof shall be borrowed until the whole capital of one hundred and fifty thousand pounds is issued and accepted, and one half thereof is paid up, and the Company have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act, 1845, before he so certifies, that the whole of such capital has been issued and accepted, and that one half thereof has been paid up, and that not less than one fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such capital was issued bonâ fide, and is held by the persons or corporations to whom the same was issued, or their executors, administrators, successors, or assigns, and that such person or corporations, their executors, administrators, successors, or assigns, are legally liable for the same; and upon production to such justice of the books of the Company, and of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

For appointment of a receiver.

41. The mortgagees of the Company may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages by the appointment of a receiver, and in order to authorise the appointment of a receiver in respect of principal the amount owing to the mortgagees by whom the application for a receiver shall be made shall not be less in the whole than one tenth part of the sum for the time being borrowed by the Company.

Moneys borrowed on mortgage to have priority.

42. All moneys to be borrowed on mortgage under this Act, from the time when the same shall be advanced, and the interest for the time being due thereon, shall have priority against the Company and all the property from time to time of the Company over all other claims on account of any debts incurred or to be incurred or engagements entered into or to be entered into by them; but nothing in this section shall affect any claim in respect of land acquired by the Company for the purposes of this Act, or injuriously affected by the exercise of any of the powers conferred upon the Company.

Mortgages to comprise purchase money paid on compulsory sale.

43. Every mortgage of the Company's undertaking shall be deemed to comprise all purchase money which may be paid to the Company in the event of a compulsory sale to the local authority under section forty-three of "The Tramways Act, 1870," and may comprise all or any moneys carried to the contingency fund according to the terms of the mortgage.

Indorsement of notice of power of future purchase by local authority.

44. Every mortgage deed granted by the Company under this Act shall be endorsed with notice that such mortgage will not be a charge upon the tramway in the event of its being purchased by the local authority under the forty-third section of "The Tramways Act, 1870."

Debenture stock.

45. The Company shall not create debenture stock.

Application of moneys.

46. All moneys raised under this Act, whether by shares or borrowing, shall be applied for the purposes of this Act only.

First ordinary meeting.

47. The first ordinary meeting of the Company after the passing of this Act shall be held within one month next after the passing thereof.

Number of directors.

48. The number of directors shall be four, but the Company may from time to time reduce the number of directors, so that the number be not less than three.

Qualification of directors.

49. The qualification of a director shall be the possession in his own right of not less than twenty shares.

Quorum.

50. The quorum of a meeting of directors shall be three, and if the number of directors is reduced to three the quorum shall be two.

First directors.

Election of directors.

51. Arthur Gilbert, George Albemarle Cator, Richard Henegan Lawrie, and Septimus Francis Porter shall be the first directors of the Company, and shall continue in office until the first ordinary meeting held after the passing of this Act. At that meeting the shareholders present in person or by proxy may either continue in

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office the directors appointed by this Act, or any of them, or may elect a new body of directors, or directors to supply the place of those not continued in office, the directors appointed by this Act being, if qualified, eligible for re-election; and at the first ordinary meeting to be held in every year after the first ordinary meeting the shareholders present in person or by proxy shall (subject to the power herein-before contained for reducing the number of directors) elect persons to supply the places of the directors then retiring from office agreeably to the provisions in the Companies Clauses Consolidation Act, 1845, contained, and the several persons elected at any such meeting, being neither removed nor disqualified nor having resigned, shall continue to be directors until others are elected in their stead in manner provided by the same Act.

Period for completion of works.

52. Subject to the provisions of this Act, the tramways shall be completed within two years from the passing of this Act, and on the expiration of that period the powers by this Act granted to the Company for executing the same, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

Purchase of land by agreement.

53. The Company may from time to time purchase and acquire (by agreement) such land as they may require for their undertaking, not exceeding in the whole ten acres.

Deposit.

54. Whereas pursuant to the standing orders of both Houses of Parliament, and to an Act of the ninth year of the reign of Her present Majesty, cap. 20., a sum of three thousand seven hundred and fifty pounds, being five per centum upon the amount of the estimate in respect of the tramways, has been deposited with the Paymaster General on behalf of the Court of Chancery in England in respect of the application to Parliament for this Act: Be it enacted, that, notwithstanding anything contained in the said Act, the said sum of three thousand seven hundred and fifty pounds so deposited as aforesaid in respect of the application for this Act shall not be paid or transferred to or on the application of the person or persons, or the majority of the persons, named in the warrant or order issued in pursuance of the said Act, or the survivors or survivor of them, unless the Company shall, previously to the expiration of the period limited by this Act for completion of the tramways, either open the said tramways for the public conveyance of passengers, or prove to the satisfaction of the Board of Trade that the Company have paid up one half of the amount of the capital by this Act authorised to be raised by means of shares, and have expended for the purposes of this Act a sum equal in amount to such one half of the said capital; and if the said period

shall expire before the Company shall either have opened the tramways for the public conveyance of passengers, or have given such proof as aforesaid to the satisfaction of the Board of Trade, the said sum of money deposited as aforesaid shall be applied in the manner herein-after specified, and the certificate of the said Board that such proof has been given to their satisfaction as aforesaid shall be sufficient evidence of the fact so certified, and it shall not be necessary to produce any certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding.

Deposit may be applied by way of compensation.

55. The said sum of money deposited as aforesaid shall be applicable, and after due notice in the London Gazette shall be applied, towards compensating any landowners or other persons whose property may have been interfered with or otherwise rendered less valuable by the commencement, construction, or abandonment of the tramways, or any portion thereof, or who may have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act, and for which injury or loss no compensation or inadequate compensation shall have been paid, and also in compensating all road authorities for the expense incurred by them in taking up any tramways or materials connected therewith placed by the Company in or on any road vested in or maintainable by such road authorities respectively, and in making good all damage caused to such roads by the construction or abandonment of such tramways, and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Court of Chancery may seem fit; and if no such compensation shall be payable, or if a portion of the said sum of money, or of the sum or sums of money so recovered by way of penalty as aforesaid, shall have been found sufficient to satisfy all just claims in respect of such compensation, then the said sum of money, or the said sum or sums of money recovered by way of penalty, or such portion thereof as may not be required as aforesaid, shall either be forfeited to Her Majesty, and accordingly be paid or transferred to or for the account of Her Majesty's Exchequer, in such manner as the Court of Chancery thinks fit to order, on the application of the Solicitor of Her Majesty's Treasury, and shall be carried to and form part of the Consolidated Fund of the United Kingdom, or, in the discretion of the Court, if the Company is insolvent and has been ordered to be wound up, or a receiver has been appointed, shall wholly or in part be paid or transferred to such receiver, or to the liquidator or liquidators of the Company, or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof: Provided that until the said sum of money shall have been repaid

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to the depositors, or shall have become otherwise applicable as herein-before mentioned, any interest or dividends accruing thereon shall from time to time, and as often as the same shall become payable, be paid to or on the application of the person or persons, or the majority of the persons, named in such warrant or order as aforesaid, or the survivors or survivor of them.

Tolls for passengers.

56. The Company may demand and take for every passenger travelling upon any of the tramways, or any part thereof, including tolls for the use of the tramway, and the carriages, and for motive power, and every other expense incidental to such conveyance, any tolls or charges not exceeding per mile one penny (and for this purpose the fraction of a mile beyond an integral number of miles shall be deemed a mile); but the Company may charge for any less distance than three miles any sum not exceeding threepence.

Passengers luggage.

57. Every passenger travelling upon any of the tramways may take with him his personal luggage, not exceeding twenty-eight pounds in weight, without any charge for the carriage thereof.

Tolls for animals and goods.

58. The Company may demand and take in respect of any animals, goods, materials, articles, or things conveyed by them on the tramways any tolls or charges not exceeding the rates per mile specified in the schedule to this Act annexed.

The Company not to be bound to carry goods unless as provided in this Act.

59. The Company shall not be bound to carry, unless they think fit, any parcels, goods, articles, or things, other than passengers luggage, not exceeding twenty-eight pounds in weight.

Heavy traffic confined to certain hours.

60. No goods, animals, articles, or things, other than passengers and passengers luggage, and parcels not exceeding fifty-six pounds in weight, shall be conveyed on the tramways between the hours of eight in the morning and eight in the evening without the consent of the local authority and the road authority, nor shall any carriages, trucks, or waggons constructed for use upon a railroad be permitted to pass along the tramway between the same hours without such consent.

As to payment of tolls.

61. The tolls and charges by this Act authorised shall be paid to such persons, and at such places upon or near to the tramways, and in such manner and under such regulations, as the Company may by notice to be annexed to the list of tolls appoint.

Agreements with the South-eastern and London, Chatham, and Dover Railway Companies.

62. The Company on the one hand, and the South-eastern Railway Company and the London, Chatham, and Dover Railway Company (herein-after called the two companies), or either of them, on the other hand, may, subject to the provisions of Part III. of the Railways Clauses Act, 1863, which shall apply as if tramways were therein mentioned instead of or in addition to railways, from

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time to time en agreements with respect to the interchange, accommodation, conveyance, and delivery of traffic coming from or destined for the respective undertakings of the Company and the two companies respectively, and the division and appropriation of the revenue arising from that traffic.

Proof of byelaws.

63. The production of a written or printed copy of any byelaws made under the authority of this Act, authenticated by the signature of any secretary or assistant secretary of the Board of Trade, shall, without proof of the signature of such secretary or assistant secretary, be evidence of the existence of such byelaws, and that all preliminaries requisite to the making and operation thereof have been duly observed and fulfilled.

Form and delivery of notices.

64. With respect to notices, and to the delivery thereof by or to the Company, the following provisions shall have effect; namely,

1. Every notice shall be in writing or print, or partly in writing and partly in print, and if given by any road authority shall be signed by their clerk or secretary:
2. Any notice to be delivered by or to the Company to or by any road authority or other body, or any company, may be delivered by being left at the principal office of that authority, body, or company, or of the Company, as the case may be, or by being sent by post in a registered letter addressed to their respective clerk or secretary at their principal office, and every such letter shall be deemed to be received by the authority, body, or company, or by the Company, as the case may be, on the day on which the same ought to be delivered at their principal office in the ordinary course of post.

Interest not to be paid on calls paid up.

65. The Company shall not, out of any money by this Act authorised to be raised by calls or by borrowing, pay interest or dividend to any shareholder on the amount of calls made in respect of the shares held by him: Provided always, that this Act shall not prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with "The Companies Clauses Consolidation Act, 1845."

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

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

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Saving rights of Corporation of Sandwich.

67. Except as in this Act is expressly provided, nothing in this Act contained shall extend or be construed to extend to affect, prejudice, or alter the aforesaid Act of the 28th George 2nd, chapter 55, or an Act made and passed in the 10th and 11th years of the reign of Her present Majesty (that is to say), the Sandwich Haven Improvement and Regulation Act, 1847, or the rights, powers, and privileges of the Corporation of Sandwich thereunder respectively, or the rights, powers, and privileges of the corporation in their capacity of municipal corporation or local board of health or urban sanitary authority respectively.

Tramways not exempt from provisions as to general Acts.

68. Nothing herein contained shall be deemed or construed to exempt the tramways from the provisions of any general Act relating to tramways, now in force or which may hereafter pass during this or any future session of Parliament, or from any future revision or alteration, under the authority of Parliament, of the maximum rates of tolls or charges authorised by this Act.

Expenses of Act.

69. All costs, charges, and expenses of and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Company.

The SCHEDULE referred to in the foregoing Act.

Rates for the Conveyance of Animals, Goods, &c.

Tolls for Animals per Mile.

For every horse, mule, or other beast of draught or burden, fourpence per head.

For every ox, cow, bull, or head of cattle, fourpence per head.

For calves, pigs, sheep, and small animals, twopence per head.

Tolls for Goods per Mile.

For all coals, coke, culm, charcoal, cannel, limestone, chalk, lime, salt, sand, fire-clay, cinders, dung, compost, and all sorts of manure, and all undressed materials for the repair of public roads or highways, threepence per ton.

For all iron, ironstone, iron ore, pig iron, bar iron, rod iron, sheet iron, hoop iron, plates of iron, slabs, billets, and rolled iron, bricks, slag, and stone, stones for building, pitching, and paving, tiles, slates, and clay (except fire-clay), and for wrought iron not otherwise specifically classed herein, and for heavy iron castings, including railway chairs, threepence per ton.

For all sugar, grain, corn, flour, hides, dyewoods, earthenware, timber, staves, deals, and metals (except iron), nails, anvils, vices, and chains, and for light iron castings, fourpence per ton.

For cotton and other wools, drugs, and manufactured goods, and all other wares, merchandise, fish, articles, matters, or things, fourpence per ton.

For every carriage of whatever description, tenpence.

Small Packages.

For any parcel not exceeding seven pounds in weight, threepence.

For any parcel exceeding seven pounds and not exceeding fourteen pounds in weight, fivepence.

For any parcel exceeding fourteen pounds and not exceeding twenty-eight pounds in weight, sevenpence.

For any parcel exceeding twenty-eight pounds but not exceeding fifty-six pounds in weight, ninepence.

For any parcel exceeding fifty-six pounds but not exceeding five hundred pounds in weight, such sums as the Company may think fit.

Provided always, that articles sent in large aggregate quantities, although made up in separate parcels, such as bags of sugar, coffee, meal, and the like, shall not be deemed small parcels, but that term shall apply only to single parcels in separate packages.

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For the carriage of single parcels of great weight:

For the carriage of any iron boiler, cylinder, or single piece of machine or single piece of timber or stone, or other single article, the weight of which, including the carriage, shall exceed four tons but shall not exceed eight tons, such sums as the Company may think fit, not exceeding eightpence per ton.

For the carriage of any single piece of timber, stone, machinery, or other single article, the weight of which, with the carriage, shall exceed eight tons, such sum as the Company may think fit.

Regulations as to Tolls.

For any distance less than three miles the Company may charge as for three miles, and for a fraction of a mile beyond three miles; or beyond any greater number of miles, the Company may charge tolls on animals and goods for such fraction in proportion to the numbers of a quarter of a mile contained therein, and if there be a fraction of a quarter of a mile such fraction shall be deemed a quarter of a mile.

For a fraction of a ton the Company may demand tolls according to the number of the quarters of a ton in such fraction, and if there be a fraction of a quarter of a ton such fraction shall be deemed a quarter of a ton.

With respect to all articles, except stone and timber, the weight shall be determined according to the usual avoirdupois weight.

With respect to stone and timber, fourteen cubic feet of stone, forty cubic feet of oak, mahogany, teak, beech, or ash, and fifty cubic feet of any other timber, shall be deemed one ton weight, and so in proportion for any smaller quantity.

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