CHAPTER xlv.

An Act for conferring further powers on the London, Chatham, and Dover Railway Company; and for other purposes. A.D. 1879. [27th May 1879.]

WHEREAS it is expedient that the London, Chatham, and Dover Railway Company (in this Act called "the Company") should be authorised to widen their main lines of railway between the points and places herein-after mentioned:

And whereas it is expedient that the Company and the South-eastern Railway Company should be authorised to make and carry into effect arrangements and agreements with reference to the widening of the railways used jointly by them at Beckenham Station, and to the alteration and re-arrangement of that station, and the works, offices, and conveniences connected therewith, as herein-after provided:

And whereas it is also expedient that the Company should be enabled to take and hold the lands herein-after mentioned for the general purposes of their undertaking:

And whereas plans and sections of the railway widenings and works herein-after authorised, showing the lines and levels thereof, and plans showing the said last-mentioned lands, and also books of reference thereto respectively containing the names of the owners and lessees, or reputed owners and lessees, and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act, were duly deposited with the clerks of the peace for the several counties within which those railway widenings and works will be constructed and those lands are situated, and are herein-after respectively referred to as the deposited plans, sections, and books of reference:

And whereas it is expedient that the Company should be authorised to raise additional capital for the purposes of this Act and also for the general purposes of their undertaking, and to enable

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them to provide for the contribution by them to the capital for the construction of the Dover and Deal Railway authorised by the Dover and Deal Railway Act, 1874:

37 & 38 Vict. c. lii.

And whereas it is expedient that the Company should be authorised, if they see fit, to pay the dividends from time to time accruing due in respect of the arbitration preference stock of the Company half-yearly instead of yearly, as prescribed by Article 50 of the second and final award of the arbitrators appointed by the London, Chatham, and Dover Railway (Arbitration) Act, 1869:

32 & 33 Vict. c. cxvi.

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; (that is to say,)

Short title.

1. This Act may be cited as the London, Chatham, and Dover Railway Act, 1879.

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

2. The Lands Clauses Consolidation Acts, 1845, 1860, and 1869, the Railways Clauses Consolidation Act, 1845, and Part I. (relating to construction of a railway) of the Railways Clauses Act, 1863, 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 partially incorporated herewith have the same respective meanings, unless there be something in the subject or context repugnant to or inconsistent with such construction; and for the purposes of this Act the expression "the railway" shall mean the widenings by this Act authorised of the Company's existing railway; the expression "superior courts" or "court of competent jurisdiction," or any other like expression in this Act or in any Act wholly or partially incorporated herewith, shall be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt, and not a debt or demand created by statute.

Power to Company to widen portions of their main lines.

4. Subject to the provisions of this Act, the Company may construct and maintain, on the lines and according to the levels shown on the deposited plans and sections, the several widenings of their railway herein-after described, together with all necessary and convenient or incidental works, stations, approaches, bridges, roads, or communications connected therewith respectively, and for those purposes the Company may enter upon, take, and use the

lands and property delineated on the deposited plans and described in the deposited books of reference. The said widenings are:

(1.) A widening (No. 1) extending for a distance of one mile five furlongs six chains, commencing by junctions with the main lines of the Company's railway at or near the southern end of the down platform at Herne Hill, in the parish of Saint Mary, Lambeth, and terminating by junctions with the said main lines at or near the northern end of the down platform at Sydenham Hill Station, in the parish of Saint Giles, Camberwell:

(2.) A widening (No. 2) extending for a distance of one mile three furlongs nine chains, commencing by junctions with the main lines of the Company's railway at a point twenty-eight yards or thereabouts, measured in a south-easterly direction along the Company's railway, from the southern side of the footbridge which crosses over the railway near the southern end of the Penge Station, in the parish of Beckenham, and terminating by junctions with the said main lines at or near the east side of the bridge carrying the public road from Southend to Beckenham over the railway at the eastern end of the Beckenham Station:

(3.) A widening (No. 3) extending for a distance of three miles five furlongs eight chains, commencing by junctions with the main lines of the Company's railway in the parish of Beckenham, at the termination of the said intended widening No. 2 above described, and terminating by junctions with the said main lines seven hundred and sixty-five yards or thereabouts, measured along the railway in an easterly direction, from the eastern side of the girder bridge carrying a public road over the railway at the eastern end of the Bickley Station, in the parish of Bromley.

As to widening Beckenham Station.

5. And whereas the said widening (No. 2) will involve the necessity of an alteration and re-arrangement of the existing station at Beckenham and of the lines of railway in and near the same, and the sidings, offices, and other works and conveniences connected therewith, which are the joint property of and are jointly used by the Company and the South-eastern Railway Company; therefore, notwithstanding anything in this Act contained, the works for the said widening, in so far as the same may affect the said station and works or the lines of railway so jointly belonging to and used by the two Companies, shall only be carried out in accordance with plans to be previously settled and arranged between the engineers

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of the two Companies, or by an arbitrator to be appointed in case of difference as herein-after provided; and the Company and the South-eastern Railway Company may make and carry into effect arrangements and agreements with reference to the widening of the said railways as aforesaid, and to the alterations and re-arrangement of the said station, and the works, offices, and conveniences connected therewith; and if any difference between the Companies shall arise with reference to the plans for carrying out the works for widening the said lines of railway, or the re-construction and re-arrangement of the said station, or with respect to the rights and interests of the said Companies in the said lines and stations as so widened, re-constructed, and re-arranged, or as to the user by the Companies of the same, such differences shall from time to time be determined by an arbitrator to be appointed by the President of the Institution of Civil Engineers, upon the application of either of the Companies, whose decision shall be final.

Height and span of certain bridges.

6. Subject to the provisions of this Act, the Company may make the arches of the bridges for carrying the railway over the roads next herein-after mentioned of any height and span not less than the height and span herein-after mentioned in connexion therewith; that is to say,

No. on deposited Plan.	Parish.	Description of Road.	Height.	Span.
7	St. Giles', Camberwell - -	Public Road - -	14 ft.	60 ft.
1	Hamlet of Penge, St. Mary, Battersea - -	Do. - -	16 ft.	40 ft.
6	Do. -	Do. - -	15 ft.	25 ft.
75	Beckenham - -	Do. - -	14 ft.	25 ft.

(On the south side of the existing railway.)

As to bridge over the River Ravensbourne.

7. The Company shall construct the works by this Act authorised near to and over the road and approach to the county bridge which crosses the River Ravensbourne in the parish of Bromley, close to their Shortlands Station in the parish of Beckenham, in such a manner as not to injure or interfere with the said bridge or the parapets thereof or the approach thereto, nor to prevent or impede the future improvement of the said bridge and approach by making the said bridge ten feet wider than it is at present on the up stream

side thereof; and the Company shall also construct those works so as to allow of the said road and approach being (at the junction with the said bridge) made conveniently to accommodate the public passing over the said bridge when so widened, and as wide as the same bridge, and continued at a width of not less than thirty feet till it arrives within ten feet of the existing railway bridge over the said road and approach, and thence for the last-mentioned ten feet at a width gradually tapering towards the present railway bridge, but in no case to be less than the width of twenty-five feet, and the height of the new railway bridge shall not in any part be less than fourteen feet in the clear from the level of the said road and approach under the said new railway bridge; and the Company shall be liable to the surveyor of the county of Kent, as representing the inhabitants of the same, for any injury or damage to the said county bridge arising from the said works or the construction of the same or their future maintenance or use; and any works affecting or likely to affect the said county bridge shall be carried out only after notice to and subject to the reasonable satisfaction of the said surveyor; and if any difference between the said surveyor and the engineer of the Company shall arise with reference to the matters aforesaid, such difference shall from time to time be determined by an arbitrator to be appointed by the President of the Institution of Civil Engineers, upon the application of either party, whose decision shall be final.

As to widening railway through Dulwich College estate.

8. And whereas part of the railway to be widened under this Act was originally constructed through the estate of the Governors of Alleyn's College of God's Gift at Dulwich (herein-after called "the governors"), with their consent, and subject to certain agreements between the governors and the Company dated respectively the sixteenth day of April one thousand eight hundred and sixty and the fifth day of November one thousand eight hundred and sixty-two, and the said agreements prescribe the manner in which the said railway should be constructed, and it is expedient that the plans for widening so much of the railway as aforesaid should be carried out in accordance with the provisions of the said agreements so far as the same are applicable thereto:

Be it therefore enacted, that the widening of the said portion of railway passing through the said estate shall, unless otherwise agreed in writing between the Company and the governors, be constructed only subject to and in accordance with the following provisions; that is to say,

(1.) The three bridges carrying the said railway as widened over roads intersecting the said estate, and any works connected

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therewith, shall be so constructed as to leave in every case the same span and headway throughout as the three bridges now carrying the said railway over such roads; and the bridge for carrying the road over the railway intersecting the said estate shall, when altered, be of the full present width thereof throughout, and shall be constructed either by means of two additional openings or by enlarging the present opening, and shall be of the same character and design as the present opening; and all such bridges and works shall be of the same materals, character, and design in all other respects as those of the bridges now carrying the said railway over or under the same roads, as the case may be; and the Company shall use the same means for the purpose of deadening the sound of trains passing over the said bridges and for preventing the percolation of water through the floor thereof as are provided in the case of the said existing bridges.

(2.) If the Company alter any viaduct passing through the said estate, such altered viaduct shall be of the same materials, character, and design in every respect as the existing viaduct, and it shall at all times be lawful for the governors and their tenants of land immediately adjacent to such altered viaduct to have and retain the right of free passage through and under the same, and the right to graze, cut, and carry away the grass or herbage which shall be growing thereunder.

(3.) The Company shall not, under the powers of this Act, except with the consent of the governors, increase the rate of inclination of any road passing through the said estate.

(4.) In case of any dispute arising between the Company and the governors or their surveyor in respect of the execution or completion of the said works, or any of them, the matter in dispute shall be referred to the decision of some person to be nominated by the Board of Trade on the application of either party, whose decision shall be final, and the costs of and incidental to such application and reference shall be within the discretion of such arbitrator.

Saving rights of governors.

9. Nothing in the preceding section shall be deemed to prejudice or affect any right of the governors to compensation in respect of lands taken or injuriously affected by the exercise of the powers of this Act, or to alter, prejudice, or affect any subsisting agreements between the governors and the Company, except in so far as the

same relate to the preparation of plans and the execution of works for which provision is made by the immediately preceding enactment.

Protecting the London, Brighton, and South Coast Railway Company.

10. The widening (No. 1) by this Act authorised shall be subject to the provisions and restrictions herein-after contained for the protection of the London, Brighton, and South Coast Railway Company (herein referred to as the Brighton Company), and such provisions and restrictions shall accordingly be binding upon the Company:

1. In making and maintaining the said widening (No. 1) under the existing line of the Brighton Company, the working of such existing line shall not be in any way interfered with, nor shall such existing line or any of the land, works, or rights of the Brighton Company be in any way disturbed or interfered with.
2. The Company shall so construct the said widening (No. 1) under the railway of the Brighton Company as to enable the Brighton Company at any time and from time to time hereafter to widen their railway at such crossings by the addition of not more than two lines of railway, and the Company shall for that purpose grant to the Brighton Company such additional easements over their lands as may be required for such widening, on such terms as may be agreed on, or, failing agreement, as may be settled by arbitration in manner herein-after provided.
3. Nothing in this Act contained shall extend to diminish, prejudice, alter, or take away any of the rights, privileges, or powers of the Brighton Company, whether under a certain indenture of conveyance bearing date the twelfth day of February one thousand eight hundred and seventy-four, and made between the Company and the Brighton Company, or otherwise than as herein expressly provided.
4. Any difference which may arise between the two Companies under this enactment, or with reference thereto, shall be from time to time settled by arbitration in the manner provided by the Railway Companies Arbitration Act, 1859, for the settlement of disputes by arbitration. 22 & 23 Vict. c. 59.

Protecting Kent Water Company.

11. The Company shall not, without the previous consent in writing of the Company of Proprietors of the Kent Waterworks (in this Act called "the Kent Water Company"), enter upon, take, or use any hereditaments in the parish of Beckenham belonging to or occupied by the Kent Water Company, or over which they have any right of way or other right, to a greater extent than a strip of

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land of an uniform width of five feet measured from the western boundary of the land now occupied by the Company and running parallel thereto.

Protecting the Bromley Local Board.

12. The following provision shall apply to the construction of widening (No. 3) for the protection of the Bromley Local Board; that is to say,

1. The Company shall not stop up the existing footpath leading from Bickley Station towards Chislehurst, nor make the width thereof less than seven feet throughout the same.
2. Whereas the Local Board is about to construct a sewer along the existing roadway leading from Beckenham Road, past the Shortlands Station, to the property described as number 101, in the parish of Beckenham, on the deposited plans: the Company shall construct their widening where it adjoins the line of the said intended sewer in such a manner as to allow reasonable and sufficient room for the construction thereof along the said road, and the widening shall be there constructed in such manner as may be agreed upon between the engineer to the Company and the surveyor to the Bromley Local Board, and in default thereof as shall be decided by an arbitrator to be nominated by the Board of Trade.

As to crossing roads and footpaths in parish of Beckenham.

13. In connexion with the widening (No. 2) and the widening (No. 3) by this Act authorised, the Company shall, previously to the opening of such widenings for public traffic, construct and for ever after maintain, at their own expense, the following works in the parish of Beckenham:

1. An arch or tunnel for foot passengers for carrying the public footpath or highway in the property numbered 2 on the deposited plans under the railway when widened, instead of the existing level crossing, such arch or tunnel to be not less than six feet six inches in width and seven feet in height for the whole width, with a corrugated iron roof or ceiling to prevent droppings from the railway.
2. A footbridge of sufficient strength, and not less than six feet six inches wide at the point of intersection of the public footpath or highway in the property numbered 105 on the deposited plans, for carrying such footpath over the railway when widened instead of the existing crossing.
3. Sufficient culverts and drains for carrying off flood waters shall be constructed under the embankment of

the railway between Bromley Station and Shortlands Station.

Provided always, that when and so soon as the said arch or tunnel and footbridge shall be completed and opened, the respective public footpaths or highways across the railway, for carrying which across the railway the said arch and tunnel and footbridge are respectively provided, shall no longer be used, and all rights of way across and upon the level of the railway at the said points of intersection shall be and the same are hereby extinguished thenceforth and in all time thereafter.

As to bridge over the railway at Beckenham Station.

14. If within two years after the passing of this Act the Beckenham Local Board shall, by writing under the hand of their clerk, require the Company to widen, on the east side thereof, the bridge, numbered 46 on the deposited plans, carrying the main road from Southend to Beckenham over the railway, and for carrying the same over the said widening (No. 2) to such an extent as will allow the aggregate width of the roadway and footpaths over such bridge to be increased to forty-five feet, and shall engage to pay to the Company two thirds of the cost of the widening of the said bridge (such two thirds in no case to exceed the sum of five hundred pounds), in such instalments as the engineer of the Company during the progress of the works for such widening shall from time to time require, the Company shall forthwith proceed to carry into execution the necessary works for such widening, and shall complete the same with all reasonable despatch, so as to be ready as nearly as may be simultaneously with the opening of such widening; and in the event of any difference arising between the engineer of the Company and the surveyor of the Beckenham Local Board with regard to the execution of the said works, or as to the cost of the same, the same shall be referred to and determined by an arbitrator to be named by the Board of Trade on the application of either the said Local Board or of the Company, and the costs of such reference and of any award or awards therein shall be in the discretion of the arbitrator.

As to bridge over road at the Shortlands Station.

15. The bridge for carrying the widening of the railway over the main road from Bromley to Beckenham, numbered 75 on the deposited plans, shall be so constructed as to leave a clear breadth between the buttresses of forty feet, and in such a manner as to admit most conveniently of the construction of whatever works may be required for the enlargement at any future time to the same width of the said road where the same now passes under the Company's railway.

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Protecting the Bromley Palace estate.

16. For the protection of the Bromley Palace estate (in this section called the estate), the following provisions shall be observed and have effect; (that is to say,)

(1.) The Company shall not for any of the purposes of this Act enter upon and take or use any greater quantity of land forming part of the estate, and situate on the northern side of the existing lines of railway, than two roods and thirty-five perches, and which land so to be taken is shown by the colour red on a plan dated the eighth day of May one thousand eight hundred and seventy-nine, signed by William Mills on behalf of the Company, and by Alexander Rose Stenning on behalf of the owners of the estate.

(2.) The Company shall not, in executing the works necessary for altering the bridge No. 35 on the deposited plans, in the parish of Bromley, raise the roadway of the bridge above its present level, nor reduce the width between the parapets thereof, and the Company shall also, at their own expense, plant the abutments of the said bridge with ivy.

(3.) The Company shall, at their own expense, within six calendar months after they shall (under the powers of this Act) take and enter upon any land forming part of the estate, plant on the embankments of their railway for the whole length thereof adjoining the estate a sufficient number of trees and shrubs for the purpose of screening the railway from the Bromley Palace and the park and ornamental grounds occupied therewith.

(4.) Nothing in this Act contained shall annul, alter, or in any way prejudice certain heads of agreement made on or about the twenty-third day of March one thousand eight hundred and seventy-six, between the Company and the trustees of the estate, but that agreement shall remain in full force and shall be binding upon and be carried into effect by the parties thereto.

(5.) If any difference shall at any time arise between the Company and the trustees or owners of the estate touching anything to be done or not to be done under this section, such difference shall be determined by an arbitrator to be agreed on between the parties, or, in default of agreement, to be appointed, on the application of either of them, by the Board of Trade, and the costs of the arbitration shall be borne as he shall direct.

Protecting the Bromley Gas Consumers Company.

17. The Company shall not, without the consent of the Bromley Gas Consumers Company, take any land belonging to that company.

Power to apply corporate funds to purposes of Act.

18. The Company may apply to the purposes of this Act any moneys which they now have in their hands, or which they have power to raise by shares or mortgage, by virtue of any Acts relating to the Company, and which may not be required for the purposes to which they are by any such Acts made specially applicable.

Power to raise additional capital.

19. For the purposes of this Act specially authorised, and also for the contribution by the Company to the capital for the construction of the Dover and Deal Railway authorised by the Dover and Deal Railway Act, 1874, and also for the general purposes of their undertaking, the Company may from time to time raise additional capital by borrowing on mortgage or debenture stock, or by the issue of new preference shares or stock or new ordinary shares or stock, or by any one or more of those modes respectively, to such amount as they think requisite, not exceeding four hundred thousand pounds, and the clauses and provisions of the Companies Clauses Consolidation Act, 1845, with respect to the following matters; (that is to say,) 8 & 9 Vict. c. 16.

The distribution of the capital of the Company into shares;

The transfer or transmission of shares;

The payment of subscriptions and the means of enforcing the payment of calls;

The forfeiture of shares for non-payment of calls;

The remedies of creditors of the Company against the shareholders;

The consolidation of the shares into stock;

The general meetings of the Company and the exercise of the right of voting by the shareholders;

The making of dividends;

The giving of notices; and

The provision to be made for affording access to the special Act by all parties interested;

Part I. (relating to cancellation and surrender of shares), Part II. (relating to additional capital), Part III. (relating to debenture stock) of the Companies Clauses Act, 1863, and, mutatis mutandis, sections 33, 34, and 35 of the second award of the arbitrators under the London, Chatham, and Dover Railway (Arbitration) Act, 1869, shall extend and apply to the Company and to the additional capital which they are by this Act authorised to raise: Provided always, that the powers granted to the Company by the Dover and Deal Railway Act, 1874, to raise money for the purposes of that Act by shares or mortgage, shall be and the same are hereby cancelled and annulled, and shall not be exercised by the Company. 26 & 27 Vict. c. 118.

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Application of moneys raised under this Act.

20. All moneys raised under this Act shall be applied for the works specially authorised by this Act for the contribution to the capital for the construction of the Dover and Deal Railway and for the general purposes of the undertaking of the Company.

Period for compulsory purchase of lands.

21. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of three years from the passing of this Act.

Deposit money not to be repaid except so far as railway opened.

22. 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, chapter twenty, a sum of nine thousand five hundred and forty-eight pounds, being equal to five per centum upon the amount of the estimate in respect of the railway, has been deposited with the Chancery Division of the High Court of Justice in England in respect of the application to Parliament for this Act, which sum is referred to in this Act as the deposit fund: Be it enacted, that, notwithstanding anything contained in the said Act, the deposit fund 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 (which persons, survivors, or survivor are or is in this Act referred to as the depositors), unless the Company shall, previously to the expiration of the period limited by this Act for the completion of the railway, open the same for the public conveyance of passengers: Provided, that if within such period as aforesaid the Company open any portion of the railway for the public conveyance of passengers, then on the production of a certificate of the Board of Trade specifying the length of the portion of the railway opened as aforesaid, and the portion of the deposit fund which bears to the whole of the deposit fund the same proportion that the length of the railway so opened bears to the entire length of the railway, the Court shall, on the application of the depositors, or the majority of them, order the portion of the deposit fund specified in the certificate to be paid or transferred to them or as they shall direct; and the certificate of the Board of Trade shall be sufficient evidence of the facts therein certified, and it shall not be necessary to produce any certificate of this Act having passed, anything in the above-mentioned Act to the contrary notwithstanding.

Application of deposit.

23. If the Company do not previously to the expiration of the period limited by this Act for the completion of the railway complete and open the same for the public conveyance of passengers, then and in every such case the deposit fund, or so much thereof

as shall not have been paid to the depositors, shall be applicable, and after due notice in the London Gazette shall be applied, towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement, construction, or abandonment of the railway, or any portion thereof, or who 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 has been paid, and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Chancery Division of the High Court of Justice in England may seem fit; and if no such compensation is payable, or if a portion of the deposit fund has been found sufficient to satisfy all just claims in respect of such compensation, then the deposit fund, 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 Chancery Division thinks fit to order on the application of the Solicitor of Her Majesty's Treasury, and shall be carried to and form part of the Consolidated Fund of the United Kingdom, or, in the discretion of the 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 deposit fund has been repaid to the depositors, or has 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 depositors.

Period for completion of works.

24. If the railway and works hereby authorised are not completed within five years from the passing of this Act, then on the expiration of that period the powers by this Act granted to the Company for making and completing the railway and works, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as is then completed.

Tolls.

25. The railway shall, for the purpose of tolls, be and be deemed to be part of the main line of the Company between Beckenham and Dover.

Power to acquire additional lands for

26. Subject to the provisions of this Act, and in addition to the other lands which they are by this Act authorised to acquire, the Company may from time to time enter upon, take, use, and

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general purposes of the Company's undertaking.

appropriate for the general purposes of their undertaking and works connected therewith, and for providing increased accommodation, all or any of the lands, houses, and buildings following, delineated on the deposited plans thereof, and described in the deposited books of reference relating thereto respectively; (that is to say,)

Certain lands and buildings adjoining the Holborn Viaduct Station of the Company, in the parish of Saint Sepulchre, in the city of London;

Certain lands adjoining the Company's Kearsney Station, in the parishes of River and Ewell, in the county of Kent;

Certain lands adjoining the Company's Farningham Road Station, in the parish of Sutton-at-Hone, in the county of Kent;

Certain lands adjoining the Company's Swanley Junction Station, in the parish of Sutton-at-Hone, in the county of Kent;

Certain lands adjoining the Company's railway at Penge, in the parish of Beckenham, in the county of Kent;

Certain lands adjoining the Maidstone Extension Line of the Sevenoaks, Maidstone, and Tunbridge Railway Company, in the parish of Maidstone, in the county of Kent;

Certain lands adjoining the Company's railway near Furrell's Wharf, in the parish of Saint Nicholas, Rochester, in the county of Kent:

Protecting John Ross Foord and others.

Provided always, that the Company shall not, without the previous consent in writing of John Ross Foord, Charles Ross Foord, Thomas Hellyar Foord, Edward Ross Foord, William Wildash Foord, Mary Foord, and Elizabeth Sarah Wildash Foord, or the owner or owners thereof for the time being, enter upon, take, use, or appropriate any land in the said parish of St. Nicholas, Rochester, belonging to the persons herein-before named, or such owner or owners thereof as aforesaid, other than that shown as coloured pink on the plan signed by William Mills, the engineer of the Company, and dated the thirtieth day of April one thousand eight hundred and seventy-nine, and the Company shall construct and for ever after maintain a road between the points marked respectively A and B on the said plan of not less than thirty feet in width, which road shall be available without payment to the said John Ross Foord, Charles Ross Foord, Thomas Hellyar Foord, Edward Ross Foord, William Wildash Foord, Mary Foord, and Elizabeth Sarah Wildash Foord, or such other owner or owners, and their respective tenants and others authorised by them in that behalf (not being a railway company, steamboat or other carrying

company), as a means of access for the carriage of goods and merchandise to and from the railway of the Company: Provided also, that the Company shall not enter upon, take, use, or appropriate any land in the said parish of St. Nicholas, Rochester, belonging to the Medway Docks Company without the previous consent of that company under their common seal.

Protecting the Medway Docks Company.

27. The Company on the one hand, and the Corporation of London on the other hand, may make and carry into effect arrangements and agreements with reference to the acquisition by the Company for the purposes of their undertaking, by purchase, of certain lands situate on both sides of Charterhouse Street and partly under the intended new fruit and vegetable market of the said Corporation, adjoining the Company's railway in the parish of Saint Sepulchre in the city of London, and in the parish of St. Sepulchre in the county of Middlesex, or with reference to the acquisition by the Company of an easement or right of way and user in, upon, or under the said lands, or any part thereof, or under the said intended new fruit and vegetable market.

Power to Company to enter into agreements with Corporation of London as to lands on both sides of Charterhouse Street.

28. Where any work to be done under or by virtue of this Act shall or may pass over, under, or by the side of or so as to interfere with any sewer, drain, watercourse, defence, or work under the jurisdiction or control of the Commissioners of Sewers of the City of London, or with any sewers or works to be made or executed by the said Commissioners, or shall or may in any way affect the sewage or drainage of the district under their control, the Company shall not commence such work until they shall have given to the engineer or surveyor of the said Commissioners twenty-eight days previous notice at his office or at the principal office of the Commissioners, with a plan and section showing the course and inclination thereof and other necessary particulars relating thereto, and until such Commissioners shall have signified their approval of the same, unless such Commissioners do not signify their approval, disapproval, or other directions within twenty-eight days after service of the said plan, section, and particulars as aforesaid; and the Company shall comply with and conform to all directions and regulations of the Commissioners in the execution of the said works, and shall provide by new, altered, or substituted works in such manner as such Commissioners may deem necessary for the proper protection of and for preventing injury or impediment to the sewers and works herein-before referred to, or by reason of the said intended works, or any part thereof, and shall save harmless the said Commissioners against all and

Protecting sewers, &c. in the city of London.

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every the expense to be occasioned thereby; and all such works may be done by or under the direction, superintendence, and control of the engineer or other officer or officers of the said Commissioners, and at the costs, charges, and expenses in all respects of the Company; and all reasonable costs, charges, and expenses which the said Commissioners may be put to by reason of the works of the Company, whether in the execution of works, the preparation or examination of plans or designs, superintendence or otherwise, shall be paid to such Commissioners by the Company on demand; and if any dispute shall arise between the Company and the said Commissioners as to the amount of such costs, charges, and expenses, the same shall be settled by a justice of the peace of the city of London, and be a debt due from the Company to the said Commissioners; and when any new, altered, or substituted works as aforesaid, or any works or defence connected therewith, shall be completed by or at the costs, charges, and expenses of the Company under the provisions of this Act, the same shall thereafter be as fully and completely under the direction, jurisdiction, and control of the said Commissioners as any sewers or works now are or hereafter may be; and nothing in this Act shall extend to prejudice, diminish, alter, or take away any of the rights, powers, or authorities vested or to be vested in the said Commissioners or their successors, but all such rights, powers, and authorities shall be as valid and effectual as if this Act had not been passed.

Dividends on Arbitration Preference Stock may be paid half-yearly.

29. So much of Article 50 of the second and final award of the arbitrators appointed by the London, Chatham, and Dover Railway (Arbitration) Act, 1869, as provides that the dividends on the Arbitration Preference Stock of the Company shall be paid yearly, shall be and is hereby repealed, and the Company may make payment of the said dividends half-yearly if and when they shall see fit.

Saving rights of Corporation of city of Rochester.

30. Nothing herein contained shall extend or be construed to extend to take away, lessen, prejudice, alter, damage, or affect any estate, right, title, or interest of the mayor, aldermen, and citizens of the city of Rochester of, in, or to the bed, soil, banks, and shores of the River Medway, or of or to all or any arms, creeks, streams, and indraughts thereof or otherwise, or of, in, or to any tolls, dues, duties, rents, issues, franchises, profits, powers, or authorities, customs, immunities, rights, or privileges of or belonging to the said mayor, aldermen, and citizens of the city of Rochester, other than and except as regards such portions of the bed, soil, banks, and shores of the said river, arms, creeks, streams, and

indraughts, and such rights and privileges as the Company are authorised to purchase or acquire under the provisions of this Act.

Saving certain agreements, &c.

31. Nothing in this Act contained shall be deemed or construed to enlarge, prejudice, or in any way affect any agreement made between John Cator, of Beckenham Place, in the county of Kent, Esquire, of the first part, and the West London and Crystal Palace Railway Company of the other part, nor the covenants and provisions of a certain indenture dated twenty-sixth February one thousand eight hundred and sixty-seven, and made between John Farnaby Lennard, of Wickham Court, in the county of Kent, Esquire, and John Thomas Cator, of Ackworth, in the county of York, Esquire, of the first part, Albemarle Cator, of Beckenham Place, in the county of Kent, Esquire, of the second part, and the London, Chatham, and Dover Railway Company of the third part, or render such agreement or indenture respectively more valid, lawful, or effectual than the same would have been if this Act had not been passed.

Saving rights of Crown in foreshore.

32. Nothing contained in this Act shall authorise the Company to take, use, or in any manner interfere with any portion of the shore or bed of the sea, or of any river, channel, creek, bay, or estuary, or any right in respect thereof, belonging to the Queen's most Excellent Majesty in right of her Crown, and under the management of the Board of Trade, without the previous consent in writing of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may give), neither shall anything in this Act contained extend to take away, prejudice, diminish, or alter any of the estates, privileges, powers, or authorities vested in or enjoyed or exerciseable by the Queen's Majesty, her heirs and successors.

Interest not to be paid on calls paid up.

33. The Company shall not, out of any money by this Act authorised to be raised, pay interest or dividend to any holder of stock on the amount of the instalments paid in respect of the stock held by him; but nothing in this Act shall prevent the Company from paying any holder of stock such interest on money advanced by him beyond the amount of the instalments actually called for as is in conformity with the Companies Clauses Consolidation Act, 1845.

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

34. 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

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to Parliament for an Act authorising them to construct any other railway or to execute any other work or undertaking.

Company not exempt from provisions of present or future general Railway Acts.

35. Nothing in this Act contained shall exempt the Company or the railway from the provisions of any general Act relating to railways, or the better or more impartial audit of the accounts of railway companies, now in force, or which may hereafter pass during this or any future session of Parliament, or from any future revision or alteration, under the authority of Parliament, of the maximum rates of fares and charges or of the rates for small parcels.

Expenses of Act.

36. 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.

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