ANNO VICESIMO QUINTO & VICESIMO SEXTO

VICTORIÆ REGINÆ.

****

Cap. cxcii.

An Act to authorize the *London, Chatham, and Dover* Railway Company to construct additional Works and acquire additional Land in *Kent* and *Surrey*; and for other Purposes connected with their Undertakings. [29th *July* 1862.]

WHEREAS by " The *East Kent* Railway Act, 1853," a Company was incorporated by the Name of " The *East Kent* Railway Company," (but now, by virtue of " The *London, Chatham, and Dover* Railway Act, 1859," styled " The *London, Chatham, and Dover* Railway Company," and herein-after referred to as " the Company,") for making a Railway from *Strood* to *Canterbury*, with Branches to *Faversham* Quays and *Chilham*: And whereas by " The *East Kent* Railway (Extension to *Dover*) Act, 1855," (herein-after referred to as " the *Dover* Act,") the Company were authorized to make a Railway from *Canterbury* to *Dover*, and a Branch Railway or Tramway to connect that Railway with the Admiralty Pier at *Dover*, and other Works: And whereas the Company have constructed the Railway, but have not constructed the Branch Railways or Tramways, by the *Dover* Act authorized, and the Period by that Act limited for the Exercise of the Powers of the Company for making the same has expired: And whereas

16 & 17 Vict. c. cxxxii.

18 & 19 Vict. c. cvii.

whereas it is expedient that the Powers of the Company for making the Branch Railway or Tramway to connect their Railway with the Admiralty Pier at *Dover* be renewed: And whereas by the *Dover* Act it was enacted, that it should not be lawful for the Company to carry the Railway across the Road called *Black Horse Lane*, and numbered on the Plans deposited, as in that Act mentioned, 7 in the Parish of *Charlton*, on the Level thereof, but that in lieu of so doing the Company should carry that Road over the Railway by means of a Bridge, and that for that Purpose it should be lawful for the Company to make a Diversion of that Road in the Field numbered on the said Plans 8 in the Parish of *Charlton*, but that no Part of such Diversion should be made or extend beyond the Limits of Deviation marked on the said Plans: And whereas in order to conform to the Restrictions of that Act relating to that Diversion the Company have made the diverted Road of an Inclination of One in Thirteen, but they are willing to improve the same if empowered so to do, but for that Purpose it is necessary that they be authorized to alter the Line and Levels of that Road, and of a Portion of *Black Horse Lane* aforesaid, extending beyond the said Limits of Deviation, and beyond the Field numbered 8 in the Parish of *Charlton* aforesaid: And whereas the Road numbered on the said Plans 16 in the Parish of *River* crosses the Railway constructed under the *Dover* Act on the Level thereof; and it is expedient that the Portion of that Road on which that level Crossing occurs be stopped up, and another Road substituted therefor: And whereas *Christopher Phipps* is or claims to be the Owner of the Lands numbered respectively 1 and 6 in the Parish of *River* on the Plans deposited for the Purposes of this Act, and a substituted Road might with Advantage to all Parties be made through the said Lands: And whereas the Heads of Agreement contained in the Schedule to this Act annexed have been made between *George Gunnell Newman* acting as Agent for the Company and *Filmer Phipps* acting as Agent for the said *Christopher Phipps*, and it is expedient that such Agreement be confirmed and be made binding both on the Company and upon the said *Christopher Phipps*: And whereas by "The *East Kent* Railway (Western Extension) Act, 1858," (herein-after referred to as "the Western Extension Act,") the Company were empowered to make a Railway from their Bridge over the River *Medway* to join the *Mid Kent* Railway (*Bromley* to *St. Mary's Cray*), and called "the Western Extension:" And whereas by "The *London, Chatham, and Dover* Railway (Metropolitan Extensions) Act, 1860," (herein-after referred to as "the Metropolitan Extensions Act,") the Company were authorized to make certain Railways and Works (in that Act and herein-after included under the Name of "the Metropolitan Extensions") embracing Three Sections, one of which Sections, called "the City Section," included a Railway, No. 2, with a Bridge in the Line of that Railway for carrying the same over the River *Thames* at *Blackfriars*, and another of which Sections, called "the West End Section," included a Railway,

21 & 22 Vict. c. cvii.

23 & 24 Vict. c. clxxvii.

Railway, No. 3, commencing at *Herne Hill*, and terminating, in manner in that Act provided, in the Parish of *Saint Mary Battersea* and County of *Surrey* by a Junction with the Line of Railway leading to the Line of the *Victoria Station and Pimlico* Railway Company: And whereas by the Metropolitan Extension Act (Section Sixty-three) it was (amongst other things) enacted, that the said Bridge for carrying the Railway across the River *Thames* should be executed according to a Plan and Elevation and upon a Site to be approved by the Conservators of the River *Thames*, and deposited at their Office, and that the Works in the River *Thames* and adjoining thereto should be executed and performed to the Satisfaction of the Engineer for the Time being of the Conservators, and that the clear Height of the Headway under the Soffit of the said Bridge should be nowhere less than Twenty-seven Feet above Trinity High-water Mark: And whereas by the same Act (Sections Fifty-nine and Sixty-nine) the Plans of the said Bridge are also required to be approved by the Admiralty and by the Lord Mayor, Aldermen, and Commons of the City of *London* in Common Council assembled: And whereas the Definition of the Headway, by reference to the Soffit of the said Bridge, is inexpedient and unnecessary, and it is expedient that the same be repealed, and that other Provisions be made with reference to the Headway under that Bridge: And whereas it is expedient that the Company should be empowered to make and maintain a Railway (herein-after distinguished as "the Junction Railway") to connect the Line of the aforesaid Railway, No. 3, included in the West End Section of the Metropolitan Extensions with the *West London* Extension Railway: And whereas it is expedient that the Company be authorized to purchase and take compulsorily or by Agreement, for Station Accommodation and other Purposes of their Undertakings, certain Lands and Houses in the several Parishes of *Saint Mary the Virgin* in the Borough of *Dover*, *Hougham* near *Dover*, *Saint Nicholas Rochester*, *Sittingbourne*, and *Preston*, all in the County of *Kent*, and *Christchurch* in the County of *Surrey*, and to lay down Rails across *Holland Street* in the said Parish of *Christchurch* for the Purpose of connecting the Stations and Premises of the Company on each Side of that Street: And whereas Plans and Sections of the intended Railways or Tramways, Junction Railway, and Alteration of *Black Horse Lane*, showing the respective Lines and Levels thereof, and Books of Reference to those Plans containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands to be taken or which may be taken for the Purposes of those Works, and also Plans of the Lands required by the Company for Station Accommodation and other Purposes of their Undertakings as aforesaid, with Books of Reference to those Plans, have been deposited for public Inspection with the respective Clerks of the Peace for the Counties of *Kent* and *Surrey*, and on those last-mentioned Plans the Lands which may be taken by the Company are included within a Red Line: And whereas by "The *London, Chatham, and Dover* Railway (Capital) Act, 23 & 24 Vict. c. clxxxvii.

Act, 1860," (herein-after referred to as "the Capital Act, 1860,") the general Capital of the Company (exclusive of Capital for the Purposes of the Western Extension Act, and subject to any Increase under any other Act of that Session) was declared to be the Sum of One million five hundred and eighty thousand Pounds, consisting of Seven hundred thousand Pounds Ordinary Capital (by the Act now in recital converted into Ordinary Capital Stock), Five hundred thousand Pounds First Preferential Capital authorized by the *Dover* Act (by the Act now in recital converted into First Preferential Capital Stock), and Eighty thousand Pounds Preferential Capital authorized by "The *London, Chatham, and Dover* Railway Act, 1859," (herein-after referred to as "the Act of 1859,") and Three hundred thousand Pounds Preferential Capital by the Act now in recital authorized, and the Capital of the Company for the Purposes of the Western Extension was declared to be the Sum of Three hundred and ninety thousand Pounds, consisting of the Capital of Three hundred thousand Pounds by the Western Extension Act authorized, and the further Capital of Ninety thousand Pounds by the Act now in recital authorized: And whereas by the Metropolitan Extensions Act the Company were authorized to raise One million six hundred and fifty thousand Pounds for the Purposes of the Metropolitan Extensions by Metropolitan Extension Shares or Stock, and One hundred thousand Pounds for the Purchase of Steam Boats and other Purposes by Preferential Shares or Stock in their general Undertaking, and to borrow on the Security of the Metropolitan Extensions Five hundred and fifty thousand Pounds, and on the Security of their general Undertaking (excluding the Metropolitan Extensions and the Western Extension) Thirty-three thousand Pounds: And whereas the Metropolitan Extensions Act enacted, that the Profits of the Metropolitan Extensions applicable to Dividend from Time to Time should be applied, in the first place, in Payment of Dividend on the Metropolitan Extension Shares until a Dividend of such Amount (not exceeding Six *per Centum per Annum*) as the Company at any Meeting should attach to those Shares should have been paid on the total Amount from Time to Time paid up on those Shares, and that (subject thereto, and also to such (if any) additional Capital for any Purposes in connexion with the Metropolitan Extensions as Parliament might thereafter sanction,) the Residue of those Profits should fall into and become Part of the general Profits of the Company, and that Act excluded the Holders of Metropolitan Extension Shares from Interest or Dividend out of any Profits of the Company except the Metropolitan Extensions: And whereas, under the Powers of the Metropolitan Extensions Act, the Company have created and issued the said Sum of One million six hundred and fifty thousand Pounds in Shares of Ten Pounds each, whereof Eighty-two thousand five hundred are denominated "Metropolitan Extension Half Shares A," and Eighty-two thousand five hundred are denominated "Metropolitan Extension Half Shares B," and such last-named Shares are entitled to a preferential Dividend

London, Chatham, and Dover Railway (Additional Powers) Act, 1862.

Dividend of Six *per Centum per Annum*: And whereas by "The *West London and Crystal Palace* Railway (Transfer of *Farnborough* Extension and Dissolution of Company) Act, 1860," (herein-after referred to as "the Transfer Act,") an Agreement for the Sale of the completed Portion of the Extension to *Farnborough* Railway (being Part of the Undertaking of the *West End of London and Crystal Palace* Railway Company) to the Company was confirmed, and the Company were empowered to complete the Remainder of that Railway, and for the Purposes of that Act the Company were authorized to raise, either wholly by Stock (to be distinguished as *Farnborough* Extension Stock), or partly by such Stock and partly by borrowing on Mortgage, One hundred and ninety thousand Pounds: And whereas the Transfer Act enacted, that the Profits of the said Extension to *Farnborough* Railway applicable to Dividend should be applied, in the first place, in Payment of Dividend on the *Farnborough* Extension Stock until a Dividend of such Amount (not exceeding Six *per Centum per Annum*) as the Company at any Meeting should attach to that Stock should have been paid on the total Amount of that Stock from Time to Time created, and that, subject thereto, and also subject to any further Capital for the Purposes of that Extension which Parliament might thereafter sanction, the Residue of the Profits should fall into and become Part of the general Profits of the Company, and that Act excluded the *Farnborough* Extension Stock, and Mortgages granted by the Company under that Act, from any Charge or Lien upon, or Interest, Dividend, or other Payment out of, any Profits of the Company, except the Profits of the said Extension to *Farnborough* Railway: And whereas by "The *London, Chatham, and Dover* Railway (Various Powers) Act, 1861," (herein-after referred to as "the Various Powers Act, 1861,") the Company were authorized to raise the further Sum of Three hundred and twenty thousand Pounds by new Shares in their general Undertaking, and One hundred and seventy thousand Pounds by new Shares in the Western Extension, or (after the Union thereof with their general Undertaking) in their general Undertaking: And whereas by the same Act the Company were authorized to raise a further Sum of Sixty thousand Pounds by new Shares in their general Undertaking, and to attach thereto a preferential Dividend, not exceeding the Rate of Five Pounds *per Centum per Annum*, out of their general Profits *pari passu* with the current and future Dividends on the First Preferential Capital created under the *Dover* Act, and which Sum was to be applied to the Discharge of Arrears of guaranteed Interest on the said First Preferential Capital, and to be redeemed by a Sinking Fund of Five thousand Pounds *per Annum* to be set apart out of the general Profits of the Company: And whereas the Company, with the unanimous Sanction of an Extraordinary Meeting of the Shareholders, created Two thousand four hundred new Shares of Twenty-five Pounds each for raising the said Sum of Sixty thousand Pounds, and attached to those Shares a fixed preferential

23 & 24 Vict. c. clxxiv.

24 & 25 Vict. c. ccxxxix.

Dividend of Five Pounds *per Centum* out of the general Profits of the Company *pari passu* with the current and future Dividends on the *Dover* Extension Capital of Five hundred thousand Pounds, and to be redeemable as aforesaid: And whereas by the Various Powers Act, 1861, Powers were given for the Union and Merger of the Western Extension, and the Profits thereof, with and in the general Undertaking and general Profits of the Company (from which the same had in previous Acts been to some Extent severed and distinguished), for a Consideration by way of perpetual Rentcharge, and which Rentcharge was to be subject and without Prejudice to all Mortgages, Bonds, and Debenture Stock granted or created by the Company before the Time at which such Union was to take effect, and then charged or attaching, or by the Act now in recital charged or attached, on the Profits of the general Undertaking, but to be paid before Payment of Dividend or Interest on any other Stock or any other Shares entitled to Dividend or Interest out of those Profits: And whereas, in execution of the Powers in that Behalf given by the Various Powers Act, 1861, the Western Extension, and the Profits thereof, have been united to and merged in the general Undertaking and Profits of the Company, as from the First Day of *January* One thousand eight hundred and sixty-two, in consideration of a Rentcharge (herein-after designated "the Western Extension Rentcharge"), being the Aggregate of an annual Sum equal to the Interest payable in and for each Year upon the existing Mortgages, Bonds, and Debentures charged on or attaching to the Western Extension, and amounting to One hundred and eighty-six thousand six hundred Pounds, and the further annual Sum of Twenty-eight thousand eight hundred Pounds for Payment of Interest or Dividend upon the Shares or Stock in the Western Extension: And whereas at the separate Meetings of the Holders of Shares and Stock entitled to Dividend or Interest out of the Profits of the Western Extension and out of the general Profits of the Company held for the Purpose of effecting the Union authorized by the Various Powers Act, 1861, it was resolved that the said annual Sum of Twenty-eight thousand eight hundred Pounds should be payable half-yearly, and should be applied as follows; (to wit,) Fourteen thousand four hundred Pounds in Payment of Dividend at the Rate of Six *per Centum per Annum* upon One hundred and fifty thousand Pounds represented by the Western Extension Half Shares B, and upon Ninety thousand Pounds represented by the Western Extension (*Bromley* Section) Shares, and Six thousand seven hundred and fifty Pounds in the Payment of Dividend at the Rate of Four Pounds Ten Shillings *per Centum per Annum* upon One hundred and fifty thousand Pounds represented by the Western Extension Half Shares A, and Seven thousand six hundred and fifty Pounds in Payment of Dividend at the last-mentioned Rate upon One hundred and seventy thousand Pounds represented by Six thousand eight hundred Western Extension new Shares, 1861, and that the Holders of Shares or Stock in the Western

Extension

London, Chatham, and Dover Railway (Additional Powers) Act, 1862.

Extension should not participate further or otherwise in the Profits of the Company: And whereas Six thousand eight hundred Western Extension new Shares, 1861, representing the said Sum of One hundred and seventy thousand Pounds, had been previously created by a General Meeting of the Company, with a preferential Interest or Dividend of Six *per Centum per Annum* out of the Profits of the Western Extension, but had not been issued, and at the aforesaid separate Meetings it had been resolved to cancel those Shares, and to create others entitled to Dividend at the Rate of Four Pounds Ten Shillings *per Centum per Annum*: And whereas it is expedient that Effect be given to those Resolutions: And whereas by "The *London, Chatham, and Dover* Railway (Works) Act, 1861," (herein-after referred to as "the Works Act, 1861,") the Company were authorized to construct a Railway, therein named the *Long Hedge* Junction, in connexion with the Metropolitan Extensions, but were not authorized to raise any Money for that Purpose: And whereas by the same Act the Company were authorized to construct other Railways, and to raise for the Purposes of that Act (except the *Long Hedge* Junction and the Railways therein named respectively "the *Bromley* Deviation" and "the *Bromley* Junction") and by the Creation of new Shares in their general Undertaking the further Sum of One hundred and twenty-nine thousand Pounds, and the Monies by the Transfer Act authorized to be raised were made applicable to the Construction of the *Bromley* Deviation and *Bromley* Junction, and the Monies by the Metropolitan Extensions Act authorized to be raised were made applicable to the Construction of the *Long Hedge* Junction: And whereas the Company have created and issued new Shares bearing a preferential Dividend of Six Pounds *per Centum per Annum* for the Purpose of raising the additional Capital of Eighty thousand Pounds authorized by the Act of 1859, and Three hundred thousand Pounds authorized by the Capital Act, 1860: And whereas the Company have also created and issued Four thousand new Shares of Twenty-five Pounds each for the Purpose of raising the additional Capital of One hundred thousand Pounds authorized by the Metropolitan Extensions Act, and Twelve thousand eight hundred new Shares of Twenty-five Pounds each for the Purpose of raising the additional Capital of Three hundred and twenty thousand Pounds authorized by the Various Powers Act, 1861: And whereas at the General Meeting which created the said Four thousand new Shares, and Twelve thousand eight hundred new Shares, the Company resolved that those Shares respectively should be entitled to a fixed preferential Dividend not exceeding Six Pounds *per Centum per Annum* out of the Profits of the general Undertaking *pari passu* with the Dividends upon the said additional Capitals of Eighty thousand Pounds and Three hundred thousand Pounds, subject to the Consent of the Holders of the Shares in the Two last-mentioned Capitals being obtained: And whereas it is expedient that the aforesaid additional Capitals of Eighty

24 & 25 Vict. c. ccxl.

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Eighty thousand Pounds, Three hundred thousand Pounds, One hundred thousand Pounds, and Three hundred and twenty thousand Pounds, in the general Undertaking, making together Eight hundred thousand Pounds, be (with the Consent of the Holders of all the Shares in the said Capitals of Eighty thousand Pounds and Three hundred thousand Pounds respectively, but not otherwise,) consolidated, and form the Second Preferential Capital of the general Undertaking: And whereas the Company have not created any *Farnborough* Extension Stock, and it is expedient that their Powers for creating the same be repealed, and that the Extension to *Farnborough* Railway be made Part of their general Undertaking: And whereas it is expedient that the Company be authorized for the respective Purposes of the Transfer Act, and of this Act, and for other Purposes in connexion with their general Undertaking, to raise additional Capital as the Third Preferential Capital of the general Undertaking: And whereas for the Purpose of raising the additional Capital of One hundred and twenty-nine thousand Pounds authorized by the Works Act, 1861, the Company, in the Month of *April* One thousand eight hundred and sixty-two, created Five thousand one hundred and sixty Shares of Twenty-five Pounds each, with a fixed preferential Dividend of Six Pounds *per Centum per Annum* out of the Profits of the general Undertaking: And whereas it is expedient, and the Holders of those last-mentioned Shares have consented, that the Dividends thereon should rank *pari passu* with the Dividends on all other Monies by this Act authorized to be raised as Part of the Third Preferential Capital of their general Undertaking: And whereas it is expedient that the Company be authorized to raise further Capital for the Purposes of the Metropolitan Extensions: And whereas the Company have incurred and must incur a very large Expenditure in and about the Construction of Terminal, Passenger, and Goods Stations, Assorting Stations, Workshops, Factories, Buildings, Engine Sheds, Works, and Conveniences for the Accommodation of Through and International Traffic of all Descriptions, and in and about other Purposes for the common Benefit of the Metropolitan Extensions and of their general Undertaking; and in order to raise Money for defraying such Expenditure it is expedient that Part of the Charges in respect of Traffic arising from both Undertakings be reserved as a common Fund to be appropriated to the Payment of Dividend and Interest thereon: And whereas it is expedient that the recited Acts be in other respects amended: And whereas the Objects aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

1. This

London, Chatham, and Dover Railway (Additional Powers) Act, 1862.

Short Title.

1. This Act may be cited for any Purpose as "*London, Chatham, and Dover* Railway (Additional Powers) Act, 1862."

8 & 9 Vict. cc. 18. and 20. and 23 & 24 Vict. c. 106. incorporated.

2. "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," and "The Railways Clauses Consolidation Act, 1845," (except in so far as those Acts are expressly altered by this Act,) shall be incorporated with and form Part of this Act, and shall extend and apply to all the Works and Purposes by this Act authorized.

Certain Provisions of 8 & 9 Vict. c. 16. incorporated.

3. The Clauses and Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the Distribution of the Capital of the Company into Shares, with respect to the Transfer or Transmission of Shares, with respect to the Payment of Subscriptions and the Means of enforcing the Payment of Calls, with respect to the Forfeiture of Shares for Nonpayment of Calls, with respect to the Remedies of the Creditors of the Company against the Shareholders, with respect to the borrowing of Money by the Company on Mortgage or Bond, with respect to the Conversion of the borrowed Money into Capital, with respect to the Consolidation of the Shares into Stock, and with respect to the making of Dividends, shall be incorporated with this Act, and shall, in all Particulars not otherwise provided for by or under the Powers of this Act, respectively apply to all Shares and Stock created and to all Mortgages granted and Monies borrowed under the Powers of this Act by the Company; and in those Clauses and Provisions the Expression "the Undertaking" shall mean the Undertaking of the Company, for the Purposes whereof the respective Shares or Stock are or is authorized to be raised, or the respective Monies are authorized to be borrowed.

Interpretation of Terms.

4. In construing this Act, and, in connexion with this Act, the Acts and Parts of Acts incorporated with this Act, the following Words and Expressions shall, unless the Subject or Context be repugnant to or inconsistent with such Construction, have the respective Meanings herein-after assigned to them; (that is to say,)

The Expression "the Special Act" shall mean this Act:

The Expression "the Company," and the Expression "the Promoters of the Undertaking," shall respectively mean the *London, Chatham, and Dover* Railway Company:

The Expression "the Railway" shall include all the Works by this Act authorized:

The Expression "the general Undertaking" shall mean the Undertaking of the Company as authorized by "The *East Kent* Railway Act, 1853," the *Dover* Act, and the Western Extension Act, and the Railways, Works, and Lands by the Works Act, 1861, declared

Part of their general Undertaking, and shall also include the Extension to *Farnborough* Railway:

The Expression "the general Profits of the Company" shall mean all the Profits applicable to Dividend of the general Undertaking, except the common Fund as herein-after defined, and so much (and so much only) of all other Profits of the Company applicable to Dividend as is not from Time to Time applicable to Payment of Interest or Dividend on Capital authorized for any separate Undertaking of the Company:

The Expression "Superior Courts" shall include all Courts of competent Jurisdiction:

The Expression "Clerks of the several Parishes in *England*," and the Expression "Parish Clerks," in "The Railways Clauses Consolidation Act, 1845," shall, as regards each of the Parishes or Places of *Saint Mary Battersea*, *Clapham*, and *Christ Church*, in the County of *Surrey*, mean respectively the Clerk of the District Board of Works for the District in which, under the Act Eighteen and Nineteen *Victoria*, Chapter One hundred and twenty, for the better Local Management of the Metropolis, that Parish or Place is included.

Same Meaning to other Terms as in Acts incorporated.

5. All Words and Expressions to which, by the Acts wholly or partially incorporated with this Act, Meanings are assigned, have in this Act the respective Meanings so assigned to them, unless the Subject or Context be repugnant to or inconsistent with such Construction, or other Meanings be assigned to them by this Act.

Provision as to Height of Bridge over Thames repealed.

6. So much of the Sixty-third Section of the Metropolitan Extensions Act as enacts that "the clear Height of the Headway under the Soffit of the said Bridge shall be nowhere less than Twenty-seven Feet above Trinity High-water Mark" is hereby repealed.

Other Provisions substituted.

7. The clear Height of the Headway under each Arch or Opening of the Bridge mentioned in the Sixty-third Section of the Metropolitan Extensions Act above Trinity High-water Mark shall (subject to the other Provisions of that Act relating to that Bridge now in force) be such Height as the Conservators of the River *Thames* may sanction, not being less at the Centre of the centre Arch or Opening of the said Bridge than Twenty-seven Feet, nor less than Twenty-five Feet in the Centre of all other of such Openings.

Saving Conservators Rights.

8. Nothing in this Act contained shall (except as in this Act expressly provided) extend or be construed to extend to prejudice or derogate from the Estates, Rights, Interests, Liberties, Privileges, or Franchises of the Conservators of the River *Thames*, or to prohibit, defeat, alter, or

or diminish any Power, Authority, or Jurisdiction which at the Time of passing this Act the said Conservators did or might lawfully claim, use, or exercise.

Appointment of new Bridge Trustees.

9. If and whenever any or either of the Trustees named in the Sixty-fourth Section of the Metropolitan Extensions Act, or appointed under this Section, shall die, resign, refuse to act, go to reside abroad, or become incapable of acting in the Execution of the Trusts or Purposes of that Section, then or at any Time thereafter the Conservators of the River *Thames* may, by Writing duly stamped and under the Hand of their Secretary for the Time being, appoint a Trustee in the Room of each Person so dying, resigning, refusing, going to reside abroad, or becoming incapable; and upon every such Appointment the Sum of Five thousand Pounds in that Sixty-fourth Section mentioned, and the Stock in which the same is invested, and the Interest, Dividends, and Accumulations thereof, shall be so transferred that the same may become vested in the new Trustee or Trustees jointly with the surviving or continuing Trustees or Trustee, or solely, as the Case may require; and every such new Trustee shall have the same Powers, Authorities, and Duties as if he had been named as a Trustee in that Sixty-fourth Section.

Power to make Works according to deposited Plans.

10. Subject to the Provisions and Powers of Deviation in this Act and the incorporated Acts contained, the Company may make the intended Alteration of Road, and may make and maintain the intended Railway and Railway or Tramway and other Works herein-after described, in the respective Lines or Courses and upon the Lands delineated on the Plans and described in the Books of Reference, and according to the Levels defined on the Sections deposited for the Purposes of this Act as aforesaid, and may enter upon, take, and use such of those Lands as they think necessary for those Purposes.

Description of new Lines.

11. The Works by this Act authorized to be constructed comprise the following; (that is to say,)

A Railway or Tramway wholly within the Parish of *Saint Mary the Virgin* in the Borough of *Dover* and County of *Kent*, commencing by a Junction with the Railway of the Company near *Strond Lane*, and terminating at the Landward Extremity of the Admiralty Pier at a Point upon the said Railway or Tramway Two Furlongs Two Chains and Eighty Links or thereabouts on the Plans thereof deposited as aforesaid:

The Alteration of the Levels, and Alteration, Widening, and Improvement of the Line of *Black Horse Lane* in the Parish of *Charlton* in the County of *Kent* from the Point where that Lane joins the Turnpike

pike Road leading from *Canterbury* to *Dover* to the Bridge carrying that Lane over the Railway of the Company:

A Railway (in this Act named "the Junction Railway") commencing in the Parish of *Clapham* in the County of *Surrey* by a Junction with the Railway No. 3 (West End Section) of the Metropolitan Extensions, and terminating in the Parish of *Saint Mary Battersea* in the County of *Surrey* by a Junction with the *West London Extension* Railway.

Power to alter Engineering Works.

12. Notwithstanding anything in "The Railways Clauses Consolidation Act, 1845," contained, the Company, in the Construction of the Railways by this Act or by the Metropolitan Extensions Act authorized, and of the said Railway or Tramway, may deviate from the Line and Levels of any Arches, Tunnels, or Viaducts described in the respective Plans and Sections deposited for the Purposes of this Act and of that Act, so as the Deviations be made within the respective Limits of Deviation shown on those Plans, and subject to the Provisions and Limitations contained in the Eleventh, Twelfth, and Fifteenth Sections of "The Railways Clauses Consolidation Act, 1845," and in the Twenty-sixth, Twenty-seventh, Twenty-eighth, Twenty-ninth, Sixty-ninth, Seventieth, Seventy-first, Seventy-third, and Seventy-eighth Sections of the Metropolitan Extensions Act, and so as the Nature of the Work as described be not altered; and they may also, subject to the Provisions and Limitations aforesaid, substitute any other Engineering Work not shown on those Plans or Sections, instead of a Tunnel, Viaduct, Arch or Arches, as shown thereon: Provided that every such Substitution be authorized by a Certificate of the Board of Trade, and the said Board is hereby empowered to grant such Certificates, provided it shall appear to them, upon due Inquiry, that the Company has acted in the Matter with good Faith, and that the Owners, Lessees, and Occupiers of the Land in which the Substitution is intended to be made consent thereto, and also that the Safety and Convenience of the Public will not be diminished thereby: Provided that nothing herein contained shall take away or affect any of the Powers given to the Company or to the Board of Trade by the Eleventh, Twelfth, Fourteenth, or Fifteenth Sections of "The Railways Clauses Consolidation Act, 1845" (except so far as the same may be taken away or affected by the aforesaid Sections of the Metropolitan Extensions Act).

Tramways may be carried across certain Roads on the Level.

13. In constructing the Railway or Tramway by this Act authorized the Company may carry the same across and on the Level of the Roads which, on the Plans deposited for the Purposes of this Act, are numbered respectively 2, 17, 30, and 35, in the said Parish of *Saint Mary the Virgin*: Provided always, that while the Railway or Tramway crossing either of those Roads consists of a Single Line not more than a Single Line of Way, and when the same consists of a Double Line not more than a Double Line of

of Way, shall be laid by the Company across such Road: Provided also, that Carriages propelled by Steam or by atmospheric Agency, or drawn by Ropes in connexion with a Stationary Engine, shall not be used on the said Railway or Tramway until the widening and altering of *Snargate Street* Railway Bridge and *Limekiln Street*, and the Continuation thereof to *Council House Street*, and the widening of the Street leading from *Snargate Street* to *Strond Street*, and of Part of *Strond Street*, shall be completed as by this Act provided.

Provisions as to level Crossings at Dover.

14. From and after the Period at which the Company shall, under this Act, be entitled to run Locomotive Engines on the said Railway or Tramway where the same crosses the public Carriage Road, numbered 30, in the said Parish of *Saint Mary the Virgin*, they shall abide by the Regulations following; (that is to say,)

1. The Speed of the Engine in crossing the said Road shall not exceed Four Miles an Hour:
2. No Carriages or Trucks propelled by Engines, and no Engines, shall cross the said Road unless immediately preceded respectively by Two Servants of the Company on Foot, to be appointed by the Company for that Purpose:
3. If at any Time the *Dover* Harbour Board or the Local Board of *Dover* shall require the Company to erect and maintain any Fences, Chains, Gates, or other mechanical Means for the Protection of the Public during the Passage of Trains across such level Crossing, the Company shall forthwith, at their own Cost, erect and maintain the same accordingly, to the Satisfaction of the Board requiring the same, and shall abide by and conform to all Directions and Regulations of such Board in reference thereto.

Trains not to shunt on level Crossings.

15. It shall not be lawful for the Company in shunting Trains to pass any Train, Truck, Engine, or Carriage over the level Crossing, or to allow any Train to stand across the same.

Rails not to be laid within a certain Distance of the Lord Warden Hotel.

16. The Company in constructing the said Railway or Tramway past or near to the *Lord Warden* Hotel shall not lay any Rail within Twenty Feet of the external Area Walls of such Hotel, nor do any Act which shall prevent or obstruct the Use of the Space of Twenty Feet so to be left between the said Railway or Tramway and the said external Area Wall for the Purposes of a Road.

Inclination of Road.

17. The Company may make the altered Portion of *Black Horse Lane* of any Inclination not steeper than One in Sixteen.

Certain Sections of the Dover Act

18. The Sections of the *Dover* Act, numbered respectively Twelve, Thirteen, and Fifteen, giving to Her Majesty's Principal Secretary of State

relating to Works under Control of the War Department applied to this Act.

State for the War Department the Control of certain Works, and of the Powers of the Company for taking certain Property, shall extend and apply to the Railway or Tramway in the Borough of *Dover* by this Act authorized, and to the Powers by this Act given to the Company relative thereto, and for taking Lands or Property for the same, as fully and effectually as if those Sections were in this Act re-enacted with especial Reference to that Railway or Tramway and Powers.

Plans of Works affecting River Thames to be approved by the Admiralty before commencing.

19. Previously to commencing any Work affecting the River *Thames* the Company shall deposit at the Admiralty Office Plans, Sections, and Working Drawings of the said Work for the Approval of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral aforesaid, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty, and such Work shall be constructed only in accordance with such Approval; and when any such Work shall have been commenced or constructed it shall not be lawful for the Company at any Time to alter or extend the same without obtaining, previously to making any such Alteration or Extension, the like Consent or Approval; and if any such Work shall be commenced or completed, or be altered, extended, or constructed, contrary to the Provisions of this Act, it shall be lawful for the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, to abate, alter, and remove the same, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly, with Costs of Suits, or may be recovered, with Costs, as a Penalty is or may be recoverable from the Company.

Plans, &c. of certain other Works to be approved by the Admiralty before commencing.

20. Previously to commencing the Railway or Tramway to the Admiralty Pier at *Dover*, or the Works respectively connected therewith, the Company shall deposit at the Admiralty Office Plans, Sections, and Working Drawings of the Railway or Tramway to the Admiralty Pier at *Dover*, and the Works connected therewith, for the Approval of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral aforesaid, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty, and such Railway or Tramway to the Admiralty Pier at *Dover*, and Works, shall be constructed only in accordance with such Approval; and when such Railway or Tramway and Works shall have been commenced or constructed it shall not be lawful for the Company at any Time to alter, extend, or modify the same without obtaining, previously to making any such Alteration, Extension, or Modification, the like Consent or Approval; and if such Railway or Tramway or Works shall be commenced or completed, or be altered, extended,

extended, constructed, or modified, contrary to the Provisions of this Act, it shall be lawful for the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, to abate, alter, and remove the same, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly, with Costs of Suit.

Management of certain Works to be approved by the Admiralty.

21. The Railway or Tramway to the Admiralty Pier aforesaid, and the Works affecting such Pier, shall be under such Management and Control as the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral, may at any Time or Times think fit to approve of or direct by Writing under the Hand of the Secretary of the Admiralty; and such Management thereof shall be modified, altered, or terminated at any Time or Times, and the said Railway or Tramway and Works connected therewith, in so far as the same interfere with the Admiralty Pier, shall from Time to Time be modified, altered, or entirely removed, by and at the Cost of the Company, as and whenever the said Lord High Admiral or the said Commissioners shall by Writing under the Hand of the Secretary of the Admiralty direct, on giving reasonable Notice to that Effect.

Admiralty may order local Survey at Expense of Company.

22. If at any Time or Times it shall be deemed expedient by the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral, to order a local Survey and Examination of any Works of the Company on, in, over, or affecting the said Admiralty Pier or Approaches thereto, or any tidal or navigable Water or River, or of the intended Site thereof, the Company shall defray the Costs of every such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the Company, and if not paid upon Demand may be recovered as a Debt due to the Crown, with the Costs of Suits, or may be recovered, with Costs, as a Penalty is or may be recoverable from the Company.

Works affecting tidal Waters abandoned may be removed by the Admiralty at Expense of the Company.

23. If any Work to be constructed by the Company on, in, under, over, through, or across the said Admiralty Pier, or any tidal Water or navigable River, or if any Portion of any Work which affects or may affect any such Pier, Water, or River, or Access thereto, shall be abandoned or suffered to fall into Disuse or Decay, it shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due

due from the Company to the Crown, and be recoverable accordingly, with Costs of Suit.

Company not to enter upon Lands, &c. without Consent of Dover Harbour Board.

24. The Company shall not enter upon, take, or use for any of the Purposes of this Act, or in any Manner interfere with, any Part of the Basins, Docks, Quays, Wharfs, Culverts, Sluices, Gates, or other Works in or about the Harbour of *Dover* belonging to or under the Management of the *Dover* Harbour Board (in this Act called the Board) without their Consent in Writing under their Common Seal first had and obtained.

Tramway to Admiralty Pier to be constructed according to Plan signed by Chairman of Committee.

25. The Railway or Tramway by this Act authorized to be made to the Admiralty Pier shall be constructed in the Line or Course delineated on the Plan No. 1, signed by *William Scholefield* Esquire, Member of Parliament, the Chairman of the Committee of the House of Commons to which this Act was referred, and herein-after directed to be deposited with the Clerk of the Peace for the County of *Kent*.

Quay Walls to be constructed, and little cross Wall to be removed by the Company.

26. The Company shall and they are hereby required to construct a good and substantial Stone Quay Wall in the Course shown by the Red Line from M to N on the said Plan Number 1, and to fill up so much of the Harbour and Dock as lies on the West Side of such Quay Wall, and also to construct a similar Quay Wall on the Northern Side of the South Pier, in the Line marked Red between the Letters X, Y, and Z, and a similar Quay Wall in Timber between the Letters Z and Z A on the said Plan, and to remove the existing Quay Wall, and the Soil behind the same, on the Northern Side of such last-mentioned new Quay Wall, and to re-erect and refix the Cranes, Mooring Rings, and Mooring Posts now on the present Quays at such Places on the said new Quays as shall be directed by the Engineer of the said Board, and also to remove the little cross Wall in the Harbour shown on the said Plan, and the Works connected therewith, and coloured Green on the said Plan, and also to excavate and remove the Ground or Site thereof, and all such other Ground as may be necessary to make the Bottom of the Harbour on the East Side of the first-mentioned new Quay Wall between the Letters M and N and the Northern Side of the last-mentioned new Quay Wall level with the Bottom of the Harbour on the East Side of the said cross Wall, and also to do all such other Works for the proper Completion of the said new Quays and Alterations in the said Harbour as shall be required by the Board or their Engineer for the Time being, the whole of the aforesaid Works to be constructed, by and at the Expense of the Company, to the entire Satisfaction of the Board, and within the Period of Two Years from the Time of the passing of this Act; and the Company may use all or any of the Materials (except Sluice Gates) of the Quays or Wharfs belonging to the Board, to be removed under the Powers of this Act, which shall be required for the

Old Materials may be made use of by the Company.

the Construction of the Works mentioned in this Section, in the Completion of the Walls and Works by the same Section required to be constructed, but any surplus Materials not so required for the Purposes last aforesaid shall remain the Property of the Board, and the same shall be removed, by and at the Expense of the Company, to such Place as the Board or their Engineer shall direct: Provided always, that before the Commencement of any of the aforesaid Works detailed Plans and Specifications thereof shall be submitted by the Company to the Board, and be approved of by the Engineer for the Time being of the Board, and no Variation shall be made from such detailed Plans without the previous Consent in Writing of such Engineer; and before the Company shall be entitled to use such Tramway they shall complete and finish, to the Satisfaction of the Engineer of the Board, all the Works which they are hereby required to construct: Provided that if any Difference shall arise between the Company and the Board, or their Engineer, the same shall be referred to the Determination of an Arbitrator to be mutually agreed upon, or, in default of Agreement, to be appointed by the Board of Trade on the Application of either Party.

Quay Walls to be vested in the Dover Harbour Board.

27. When and as soon as the said new Quay Walls shall have been completed by the Company the same shall be absolutely vested in the Board, and be afterwards maintained and kept in repair by them, and the whole of the Land on the Western Side of the new Quay Wall, to be erected between the Points M and N on the said Plan Number 1, shall be and remain the Property of the Board, subject only to the Rights of the Company to lay down, use, and maintain the Railway or Tramway upon the same in the Line and Manner delineated on the said Plan, Number 1: Provided always, that the Quay Space which shall be provided under the Powers of this Act, in substitution of the public Quay Space which will be taken away by reason of such Substitution, shall be held for and appropriated to such and the same public Purposes as the said existing Quay Space is now appropriated to, and shall not be of less average Width throughout than the said existing Quay.

Fences, &c. to be constructed by the Company.

28. All such Fences, Screens, and other Works as may at any Time be required by the Board of Trade to be constructed for the Protection of the Public along or near to the said Railway or Tramway authorized to be constructed to the Admiralty Pier shall be constructed and maintained by and at the sole Expense of the Company.

Engines, &c. not to remain on Tramway.

29. The Company shall not permit any Locomotive Engine, Railway Carriage, Waggon, Truck, or Van to remain on any Part of the Railway or Tramway to the Admiralty Pier, to the South of the Point marked D on the said Plan, longer than shall be actually necessary for the Purposes

of taking up and setting down Passengers, and the loading and unloading of Goods, Wares, or Merchandise, Cattle, or other Animals; and the Harbour Master shall at all Times have full Power to require the Person or Persons in charge of any such Engine, Railway Carriage, Waggon, Truck, or Van to remove the same to such Distance and for such Time as shall in his Opinion be necessary or expedient for the Accommodation of the Traffic to or from the Harbour or the Quays or Wharves thereof, or any Ship or Vessel in the said Harbour; and if any such Person or Persons shall refuse or neglect forthwith to obey any such Requisition of the Harbour Master he or they shall forfeit any Sum not exceeding Five Pounds for each Offence, to be payable to the Board, and to be recoverable by them in manner provided by the Sixty-sixth Section of the Ninth *George* the Fourth, Chapter Thirty-one, for more effectually maintaining and improving the Harbour of *Dover* in the County of *Kent*; and the Harbour Master shall have Power to remove such Engine, Railway Carriage, Waggon, Truck, or Van, at the Cost of the Company.

Regulations as to Carriages, &c. passing the Lord Warden Hotel.

30. In passing Engines and Carriages opposite the *Lord Warden* Hotel it shall not be lawful for the Company to allow such Engines or Carriages to stand opposite to the East Side of the said Hotel, nor shall the Company allow such Engines to whistle or blow off Steam within One hundred Yards of such Hotel.

If certain Property purchased, the Hard to be filled up.

31. In case the Company shall purchase or acquire all or any of the Properties, numbered 68 to 75 inclusive on the Plan Number 2, signed by the said Chairman, and herein-after directed to be deposited with the Clerk of the Peace for the County of *Kent*, and shall use the same for any other Purpose than the same are now used, or shall take or inclose all or any Part of the Harbour in front thereof, included within the Lines marked A, B, on the said Plan, the Board shall be entitled to the same Tolls, Wharfage, and other Dues in respect of all Passengers, Goods, Wares, Merchandise, Cattle and other Animals, landed or embarked, laden or unladen, at the present or the said intended new Quay, in front thereof, as they would be entitled to if the same had been landed or embarked, laden or unladen, at any public Quay in the Harbour of *Dover*; and in case the Company shall inclose all or any Part of the Harbour in front of the said Properties, numbered 68 to 75 on the said Plan, the Company shall forthwith, at their own Expense, construct a Quay Wall from the Point A to the Point B in the Line shown on the said Plan, and fill up level with the Quay the Space behind the said Quay Wall, and also the Site of the Hard, numbered 70A on the said Plan Number 2, and shall do all the said Works to the reasonable Satisfaction of the Engineer of the Board, and make due Provision, to his like Satisfaction, for convenient Access for Horses

Horses to the Bottom of the inner Harbour: Provided always, that no Portion of the Site of the said Hard shall be fenced in or built upon, but the same shall form Part of the public Quays, and be and remain the Property of the Board: Provided, that after such new Quay Wall shall have been erected, such Space behind the said Quay Wall, and in front of the Properties numbered 68 to 75 both inclusive (except Number 70A), shall, until the Company shall purchase the Fee Simple of the said Properties, be held by them of the said Board for the same Term of Years, and on the same Conditions in all respects (except the Exemption from Wharfage and other Tolls), as the Property numbered 70 on the said Plan Number 2 is now held under Lease from the late Warden and Assistants of *Dover* Harbour; and on the Purchase by the Company of the Fee Simple of such Properties then the said Space shall be conveyed with such Properties by the Board to the Company without any additional Payment or Compensation in respect thereof: Provided lastly, that in the event of any Difference arising between the Company and the Board, or their Engineer, as to any Matters mentioned in this Clause, the same shall be referred to the Determination of an Arbitrator to be agreed upon, or in default of Agreement to be appointed by the Board of Trade on the Application of either Party.

No Coke Ovens to be erected on such Lands.

32. No Portion of any Lands purchased by the Company of the Board shall be used by the Company, or any other Person, as a Site for the Erection of Coke Ovens, nor shall any Coke be manufactured thereon, nor shall any noisome or offensive Trade or Business of any Description be carried on upon any Part of such Lands, nor shall the same, or any Part thereof, be used for any other Purpose whatever, although strictly a Railway Purpose, whereby anything in the Nature of a Nuisance may be created, or whereby the other Property of the Board in the Town of *Dover* may in anywise become damaged or injuriously affected.

Elevation, &c. of Buildings to be approved of by the Board.

33. No Erection or Building shall at any Time be made upon any of the Lands purchased by the Company from the Board until the Drawing of the external Elevation of such Erection or Building shall have been submitted to and approved of by the Board under their Common Seal, and all Erections and Buildings which shall be made or erected upon any such Lands shall, as to the Elevation thereof, be in strict Conformity with the Drawings so to be approved as aforesaid, and shall not afterwards, unless with the like Approval, be in any way varied or altered: Provided, that in the event of any Difference between the said Company and the Board on any Matter contained in this Section, the same shall be referred to the Determination of an Arbitrator to be mutually agreed upon, or in default of Agreement to be appointed by the Board of Trade on the Application of either Party.

34. The

Company to erect Walls, &c. for Protection, &c. of Buildings, &c. of the Board.

34. The Company shall, at their own Expense, from Time to Time, upon the Requisition of the Board, make and erect such permanent or temporary Walls, Erections, Buildings, and Works as may be deemed necessary or expedient by the Board for the Protection of their Lands, Tenements, and Property, in consequence of the Building, Erection, or User of any of the Works, Buildings, and Erections of the Company, and in case of any Difference of Opinion between the Company and the Board as to what ought to be erected, made, or done, the Matters in Difference shall be referred to an Arbitrator, to be appointed by the Board of Trade, whose Decision shall be final.

Rights of Wharfage purchased by the Company to be released to the Dover Harbour Board.

35. If the Company shall purchase any Property held under Lease from the Board or the late Warden and Assistants of the Harbour of *Dover*, by the Terms of which Lease the Lessee or Tenant of such Property shall be entitled, during the Continuance of the Term granted by such Lease, either to any Quay or Wharf, or to Exemption from any Wharfage Droits, Tolls, or other Duties payable to the Board, or to take for his own Benefit any Wharfage Tolls or Duties in respect of Persons, Animals, Goods, or other Things landed at or shipped from any Wharf or Quay comprised in such Lease or adjoining the Premises thereby demised, the Company shall (upon Payment to them by the Board of the Price at which the Company shall have purchased such Quay or Wharf, or the said Exemption from Wharfage Droits, Tolls, or other Duties, or, as the Case may be, the said Right of such Lessee or Tenant to take for his own Benefit such Wharfage Tolls or other Duties as aforesaid,) sell and convey or surrender such Quay or Wharf, or such Right or Exemption as aforesaid to the Board, and if any Difference shall arise between the Company and the Board as to the Price actually and *bonâ fide* paid by the Company for the Purchase of such Quay or Wharf, or Exemption or Right as aforesaid, the same shall be determined by Arbitration in the Manner provided by "The Lands Clauses Consolidation Act, 1845," with respect to the Purchase and taking of Lands otherwise than by Agreement: Provided always, that this present Provision shall not apply to the aforesaid Properties numbered 68 to 75 inclusive on the said Plan Number 2.

Saving of the Rights of the Board.

36. Nothing in this Act contained shall extend or be construed to extend to alter, suspend, defeat, or affect any Tolls, Rates, Droits, or Duties, or any Sum or Sums of Money, now received or receivable by the Board, or which have heretofore been received by the Warden and Assistants of *Dover* Harbour, under any existing Act or Acts of Parliament, or by Custom, Prescription, or otherwise, or to alter, amend, or repeal any of the Acts of Parliament now in force relating to the Board or to the Harbour of *Dover*, or to prejudice, lessen, or destroy any of the Rights,

Rights, Privileges, Powers, or Authorities of the Board, or of their Officers or Servants.

Line of Tramway as shown on Plan to be strictly adhered to.

37. The Course of the Line of Railway or Tramway to the Admiralty Pier, and the Course, Line, and Width of the several Quay Walls, Roads, and Works, as delineated on the said Plans Numbers 1 and 2, shall be strictly adhered to in the Construction of the Works by this Act authorized, and no Deviation therefrom, even within the Limits of Deviation delineated on the deposited Plans, shall be made or allowed except with the Consent in Writing of the Board under their Common Seal.

Plans to be deposited with Clerk of the Peace of the County of Kent.

38. The Plans Numbers 1 and 2 referred to in this Act shall be deposited with the Clerk of the Peace for the County of *Kent*, who is hereby required to receive the same, and such Deposit shall be deemed to have been made in pursuance of an Act passed in the First Year of the Reign of Her present Majesty, intituled *An Act to compel Clerks of the Peace for Counties and other Persons to take the Custody of such Documents as shall be directed to be deposited with them under the Standing Orders of either House of Parliament*; and the several Provisions of that Act (except so far as the same shall be inconsistent with this Act) shall form Part of this Act.

Tramway not to extend beyond Wing of Graving Dock.

39. The Railway or Tramway in the Parish of *Saint Mary the Virgin* in the Borough of *Dover* and County of *Kent* by this Act authorized to be made, and all Works to be made in connexion therewith or in relation thereto by the Company, shall be so made and constructed as not to extend beyond the End of the Wing of the Graving Dock at *Dover* aforesaid.

Provisions as to Messieurs Lees Works.

40. The present Tramway at *Dover* from the Crane of Messieurs *Henry Lee* and Son to the said Graving Docks shall, so long as they continue Lessees of the Site thereof or Contractors for the Works on the Admiralty Pier, be preserved for their Use undisturbed as heretofore, and the present Tramways as used by Messieurs *Henry Lee* and Son from the before-mentioned Crane and Graving Dock to the Admiralty Pier shall not, during their Continuance as such Contractors, be disturbed further than may be necessary for the Purpose of the Construction of the Railway or Tramway by this Act authorized, but shall be maintained and preserved for the Use and Convenience of the said Messieurs *Henry Lee* and Son; and further, the said Messieurs *Henry Lee* and Son, their Agents, Servants, and Workmen, shall have at all Times during their Continuance as such Contractors as aforesaid, for the Purposes of any Works contracted to be performed by them at the Admiralty Pier, *Dover*, free Passage along and across the Railway, Tramway, and Works by this Act authorized to be made, or any other Works which may be made in lieu thereof.

Mode of effecting Communications with the West London Extension Railway.

41. The Communications between the Junction Railway hereby authorized and the *West London* Extension Railway, and all such Interferences with the Works of the said Railway as may be necessary for effecting such Communications, shall be made, altered, repaired, and maintained, by and at the Expense of the Company, in a substantial Manner by means of Connexion Rails and Points of the Construction and laid in the Manner which the Engineer for the Time being of the *West London* Extension Railway Company may from Time to Time approve and require, and shall be executed to his Satisfaction in all respects, and so as not to prejudice or injure the *West London* Extension Railway, or impede or interfere with the free, uninterrupted, and safe Passage along the same; and in case of any Difference arising as to the Mode of effecting such Communication, the same shall be determined at the Cost of the Company by a Referee to be appointed by the Board of Trade on the Application of either Company, and no more of the Land of the *West London* Extension Railway Company shall be taken or used under the Powers of this Act than shall be necessary for making the Junction hereby authorized.

Signals, &c. and Watchmen for preventing Danger at Junctions.

42. The *West London* Extension Railway Company may from Time to Time erect, maintain, and alter such Signals and other Works and Conveniences, and appoint and remove such Watchmen, Pointsmen, and other Servants, as that Company may deem necessary for the Prevention of Danger to or Interference with Traffic at or near the Junction between their Railway and the Junction Railway hereby authorized, and the Working and Management of such Signals, Works, and other Conveniences, and the Control and Direction of such Watchmen, Pointsmen, and other Servants, shall belong exclusively to the *West London* Extension Railway Company, and all the Costs and Expenses during each Half Year of erecting and maintaining and altering such Signals, Works, and Conveniences, and of employing and paying such Watchmen, Pointsmen, and other Servants, shall at the Expiration of such Half Year be repaid by the Company to the *West London* Extension Railway Company on Demand, and in default the Amount of such Costs and Expenses may be recovered from the Company in any Court of competent Jurisdiction.

Company to acquire only Easements in Lands of West London Extension Railway Company.

43. With respect to any Land of the *West London* Extension Railway Company which the Company are by this Act from Time to Time authorized to take, use, enter upon, or interfere with, the Company shall not purchase and take the same, but the Company may purchase and take, and the *West London* Extension Railway Company may and shall sell and grant accordingly, an Easement or Right of using the same for the Purposes for which, but for this Enactment, the Company might purchase and take the same.

44. Pro-

Saving Rights of the West London Extension Railway Company.

44. Provided always, That, except as is by this Act expressly provided, this Act or anything herein contained shall not take away, diminish, alter, or prejudice any of the Rights, Powers, Privileges, or Authorities of the *West London* Extension Railway Company.

Company to give Notice before interfering with Mains, &c. of Southwark and Vauxhall Water Company.

45. The Company shall not begin any Work interfering with or in any way affecting any of the Mains or Pipes of the *Southwark and Vauxhall* Water Company, in this Act called "The *Southwark* Water Company," unless at least Twenty-one Days previous Notice in Writing of the Intention so to do, describing the Manner in which it is proposed to interfere with the Mains or Pipes, be given to the Surveyor of the *Southwark* Water Company, or left for him at their principal Office.

Works for Southwark Water Company to be executed by their Engineer at Expense of Company.

46. The Company shall not in any Manner alter, displace, or otherwise interfere with any of the Mains or Pipes of the *Southwark* Water Company, but their Engineer shall have the sole and exclusive Direction and Management of and may execute all such Works as he thinks necessary for the Purpose of removing, altering, and restoring the Mains or Pipes, and of preventing during the Execution thereof any Interruption to the Supply of Water by the *Southwark* Water Company; and all Expenses incurred by them in any way relating to the Execution by them of any Works for those Purposes shall be repaid to them by the Company.

In default of Southwark Water Company the Company may execute necessary Works.

47. Provided, That if the *Southwark* Water Company, for Ten Days next after the Day named in the Notice served by the Company for the Commencement of the Works interfering with or affecting any of the Mains or Pipes, or for Ten Days after such later Day as the Company, by Notice in Writing to the *Southwark* Water Company, name for commencing the Works, fail to commence or at any Time thereafter fail to proceed with reasonable Despatch in the Execution of the Works, the Company at their own Expense may remove or alter or otherwise interfere with the Mains or Pipes in such Manner and to such Extent as they deem necessary, and execute all such other Works as they deem requisite for preventing any Interruption to the Supply of Water by the *Southwark* Water Company.

Southwark Water Company not to be liable for Damage arising from Alteration of Mains or Pipes.

48. Provided, That the *Southwark* Water Company shall not be liable for any Damage or Injury occasioned to the Works of the Company, or to any Streets or Roads, or otherwise howsoever, by reason of any of the Works executed under this Act, or in any way consequent thereupon, unless the Damage or Injury arise from the Neglect or Default of the *Southwark* Water Company, their Engineers, Workmen, or Servants.

49. In

Lands for Station Accommodation.

49. In addition to the other Powers by this Act given to the Company for the compulsory Purchase of Land, they may from Time to Time, for the Purpose of obtaining increased Station Accommodation, and other Purposes of or in connexion with their Undertakings, enter upon, take, and use all or any of the Lands defined on the Plans and described in the Books of Reference deposited for the Purposes of this Act, and included within a Red Line on those Plans.

Restrictions on taking certain Land in Parish of Christchurch

50. Provided always, That it shall not be lawful for the Company to enter upon, take, and use any Part of *Blackfriars Bridge*, or any of the Land lying to the Westward of the Yellow Line from F to G, or Northward of the Yellow Line from E to F, delineated on a Copy of the deposited Plan of additional Property in the Parish of *Christchurch* required for Station Purposes, signed by *Joseph Cubitt*, *James Bunstone Bunning*, and *George Willoughby Hemans*, and herein-after directed to be deposited with the Clerk of the Peace for the County of *Surrey*: Provided also, that if the Company build any Wall on the Line between the said Points F and G the same shall not anywhere exceed Six Feet in Height, and that the Company shall not erect Westward of the Green Line between the Points marked respectively H and K on the last-mentioned Plan any Building which shall rise above the Level of the present Foot Pavement in *Albion Place*, except the said Wall and the Steps for Access to the Premises of the Company, without the Consent of the Mayor, Aldermen, and Commons of the City of *London* under their Corporate Seal; and the Company shall not make or use any Communication for Carriages of any Description between their Premises and *Albion Place*: Provided always, that for the Accommodation of Foot Passengers there shall be reserved at all Times convenient Accesses from or to the present or any future Road Bridge at *Blackfriars* and to *Blackfriars Road* to or from any Opening into the Premises of the Company which they may make between the Points marked on the last-mentioned Plan F and M, but the Company shall not make any such Opening of a greater Width than Twenty-five Feet.

Plan to be deposited with Clerk of the Peace for Surrey.

51. The last-mentioned Plan shall be deposited with the Clerk of the Peace for the County of *Surrey*, and shall be retained by him, and all the Provisions of the Public General Act of the First Year of the Reign of Her present Majesty, Chapter Eighty-three, shall extend and apply thereto.

Certain Land to remain an open Space.

52. The Ground between the Yellow Lines delineated on the last-mentioned Plan from F to G and *Blackfriars Road* shall be preserved for ever for the Use of the Public an open Space free from Buildings: Provided, that nothing herein contained shall prevent the raising of the said

said Ground to the Level of the Approach to the present or any future Road Bridge at *Blackfriars*.

Hawkesbury Street or Round Tower Street not to be interfered with until other Streets altered.

53. Provided always, That the Company shall not appropriate, stop up, or inclose the Streets called *Hawkesbury Street* or *Round Tower Street* in the Parish of *Saint Mary the Virgin, Dover*, unless and until they shall to the reasonable Satisfaction of the Local Board of the said Borough and of the *Dover* Harbour Board, to be signified by Writing under the Hand of their respective Surveyors, have widened and altered the Streets called *Snargate Street*, and Railway Bridge and *Limekiln Street*, and continued the same to *Council House Street*, and until they shall have widened the Street leading from *Snargate Street* to *Strond Street*, and Part of *Strond Street*, all such Streets being situate in the Parish aforesaid, in such Manner as is shown by Red broken Lines in a Copy of that one of the said deposited Plans which is called "Plan of additional Property required at *Dover*," between the Letters A and B and C and D on the said Plan, which Copy is signed by *William Scholefield* Esquire, and deposited in the Private Bill Office of the House of Commons and in the Parliament Office.

Strond Street not to be interfered with until other Streets altered.

54. Provided further, That the Company shall not appropriate, stop up, inclose, alter, or in any way interfere with any Part of the said Street called *Strond Street*, unless and until they shall, to the reasonable Satisfaction of the said Local Board and the *Dover* Harbour Board, to be signified as aforesaid, have widened and continued the several Streets, mentioned in the last preceding Clause, between the Points A and B and C and D on the said Plan, and until they shall to the like Satisfaction have widened *Custom House* Quay and cross Wall in the said Parish, as is shown by the Blue broken Lines between the Letters E and F and B on the said Plan.

Certain other Streets not to be interfered with until others are altered.

55. Provided further, That the Company shall not appropriate, stop up, inclose, alter, or in any way interfere with the several Streets, Lanes, or Alleys between *Strond Street* and *Custom House* Quay aforesaid, being numbered respectively 61, 55, 50, and 40A on the said Plan, unless and until they shall, to the reasonable Satisfaction of the Local Board and *Dover* Harbour Board, to be signified as aforesaid, either have widened *Custom House* Quay and cross Wall between the Points E, F, and B on the said Plan, or have constructed a new Street from *Strond Street* to *Custom House* Quay, according to the Red broken Lines on the said Plan between the Points G and H.

Provision for future widening of Strond

56. If the Company shall purchase the Properties, numbered 77 to 90 inclusive, in the said Parish, on the said Plan, they shall within Twelve Calendar Months thereafter widen *Strond Street* aforesaid, and the Street leading

Street and Snargate Street.

leading thereto from *Snargate Street* aforesaid, between the Points D and I on the said Plan, to the Satisfaction of the said Local Board, to be signified as aforesaid.

Finnis Hill Roadway not to be interfered with until another Street widened.

57. Provided further, That the Company shall not appropriate, stop up, inclose, alter, or in any way interfere with the *Finnis Hill* Roadway in the said Parish, numbered 154 on the said Plan, unless and until they shall to the reasonable Satisfaction of the said Local Board and *Dover* Harbour Board, to be signified as aforesaid, have widened *Limekiln Street*, and formed and constructed a new Street leading therefrom, as shown by Red broken Lines on the said Plan between the Points J and K.

Land for widening Streets vested in Local Board.

58. The Land thrown into the said several Streets for the Purpose of widening and continuing them as aforesaid shall vest in the Mayor, Aldermen, and Burgesses of *Dover*, the Local Board of the said Borough, and shall never afterwards be built upon or used for any other Purposes than as public Streets.

Arbitration.

59. In the event of any Difference arising between the Company and the Local Board of the said Borough or the *Dover* Harbour Board, or the respective Surveyors of such Boards, in respect of the Matters mentioned in the Six last preceding Clauses of this Act, such Difference shall be referred to and determined by an Arbitrator to be agreed upon, or, in default of Agreement, to be appointed by the Board of Trade.

For Payment of Local Rates.

60. If and while the Company are possessed under this or any other Act of any Lands or Hereditaments in the Parish of *Saint Mary the Virgin* and *Saint James the Apostle* at *Dover*, assessed or liable to be assessed to any Poor Rate, Highway Rate, Church Rate, General or other District Rate, Borough Rate, or any other Parochial or Municipal Rate, they shall from Time to Time be liable to be assessed at the Amount at which such Lands and Hereditaments, with any Buildings thereon, were assessed prior to the taking thereof by the Company, and on Demand the Company shall pay the Rates on such Assessments to the Collectors of such Rates, and the Company shall not be liable to pay any greater Amount in respect of such Lands and Hereditaments.

Provisions as to Sewers, &c. at Dover.

61. Provided further, That the Company shall not stop up or divert any Sewer or Drain under any of the Streets, Lanes, and Alleys mentioned in the Eight next preceding Clauses of this Act until they shall, to the reasonable Satisfaction of the Local Board of the Borough of *Dover*, have constructed new and sufficient Sewers and Drains, or shall have altered such first-mentioned Sewer or Drain, in such Manner as may be agreed upon between the Company or their Engineer and the Local Board,

Board or their Surveyor, or as may be determined in case of Difference by an Arbitrator to be agreed upon, or, in default of Agreement, appointed by the Board of Trade.

Powers for compulsory Purchases limited.

62. The Powers of the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised as regards the Alteration of Road after the Expiration of Two Years from the passing of this Act, as regards the Lands required for Station Accommodation and other Purposes in the respective Parishes of *Saint Mary the Virgin* in the Borough of *Dover* and *Hougham* near *Dover*, and included within the Red Line shown on the Plans deposited for the Purposes of this Act in the Month of *November* last, after the Expiration of Four Years from the passing of this Act, and as regards other Works and Purposes after the Expiration of Three Years from the passing of this Act.

Land for extraordinary Purposes.

63. The Quantity of Land to be purchased by the Company, under the Authority of this Act, by Agreement, for extraordinary Purposes, as defined in "The Railways Clauses Consolidation Act, 1845," shall not exceed Three Acres.

Period for completion of Works.

64. The new Works by this Act authorized and herein-before described shall be completed within the respective Periods herein-after limited for the Completion thereof, and on the Expiration of the Period so limited for the Completion of any Work all the Powers hereby granted to the Company for making the same shall cease; (that is to say,)

As regards the Alteration of Road, within Three Years from the passing of this Act;

As regards the Junction Railway and Railway or Tramway, within Five Years from the passing of this Act.

Dividends suspended if Railways not opened within Period limited.

65. If the Junction Railway or the Railway or Tramway by this Act authorized to be constructed shall not be completed and opened for public Traffic within the Period by this Act limited for the Completion thereof, then from the Expiration of that Period it shall not be lawful for the Company to declare or pay any Dividend on the ordinary Capital of the Company until that Junction Railway or Railway or Tramway shall have been completed and opened for public Traffic.

New Lines to be Part of Undertaking.

66. The Junction Railway, Railway or Tramway, and Works by this Act authorized, and the Lands required for the Purposes thereof, shall be and be deemed Part of the Undertaking of the Company; (that is to say,)

The Junction Railway and the Works connected therewith, and the Lands acquired for the Purposes thereof respectively, shall be and be

be deemed Part of the Undertaking authorized by the Metropolitan Extensions Act;

The Railway or Tramway and all other the Works by this Act authorized, and the Lands acquired for the Purposes thereof respectively, shall be and be deemed Part of the general Undertaking of the Company;

Provided that the said Alteration of Road shall be or be deemed Part of the Undertaking of the Company only during the Construction of such Alteration.

Company to purchase certain additional Land from Metropolitan Board.

67. The Company (in addition to the Lands which, by the Thirtieth Section of "The *London, Chatham, and Dover* Railway, Metropolitan Extensions Act, 1860," they are required to take) shall take, in manner required by such Section, and upon the Terms therein prescribed, the remaining Portions of the Lands numbered on the Plan deposited in respect of "The *Covent Garden* Approach, and *Southwark* and *Westminster* Communication Act, 1857," 3, 5, and 12, and the whole of the Lands numbered on such last-mentioned Plan 2, 4, 6, 7, and 11, in the Parish of *Christchurch*, and the said Thirtieth Section shall be construed as if all those Lands and Portions of Lands had been originally mentioned in such Section.

Prescribing Mode of passing over new Street.

68. It shall not be lawful for the Company, under the Powers of this Act or any other Act relating to the Company, to construct any Viaduct, Bridge, or Arch over or upon the new Street now in course of Construction by the Metropolitan Board of Works in the said Parish of *Christchurch* of a greater Width on the South Side of such Street than One hundred and fifty-nine Feet, and on the Northern Side thereof than One hundred and eighty-two Feet, measured from the West Side of *John Street*, or nearer to the *Blackfriars Road* on the one Side, or encroaching further on *John Street* on the other Side, than the Lines marked in Red on a Plan deposited at the Office of the Metropolitan Board of Works, and signed by *Joseph Cubitt* and *Joseph William Bazalgette*; and all Works, Buildings, and Erections of the Company over, upon, or in connexion with the said new Street shall be constructed under the Superintendence and to the reasonable Satisfaction of the Engineer of the Metropolitan Board of Works, and the Designs of such Works and Buildings shall be first submitted to the Metropolitan Board of Works for their Approval, and in case of any Dispute between the Metropolitan Board of Works or their Engineer and the Company or their Engineer, such Dispute shall be settled by an Engineer to be appointed, on the Application of the Company or the Metropolitan Board of Works, by the Board of Trade.

69. The

Company not to execute Station and other Works so as to prejudice the public Convenience.

69. The Company shall not, in the Execution of any Works connected with their Station or otherwise, in or near the new Street of the said Metropolitan Board of Works, in the said Parish of *Christchurch*, cause any Obstruction, Injury, or Prejudice to the said Street which can be reasonably avoided, or cause any unnecessary Impediment to public Traffic or the proper Use by the Public of the said Street and of the Approaches thereto, and for every such Obstruction or Impediment the Company shall forfeit and pay the Sum of Ten Pounds *per* Day, to be recovered in a summary Way before any Justice of the Peace acting in the Metropolis.

Arches to be lighted.

70. If any of the Arches or Works of the Company over the Streets or Ways, Courts or Alleys, crossed by the said Railway or Works, shall in the Judgment of the Metropolitan Board of Works, prove a public Inconvenience, by obstructing the Light in any such Streets or Ways, Courts or Alleys, the said Metropolitan Board of Works may set up and affix therein, and keep lighted with Gas, by Day and Night, a Lamp or Lamps for affording Light to Passengers, and the Costs, Charges, and Expenses thereof, and necessarily consequent thereon, shall be paid by the Company to the said Board within Fourteen Days after Demand in Writing, and in default may be recovered from the Company by the said Board, with full Costs of Suit, by Action of Debt or on the Case in any County or other Court having by Law Cognizance of the Action.

For Protection of Sewers of Metropolitan and other Boards.

71. Where any of the intended Works to be done under or by virtue of this Act shall or may pass over, under, or by the Side of, or so as prejudicially to interfere with, any Sewer, Drain, Watercourse, Defence, or Works under the Jurisdiction or Control of the Metropolitan Board of Works, or of any Vestry or District Board constituted under the Metropolis Local Management Act, 1855, or with any Sewers or Works to be made or executed by the said Boards or Vestry, or either of them, or shall or may in any way prejudicially affect the Sewerage or Drainage of the Districts under their or either of their Control, the Company shall not commence such Work until they shall have given to the said Metropolitan Board, or to the District Board or Vestry, as the Case may be, Fourteen Days previous Notice in Writing of their Intention to commence the same, by leaving such Notice at the principal Office of such Board or Vestry, as the Case may be, for the Time being, with a Plan and Section showing the Course and Inclination thereof, and other necessary Particulars relating thereto, and until such Board or Vestry respectively shall have signified their Approval of the same, unless such Board or Vestry, as the Case may be, do not signify their Approval, Disapproval, or other Directions within Fourteen Days after Service of the said Plan, Sections, and Particulars as aforesaid, and the Company

shall comply with and conform to all Directions and Regulations of the respective Board or Vestry in the Execution of the said Works, and shall provide by new, altered, or substituted Works, in such Manner as such Board or Vestry may deem necessary, for the proper Protection of and for preventing Injury or Impediment to the Sewers and Works herein-before referred to by or by reason of the said intended Works or any Part thereof, and shall save harmless the said Metropolitan Board, District Board, and Vestry respectively against all and every the Expense to be occasioned thereby; and all such Works shall be done by or under the Direction, Superintendence, and Control of the Engineer or other Officer or Officers of the said Metropolitan Board, District Board, or Vestry, as the Case may be, at the Costs, Charges, and Expenses in all respects of the Company; and all Costs, Charges, and Expenses which the said Metropolitan Board, or any District Board or Vestry, 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 Boards or Vestry by the Company on Demand; and when any new, altered, or substituted Works as aforesaid, or any Works or Defence connected therewith, shall be completed by or at the Cost, Charges, or 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 Boards and Vestry respectively 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 Boards and Vestries, or any of them, or their Successors, but all such Rights, Powers, and Authorities shall be as valid and effectual as if this Act had not been passed.

Certain Clauses in 23 & 24 Vict. c. clxxvii. as to Stoppage of Streets to apply to this Act.

72. Subject to the other Provisions of this Act, the several Clauses numbered respectively Seventy-one, Eighty-two, Eighty-three, Eighty-four, and Eighty-five contained in "The *London, Chatham, and Dover* Railway (Metropolitan Extensions) Act, 1860," as to the Stoppage and Diversion of Streets, Width and Headway of Streets, Disturbance and Reinstatement of Pavements, Protection of Sewers, Restoration of Sewers, Drains, and Performance of Drainage Works in the said Parish of *Christchurch*, shall be held to extend to and form Part of the Provisions of this Act.

For Payment of Local Rates.

73. If and while the Company are possessed under the Act of any Lands in the Parish of *Christchurch* in the County of *Surrey*, assessed or liable to be assessed to any Sewers Rate, Main Drainage Rate, Church Rate, or General Purposes Rate, they shall from Time to Time, until the Railway or the Works thereof are completed and assessed or liable to be assessed to the respective Rate, be liable to make good the

the Deficiency in the Assessment for the respective Rate by reason of those Lands being taken or used for the Purposes of the Railway or Works, and the Deficiency shall be computed according to the Rental at which those Lands, with any Buildings thereon, are now rated, and on Demand the Company shall pay the Deficiency to the Collector of the respective Rate.

Tolls.

74. For the Purposes of the Tolls, Rates, and Charges to be taken thereon respectively the Junction Railway shall be deemed Part of the West End Section of the Metropolitan Extensions, and the Railway or Tramway by this Act authorized shall be deemed Part of the Railway constructed under the *Dover* Act, and Tolls, Rates, and Charges may be levied and collected thereon accordingly: Provided always, that the maximum Charges to be made upon, for, or in respect of each Railway, or Railway or Tramway, by this Act authorized, shall not exceed those limited to be taken on that Section of the Railways of the Company, of which that Railway, or Railway or Tramway, is for the Purposes of Tolls, Rates, and Charges to be Part as aforesaid: Provided also, that as regards the said Railway or Tramway the Company may take for Animal Power (if and while used thereon) the same Tolls as for Locomotive Engines on the Railway constructed under the *Dover* Act.

Heads of Agreement confirmed and made binding on the Company and Christopher Phipps.

75. The Heads of Agreement dated *March* Eighth One thousand eight hundred and sixty-two, set forth in the Schedule to this Act annexed, are hereby confirmed, and the same are hereby made binding upon and enforceable against the Company and the said *Christopher Phipps* herein-before mentioned.

Company may stop up Portion of Road in River.

76. When and as soon as the new Road mentioned in the Schedule to this Act annexed is completed and opened for public Use, the Company may close and stop up so much of the said Road, numbered on the Plans deposited, as in the *Dover* Act mentioned, 16, in the Parish of *River*, as lies between the Turnpike Road from *Canterbury* to *Dover* and the Railway of the Company, and also the Footpath leading through *Dover Sandfern* Meadow, numbered 3 and 5 on the Plans deposited for the Purposes of this Act (and for which the said new Road will be a Substitute), and thereupon the Site and Soil of so much of the said last-mentioned Road and Footpath as is within the Fences of that Railway are hereby vested in the Company, and all Rights of Way along and over the same are hereby etinguished.

Provision as to Rails across Holland Street.

77. The Company may lay down and maintain upon, across, and on the Level of that Part of *Holland Street* in the Parish of *Christchurch* in the County of *Surrey* which is included between the Two outermost Red

Red Lines on the Plans deposited for the Purposes of this Act Rails or Tramways (not exceeding Four Lines of Way in the whole) to facilitate the Communication between their Station Accommodation, Works, and Conveniences on both Sides of that Street, but subject to the following Stipulations and Regulations; (to wit,)

All Rails or Tramways across the said Street on the Level shall be countersunk, and so laid as not to obstruct or endanger the Traffic on the said Street;

No Locomotive Steam Engine or Atmospheric Agency, or Rope in connexion with any Stationary Engine, shall be used or employed on any Rails or Tramway crossing that Street on the Level thereof;

The Rails or Tramways shall be laid down and maintained to the reasonable Satisfaction of an Engineer to be nominated by the District Board of Works for the District of *Saint Saviour's;* or if for Fourteen Days after being required so to do they fail to nominate an Engineer, or if the Engineer nominated by them and the principal Engineer for the Time being of the Company differ as to the laying down or maintaining thereof, then the same shall be laid down to the Satisfaction of an Engineer to be appointed by the Board of Trade;

No larger Number than Six Trucks or other Carriages shall pass along such Tramways, or either of them, across *Holland Street* at any One Time, and between the Hours of Nine of the Clock in the Forenoon and Six of the Clock in the Afternoon of each Day; no Trucks or other Carriages shall pass across such Street in less Periods or Intervals of Time than once in every Ten Minutes; and the Company shall, at their own Expense, provide and keep constantly employed in *Holland Street*, adjoining their Premises, on One Side a Policeman whose Duty shall be confined to superintend the crossing of such Street by the Trucks or other Carriages, so as the Traffic of the Street is not unduly interfered with or endangered, and it shall be his Duty to see that a Bell is rung on each Occasion of any Trucks or other Carriages upon such Tramway leaving any of the Premises of the Company, and also during the Time of each Day that it is dusk or dark Lights shall be affixed to the Trucks or other Carriages for the public Protection.

Prescribing Width of Railway over new Street.

78. It shall not be lawful for the Company, under the Powers of this Act or any other Act relating to the Company, to construct any Viaducts, Bridges, or Arches over *Holland Street* of a greater Width than Two hundred and twenty-eight Feet, and the Headway over the said Street shall in no Case be less than the Height prescribed by the Seventy-first Section of the *London, Chatham, and Dover* Railway (Metropolitan Extensions) Act, 1860.

79. The

The Archway in Holland Street to be lighted.

79. The Company, at their Expense, shall place up Two Gas Lamps in the Centre of the Archway of their intended Railway across *Holland Street* in the Parish of *Christchurch*, One on each Side of the Archway, and shall keep the same Lamps continually lighted by Day and by Night for the Purpose of lighting such Archway, and shall keep the same Lamps, and all necessary Pipes, Burners, and Fittings for the Supply of the same Lamps with Gas, in good Repair, and shall once at the least in every Week have the same Lamps properly cleansed.

Creation of Western Extension new Shares confirmed.

80. The Six thousand eight hundred Western Extension new Shares, 1861, of Twenty-five Pounds each, shall be deemed to have been well and duly created by the separate Meetings aforesaid, and well and duly issued, and to be entitled to Dividend or Interest out of the Western Extension, as provided by the Resolutions by which such Rentcharge was created, at the Rate of Four Pounds Ten Shillings *per Centum per Annum*, as from the First Day of *January* One thousand eight hundred and sixty-two, on the Amount paid upon those Shares.

Defining Western Extension Capital.

81. The Capital of the Company for the Purposes of the Western Extension, and entitled to participate in the Western Extension Rentcharge in the Proportions and at the Rates specified in the Resolutions of the separate Meetings aforesaid, is the Sum of Five hundred and sixty thousand Pounds, consisting of (first) One hundred and fifty thousand Pounds represented by Western Extension Half Shares B, (secondly) Ninety thousand Pounds represented by Western Extension (*Bromley* Section) Shares, (thirdly) One hundred and seventy thousand Pounds represented by the said Western Extension new Shares, 1861, and (fourthly) One hundred and fifty thousand Pounds represented by Western Extension Half Shares A, and those Shares are entitled to participate in that Rentcharge in the Rank and Order mentioned in this Section.

Shares therein may be converted into Stock.

82. The Company may from Time to Time convert or consolidate into Stock all or any Class of the Shares entitled to participate in the Western Extension Rentcharge, and shall divide such Stock among the registered Holders of the Shares by the Conversion whereof it is formed in proportion to their Interests therein.

Names and Rights of Stock.

83. Every Class of such Stock shall be distinguished by a Name corresponding with the Name of the Shares by Conversion whereof it is formed, and shall entitle the Holders thereof to participate in the Western Extension Rentcharge to the same Extent and in the same Rank and Order as those Shares, if in Existence, would entitle their Holders to participate; and the Sixty-second and Sixty-third Sections of "The Companies Clauses Consolidation Act, 1845," shall apply to all such

Restriction on Amount transferred.

such Stock: Provided always, that any such Stock, or any other Stock of the Company, shall not be transferable in Sums less than One Pound.

Rights of Western Extension Capital;

84. The Holders of the Shares or Stock representing the said Sum of Five hundred and sixty thousand Pounds shall not be entitled to Dividend or Interest out of any Profits of the Company, but only out of the Western Extension Rentcharge.

and Remedies.

85. All Mortgagees, Bondholders, and registered Holders of Shares or Stock entitled to participate in the Western Extension Rentcharge shall have, and any One or more of them may exercise for the Recovery thereof when in arrear, the Powers and Remedies given by the Eleventh Section of "The Lands Clauses Consolidation Act, 1845," with respect to the Rents there mentioned, and all Monies so recovered by any Person shall be deemed so much Money received by or to the Use of the several Persons interested in the Western Extension Rentcharge according to their respective Priorities.

Western Extension Proprietors may exchange their Shares for a Consolidated Stock in the Western Extension.

86. After the Western Extension Half Shares A are converted or consolidated into Stock every or any of the registered Holders of other Stock or Shares entitled to participate in the Western Extension Rentcharge may require the Company to issue, and (upon Delivery by him, to the Company of the Certificates for the Stock or Shares which he proposes to exchange, or Proof given to their Satisfaction of the Loss or Destruction of such Certificates,) the Company may and shall issue to him, in Exchange for any such other Stock or Shares, such an Amount of Stock, to be deemed fully paid up, and to be entitled to Dividend or Interest at the Rate of Four Pounds Ten Shillings *per Centum per Annum* out of the Western Extension Rentcharge only, and *pari passu* with the Stock formed by the Conversion or Consolidation of the Western Extension Half Shares A as will at that Rate give a Dividend or Interest equal in aggregate Amount to the Dividend or Interest on the Stock or Shares given in Exchange by such Holder.

Consolidated Ordinary Western Extension Stock may be created for that Purpose.

87. For the Purposes of such Exchanges the Company may from Time to Time create and issue Consolidated Western Extension Ordinary Stock, to be deemed fully paid up, and to bear Dividend or Interest at the Rate of Four Pounds Ten Shillings *per Centum per Annum* out of the Western Extension Rentcharge only, and not out of the Profits of the Company, and *pari passu* with the Stock formed by the Conversion or Consolidation of the Western Extension Half Shares A.

Extinguishing Shares taken in Exchange.

88. On every such Exchange the Stock or Shares taken by the Company in Exchange, and all Rights and Liabilities in respect thereof, shall

shall be extinguished, and the Company shall forthwith enter in the Register thereof a Memorandum of the Exchange and Extinction thereof.

Second Preferential Capital of general Undertaking.

89. The said additional Capitals of Eighty thousand Pounds by the Act of 1859, of Three hundred thousand Pounds by the Capital Act, 1860, of One hundred thousand Pounds by the Metropolitan Extensions Act, and of Three hundred and twenty thousand Pounds by the Various Powers Act, 1861, authorized to be raised for the Purposes of the general Undertaking of the Company, and making an aggregate of Eight hundred thousand Pounds, shall (upon the Consent thereto of the Holders of all the Shares in the said additional Capitals of Eighty thousand Pounds and Three hundred thousand Pounds being obtained) be consolidated, and together form the Second Preferential Capital of the general Undertaking of the Company, and the several new Shares and Stock representing the same shall entitle the registered Holders thereof, *pari passu*, to the preferential Interest or Dividend at the Rate of Six Pounds *per Centum per Annum* attached to the same out of the general Profits.

Second Preference subject to previous Preference.

90. Provided always, That the preferential Interest or Dividend attached as aforesaid to the new Shares or Stock representing the said Second Preferential Capital when so consolidated shall be subject and without Prejudice to and shall be payable next after the preferential Dividends or Interest on the Five hundred thousand Pounds Stock representing the Capital authorized by the *Dover* Act, and on the Shares representing the Sum of Sixty thousand Pounds authorized by the Various Powers Act, 1861, and the Fund for the Redemption of those Shares.

Certificates to be exchanged.

91. All Holders of Shares in the said additional Capitals of Eighty thousand Pounds and Three hundred thousand Pounds shall, as soon as may be after such Consolidation, deliver up the Certificates or Vouchers for such Shares to be cancelled, and thereupon the Secretary of the Company shall deliver to them in lieu thereof Certificates of Shares of corresponding Number and Amount in the said Second Preferential Capital, and from the Time of such Consolidation until Delivery of such first-mentioned Certificates or Vouchers for Cancellation the Company shall not be bound to register any Transfer of those Shares.

Existing Trusts, &c. attached to new Shares, &c.

92. Every new Share or Portion of Stock which under the Powers of this Act is issued to any Person or Corporation in exchange or substitution for other Shares or Stock shall vest in such Person or Corporation upon the same Trusts, and subject to the same Powers, Provisions, Charges, and Liabilities, which immediately before the Exchange

or

or Substitution attached upon or affected such other Shares or Stock, and so as to give effect to and not to revoke any Will or other Testamentary Instrument of or affecting such other Shares or Stock.

Extinguishing Money Powers of Transfer Act.

93. All Powers of raising Money by the Creation of new Shares or Stock, and by borrowing, given to the Company by the Transfer Act, are hereby repealed.

Farnborough Extension to be Part of the general Undertaking.

94. The Sections of the Transfer Act numbered respectively Thirteen, Fourteen, Fifteen, Sixteen, and Seventeen (relating to the *Farnborough* Extension Stock, the Application of the Profits of the Extension to *Farnborough* Railway, the Rights of the Holders of such Stock, and of the Holders of Mortgages and Bonds of the Company, the Disposition and Transfer of such Stock, and the Application of Monies raised under that Act,) are hereby repealed; and the Extension to *Farnborough* Railway shall be and be deemed to have been (as from the passing of the Transfer Act) Part of the general Undertaking of the Company.

Power to create new Shares for general Undertaking, for Metropolitan Extensions, and for joint Purposes of Undertakings.

95. The Company may from Time to Time (in addition to any other Sums of Money which they are by this or any other Act authorized to raise) raise the Sums following; (to wit,)

For the Purposes of their general Undertaking, including the Purchase of the Extension to *Farnborough* Railway and the Works authorized by the Works Act of 1861, except the *Long Hedge* Junction, and by the Creation of new Shares in the general Undertaking, any further Sums not exceeding in the whole Six hundred and seventy-one thousand Pounds:

For the Purposes of the Metropolitan Extensions, and by the Creation of new Shares in that Undertaking, any further Sums not exceeding in the whole One million and fifty thousand Pounds:

For Purposes common to their general Undertaking and the Metropolitan Extensions any further Sums not exceeding in the whole Seven hundred and fifty thousand Pounds.

Classes and Amounts of new Shares.

96. The respective new Shares created under this Act for raising each of those Sums of Six hundred and seventy-one thousand Pounds, One million and fifty thousand Pounds, and Seven hundred and fifty thousand Pounds, may be created at One Time or different Times, in One or more Classes, and of such Amounts as will allow the same to be conveniently apportioned or disposed of according to the Resolutions of any Ordinary or Special Meeting of the Company.

What Profits shall be applicable to Dividend on

97. All new Shares in the general Undertaking created under the Powers of this Act for raising the said Sum of Six hundred and seventy-one thousand Pounds are herein-after designated "Third Preference Shares,"

Shares," and shall entitle the Holders thereof to Dividend or Interest only out of the general Profits of the Company as defined in this Act; and all those Shares, whether created at One Time or in One Class, or at different Times or in different Classes, and also the Shares representing the additional Capital of One hundred and twenty-nine thousand Pounds created under the Powers of "The Works Act, 1861," making an Aggregate of Eight hundred thousand Pounds, shall together form the Third Preferential Capital of the general Undertaking, and shall entitle the Holders thereof to Dividend or Interest *pari passu*, and without any Preference or Priority *inter se* (except the Preference or Priority *inter se* of Half Shares (if created) bearing the same Number). general Shares;

98. All new Shares in the Metropolitan Extensions Undertaking created under the Powers of this Act are herein-after designated "Metropolitan Extension New Shares, 1862," and whether created at One Time or in One Class, or at different Times or in different Classes, shall entitle the Holders thereof to Dividend or Interest *pari passu*, but only out of the Profits of the Metropolitan Extensions applicable to Dividend as defined in the Metropolitan Extensions Act, and not out of any other Profits of the Company. and on new Metropolitan Extension Shares;

99. All new Shares created under the Powers of this Act for raising the said Sum of Seven hundred and fifty thousand Pounds for Purposes herein-before specified as common to the Two Undertakings, or any Part of that Sum, are herein-after designated "Common Fund Shares," and whether created at One Time or in One Class, or at different Times or in different Classes, shall entitle the Holders thereof to Dividend or Interest *pari passu*, but only out of the Common Fund as herein-after defined, and not out of any other Profits of the Company, and any other Shares or Stock in the Company shall not entitle the Holders thereof to Dividend or Interest out of the Common Fund. and on Common Fund Shares.

100. The Common Fund shall consist of those Charges which the Board of Directors of the Company, under the Authority of an Extraordinary General Meeting of the Company specially convened with Notice of the Object of the Meeting, shall determine to be the Charges to be deducted in the Nature of Terminal Charges from the Receipts on the Company's Railways, or from the Receipts belonging to the Company arising from the Railways worked and leased by the Company, in respect of the Matters and Things upon or in respect of which the said Sum of Seven hundred and fifty thousand Pounds shall be expended for the common Benefit of the Metropolitan Extensions and the general Undertaking of the Company. Common Fund defined.

101. The Board of Directors shall, with the like Authority, determine whether all or any and (if any) what Part of the Expenses of constructing, Repairs, &c. chargeable thereon.

constructing, maintaining, repairing, managing, manning, and working the Terminal Passenger and Goods Stations and Assorting Stations, or any of them or any Parts thereof, or any Workshops, Factories, Buildings, Engine Sheds, or Works and Conveniences connected therewith, shall be defrayed out of the Common Fund, and the same shall be defrayed accordingly.

Separate Accounts.

102. The Company shall keep full and separate Accounts of the Charges and Monies from which the Common Fund is derived, and of the Expenditure thereof, and of the Assets and Liabilities of the Common Fund.

Unissued Shares may be cancelled.

103. If after having created any new Shares under the Powers of this Act the Company resolve not to issue the same, or any Class or Part thereof, they may cancel the Shares to which such Resolution applies, and in lieu thereof may create and issue other new Shares, not exceeding the aggregate Amount of the Shares so cancelled.

Privileges may be attached to new Shares.

104. Subject to the Provisions herein-after contained for the Protection of existing Preferential Shares, the Company may from Time to Time, with the Consent of Two Thirds of the Votes of the Shareholders voting, personally or by Proxy, at any Extraordinary Meeting convened with Notice of this Purpose, attach to any Third Preference Shares or any Metropolitan Extension new Shares, 1862, or any Class of such Shares created under the Powers of this Act, before the Issue thereof, any perpetual, terminable, fixed, variable, contingent, or absolute Preference or Priority of Interest or Dividend, not exceeding the Rate of Six Pounds *per Centum per Annum*, as to the Company shall seem fit, payable out of the Profits or Revenue of the Company applicable to Dividend on the respective Shares to which such Preference or Priority is attached.

Saving existing Preference Shares.

105. Any Preference or Priority in the Payment of Interest or Dividend which may be granted by the Company in pursuance of this Act on any Third Preference Shares or Metropolitan Extension new Shares, 1862, created under the Powers of this Act, or on any Stock substituted for such Shares, shall not (except to the Extent of the Consolidation of the Shares representing the additional Capital of One hundred and twenty-nine thousand Pounds authorized by the Works Act, 1861, with the Shares representing the additional Capital of Six hundred and seventy-one thousand Pounds authorized by this Act, and to the Extent of the Postponement by this Act authorized of the Metropolitan Extension Half Shares A, and Stock substituted for those Half Shares,) prejudice or affect any Preference or Priority in the Payment of Interest or Dividends on any other Shares or Stock payable out of the same Profits or Revenue which may have been granted by the Company

by

by or in pursuance of or which may have been confirmed by any Act of Parliament passed prior to the passing of this Act, or which may otherwise be lawfully subsisting.

Bank of new Metropolitan Extension Shares.

106. And whereas no Stock has yet been substituted for any Metropolitan Extension Half Shares A: And whereas all the Holders of Metropolitan Extension Half Shares A have consented to the Provisions of this Act: Therefore the Interest or Dividend on the Metropolitan Extension new Shares, 1862, from Time to Time created, shall rank and be payable either before or after, or in part before and in part after, the Interest or Dividend on the whole or any Part of the Metropolitan Extension Half Shares A, as the Meeting creating any such new Shares shall determine, and the Clauses and Provisions of the Metropolitan Extensions Act and of this Act with reference to Preferences or Priorities shall be construed and take effect accordingly.

Half Shares may be created.

107. The Company may, if they think fit, create and issue in preferred Half Shares and deferred Half Shares, or, after Issue, may, with the Consent of the registered Holders thereof, divide into preferred Half Shares and deferred Half Shares, in accordance with the Provisions of the Acts now in force relating to the Company, all or any Part of the Capital which they are by this Act authorized to raise.

As to Dividend on Preferential Shares.

108. The respective new Shares or Stock created under the Powers of this Act shall be entitled to the preferential Dividend, if any, which may have been attached to them by the Company as aforesaid out of the Profits or Revenue of the Company in each Year applicable to Dividend thereon respectively, according to the Provisions of this Act, but if in any Year ending the Thirty-first Day of *December* there shall not be Profits or Revenue of the Company so applicable thereto available for the Payment of the full Amount of such preferential Dividend for that Year, no Part of the Deficiency shall be made good out of the Profits or Revenue of any subsequent Year, or out of any other Funds of the Company.

Disposition of new Shares.

109. All new Shares created under the Powers of this Act may be disposed of in such Manner, and to such Persons, and on such Conditions, as the Company think fit.

Limit of Amount and Number of Calls.

110. The Amount of any One Call to be made on the Proprietor of any new Share created under the Powers of this Act shall not exceed One Fifth of the total Amount of the Share, and there shall be an Interval of Two Calendar Months at least between every Two successive Calls, and not more than Three Fourths of a Share shall be called up in any One Year.

111. All

Qualifications of new Shareholders.

111. All new Shares and Stock created under the Powers of this Act shall, in proportion to the aggregate nominal Value of such new Shares or Stock held by the same Person at the same Time, confer the like Qualifications and Rights of voting as original Shares in the Capital of the Company of the same aggregate nominal Value would confer.

Authorized Capital may be raised by Stock.

112. The Company may, if they think fit, raise by Creation and Issue of Capital Stock, in lieu of the Creation and Issue of Shares, any Part of the Capital which they may be from Time to Time authorized to raise under the Powers of this Act, and may attach to such Stock or any Part thereof the like prior or preferential Interests, payable out of the same Profits or Revenue, and other Rights and Privileges, and in like Manner, as they might have attached to the Shares in lieu of which such Stock may be created.

Stock to carry Preference of Shares.

113. All Capital Stock created under the Powers of this Act by the Conversion or in lieu of the Creation of any Shares entitled to any preferential Dividend or Interest shall bear and be entitled to the same preferential Dividend or Interest payable out of the same Profits or Revenue, but subject to the same Limitations, as the Shares for which such Stock is substituted would, if in existence, bear or be entitled to under the Provisions of this Act.

Application to such Stock of Part of 8 & 9 Vict. c. 16.

114. The Sections of "The Companies Clauses Consolidation Act, 1845," numbered Sixty-two, Sixty-three, and Sixty-four, relating to Shares consolidated or converted into Stock, shall (subject to the Provisions of this Act) apply to all Capital Stock created under the Powers of this Act in the same Manner as if such Capital Stock were general Capital Stock formed by the Conversion or Consolidation of Capital under the Powers of that Act, and any Instalments by which any Stock created by or under the Powers of this Act may be made payable shall be recoverable as Calls are recoverable under that Act.

Borrowing Powers.

115. In addition to the Powers of borrowing Money by any other Acts given to the Company they may from Time to Time borrow, for the Purposes of the general Undertaking, and on Mortgage of that Undertaking and the general Profits,—

In respect of the additional Capital of Six hundred and seventy-one thousand Pounds by this Act authorized to be raised by Third Preference Shares, any Monies not exceeding in the whole Two hundred and twenty-three thousand six hundred Pounds:

And they may also from Time to Time borrow for the Purposes of the Metropolitan Extensions, on Mortgage of that Undertaking and the Tolls arising thereon,—

In

In respect of the additional Capital of One million and fifty thousand Pounds by this Act authorized to be raised by Metropolitan Extension new Shares, 1862, any Monies not exceeding in the whole Three hundred and fifty thousand Pounds:

And they may also from Time to Time borrow for the common Purposes of the Two Undertakings, on Mortgage of the Common Fund,—

In respect of the additional Capital by this Act authorized to be raised by Common Fund Shares any Monies not exceeding in the whole Two hundred and fifty thousand Pounds.

Restrictions on borrowing.

116. No Money shall be borrowed under the Powers of this Act until the whole of the additional Capital in respect of which the same is hereby authorized to be borrowed is subscribed for or taken, and One Half thereof is paid up, and until the Company shall prove to the Justice who is to certify, under the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that all that Capital is subscribed for or taken *bonâ fide*, and is held by the Subscribers or their Assigns, and that such Subscribers or their Assigns are legally liable for the same, of which Proof having been given the Certificate of such Justice under that Section shall be sufficient Evidence.

Priority of existing Mortgages.

117. All Mortgages granted by the Company before the passing of this Act, and which are in force at the Time of the passing of this Act, and charged or attaching on the general Undertaking or the general Profits of the Company, during their Continuance shall have Priority over all Mortgages granted by virtue of this Act, and charged on the same Undertaking or Profits; and all Mortgages granted by the Company before the passing of this Act, and in force at the Time of the passing of this Act, and charged on the Metropolitan Extensions alone, during their Continuance shall have Priority over all Mortgages granted by this Act and charged on the Metropolitan Extensions alone.

Application of Monies raised.

118. All Monies raised by the Company by Shares, Stock, or borrowing under the Powers of this Act shall be applied only for the respective Purposes for which the same respectively are by this Act authorized to be raised.

No Interest or Dividend to be paid on Calls paid up.

119. The Company shall not, out of any Money by any Act relating to the Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, pay Interest or Dividend to any Shareholder on the Amount of Calls made in respect of the Shares held by him in the Capital by this Act authorized to be created: Provided always, that the Company may pay to any such Shareholder such Interest on Money advanced by him beyond the Amount of Calls

actually made as shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

Deposit for future Bills not to be paid out of Company's Capital.

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

Railways not exempt from Provisions of present and future General Acts.

121. Nothing herein contained shall be deemed or construed to exempt the Railways by this Act or the said recited Acts authorized to be made from the Provisions of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, now in force, or which may hereafter pass during the present or any future Session of Parliament, or from any future Revision or Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges, or of the Tolls for small Parcels, authorized by the recited Acts.

Expenses of Act.

122. The Costs, Charges, and Expenses of preparing and passing this Act, and preliminary and incidental thereto, shall be paid by the Company.

The SCHEDULE referred to in the foregoing Act.

HEADS OF AGREEMENT made the Eighth Day of March One thousand eight hundred and sixty-two between George Gunnell Newman as the Agent of the London, Chatham, and Dover Railway Company and Filmer Phipps as the Agent of Christopher Phipps.

Article 1.—Christopher Phipps shall give Land for, and shall, within Eight Calendar Months from the Date hereof, make a new Road, Twelve Feet in Width, between the Turnpike Road leading from Canterbury to Dover and the River Road, and such new Road shall pass through the Lands numbered respectively 1 and 6 on the Plans deposited for the Purposes of the foregoing Act.

Article 2.—The London, Chatham, and Dover Railway Company shall, at their own Expense, within Eight Calendar Months from the Date hereof, construct and complete a Bridge, Twelve Feet wide in the Clear, for the Purpose of carrying the said new Road over the Railway, and such Bridge shall be constructed at Right Angles with the Rails, at a Point One hundred and eighty-seven Yards to the West of the Road intended to be abandoned; and the said Company shall also within the like Period, at their own Expense, make the Approaches of so much of the said new Roadway to and from the said Bridge as lies between the Fences of the Railway.

Article 3.—Such new Road and Bridge, when completed, shall be dedicated to the Public for the Purposes of a Highway for Carriages, Animals, and Foot Passengers.

Article 4.—In consideration of the Land given by Christopher Phipps, and the Formation by him of such new Road, the said Company shall pay to the said Christopher Phipps the Sum of Six hundred Pounds within Seven Days after the Time when the new Road to be made by the said Christopher Phipps shall have been certified by the Surveyor of the Highways of the Parish of River to have been completed and to be in a fit State for Traffic.

Dated the Eighth Day of March One thousand eight hundred and sixty-two.

As the Agent of the London, Chatham, and Dover Railway Company,

GEO. G. NEWMAN.

As the Agent of Christopher Phipps, Esquire,

FILMER PHIPPS.

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