CHAPTER cxlviii.

An Act to authorise the London Chatham and Dover Railway Company to construct railways and works in the counties of Surrey and Kent and in the city of London and for other purposes. [14th July 1884.]

A.D. 1884.

WHEREAS it is expedient that the London Chatham and Dover Railway Company (in this Act called "the Company") should be authorised to widen so much of their railway in the parish of Lambeth or Saint Mary Lambeth in the county of Surrey as is herein-after described:

And whereas it is expedient that the Company should be authorised to widen the bridge carrying their railway over Queen Victoria Street in the parish of Saint Anne Blackfriars in the city of London in manner and to the extent herein-after described:

And whereas it is expedient that the time limited by the London Chatham and Dover Railway (Maidstone and Faversham Junction Railway) Act 1881 for the compulsory taking of lands and for the completion of the railways and works by that Act authorised should be extended:

And whereas it is expedient that the time limited by the London Chatham and Dover Railway Act 1879 for the completion of the widenings of the Company's railway authorised by that Act should be extended:

And whereas it is expedient the Company should be authorised to take and hold the lands herein-after mentioned in the county of Kent for providing further accommodation and for the general purposes of their undertaking:

And whereas it is expedient that the time limited by the London Chatham and Dover Railway Act 1874 for the sale of superfluous lands should be extended:

And whereas it is expedient to remove doubts which have arisen as to the powers of the Company to run over and use with their engines and carriages of every description so much of the Railway

A.D. 1884.

No. 4 authorised by the London Brighton and South Coast Railway (New Lines) Act 1862 as is situate between the commencement of that railway and a point forty chains or thereabouts measured in a south-westerly direction along that railway on the plans deposited for the purposes of that Act upon the same terms and conditions as the Company are by that Act authorised to run over the remainder of the said Railway No. 4:

And whereas it is expedient that the Company should be authorised to raise additional capital for the purposes of this Act:

And whereas plans and sections of the widenings of the railways herein-after authorised showing the lines and levels thereof and plans showing the lands proposed to be taken for the general purposes of the Company's undertaking and also books of reference thereto containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the clerks of the peace for the counties of Kent Surrey and Middlesex and with the clerk of the peace for the city of London respectively and are herein-after respectively referred to as the deposited plans sections and books of reference:

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

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

Short title.

1. This Act may be cited as the London Chatham and Dover Railway (Further Powers) Act 1884.

Incorporation of general Acts.

2. The Lands Clauses Consolidation Acts 1845 1860 & 1869 as amended by the Lands Clauses (Umpire) Act 1883 the Railways Clauses Consolidation Act 1845 and Part I (relating to construction of a railway) of the Railways Clauses Act 1863 are except where expressly varied by this Act incorporated with and form part of this Act.

Interpretation.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction the expression "the Company" means the London Chatham and Dover Railway Company the expressions "the railway" and "the undertaking" mean respectively the widening of the railway by this Act

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

Interpretation of terms "parish clerks" &c.

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

Power to widen portion of Company's railway at Brixton and bridge over Queen Victoria Street.

5. Subject to the provisions of this Act the Company may construct and maintain on the line and according to the levels shown upon the deposited plans and sections the widening of their railway and bridge herein-after respectively described together with all necessary and convenient or incidental works stations approaches bridges roads or communications connected therewith respectively and for those purposes may enter upon take and use the property delineated on the deposited plans and described in the deposited books of reference The said widenings are—

(1.) A widening 2 furlongs 0·50 chains in length of so much of the Railway No. 3 (West End Section) authorised by the London Chatham and Dover Railway (Metropolitan Extensions) Act 1860 as lies between a point one hundred and fifty yards or thereabouts west of the bridge carrying it over Shepherd's Lane Brixton and a point eighty yards or thereabouts east of the bridge carrying it over Manor Rise Brixton all in the parish of Lambeth or Saint Mary Lambeth in the county of Surrey.

(2.) A widening to the extent of not more than sixteen feet at the southern end and not more than two feet at the northern end of the bridge carrying their railway over Queen Victoria Street in the parish of Saint Anne Blackfriars in the city of London on the eastern side thereof.

For protection of sewers in the Metropolis.

6. 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 to interfere with any sewer drain watercourse defence or work under the

A.D. 1884.

jurisdiction or control of the Metropolitan Board of Works or of any vestry or district board of works constituted under the Metropolis Management Act 1855 or any Act or Acts amending the same or extending the powers thereof or with any sewers or works to be made or executed by the said boards or vestries or any of them or shall or may in any way affect the sewerage or drainage of the districts under their or either of their control the Company shall not commence such works until they shall have given to the said Metropolitan Board or to the district board or vestry as the case may be twenty-eight 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 twenty-one days after service of the said plan section and particulars as aforesaid: Provided the Company shall comply with and conform to all orders directions and regulations of the said Metropolitan Board and of the respective district board or vestry as the case may be in the execution of the said works and shall provide by new altered or substituted works in such manner as such boards or vestries respectively shall reasonably require for the proper protection of and for preventing injury or impediment to the sewers and works herein-before referred to by reason of the said intended works or any part thereof and shall save harmless the said boards and vestries 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 such 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 board 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 costs 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 Metropolitan Board district board or vestry as the case may be respectively as any

sewers or works now 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 respective boards or vestries or any or either of them or of their successors but all such rights powers and authorities shall be as valid and effectual as if this Act had not been passed.

Bridges over roads in the metropolis.

7. Where any bridge or works are constructed under the powers of this Act for widening any railway of the Company over any street or road within the metropolis there shall be left a clear headway throughout above the existing surface of the street or road and a clear span throughout not less than the headway and span of the bridge by which such railway is carried over such street or road and any such bridge and works shall be of a reasonably ornamental character and design and shall be made and maintained so as to prevent the dripping of water therefrom on any part of such street or road or the footway thereof and so as to deaden so far as is practicable the sound of engines carriages and traffic passing over them and the parapets of such bridges and works shall be carried up to a height sufficient effectually to hide from view of the street or road trains passing over such bridges or works.

The Company shall not execute or commence the erection of any such bridge or works as aforesaid until they shall have given to the Metropolitan Board of Works and also to the vestry or district board within whose parish or district such bridge or works will be situate twenty-one days notice in writing of their intention to commence the same by leaving such notice at the offices of the said Metropolitan Board and also at the office of such vestry or district board with plans elevations sections and other necessary particulars of the construction of the said bridge and works and until the said Metropolitan Board shall have signified their approval of the same unless the said Metropolitan Board fail to signify such approval or their disapproval or other directions within twenty-one days after service of the said notice and delivery of the said plans elevations sections and other particulars as aforesaid and the Company shall comply with and conform to all reasonable directions and regulations of the said Metropolitan Board in the execution and subsequent maintenance of every such bridge and the works connected therewith and shall save harmless the said Metropolitan Board against all and every expense to be occasioned thereby and all such works shall be done to the reasonable satisfaction of the engineer or other officer of the said Metropolitan Board at the costs charges and expenses in all respects of the Company and all costs charges and expenses which the said Metropolitan Board may be put to by reason of the works

A.D. 1884.

of the Company whether in the execution of the works the preparation or examination of plans or designs superintendence or otherwise shall be paid to the said Metropolitan Board by the Company on demand.

Inclination of streets.

8. No street or road within the metropolis shall be so altered under the powers of this Act that the inclination thereof when altered shall be steeper in any part than one in forty.

Exhibition of placards.

9. The Company shall not affix or exhibit or permit to be affixed or exhibited upon any part of the works authorised by this Act within view of any public street within the metropolis any placards or advertisements except such as shall have been approved in writing by the clerk or other officer of the Metropolitan Board of Works and if any such placard or advertisement be affixed or exhibited the said Metropolitan Board of Works and their authorised officers may remove the same but this provision shall not prevent the Company from exhibiting on the front of any station placards giving information to the public as to the traffic of the Company.

Company to make good parochial rates in parish of Lambeth until works are assessed.

10. If and while the Company are possessed under this Act of any lands in the parish of Lambeth assessed or liable to be assessed to any sewers rate main drainage rate or general purposes rate they shall from time to time until the said widening and the works thereof are completed and assessed or liable to be assessed thereto be liable to make good the deficiency in the assessment for such rate or rates respectively by reason of those lands being taken or used for the purposes of the said widening 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 such rate or rates respectively.

Provisions as to works in parish of Beckenham.

11. The following provisions respecting the widening of the Company's railway and the bridge carrying the same over the Bromley Road numbered 75 in the parish of Beckenham on the plans and book of reference deposited with reference to the London Chatham and Dover Railway Act 1879 (in this section called the Act of 1879) shall take effect and be binding on the Company and the Beckenham Local Board respectively.

(*a.*) Notwithstanding anything contained in sections 6 7 and 15 of the Act of 1879 or shown on the said deposited plans and sections the Company shall when they widen their railway at Shortlands under the powers of the said Act also widen the bridge carrying their existing railway over the said road so as to leave a clear width throughout between the buttresses of the bridge of at least 40 feet measured square to the

face of such buttresses and a headway throughout of not less than the headway under the present bridge.

(*b.*) The increased width between the buttresses of the bridge shall be obtained by taking down the northern buttress of the existing bridge and constructing a new buttress fifteen feet nearer to Beckenham Junction.

(*c.*) During the progress of the widening and alteration of the said bridge the Beckenham Local Board shall pay to the Company the sum of four hundred pounds towards the expense of such alteration.

(*d.*) Any difference between the Company and the said local board in relation to the aforesaid works or any other matter referred to in this section shall be referred to and determined by an arbitrator to be agreed upon between them or failing agreement to be named by the President of the Institution of Civil Engineers.

Provisions as to bridge over Queen Victoria Street.

12. With reference to the bridge carrying the railway of the Company over Queen Victoria Street in the parish of St. Anne Blackfriars in the city of London the following provisions shall have effect:—

(*a.*) The widening of the said bridge on the eastern side thereof authorised by this Act shall be of the same height and span as the existing bridge and the provisions of sections 73 and 74 of the London Chatham and Dover Railway (Metropolitan Extensions) Act 1860 so far as the same relate to rendering bridges completely water-tight and as to lighting by night and day shall apply to the bridge as so widened.

(*b.*) The Company shall make the western side of the present western girder of the said bridge and the eastern side of the eastern girder of the said bridge as so widened of a reasonably ornamental character to the satisfaction of the Commissioners of Sewers of the city of London or their engineer for the time being.

(*c.*) The Company shall twenty days previously to commencing the said widening or proceeding to make the bridge of the ornamental character aforesaid submit plans and designs of the same to the said commissioners or their engineer for approval and the arrangements for the carrying out of the works in this section referred to shall be done under the superintendence and to the reasonable satisfaction of the said engineer so as to cause as little interference as may be with the traffic of Queen Victoria Street.

A.D. 1884.

(*d.*) The Company shall take such steps as may be necessary and reasonable to deaden the sound and prevent as far as possible the vibration caused by the passage of trains over the said bridge and this provision shall extend to the said widening when carried out.

(*e.*) The Company shall complete the above works and carry out the above stipulations within three months of the opening for public traffic of the said widening and if the Company fail so to do they shall forfeit and pay to the said commissioners the sum of five pounds for every day beyond the said three months during which such works remain incompleted or such stipulations are not complied with and such penalty may be recovered by the said commissioners from the Company with full costs of suit in any court of competent jurisdiction.

(*f.*) The Company shall from time to time and at all times paint and repair the said bridge and keep and maintain the same in a good state as regards appearance.

(*g.*) The Company shall not exhibit or permit to be exhibited upon the said girders of the said bridge as now existing or as widened as aforesaid within view of the public streets any placard or advertisement not having relation to their own traffic and every such placard or advertisement shall be exhibited in such form as shall not be incongruous with the ornamental lines and character of the bridge.

(*h.*) In case any difference arises between the Company and the commissioners with respect to plans or any other matter arising under this section the same shall on the application of either party be referred to and determined by an arbitrator to be appointed by the Board of Trade and the costs of such arbitration and award shall be within the discretion of the arbitrator.

Extension of time for taking lands for the Maidstone and Faversham Railway, and for completion of line.

13. The time limited by the London Chatham and Dover Railway (Maidstone and Faversham Junction Railway) Act 1881 for taking lands by compulsion for the purposes of the railway and works thereby authorised is hereby extended to the twenty-seventh day of June one thousand eight hundred and eighty-six and the time limited by the same Act for the completion of the said railway and works is hereby extended until the twenty-seventh day of June one thousand eight hundred and eighty-eight.

Extension of time for completing widenings authorised by Company's Act of 1879.

14. The time limited by the London Chatham and Dover Railway Act 1879 for the completion of the widenings of the Company's railway authorised by that Act is hereby extended until the twenty-seventh day of May one thousand eight hundred and eighty-six.

Power to acquire additional lands for general purposes of Company's undertaking.

15. Subject to the provisions of this Act the Company may from time to time enter upon take use and appropriate for the general purposes of their undertaking and works connected therewith and for providing increased accommodation all or any of the lands houses and buildings following delineated on the deposited plans thereof and described in the deposited books of reference relating thereto respectively (that is to say):

Certain lands in the parish of Faversham:
Certain lands in the parish of Preston next Faversham:
Certain lands in the parish of Herne:
Certain lands in the parish of Beckenham:
Certain lands in the parish of Maidstone:
Certain lands in the parish of Bromley,

all in the county of Kent.

Compulsory powers not to be exercised with respect to property No. 3 in the parish of Preston.

16. The powers of this Act for the compulsory purchase of lands for the purposes of this Act shall not be exercised with respect to the property numbered on the deposited plans 3 in the parish of Preston in the county of Kent.

Power to apply corporate funds to purposes of Act.

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

Power for the Company to raise additional capital.

18. For the purposes of this Act the Company may raise any additional capital not exceeding in the whole the sum of one hundred and twenty-three thousand pounds by the issue at their option of new ordinary shares or stock or new preference shares or stock or wholly or partially by any one or more of those modes respectively and the clauses and provisions of the Companies Clauses Consolidation Act 1845 with respect to the following matters (that is to say):—

The distribution of the capital of the Company into shares:
The transfer or transmission of shares:
The payment of subscriptions and the means of enforcing the payment of calls:
The forfeiture of shares for non-payment of calls:
The remedies of creditors of the Company against the shareholders:
The borrowing of money by the Company on mortgage or bond:
The conversion of borrowed money into capital:
The consolidation of shares into stock:

A.D. 1884.

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

The making of dividends :

The giving of notices ; and

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

Part I. (relating to cancellation and surrender of shares) Part II. (relating to additional capital) Part III. (relating to debenture stock) of the Companies Clauses Act 1863 and mutatis mutandis sections 33 34 and 35 of the second award of the arbitrators under the London Chatham and Dover Railway (Arbitration) Act 1869 shall extend and apply to the Company and to the additional capital which they are by this Act authorised to raise.

Shares not to be issued till one-fifth part thereof shall have been paid.

19. The Company shall not issue any share or stock created under the authority of this Act nor shall any such share or stock vest in the person or corporation accepting the same unless and until a sum not being less than one-fifth of the amount of such share or stock shall have been paid in respect thereof.

New shares or stock to be subject to the same incidents as other shares or stock.

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

Dividends on new shares or stock.

21. Every person who becomes entitled to new shares or stock shall in respect of the same be a holder of shares or stock in the Company and shall be entitled to a dividend with the other holders of shares or stock of the same class or description proportioned to the whole amount from time to time called and paid on such new shares or to the whole amount of such stock as the case may be.

New shares issued under this Act and any other Acts of past or present sessions may be of same class.

22. Subject to the provisions of any Act already passed by which the Company are authorised to raise capital by new shares or stock and to the provisions of this Act and any other Act passed in the present session of Parliament whether before or after the passing of this Act by which the Company may be authorised to raise capital by new shares or stock the Company may if they think fit raise by the creation and issue of new shares or stock of one and the same class all or any part of the aggregate capital which they

are by such other Acts and this Act respectively authorised to raise by means of new shares or stock.

Power to borrow.

23. The Company may in respect of the additional capital of one hundred and twenty-three thousand pounds which they are by this Act authorised to raise from time to time borrow on mortgage of the undertaking any sum not exceeding in the whole forty-one thousand pounds but no part thereof shall be borrowed until shares for so much of the said additional capital as is to be raised by means of shares are issued and accepted and one half of such capital is paid up and the Company have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 before he so certifies that shares for the whole of such capital have been issued and accepted and that one half of such capital has been paid up and that not less than one-fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof and until stock for one half of so much of the said additional capital as is to be raised by means of stock is fully paid up and the Company have proved to such justice as aforesaid before he so certifies that such shares or stock as the case may be were issued and accepted and paid up bonâ fide and are held by the persons or corporations to whom the same were issued or their executors administrators successors or assigns and also so far as the said additional capital is raised by shares that such persons or corporations or their executors administrators successors or assigns are legally liable for the same and upon production to such justice of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence thereof.

For appointment of a receiver.

24. Every provision in any Act passed before the present session of Parliament whereby the Company is authorised to raise by borrowing money for the purposes of their undertaking with respect to the appointment of a receiver for enforcing payment by the Company of arrears of principal or principal and interest shall be and the same is hereby repealed but without prejudice to any appointment which may have been made or to the continuance of any proceedings which may have been commenced prior to the passing of this Act under such provision The mortgagees of the Company may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver In order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than ten thousand pounds in the whole.

A.D. 1884.

Existing mortgages to have priority.

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

Debenture stock.

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

Application of moneys.

27. All moneys raised by the Company under this Act whether by shares stock debenture stock or borrowing shall unless otherwise provided by this Act be applied only to the purposes of this Act and subject thereto to the general purposes of the undertaking of the Company being in every case purposes to which capital is properly applicable.

Period for compulsory purchase of lands.

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

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

29. Whereas pursuant to the standing orders of both Houses of Parliament and to an Act of the ninth year of the reign of Her present Majesty chapter twenty there has been transferred into the Chancery Division of the High Court of Justice in England in respect of the application to Parliament for this Act the sum of nineteen thousand five hundred pounds Consolidated Three per Cent. Annuities (herein-after referred to as "the original deposit fund") representing five per centum upon the amount of the estimate in respect of the railways proposed to be authorised by the Bill for this Act as originally introduced into Parliament and whereas such railways included two railways which were struck out of the Bill during its progress through Parliament and the estimate for widening the railway authorised by this Act amounts to thirty-eight thousand two hundred and thirty-eight pounds three shillings: Be it enacted that notwithstanding anything contained in the said recited Act out of

the original deposit fund a sum of one thousand nine hundred and thirty-three pounds Consolidated Three per Cent. Annuities (which last-mentioned sum is in this Act referred to as "the deposit fund") shall not be paid or transferred to or on the application of the person or persons or the majority of the persons named in the warrant or order issued in pursuance of the said Act or the survivors or survivor of them (which persons survivors or survivor are or is in this Act referred to as "the depositors") unless the Company shall previously to the expiration of the period limited by this Act for completion of the railway open the same for the public conveyance of passengers: Provided that if within such period as aforesaid the Company open any portion of the railway for the public conveyance of passengers then on the production of a certificate of the Board of Trade specifying the length of the portion of the railway opened as aforesaid and the portion of the deposit fund which bears to the whole of the deposit fund the same proportion as the length of the railway so opened bears to the entire length of the railway the Court shall on the application of the depositors or the majority of them order the portion of the deposit fund specified in the certificate to be paid or transferred to them or as they shall direct and the certificate of the Board of Trade shall be sufficient evidence of the facts therein certified and it shall not be necessary to produce any certificate of this Act having passed anything in the above-mentioned Act to the contrary notwithstanding.

Application of deposit.

30. If the Company do not previously to the expiration of the period limited for the completion of the railway complete and open the same then and in every such case the deposit fund or so much thereof as shall not have been paid to the depositors shall be applicable and after due notice in the "London Gazette" shall be applied towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the railway or any portion thereof or who have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act and for which injury or loss no compensation or inadequate compensation has been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Chancery Division of the High Court of Justice in England may seem fit and if no such compensation is payable or if a portion of the deposit fund has been found sufficient to satisfy all just claims in respect of such compensation then the deposit fund or such portion thereof as may not be required as aforesaid shall either be forfeited to Her Majesty

A.D. 1884.

and accordingly be paid or transferred to or for the account of Her Majesty's Exchequer in such manner as the Chancery Division thinks fit to order on the application of the Solicitor of Her Majesty's Treasury and shall be carried to and form part of the Consolidated Fund of the United Kingdom or in the discretion of the Court if the Company is insolvent and has been ordered to be wound up or a receiver has been appointed shall wholly or in part be paid or transferred to such receiver or to the liquidator or liquidators of the Company or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof: Provided that until the deposit fund has been repaid to the depositors or has become otherwise applicable as herein-before mentioned any interest or dividends accruing thereon shall from time to time and as often as the same shall become payable be paid to or on application of the depositors.

Release of portion of deposit.

31. On the application of the depositors by petition in a summary way at any time after the passing of this Act the Court may and shall order that the sum of seventeen thousand five hundred and sixty-seven pounds Consolidated Three per Cent. Annuities being the balance of the original deposit fund and the interests and dividends thereof shall be paid or transferred to the depositors or to any other person or persons whom they may appoint on their behalf.

Period for completion of works.

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

Power to run over portion of London Brighton and South Coast Railway.

33. And whereas doubts have arisen which it is expedient should be removed as to the right of the Company to run over and use so much of the Railway No. 4 authorised by the London Brighton and South Coast Railway (New Lines) Act 1862 as is situate between the commencement of that railway and a point forty chains or thereabouts measured in a south-westerly direction along that railway on the plans deposited for the purposes of the said Act it is hereby declared and enacted that the Company may run over and use with their engines carriages and waggons of every description so much of the said Railway No. 4 as aforesaid upon the same terms and conditions as the Company are by that Act authorised to run over the remainder of the said Railway No. 4.

Extension of time for sale of Company's superfluous lands.

34. Notwithstanding anything to the contrary contained in the Lands Clauses Consolidation Act 1845 or in any Act of the Company in which that Act is incorporated or in the awards made by the arbitrators in pursuance of the London Chatham and Dover Railway

(Arbitration) Act 1869 other than the superfluous lands as defined by the schedule and plans referred to in the second award made by the arbitrators under the last-mentioned Act the Company may retain and hold any lands belonging to them which have not been applied by them to the purposes of the Company or sold or disposed of by them other than the superfluous lands defined as aforesaid such lands being situate in the counties and parishes following (that is to say):—

Counties.	Parishes.
Middlesex	Saint Sepulchre.
	Saint Bride.
	Saint Anne, Blackfriars.
	Saint George, Hanover Square.
Surrey	Saint George-the-Martyr.
	Saint Mary, Newington.
	Saint Mary, Lambeth.
	Saint Giles, Camberwell.
	Saint Mary, Battersea.
	Clapham.
	Christchurch.
Kent	Greenwich.
	Saint Paul, Deptford.
	Chiselhurst.
	Hartley
	Cuxton.
	Strood.
	Newington.
	Milton.
	Sittingbourne.
	Teynham.
	Harbledown.
	Saint Dunstan, Canterbury.
	Bekesbourne.
	Adisham.
	Saint Mary the Virgin, Dover.
	Wrotham.
	Leybourne.
	West Malling.
	East Malling.
	Maidstone.

for the periods following (that is to say): as regards such of the lands as are situate near to or adjoining any railway or station of the Company or as the Company may consider they may require for

A.D. 1884.

the purpose of any sidings stations offices storehouses workshops or other conveniences connected with their undertaking for the period of ten years and as regards the remainder of the said lands for the period of five years such respective periods to be computed as to superfluous lands defined as aforesaid from the passing of this Act but the Company shall at the expiration of such respective periods of ten years and five years sell and dispose of as superfluous lands all such parts of those lands respectively as shall not then have been applied to or are not then required for the purposes of their undertaking or otherwise the Company may from time to time grant building or other leases of any of the said lands for such term of years and for payment of such chief or other rents and upon such other terms and conditions as they may think proper and in that case they shall at the expiration of the said respective periods sell and absolutely dispose of the reversionary interest in the lands so leased.

Interest not to be paid on calls paid up.

35. No interest or dividend shall be paid out of any share or loan capital which the Company are by this or any other Act authorised to raise to any shareholder on the amount of the calls made in respect of the shares held by him but nothing in this Act shall prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the Companies Clauses Consolidation Act 1845.

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

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

Provisions as to general Railway Acts.

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

Expenses of Act.

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

LONDON: Printed by EYRE and SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1884.