ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

Cap. cclxix.

An Act to authorize the *London, Chatham, and Dover* Railway Company to make connecting Railways, and to widen Parts of their existing Railways in *Surrey*, and to acquire additional Lands; to provide for the Abandonment of a Railway authorized by the "*Crystal Palace and South London Junction* Railway Act, 1862;" and for other Purposes. [5th *July* 1865.]

WHEREAS it is expedient that the *London, Chatham, and Dover* Railway Company (in this Act called "the Company") be authorized to make and maintain—

A Railway (Junction Railway No. 1) wholly in the Parish of *Lambeth* in the County of *Surrey* to connect the Railway No. 2 (City Section) of the Railways (in this Act called "the Metropolitan Extensions") authorized by "The *London, Chatham, and Dover* Railway (Metropolitan Extensions) Act, 1860," (in this Act called "the Metropolitan Extensions Act,") near the *Herne Hill* Station thereon, with the Railway of the *London, Brighton, and South Coast* Railway Company (in this Act called "the

"the *Brighton* Company") now in course of Construction, which passes in a Tunnel or covered Way under *Denmark Hill* (and which last-mentioned Railway is in this Act called "the *Brighton* Company's Line of 1862"):

A Railway (Junction Railway No. 2) wholly in the Parish of *Camberwell* in the County of *Surrey* to connect the *Peckham* Line authorized by the "*London, Chatham, and Dover* Railway Act, 1863," (in this Act called "the Company's Act of 1863,") with the *Brighton* Company's Line of 1862:

A Widening (Widening A) of the Railway No. 2 (City Section) of the Metropolitan Extensions from near the Bridge carrying it over *Charlotte Street* in the Parish of *Christchurch* in the County of *Surrey* to near the Bridge carrying it over *Poplar Walk* in the said Parish of *Lambeth*:

A Widening (Widening B) of the Railway No. 3 (West End Section) of the Metropolitan Extensions from near the Bridge carrying it over *Shepherd's Lane, Brixton*, to near the Bridge carrying it over *Manor Rise, Brixton*:

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 in the several Parishes of *Saint Ann Blackfriars, Saint Martin Ludgate, Saint Bride* and *Saint Sepulchre* in the City of *London, Saint Sepulchre* in the County of *Middlesex*, and *Christchurch, Newington, Clapham, Lambeth*, and *Camberwell*, in the County of *Surrey*: And whereas for the Purposes of this Act Plans and Sections of the intended Railways and Widenings 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 showing 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 *Middlesex* and *Surrey*: And whereas *Holland Street* in the Parish of *Christchurch* in the County of *Surrey* divides the *Blackfriars* Station of the Company, and by "The *London, Chatham, and Dover* Railway (Additional Powers) Act, 1862," (in this Act called "the Company's Act of 1862,") they were authorized to lay Four Lines of Way across that Street on the Level: And whereas *Green Walk* in the said Parish of *Christchurch* when widened by the Company, as authorized by "The *London, Chatham, and Dover* Railway (New Lines) Act, 1864," (in this Act called "the New Lines Act, 1864,") will, in connexion with the newly con-

London, Chatham, and Dover Railway (Various Powers) Act, 1865.

structed Street called "*Southwark Street*," joining *Green Walk*, form a Substitute for *Holland Street*, and it is expedient that the Company be authorized to stop up *Holland Street* when that Widening is completed: And whereas by "The *Crystal Palace and South London Junction* Railway Act, 1862," (in this Act called "the *South London* Act,") the *Crystal Palace and South London Junction* Railway Company (in this Act called "the *South London* Company") were incorporated, and were (Section 19) authorized to make and maintain Two Railways, numbered 1 and 2, for the Purpose of affording Access from the Metropolitan Extensions of the Company to the *Crystal Palace* at *Sydenham*: And whereas by "the *South London* Act" (Section 70) the *South London* Company and the Company are empowered to contract with respect to the Maintenance, Management, Use, and Working by the Company of all or any Part of the Railways and Undertaking of the *South London* Company, and the Conduct of the Traffic thereon, and other Matters: And whereas the *Peckham* Line authorized by the Company's Act of 1863 will, as Means of Communication between the Metropolitan Extensions and the *Crystal Palace* aforesaid, form a Substitute for the Railway numbered 2, and secondly described in and authorized by "the *South London* Act," and it is expedient that the Construction of that Railway be abandoned: And whereas the general Undertaking of the Company, as defined in the Acts relating to the Company, consists of their Undertaking as authorized by "The *East Kent* Railway Act, 1853," "The *East Kent* Railway (Extension to *Dover*) Act, 1855," and "The *East Kent* Railway (Western Extension) Act, 1858," and certain other Railways, Works, and Lands by subsequent Acts declared Part of their general Undertaking, and they have also several separate Undertakings: And whereas under the Provisions of the Acts relating to the Company the ultimate Residues of the Profits of several of the now existing separate Undertakings of the Company, namely, their Metropolitan Extensions and their Metropolitan Extensions (Eastern Section), fall into their general Profits, and from those general Profits the ordinary Shares and Stock in the general Undertaking are entitled to Dividend or Interest: And whereas in each of those separate Undertakings there is or may be a Portion of the Capital of the Company for that Undertaking represented by Shares or Half Shares or Stock which are entitled to Dividend or Interest out of the Profits of the respective separate Undertaking after the other Shares, Half Shares, and Stock in that Undertaking, and immediately before those Profits fall into the general Profits of the Company, and that Portion of Capital is in this Act called "deferred Capital:" And whereas the ordinary Capital in the general Undertaking of the Company is the Sum of Three million Pounds, consisting of Seven hundred thousand Pounds original

25 & 26 Vict. c. cxliv.

original Capital which by the "*London, Chatham and Dover* Railway (Capital) Act, 1860," was converted into ordinary Stock, One million five hundred thousand Pounds represented by new ordinary Shares in the general Undertaking of the Company created and issued under the Authority of "The *London, Chatham, and Dover* Railway (City Undertaking) Act, 1864," (in this Act called "the City Undertaking Act,") and Eight hundred thousand Pounds represented by new ordinary Shares in the general Undertaking of the Company created and issued under the Authority of that Act and of the Eleventh Section of "The Companies Clauses Act, 1863," incorporated therewith, in lieu of Shares of equal aggregate nominal Amount (theretofore constituting the Third Preference Capital in the general Undertaking of the Company) surrendered under the Authority of the City Undertaking Act: And whereas it is expedient that Provision be made for the Consolidation of the deferred Capital of and in any of the separate Undertakings of the Company, and the Shares and Stock representing such deferred Capital, with the ordinary Capital and Shares and Stock in their general Undertaking: And whereas it is expedient that the Acts relating to the Company be in some 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,)

Short Title

1. This Act may be cited for any Purpose as "*London, Chatham, and Dover* Railway (Various Powers) Act, 1865."

8 & 9 Vict. cc. 18. & 20., 23 & 24 Vict. c. 106., and 26 & 27 Vict. c. 92. incorporated.

2. "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," "The Railways Clauses Consolidation Act, 1845," and Part I. relating to Construction of a Railway, and Part III. relating to Agreements, of "The Railways Clauses Act, 1863," are incorporated with this Act, and shall extend and apply to the Widenings as well as to the new Railways by this Act authorized.

Part of 8 & 9 Vict. c. 16. incorporated.

3. The following Clauses and Provisions of "The Companies Clauses Consolidation Act, 1845," are incorporated with this Act; (that is to say,)

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

London, Chatham, and Dover Railway (Various Powers) Act, 1865.

With respect to the Forfeiture of Shares upon Nonpayment of Calls:

With respect to the Remedies of 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 Shares into Stock:

With respect to the Provision to be made for affording Access to the Special Act by all Parties interested.

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 Special Act" shall mean this Act:

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

"The general Undertaking" shall mean the Undertaking of the Company as authorized by "The *East Kent* Railway Act, 1853," "The *East Kent* Railway (Extension to *Dover*) Act, 1855," "The *East Kent* Railway (Western Extension) Act, 1858," and all other the Railways, Works, and Lands of the Company from Time to Time declared Part of their general Undertaking:

"The general Profits of the Company" shall mean all the Profits applicable to Dividend of the general Undertaking (except the Common Fund authorized by the "Additional Powers Act, 1862," and the *Victoria* Station Fund), 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, or to the Common Fund or *Victoria* Station Fund:

"Superior Courts" shall include all Courts of competent Jurisdiction as interpreted by this Act:

"Court of competent Jurisdiction," and any other like Expression, shall be read and have Effect as if the Debt or Demand with respect to which the Expression is used were a common Simple Contract Debt, and not a Debt or Demand created by Statute:

"The City Commissioners" shall mean the Commissioners of Sewers of the City of *London* and the Liberties thereof:

And in "The Railways Clauses Consolidation Act, 1845," and "The Railways Clauses Act, 1863," the Term "the Railway" shall include all the Works by this Act authorized.

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.

Application of Funds.

6. The Company may apply for the Purposes of the Junction Railway No. 2 by this Act authorized any Money from Time to Time raised under the Authority of "the Company's Act of 1863" for the Purposes of the Railways and Works therein distinguished as Metropolitan Extensions (Eastern Section), and may apply for the Purpose of the Acquisition under the Authority of this Act of any Lands lying to the Northward of *Earl Street, Blackfriars*, and for providing Station Accommodation, Buildings, Sheds, and Sidings thereon, any Money from Time to Time raised under the Authority of the City Undertaking Act by City Lines Shares or City Lines Stock, or by borrowing on Mortgage of the City Lines Undertaking and the Tolls arising thereon, and may apply for the other Purposes by this Act authorized any Money from Time to Time raised under the Authority of "the City Undertaking Act" by Metropolitan Extension new Shares, 1864, or by borrowing on Mortgage of the Metropolitan Extensions, and respectively either before or after any Consolidation of Shares under this Act.

Power to take Lands.

7. Subject to the Provisions of this Act, the Company may from Time to Time enter upon, take, use, and purchase—

(A.) For the Purposes of the Railways and Widenings by this Act authorized, and any Stations, Buildings, and Works connected therewith, such of the Lands shown on the Plans of those Railways and Widenings deposited for the Purposes of this Act as they think necessary:

(B.) For the Purposes of Station Accommodation, Buildings, Sheds, Sidings, and other Objects of their Undertaking, all or such Part as they think necessary for those Purposes of the Lands in the before-named Parishes or Places included within a Red Line on the Plans deposited as aforesaid: Provided always, that this Act shall not empower the Company to take any Lands to the North of *West Street*.

8. Subject

Power to stop up certain Streets, &c.

8. Subject to the other Provisions of this Act, the Company may (when the Widening of *Green Walk* authorized by the "New Lines Act, 1864," is completed so as to make *Green Walk* not less than Fifty Feet throughout,) stop up *Holland Street* in the Parish of *Christchurch* in the County of *Surrey*, and they may also, either before or after the Widening of *Green Walk*, stop up *Fleet Lane*, and the Diversion (made by the Company) of *Fleet Lane*, *Wheatsheaf Yard*, *Bear Alley*, *Brazier's Buildings*, *Newcastle Street*, and *Turnagain Lane*, in the City of *London*, and all other Streets, Roads, Squares, Alleys, Thoroughfares, and Places included within the Red Line on the Plans deposited as aforesaid (excepting those which are North of *West Street*); and when any Street, Road, Square, Alley, Thoroughfare, or Place is stopped up under the Authority of this Act the Soil and Site thereof are by this Act vested in the Company for their own Use and Benefit, and all Rights of Way and other Rights and Easements in and over the same are by this Act extinguished; and when the Soil and Site of *Holland Street* are so vested in the Company the Sections numbered respectively 77, 78, and 79 of the Company's Act of 1862 are by this Act repealed.

Provision as to Diversion of Fleet Lane.

9. Provided, That the Company shall not, without the Consent in Writing for that Purpose of the City Commissioners under the Hand of their Chief Clerk, stop up the Diversion of *Fleet Lane* shown on the Plans deposited for the Purpose of this Act.

Provision for widening or altering the Diversion of Fleet Lane.

10. If the Mayor, Aldermen, and Commons of the City of *London* shall, within Six Months after the passing of this Act, give the Company Notice under the Hand of their Town Clerk that they require the present Diversion of *Fleet Lane* to be widened to the Extent of Fifteen Feet, or to be constructed in an altered Course through the Lands numbered 1, 9, 10, 11, 12, 13, and 3 on the Plans deposited in Parliament with respect to this Act into *Fleet Lane* at or near the Property numbered 14, or the Widening of *Fleet Lane* to the Extent of Fifteen Feet from the said Property numbered 14 to the *Old Bailey*, and in such Notice shall set out the Width and Gradients required for such Widenings or Alterations respectively, the Company shall, if they are then the Owners and in possession of the necessary Land for such Widenings and Alteration respectively, make and construct the same; the Cost of the Land for such Widenings and Alteration respectively, and the Cost of making the same, and the Cost of all Works incidental thereto, including the Cost of any Alteration that may be required in the Company's Viaduct over the said present Diversion of *Fleet Lane*, shall be paid by the Mayor, Aldermen, and Commons to the Company (out of the Funds at the Disposal of the said Mayor, Aldermen, and Commons

for

for effecting the Works under the "*Holborn Valley* Improvement Act, 1864"); and in case the Company and the said Mayor, Aldermen, and Commons cannot agree as to the Amount of such Payment, the same shall be determined by an Arbitrator to be agreed upon by the Company and the said Mayor, Aldermen, and Commons, or, in default of such Agreement, by an Arbitrator to be nominated by the Board of Trade.

Power to Company to erect Bridge over Fleet Lane.

11. The Company shall be at liberty to construct a Bridge or Viaduct over the proposed Alteration of *Fleet Lane* of suitable Dimensions for the Purpose of connecting their Land on either Side thereof which may be severed by the Alteration of *Fleet Lane* mentioned in the last Section; and any Question which may arise as to the Position, Form, and Dimensions of the said Bridge or Viaduct shall be determined by Arbitration in manner provided by the last Section.

Provision as to concurrent Powers to Purchase.

12. In any Case in which the Mayor, Aldermen, and Commons of the City of *London* under the "*Holborn Valley* Improvement Act, 1864," and the Company under this or any other Act of Parliament, have concurrent Powers for the Purchase of Land, these Powers shall not be exercised by either Party until after Seven Days Notice in Writing of the Intention to exercise such Powers has been given to the other Party; and if within those Seven Days the Party to whom Notice is given shall object to the Exercise of such Powers by the other, then as to the Lands referred to in the Notice neither of those Parties shall exercise any Powers of Purchase until an Arbitrator to be appointed by the Board of Trade on the Application of both or either of the Parties shall have decided whether any, and if any what, Portion of such Lands shall be purchased by each or either of them; and it shall be the Duty of the Arbitrator to decide all such Questions in such Manner as he may deem best for enabling both Parties to execute their respective Undertakings as authorized by such Acts of Parliament respectively.

As to certain Lands purchased by the Corporation of London.

13. In any Case in which the Company require to purchase or take any Lands which have been already purchased or contracted to be purchased by the said Mayor, Aldermen, and Commons, and the Mayor, Aldermen, and Commons are unwilling to dispose of the same, or require the same for the Purposes of the Viaduct and Streets authorized by "The *Holborn Valley* Improvement Act, 1864," then the Course to be taken by the Company and the said Mayor, Aldermen, and Commons respectively shall be determined by Arbitration in manner herein-before provided for with respect to the Exercise of concurrent Powers of Purchase: Provided always, that this Provision shall not be construed so as to prevent the said Mayor, Aldermen,

and

and Commons from constructing the said Viaduct and Streets so authorized as aforesaid.

Provision for Subway under Holland Street.

14. The Company shall, before the closing of that Portion of *Holland Street* by this Act authorized to be taken by the Company, construct a Subway or Passage of the clear Height of Seven Feet Six Inches and of the clear Width of Eight Feet beneath that Portion of *Holland Street* authorized to be taken by the Company from the Eastern End thereof into the *Blackfriars Road* for the Purpose of forming an Access for Foot Passengers between those Points, and such Subway or Passage shall be under the Control of the Company, and the Subway or Passage shall be properly maintained and lighted with Gas by the Company to the Satisfaction of the *Saint Saviour's* District Board of Works, and shall be kept open for the Public between the Hours of Five of the Clock in the Morning and Eight of the Clock in the Evening; and the Mode in which the said Passage or Subway shall be constructed, maintained, and lighted shall from Time to Time be agreed between the Engineer of the Company and the Engineer of the said District Board, and in the event of any Difference between them the same shall be referred to and determined by an Engineer to be appointed by the Board of Trade.

Powers for compulsory Purchases limited.

15. The Powers of the Company for the compulsory Purchase of the Lands by this Act authorized to be purchased shall not be exercised after the Expiration of Three Years from the passing of this Act.

Lands for extraordinary Purposes.

16. The Quantity of Land which the Company may purchase by Agreement under the Authority of this Act for extraordinary Purposes, as defined in the "Railways Clauses Consolidation Act, 1845," is Two Acres.

Lodging Houses not to be taken until Notice given.

17. Not less than Eight Weeks before the Company shall, under the Powers of this Act, take compulsorily any Houses in the Parish of *Saint Sepulchre* in the City of *London* occupied either wholly or partially as Tenants or Lodgers by Persons belonging to the Labouring Classes, the Company shall make known their Intention to take such Houses by Placards, Handbills, or other general Notice placed in public View upon or within a reasonable Distance from such Houses; and the Company shall not take compulsorily any such Houses until they have obtained the Certificate of a Justice that it has been proved to his Satisfaction that the Company have made known their Intention to take the same in manner required by this Provision, and upon Production to any Justice of such Evidence as he shall think sufficient such Justice shall grant such Certificate accordingly.

Power to make Works.

18. Subject to the Provisions and Powers of Deviation in this Act and the incorporated Acts contained, the Company may make and maintain the intended Railways 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.

Description of Works.

19. The Railways and Works by this Act authorized to be made comprise:

A Railway (Junction Railway No. 1) wholly in the Parish of *Lambeth* in the County of *Surrey* to connect the Railway (No. 2) City Section of the Metropolitan Extensions, near the *Herne Hill* Station thereon, with the *Brighton* Company's Line of 1862 now in course of Construction, which passes in a Tunnel or covered Way under *Denmark Hill*:

A Railway (Junction Railway No. 2) wholly in the Parish of *Camberwell* in the County of *Surrey* to connect the *Peckham* Line authorized by the Company's Act of 1863 with the *Brighton* Company's Line of 1862:

A Widening (Widening A) of the Railway No. 2 (City Section) of the Metropolitan Extensions (on the Western Side of the existing Lines thereof, and on a Viaduct, and with Parapets of the same Height as those now existing there,) from near the Bridge carrying it over *Charlotte Street* in the Parish of *Christchurch* in the County of *Surrey* to near the Bridge carrying it over *Poplar Walk* in the said Parish of *Lambeth*:

A Widening (Widening B) of the Railway No. 3 (West End Section) of the Metropolitan Extensions from near the Bridge carrying it over *Shepherd's Lane, Brixton*, to near the Bridge carrying it over *Manor Rise, Brixton*.

Provision as to Junction of Railways with Brighton Company's Railway.

20. The Junction between the Junction Railway No. 1 by this Act authorized and the *Brighton* Company's Railway shall be made at the Point shown on the deposited Plans, and with the Two Northernmost of the Four Lines of Rails of the *Brighton* Company; and the Junction of the Junction Railway No. 2 by this Act authorzed with the *Brighton* Company's Railway shall be made at the Point shown on the deposited Plans, and with such Two only of the Lines of Rails of the *Brighton* Company as that Company shall by Writing direct: Provided that if the *Brighton* Company fail so to direct within Two Months after Notice in Writing from the Company, the Lines of Rails with which the Junction shall be made shall be determined by an Arbitrator to be appointed by the Board of Trade on the Application of either Company; and neither of the said

said Junctions shall be made otherwise or elsewhere, or with any other Lines of the *Brighton* Company, unless the Company and the *Brighton* Company under their respective Common Seals otherwise agree.

Saving Line and Land of Brighton Company.

21. The Company shall not, without the Consent in Writing of the *Brighton* Company under their Common Seal, alter the Line or Level of any Railway belonging to the *Brighton* Company, or without the like Consent, except for the Purpose of carrying the Junction Railway No. 1 under the *Brighton* Company's Railway, and of effecting the Junctions as by this Act authorized with the *Brighton* Company's Railway, take or use any Land now belonging to the *Brighton* Company, or which that Company are now authorized to acquire, or which they may by any Act passed in the present Session of Parliament be authorized to acquire.

Not to interfere with Brighton Company's Railway without Consent.

22. The Company shall not, for the Purpose of making the Junction Railways No. 1 and No. 2 by this Act respectively authorized, or either of them, acquire any Ownership of or in any Land or Property of the *Brighton* Company, or which that Company are now authorized to acquire, or which they may by any Act passed in the present Session be authorized to acquire, but the Company shall acquire only an Easement or Right for making, maintaining, and using of the said Junction Railways respectively in or upon such Land or Property; and the Company shall not enter upon or in any Manner interfere with the *Brighton* Company's Railway, or any of the Lands or Works of the *Brighton* Company, or execute any Works whatsoever under, upon, or affecting the *Brighton* Company's Railway, Lands, or Works, until there shall have been delivered to the *Brighton* Company by the Company Plans, Drawings, and Specifications of the Works proposed to be executed under, upon, or affecting the *Brighton* Company's Railway, Land, and Works, such Plans, Drawings, and Specifications to describe the Manner of executing the intended Works, and the Materials to be used for the Purpose, nor until those Plans, Drawings, and Specifications have been examined and approved in Writing under his Hand by the Engineer of the *Brighton* Company, or, in the event of his failing to approve the same for One Calendar Month after the said Plans, Drawings, and Specifications have been delivered to the *Brighton* Company, until the same have been examined and approved in Writing under his Hand by an Engineer to be appointed by the Board of Trade; and the same Works shall be executed by the Company at their sole Expense, and shall be subsequently maintained by the Company in all things according to the approved Plans, Drawings, and Specifications, under the Superintendence

dence and to the reasonable Satisfaction of the Engineer of the *Brighton* Company.

Company to pay to Brighton Company Expenses of Watchmen during Construction of Works.

23. The Company shall bear, and on Demand pay to the *Brighton* Company, the Expense of the Employment by them during the making of the Junction Railways No. 1 and No. 2 by this Act respectively authorized under, upon, and adjacent to the Railway of the *Brighton* Company of a sufficient Number of Inspectors and Watchmen, to be appointed by the *Brighton* Company, for watching their Railway with reference to and during the Execution of the intended Works, and for preventing as far as may be all Interference, Obstruction, Danger, and Accident to arise from any of the Operations, or from the Acts, Omissions, or Defaults of any Person or Persons in the Employ of or acting for the Company with reference thereto or otherwise.

Penalty in case of Interruption of Traffic on the Brighton Railway.

24. If by reason of any Works or Proceedings of the Company with reference to the Junction Railways No. 1 and No. 2 by this Act authorized, or either of them, there shall be any Obstruction or Interference with the *Brighton* Company's Railway so as to prevent or impede the convenient Passage of Engines and Carriages along the same, the Company shall pay to the *Brighton* Company the Sum of Twenty Pounds by way of ascertained Damages for every Hour during which that Obstruction or Interference continues.

Company to pay all Damage sustained by Brighton Company.

25. The Company shall from Time to Time be responsible for and make good to the *Brighton* Company all Costs, Losses, Damages, and Expenses from Time to Time occasioned to the *Brighton* Company, or any of the Works or Property of the *Brighton* Company, or the Traffic on the *Brighton* Company's Railway, or any Person or Persons using the same, or otherwise by reason of the Execution or Failure of any of the Works of or incidental to the Junction Railways No. 1 and 2 by this Act authorized, or either of them, or any Act or Omission of the Company, or any of the Persons in their Employ, or their Contractors or others; and the Company shall effectually indemnify and hold harmless the *Brighton* Company from all Claims and Demands upon or against them by reason of any such Execution or Failure, and of any such Act or Omission.

Providing for Bridge under the Brighton Company's Railway.

26. The Junction Railway No. 1 shall be carried under the *Brighton* Company's Railway as shown on the deposited Plans, and an Arch or Bridge shall be built by the Company for the Purpose of continuing the *Brighton* Company's Railway over the said Junction Railway No. 1, and such Arch or Bridge, and the Works connected therewith,

therewith, shall be of such Dimensions and so constructed as to admit of the convenient Maintenance and User by the *Brighton* Company on and over the same of Six complete Lines of Railway at the least, with the proper and usual incidental Spaces, that is to say, of Two additional Lines and incidental Spaces immediately to the Southward of the now existing Four Lines of Railway there.

Limiting Time for Completion of Bridge under Brighton Company's Line.

27. The Arch or Bridge for continuing the *Brighton* Company's Railway over the Junction Railway No. 1 by this Act authorized shall be completed and finished in all respects to the Satisfaction of the *Brighton* Company's Engineer within Six Calendar Months after the Date of the Commencement of the Works of such Arch or Bridge, and the Company shall pay to the *Brighton* Company the Sum of Twenty Pounds by way of ascertained Damage for every Day which shall elapse after the Expiration of such Six Calendar Months until the Completion of the said Arch or Bridge as aforesaid; and in the event of any Difference between the Engineers of the Company and of the *Brighton* Company as to the Subject Matter of this Clause, the same shall be determined by an Arbitrator to be appointed by the Board of Trade.

Bridge to be Property of Brighton Company.

28. Such Arch or Bridge, and the incidental Works connected therewith, shall from and after the Completion thereof, and subject and without Prejudice to the Duty and Obligation of the Company for ever thereafter, at their own Expense, to uphold and maintain the same in good and sufficient Repair, and otherwise in respect thereof, be the Property of the *Brighton* Company, and be deemed Part of the Structure of the *Brighton* Company's Railway.

The Company and Brighton Company empowered to enter into Agreements.

29. The Company and the *Brighton* Company may from Time to Time enter into and carry into effect any Agreement or Arrangement with respect to the Construction, Situation, and Alteration respectively of the said Arch or Bridge, and the carrying of the said Junction Railway No. 1 under the *Brighton* Company's Railway, and the Junction of the said Junction Railway No. 2 with the *Brighton* Company's Railway.

Questions of disputed Compensation in London to be heard in the Lord Mayor's Court of the City of London.

30. In every Case in which any Question of disputed Compensation shall, in accordance with the Provisions of this Act and the incorporated Acts, be required to be determined by the Verdict of a Jury in the City of *London* or the Liberties thereof, the Jury shall be required to appear before the Court of the Mayor and Aldermen of the City of *London* to be holden in the outer Chamber of the *Guildhall* of the said City according to the Custom of the said City at a Time to be appointed by the said Court; and all the Directions

and Provisions contained in "The Lands Clauses Consolidation Act, 1845," in respect to the Settlement of Questions of disputed Compensation by Juries appearing before the Sheriff, Coroner, or other Person, shall extend and be applied with respect to the Settlement of any such Question of disputed Compensation under this Act by Juries appearing before the said Court of Mayor and Aldermen as aforesaid, and the said Court shall give Judgment for the Purchase Money or Compensation assessed by such Jury, and a Verdict and Judgment shall be signed by the Registrar of the said Court of Mayor and Aldermen, and entered among the Records of the said Court, and the said Registrar shall settle the Costs of every such Inquiry.

For Protection of Sewers in City of London.

31. Where any of the Work to be done under or by virtue of this Act shall or may pass over, under, or by the Side of, or so as to interfere with, any Sewer, Drain, Watercourse, Defence, or Work under the Jurisdiction or Control of the Commissioners of Sewers of the City of *London*, or with any Sewers or Works to be made or executed by the said Commissioners, or shall or may in any way affect the Sewage or Drainage of the Districts under their Control, the Company shall not commence such Work until they shall have given to the Engineer or Surveyor of the said Commissioners Twenty-eight Days previous Notice in Writing of their Intention to commence the same by leaving such Notice at his Office or at the principal Office of the Commissioners, with a Plan and Section showing the Course and Inclination thereof, and other necessary Particulars relating thereto, and until such Commissioners shall have signified their Approval of the same, unless such Commissioners do not signify their Approval, Disapproval, or other Directions within Twenty-eight Days after Service of the said Plan, Section, and Particulars as aforesaid; and the Company shall comply with and conform to all Directions and Regulations of the Commissioners in the Execution of the said Works, and shall provide by new, altered, or substituted Works in such Manner as such Commissioners may deem necessary for the proper Protection of, and for preventing Injury or Impediment to, the Sewers and Works herein-before referred to by or by reason of the said intended Works, or any Part thereof, and shall save harmless the said Commissioners against all and every the Expense to be occasioned thereby; and all such Works may be done by or under the Direction, Superintendence, and Control of the Engineer or other Officer or Officers of the said Commissioners, and at the Costs, Charges, and Expenses in all respects of the Company; and all reasonable Costs, Charges, and Expenses which the said Commissioners may be put to by reason of the Works of the Company, whether in the Execution of Works, the Preparation or Examination of Plans or Designs, Superintendence, or otherwise, shall be paid to such Commissioners by the Company on Demand;

Demand; and if any Dispute shall arise between the Company and the said Commissioners as to any Matter or Thing in this Clause contained, or the Amount of such Costs, Charges, and Expenses, the same shall be settled by an Arbitrator to be mutually agreed upon, or, failing such Agreement, by an Arbitrator to be appointed by the Board of Trade, and the Amount of such Costs, Charges, and Expenses, when determined, shall be a Debt due from the Company to the said Commissioners; and when any new, altered, or substituted Works as aforesaid, or any Works or Defence connected therewith, shall be completed by or at the Costs, Charges, and Expenses of the Company under the Provisions of this Act, the same shall thereafter be as fully and completely under the Direction, Jurisdiction, and Control of the said Commissioners as any Sewers or Works now are or hereafter may be; and nothing in this Act shall extend to prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities vested or to be vested in the said Commissioners or their Successors, but all such Rights, Powers, and Authorities shall be as valid and effectual as if this Act had not been passed.

For the Protection of the Streets of the City of London.

32. The Company shall not break up or disturb any Street or Place, or the Pavement thereof, under the Control or Direction of the Commissioners of Sewers of the City of *London*, unless at least Twenty-eight Days previous Notice in Writing of their Intention so to do, specifying the Street, Place, or Pavement intended to be broken up or disturbed, be given to the Engineer or Surveyor of such Commissioners, or left for him at his Office or at the Office of such Commissioners; and the Company shall attend to the Directions of such Engineer or Surveyor with a view to secure a free Passage of Traffic in such Streets and Places, and to prevent needless Injury to the Streets, and shall not open more of such Streets or Places at one Time than such Engineer or Surveyor shall in Writing authorize; and when the Company shall break up or disturb any such Street, Place, or Pavement, they shall, so soon as the Works affecting it are completed, and at the furthest within Three Months, or such extended Period as may be agreed upon between the Company and such Commissioners, from the Day on which those Works were begun, restore the Street, Place, or Pavement to as good a Condition as it was in when it was broken up or disturbed, under the Superintendence and to the reasonable Satisfaction of the Engineer or Surveyor of the Commissioners, and the Company shall save harmless and keep indemnified the said Commissioners and their Successors against any Expenses consequent on any such Works; and if the Company fail to comply with the Requirements of this Act they shall forfeit to the said Commissioners a Sum of Twenty Pounds for every Offence, and an additional Sum of Twenty Pounds for every

every Day that the Company shall fail to comply with the Directions of such Engineer or Surveyor; and the said Commissioners may, if they think fit, restore the Street, Place, or Pavement broken up or disturbed, and recover the Expense of such Restoration, and also the said Sums so forfeited, from the Company in an Action or Actions of Debt: Provided always, that in the event of Difference arising between the Company and the Commissioners as to any Matter or Thing in this Clause contained, the same shall be determined by any Arbitrator to be mutually agreed upon, or, failing such Agreement, by an Arbitrator to be named by the Board of Trade.

As to Crossings of certain Surrey and Sussex Roads.

33. The Company shall not, in carrying the Widening B by a Bridge over *Manor Rise, Brixton*, alter, unless with the Consent of the Trustees of the *Surrey* and *Sussex* Turnpike Roads, the present Level of the said Road, or the Footpaths thereof, or any Part thereof respectively.

Extending Provisions of Act of 1863 relating to Surrey and Sussex Roads.

34. The Sections of the Company's Act of 1863, numbered respectively 43, 44, 45, 46, 47, 48, 49, 50, and 51 (relating to the *Surrey* and *Sussex* Turnpike Roads), shall extend and apply to the Railways and Works by this Act authorized, and to the Powers by this Act given to the Company in relation thereto, as fully and effectually as if those Sections were in this Act re-enacted with especial Reference to those Railways, Works, and Powers; and throughout those Sections, as so extended and applied, the Trustees mentioned or referred to are the Trustees of the *Surrey* and *Sussex* Turnpike Roads, and the Roads mentioned or referred to are those Turnpike Roads.

Extending Provision for Deficiency of local Rates.

35. The Section numbered 148 of the Metropolitan Extensions Act (for making good Deficiency of local Rates) shall extend and apply to the Railways and Works by this Act authorized, and to the Lands to be acquired by the Company for the Purposes thereof, as fully and effectually as if that Section were in this Act re-enacted with especial Reference to those Railways, Works, and Lands.

Extending Provisions of Act of 1864 as to Boards of Works, &c.

36. The Sections numbered respectively 53, 54, 55, and 56 of the "New Lines Act, 1864," (relating to the Metropolitan Board of Works,) and also as regards Sections 53 and 56 to Vestries and District Boards, shall (except, as regards the Widenings A and B, the Paragraph numbered 3 of that Section 54) extend and apply to the Railways and Works by this Act authorized, and to the Powers by this Act given to the Company in relation thereto, as fully and effectually as if those Sections (with that Exception) were in this Act re-enacted with especial Reference to those Railways, Works, and Powers.

37. If

As to lighting Arches in St. Mary, Newington.

37. If any of the Arches over the Streets in the Parish of *Saint Mary, Newington*, crossed by any Railway or Work by this Act authorized shall cause a public Inconvenience by obstructing the Light in such Streets or Ways, Courts or Alleys, it shall be lawful for the Metropolitan Board of Works to set up and affix thereon, and keep lighted with Gas by Day and Night, a Lamp or Lamps for affording proper Light and Security for Passengers, and the Costs, Charges, and Expenses attending the setting up and affixing thereof shall be paid by the Company, and may be recovered from the Company by the Metropolitan Board of Works, with full Costs of Suit, in any Court of competent Jurisdiction: Provided that if the Company and the Metropolitan Board of Works differ as to the Existence of public Inconvenience or Obstruction of Light, the Number or Nature of the Lamps required, or any other Matter comprised in or arising on this Section, every such Difference shall be determined by an Arbitrator to be appointed by the Board of Trade on the Application of the Company and the Metropolitan Board of Works, or of either of them, and the Arbitrator shall have Power to determine by whom and in what Manner the Costs of and incident to the Reference shall be paid.

Extending Provisions of Metropolitan Extensions Act as to Southwark and Vauxhall Water Company.

38. The Sections numbered respectively 87, 88, and 89 of the "Metropolitan Extensions Act" (relating to the *Southwark and Vauxhall* Water Company) shall extend and apply to the Railways and Works by this Act authorized, and to the Powers by this Act given to the Company in relation thereto, as fully and effectually as if those Sections were in this Act re-enacted with especial Reference to those Railways, Works, and Powers.

Period for Completion of Works.

39. The Railways by this Act authorized, and in this Act before described, shall be completed within Five Years from the passing of this Act.

Unless Railways opened Penalty imposed.

40. If the Railways are not completed and opened for public Traffic within the Period by this Act limited for the Completion thereof, the Company shall be liable to a Penalty at the Rate of Fifty Pounds for every Day after the said Period until the Railways shall be so completed and opened, and the said Penalty shall be deemed a Debt due to Her Majesty in right of Her Crown, and may be recovered accordingly: Provided always, that no Penalty shall accrue in respect of any Time during which it shall appear by a Certificate to be obtained from the Board of Trade that the Company has been prevented from completing or opening the Railways, or any of them, by unforeseen Accident, or by Circumstances beyond

their Control, but the Want of sufficient Funds shall not be held to be a Circumstance beyond their Control.

New Lines to be Part of Undertaking.

41. The Railways and Works by this Act authorized, and the Lands acquired for the Purposes thereof, shall in all respects not by or under the Authority of this Act otherwise provided for be and be deemed Part of the Undertakings of the Company; (that is to say,)

Junction Railway (No. 1) and the Widening "A," and the Lands acquired for the Purposes thereof respectively, shall be and be deemed Part of the City Section of the Metropolitan Extensions:

The Junction Railway (No. 2), and the Lands acquired for the Purposes thereof, shall be deemed Part of the Metropolitan Extensions, Eastern Section:

The Widening "B," and the Lands acquired for the Purposes thereof, shall be and be deemed Part of the West End Section of the Metropolitan Extensions.

Lands North of Earl Street to be Part of City Lines Undertaking.

42. All Lands lying to the Northward of *Earl Street, Blackfriars,* acquired by the Company under the Authority of this Act, shall belong to and be deemed Part of the City Lines Undertaking of the Company.

Tolls, &c.

43. For the Purposes of the Tolls, Rates, and Charges to be taken thereon respectively the Junction Railway (No. 1) and the Widening (A) shall be deemed Part of the City Section of the Metropolitan Extensions as if originally authorized by the "Metropolitan Extensions Act" to be constructed as Part of that Section, the Junction Railway (No. 2) shall be deemed Part of the Metropolitan Extensions, Eastern Section, as if originally authorized by the Company's Act of 1863 to be constructed as Part of that Section, and the Widening "B" shall be deemed Part of the West End Section of the Metropolitan Extensions as if originally authorized by the "Metropolitan Extensions Act" to be constructed as Part of that Section, 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 Widening by this Act authorized shall not, in any Case to which maximum Charges are applicable, exceed those limited to be taken on that Section of the Railways of the Company of which that Railway or Widening is for the Purposes of Tolls, Rates, and Charges to be deemed Part as aforesaid.

44. The

London, Chatham, and Dover Railway (Various Powers) Act, 1865.

Abandonment of South London Company's Railway No. 2.

44. The *South London* Company shall abandon and relinquish the Construction of the Railway numbered 2, and secondly described in and authorized by the *South London* Act.

Compensation to be made where Contracts have been entered into or Notices given.

45. In any Case where before the passing of this Act any Contract has been entered into or Notice given by the *South London* Company for purchasing any Lands which the *South London* Company were by the *South London* Act empowered to purchase for the Purpose of constructing the Railway so authorized to be abandoned as aforesaid, the *South London* Company shall make to the Owners or Occupiers of or other Parties interested in such Lands full Compensation for all Injury or Damage sustained by such Owners, Occupiers, or other Parties by reason of such Purchase not being completed pursuant to such Contract or Notice, and the Amount and Application of such Compensation shall be determined in the Manner provided by the "Lands Clauses Consolidation Act, 1845," for determining the Amount and Application of the Compensation to be paid for Lands taken under the Provisions thereof: Provided always, that the Authority hereby given for abandoning the Formation of the aforesaid Railway shall not prejudice or affect the Right of the Owner or Occupier of any Lands which the *South London* Company were so empowered to purchase as aforesaid to receive from the *South London* Company Compensation for any Damage that may have been occasioned by the Entry of the *South London* Company upon such Lands for the Purpose of surveying and taking Levels, and of probing or boring to ascertain the Nature of the Soil, or of setting out the Line of the Railway, pursuant to the Provisions for that Purpose in the "Lands Clauses Consolidation Act, 1845," contained.

Mode of Settlement of certain Claims.

46. All Claims for Compensation made upon the Company in respect of Lands within a Circle the Radius of which shall be One Mile and a Half measured in a straight Line on a horizontal Plane from the Southern End of the Company's Bridge over the *Thames* at *Blackfriars* (whether under or in respect of the Execution of this Act, or under or in respect of the Execution of any other Act from Time to Time in force relating to the Company,) shall, if the Person claiming to be entitled to Compensation has no greater Interest than as Tenant for a Year or from Year to Year in the Lands in respect of which the Compensation is claimed, be determined in manner provided by the 121st Section of the "Lands Clauses Consolidation Act, 1845."

Power to grant Building Leases in first instance of

47. And whereas in the Construction of the Railways within and in the immediate Proximity of the Metropolis by this Act and by other Acts relating to the Company respectively authorized the Company

certain superfluous Lands.

Company have been and may be compelled to purchase and pull down various Houses and Buildings, and the Sites thereof may not be wholly used or may not be required for the Purposes of the Railways, and it is expedient that the Company should be enabled and they are, subject to the Provisions of this Act, hereby enabled to grant Building Leases of any Lands within the Circle aforesaid which they have been or may be so compelled to purchase, but do not require for the Purpose of their Railways, (but without Prejudice to the Provisions of the "Lands Clauses Consolidation Act, 1845," requiring within the prescribed Period the Sale of superfluous Lands,) for such Terms of Years, at such Rents, and subject to such Covenants, Conditions, and Stipulations, as the Company shall deem expedient with reference to the special Circumstances of each Demise; but every such Lease shall be granted within the Period prescribed by the "Lands Clauses Consolidation Act, 1845," for the Sale of superfluous Lands, and any Lands comprised in any such Lease shall (subject to such Lease) be sold within the Period prescribed, and in default of Sale shall vest as provided by the "Lands Clauses Consolidation Act, 1845," with reference to superfluous Lands: Provided always, that whenever, by vesting in various Owners or otherwise, the Reversion upon any such Lease shall be severed, the Rent may be apportioned by Agreement between such Owners, and if such Apportionment be not so agreed the same shall be settled by an Arbitrator appointed by the Board of Trade; and after such Apportionment the Owner of each Part of the Reversion shall, in respect of the apportioned Rent allotted or belonging to him, have the Benefit of all Conditions or Powers of Re-entry for Nonpayment of the original Rent in like Manner as if such Conditions or Powers had been reserved to him as incident to his Part of the Reversion in respect of the apportioned Rent allotted or belonging to him.

Provision for Consolidation of certain Shares and Stock.

48. Subject to the Provisions of this Act, the deferred Capital, or any Part of the deferred Capital, in any One or more of the separate Undertakings of the Company, and the Shares, Half Shares, and Stock representing the same, may from Time to Time be consolidated with the ordinary Capital of Three million Pounds in the general Undertaking of the Company, and the Shares and Stock which as in this Act recited represent that ordinary Capital.

Sanction to Consolidation.

49. Provided, That any such Consolidation shall not take effect until sanctioned by not less than Three Fifths of the Votes of the Proprietors voting personally or by proxy at each of Two separate Extraordinary Meetings of the Company, each convened with special Notice of this Object of the Meeting, and at one of which Meetings Votes shall be allowed only in respect of the Shares, Half Shares, and Stock

Stock for the Time being representing the deferred Capital or Portion of deferred Capital to be consolidated, and at the other of which Meetings Votes shall be allowed only in respect of Shares, Half Shares, and Stock for the Time being representing the ordinary Capital, or, after any such Consolidation under this Act has taken effect, the consolidated ordinary Capital, in the general Undertaking of the Company.

Defining consolidated ordinary Capital.

50. The aggregate from Time to Time of the present ordinary Capital of Three million Pounds, and of the deferred Capital from Time to Time consolidated with it under the Authority of this Act, shall be and be deemed the consolidated ordinary Capital of the Company.

Effect of Consolidation.

51. After each such Consolidation the following Provisions shall take effect:

(A.) All Sums which from Time to Time would have been applicable to Payment of Dividend or Interest on the deferred Capital or Portion of deferred Capital consolidated under this Act if it had not been consolidated shall fall into and become Part of the general Profits applicable to Dividend or Interest of the Company:

(B.) The whole of the consolidated ordinary Capital for the Time being of the Company, and the Shares, Half Shares, and Stock representing the same, shall be entitled to Dividend or Interest out of the general Profits applicable to Dividend or Interest of the Company:

(C.) The consolidated ordinary Capital for the Time being of the Company, and the Shares, Half Shares, and Stock representing the same, shall not, nor shall any of them, nor any Part thereof, be entitled to Dividend or Interest out of the Profits of any separate Undertaking of the Company, except such Portion thereof as may from Time to Time, under the Provisions from Time to Time in force of this Act and the other Acts relating to the Company, fall into and become Part of their general Profits.

Provisions for Discharge of Dividends in guaranteed Shares.

52. And whereas at the Time of the passing of the "*East Kent* Railway (Extension to *Dover*) Act, 1855," (in this Act called "the *Dover* Act,") the original Line of the Company (being the Railway authorized by the "*East Kent* Railway Act, 1853,") was not commenced, and Three Years of the Time limited by that Act for the Completion thereof were unexpired: And whereas in 1855 the Country was engaged in War, and the Military Authorities were of opinion,

and the "*Dover* Act" recited, that the making of a protected Inland Line of Railway from *Canterbury* to *Dover* in extension of the said original Line, together with Branch Tramways, by which *Dover* and *Dover* Harbour might be connected with the Government Establishments at *Canterbury*, *Chatham*, *Sheerness*, *Woolwich*, and *Deptford*, without being dependent upon the circuitous and exposed Line by *Reigate*, and between *Folkestone* and *Dover*, not only would be attended with much public and local Advantage, but were of great national Importance, and that it was desirable that such Inland Line of Railway should be completed at the earliest possible Period, and with that view that Encouragement should be given for raising the Capital necessary for the Object: And whereas in consequence of that Recommendation the *Dover* Act authorized the Company, for the Purpose of raising the additional Share Capital of Five hundred thousand Pounds by that Act created for the Construction of the Line between *Canterbury* and *Dover*, to issue guaranteed Shares, and that Act did not limit or prescribe the Funds out of which any guaranteed Interest or Dividend should be paid, and as their original Line was not completed the Company had no Income from which the same could be paid: And whereas the Company attached to the Shares created for raising the Capital of Five hundred thousand Pounds authorized by the *Dover* Act a guaranteed Dividend of Five Pounds *per Centum per Annum*, and those Dividends became in arrear, and the Arrears constituted the First Charge on the general Profits of the Company applicable to Dividends: And whereas by the "*London, Chatham, and Dover* Railway (Various Powers) Act, 1861," (in this Act called the "Various Powers Act, 1861,") (after reciting (Section 21) as herein-before recited, and also that the Main Line of the Railway authorized by the *Dover* Act was about to be opened for Traffic, and also that inasmuch as the issuing of the said guaranteed Shares was directed by Parliament in order to secure the Completion of the Work then considered of great national Importance, and the Interests of the other Shareholders in the Company were injuriously affected by the Dividends thereon being in arrear, it was expedient on account of the said Circumstances to make Provision for a gradual Discharge of the Arrears of the said guaranteed Dividends,) the Company were empowered to raise Sixty thousand Pounds by the Creation of new Shares in their general Undertaking, and to attach thereto a Preference or Priority of Interest or Dividend, not exceeding the Rate of Five Pounds *per Centum per Annum*, out of the general Profits of the Company, *pari passu* with the current and future Dividends on the guaranteed Capital of Five hundred thousand Pounds created under the *Dover* Act, and those Shares were to be created and issued subject to Redemption by the Company at the Expiration of Twelve Years from the Date of the Resolution for

for their Creation at their par Value, but with Power for the Company to redeem them previously by Agreement at or below their par Value; and for providing a Fund for such Redemption it was enacted that the Directors should, in every Half Year until such Redemption was completed, set apart not less than Two thousand five hundred Pounds out of the general Profits of the Company (as defined by the "Various Powers Act, 1861,") for the Time being available for Dividend, after Payment of Interest and Dividend payable out of those Profits upon the said guaranteed Capital and the Shares representing the said Sixty thousand Pounds, and that all Sums raised by those Shares should be applied exclusively to the Payment of the guaranteed Dividends due before the passing of that Act on the said Capital created under the *Dover* Act; and by the "Various Powers Act, 1861," (Section 22) the Company were directed, out of the said additional preferential Capital of Sixty thousand Pounds, to pay or discharge the Dividends which had accrued or might accrue due on the said Capital of Five hundred thousand Pounds authorized by the *Dover* Act until the Completion of the Railways authorized by that Act, or such Part of those Dividends as should not be satisfied by Allotment of any Shares representing the said Sum of Sixty thousand Pounds as in the said Act now in recital provided: And whereas the Company accordingly created Shares of the aggregate nominal Value of Sixty thousand Pounds, and applied the Sums thereby raised in Payment of the said guaranteed Dividends: And whereas the Railways authorized by the *Dover* Act have now been completed, but until now the Traffic thereof has been but partially developed, and there have not been general Profits of the Company available for setting apart the Redemption Fund required by the "Various Powers Act, 1861," or for Payment of the said guaranteed Dividends, and further Arrears of those Dividends have accrued, and it is just that Provision be made for the Discharge thereof: Therefore for the Discharge of the further Arrears of guaranteed Interest or Dividend on the Shares created by the *Dover* Act the Company may from Time to Time, by the Creation of new Shares in their general Undertaking 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, raise any further Sums not exceeding in the whole One hundred and ten thousand Pounds.

Power to create further Shares for Redemption of guaranteed Shares.

53. The Company may from Time to Time, with the Consent of not less than Three Fifths of the Votes of the Proprietors voting personally or by proxy at any Extraordinary Meeting convened with special Notice of this Object of the Meeting, (and at which Meeting Votes

Dividend thereon.

Votes shall be allowed only in respect of Shares, Half Shares, and Stock in the general Undertaking, excluding the Shares created by the *Dover* Act, and all Shares previously created for the Discharge of the said guaranteed Arrears,) attach to any Shares created under the Authority of this Act for raising the said Sum of One hundred and ten thousand Pounds any fixed, variable, contingent, or absolute Preference or Priority of Interest or Dividend, not exceeding the Rate of Five Pounds *per Centum per Annum*, out of the general Profits of the Company, *pari passu* with the current and future Dividends on the said Capital created by or under the *Dover* Act, and on the said Capital of Sixty thousand Pounds created under the "Various Powers Act, 1861;" and such new Shares may be issued to such Persons and on such Terms and Conditions as any such Meeting thinks fit, and (subject to the Provisions of this Act) the Company may fix the Amounts and Times of Payment of the Calls on the new Shares.

Extending Provisions of 24 & 25 Vict. c. ccxxxix. to new Shares.

54. The Sections numbered 21 and 22 of "The Various Powers Act, 1861," shall be read and have Effect as if the Period by that Act fixed for the Redemption of the Shares were Fifteen Years from the Date of the passing of this Act, and as if the Fund to be provided for such Redemption were not less than Five thousand six hundred and sixty-six Pounds Thirteen Shillings and Fourpence in each Half Year, and as if wherever the Shares representing the said Sum of Sixty thousand Pounds are mentioned or referred to the Shares for raising the Sum of One hundred and ten thousand Pounds by this Act authorized to be raised for Discharge of the further Arrears were also mentioned or referred to, and as if the Completion of all the Railways of the Company authorized up to and including the Year One thousand eight hundred and sixty-one had been in that Section, numbered 22, mentioned or referred to, instead of the Completion of the Railways by the *Dover* Act authorized.

Names, &c. of new Shares.

55. All new Shares created under the Powers of this Act for raising the said Sum of One hundred and ten thousand Pounds shall be designated "General Shares, 1865," and shall entitle the Holders thereof to Dividend or Interest only out of the general Profits of the Company as defined in this Act.

As to Dividend on preferential Shares.

56. The new Shares 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 of the Company in each Year applicable to Dividend thereon according to the Provisions of this Act; but if in any Year ending the Thirty-first Day of *December* there shall not be Profits of the Company so applicable

applicable thereto available for the full Amount of such preferential Dividend for that Year, no Part of the Deficiency shall be made good out of the Profits of any subsequent Year, or out of any other Funds of the Company.

Limit of Amount and Number of Calls.

57. 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.

One Fifth Part of Shares to be paid on Issue.

58. It shall not be lawful for the Company to issue any Share created under this Act, nor shall any Share vest in the Person accepting the same, unless and until a Sum not being less than One Fifth Part of the Amount of such Share shall have been paid up in respect thereof.

Qualification of new Shareholders.

59. Except as by or under the Authority of this Act otherwise provided, 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.

60. 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 Interest, 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.

61. All Capital Stock created under the Powers of this Act by the Conversion or in lieu of the Creation of any Shares shall bear and be entitled to the same 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.

62. The Sections of "The Companies Clauses Consolidation Act, 1845," numbered 62, 63, and 64, relating to Shares consolidated or converted into Stock, shall (subject to the Provisions of this Act) apply

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.

Saving Rights of the Corporation of London.

63. Except only as is by this Act expressly provided, nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from the Estates, Rights, Interests, Liberties, Privileges, or Franchises of the Mayor and Commonalty and Citizens of the City of *London*.

Saving Rights of Metropolitan Board of Works, &c.

64. Except only as is by this Act expressly provided, nothing in this Act contained shall take away, lessen, prejudice, or alter any of the Powers, Rights, Privileges, and Authorities of the Metropolitan Board of Works, or of the City Commissioners, or any Vestry or District Board.

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

65. 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 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.

66. 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.

67. 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

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.

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

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