# CHAPTER 1.

An Act to further extend the time for the purchase of lands and for the construction of the works authorised by the Medway Docks Act, 1866. [30th June 1874.]

A.D. 1874.

WHEREAS by the "Medway Docks Act, 1866," (in this Act called the Act of 1866,) the Medway Docks Company (in this Act called "the Company") were incorporated and authorised to make the docks, railway, and works therein described: 29 & 30 Vict. c. ccxxix.

And whereas by the "Medway Docks (Extension of Time) Act, 1869," (in this Act called the Act of 1869,) and by the "Medway Docks (Extension of Time) Act, 1872," (in this Act called the Act of 1872,) the time limited by the Act of 1866 for the compulsory purchase of lands and for the completion of the said docks, railway, and works was extended, but the said docks, railway, and works cannot be completed within such extended time: 32 & 33 Vict. c. lvii. 35 & 36 Vict. c. clxvi.

And whereas the time limited by section 4 of the Act of 1872 for the compulsory purchase of the lands shown on the plans and specified in the books of reference deposited with respect to the Act of 1866 as Nos. 14, 15, 23, 25, 25*a*, 25*b*, 26, 26*a*, 27, 27*a*, and 28, of which Henry Clements Lloyd, the devisee of Thomas Sidden, is or claims to be the owner, expired on the 1st day of June 1873, and the time limited for the compulsory purchase of the other lands shown on the said plans and specified in the said books of reference will expire on the 24th day of June 1874; and it is expedient that the time limited by the said Acts for the compulsory purchase of all such lands, and for the completion of the said docks, railway, and works, and the powers granted to the Company in connexion therewith, should be revived and extended as in this Act provided:

And whereas the purposes 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

A.D. 1874.

with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

**1.** This Act may be cited for all purposes as "The Medway Docks (Extension of Time) Act, 1874."

Provisions of certain general Acts incorporated.

**2.** Part II. (relating to extension of time) of "The Railways Clauses Act, 1863," (except where expressly varied by this Act,) shall be incorporated with and form part of this Act, and the expression "the railway" in that Act shall be taken to mean the docks, railway, and works by the Act of 1866 authorised.

Interpretation of terms.

**3.** The several words and expressions to which by the said Act of 1866, the Act of 1869, the Act of 1872, or this Act, or the Acts wholly or partially incorporated therewith, meanings are assigned, shall have in this Act the same respective meanings, unless there be in the subject or context something repugnant to or inconsistent with such construction.

Powers for compulsory purchase of lands extended.

**4.** Except as to the said lands of which Henry Clements Lloyd, as devisee of Thomas Sidden, is or claims to be the owner, the powers granted to the Company by the Acts of 1866, 1869, and 1872 respectively for the compulsory purchase of lands are hereby revived and extended, and may be exercised by the Company for and during a period of two years from the passing of this Act, and on the expiration of that period those powers shall cease; and as to the said lands of the said Henry Clements Lloyd the powers granted to the Company by those Acts respectively for the compulsory purchase of those lands are hereby revived and extended until the first day of June one thousand eight hundred and seventy-five; and if the Company do not on or before the first day of June one thousand eight hundred and seventy-five purchase and pay for such lands, then and from thenceforth the powers of this Act for the compulsory purchase of such lands shall cease, and it shall not be lawful for the Company to enter upon, take, or use such lands, or any part thereof, or interfere with the accesses thereto, unless with the consent in writing of the said Henry Clements Lloyd, his heirs or assigns.

Extension of time for completion of works.

**5.** The time limited by the Acts of 1866, 1869, and 1872 for the completion of the several works thereby authorised shall be and the same is hereby extended and enlarged until the expiration of five years from the passing of this Act, and on the expiration of that period the powers by this Act, the Act of 1866, the Act of 1869, the

Act of 1872, or the Acts wholly or partially incorporated therewith, granted to the Company for constructing the said several works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the same as shall then be completed.

Extension of time not to release the Company from forfeiture for non-completion of railway.

**6.** The extension of time hereby granted for the completion of the railway by the Act of 1866 authorised shall not release the Company from the provisions of section 31 of the Act of 1866 for securing the completion of the same.

Application of deposit.

**7.** The sum of money deposited in respect of the railway by the Act of 1866 authorised shall be applicable, and after due notice in the London Gazette shall be applied, towards compensating any landowners or other persons whose property may have been interfered with or otherwise rendered less valuable by the commencement, construction, or abandonment of the railway, or any portion thereof, or who may have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act, and for which injury or loss no compensation or inadequate compensation shall have been paid, and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Court of Chancery in England may seem fit; and if no such compensation shall be payable, or if a portion of the said sum of money shall have been found sufficient to satisfy all just claims in respect of such compensation, then the said sum of money, or such portion thereof as may not be required as aforesaid, shall either be forfeited to Her Majesty, and accordingly be paid or transferred to or for the account of Her Majesty's Exchequer, in such manner as the Court of Chancery in England thinks fit to order on the application of the Solicitor of Her Majesty's Treasury, and shall be carried to and form part of the Consolidated Fund of the United Kingdom, or, in the discretion of the Court, if the Company is insolvent and has been ordered to be wound up or a receiver has been appointed, shall wholly or in part be paid or transferred to such receiver or to the liquidator or liquidators of the Company, or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof; provided that until the said sum of money has been repaid to the depositors, or has become otherwise applicable as hereinbefore mentioned, any interest or dividends accruing thereon shall from time to time, and as often as the same shall become payable, be paid to or on the application of the person or persons or the majority of the persons named in such warrant or order as aforesaid, or the survivors or survivor of them.

A.D. 1874.

Power to dredge, &c. river Medway granted by Act of 1866 not to be exercised without consent of Admiralty.

**8.** Notwithstanding the power to dredge the river Medway given to the Company by the Act of 1866, and the extension of time hereby granted for the completion of the works, the Company shall not on any pretence whatever dredge, scour, cleanse, or deepen any part of the bed or fundus of the river Medway without the previous consent of the Commissioners for executing the office of Lord High Admiral of the United Kingdom of Great Britain and Ireland, to be specified in writing under the hand of their secretary, first obtained, and then only to the extent thereby sanctioned.

Saving rights of the Crown in the foreshore.

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

Saving rights of the corporation of Rochester.

**10.** Nothing herein contained shall extend or be construed to extend to take away, lessen, prejudice, alter, damage, or affect any estate, right, title, or interest of the mayor, aldermen, and citizens of the city of Rochester of, in, or to the bed, soil, banks, and shores of the river Medway, and of, in, or to all of any arms, creeks, streams, and indraughts thereof, or otherwise, or of, in, or to any tolls, dues, duties, rents, issues, franchises, profits, powers, or authorities, customs, immunities, rights, or privileges of or belonging to or claimed by the said mayor, aldermen, and citizens of the said city of Rochester, other than and except as regards such portions of the bed, soil, banks, and shores of the said river, arms, creeks, streams, and indraughts, and such rights and privileges which the Company are authorised to purchase or acquire under the provisions of the Act of 1866, 1869, 1872, and this Act.

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

**11.** The Company shall not, out of any money by any Act relating to the Company authorised to be raised for the purposes of such Act, pay or deposit any sum of money 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.

Railway not exempt from provisions of present and future general Acts.

**12.** Nothing herein contained shall be deemed or construed to exempt the railway of the Company from the provisions of any general Act relating to railways, or the better and 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, authorised by the Act of 1866.

Expenses of Act.

**13.** All the 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 George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1874.