ANNO OCTAVO & NONO

VICTORIÆ REGINÆ.

****

Cap. cxcvii.

An Act to enable the *South-eastern* Railway Company to alter and extend the *Canterbury, Ramsgate,* and *Margate* Branch of the said *South-eastern* Railway, and to make a Branch therefrom to *Deal;* and to purchase the *Canterbury and Whitstable* Railway; and for other Purposes connected with the said Railway.

[8th *August* 1845.]

WHEREAS an Act was passed in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for making a Railway from the* London and Croydon *Railway to* Dover, *to be called the* South-eastern *Railway*, whereby several Persons were incorporated by the Name of the *South-eastern* Railway Company: And whereas the Provisions of the said Act have been amended and enlarged by several subsequent Acts of Parliament relating to the said Company, passed respectively in the Sessions held in the First, Second, Third, Fifth, Sixth, Seventh, and Eighth Years of the Reign of Her present Majesty: And whereas an Act was passed in the Session held in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act*

6 & 7 W. 4. c. 75.

7 & 8 Vict. c. 25.

Act to enable the South-eastern *Railway Company to make a Railway from the said* South-eastern *Railway near* Ashford *to the City of* Canterbury *and the Towns of* Ramsgate *and* Margate, *and to join the* Canterbury and Whitstable *Railway*: And whereas the Line of the said Branch Railway to *Canterbury*, *Ramsgate*, and *Margate* would be materially improved, and the Benefits thereof increased, if the same were extended further into the Town of *Margate*, and additional Station Accommodation provided there, and if the Levels of Part thereof were altered, and if a Branch were made from the said last-mentioned Railway to *Deal* in the County of *Kent*, and also if the said *Canterbury and Whitstable* Railway were sold and transferred to the said *South-eastern* Railway Company: And whereas the *South-eastern* Railway Company are desirous of carrying into effect the several Objects aforesaid, if authorized by Parliament so to do: And whereas an Act has been passed during the present Session of Parliament, intituled *An Act for consolidating in One Act certain Provisions usually inserted in Acts authorizing the taking of Lands for Undertakings of a public Nature*, and called the "Lands Clauses Consolidation Act, 1845:" And whereas another Act has been passed during the present Session of Parliament, intituled *An Act for consolidating in One Act certain Provisions usually inserted in Acts authorizing the making of Railways*, and called the "Railway Clauses Consolidation Act, 1845:" And whereas the Powers conferred on the said *South-eastern* Railway Company by the Acts relating to the said Company, or some of them, require to be amended and enlarged, but the Sanction of Parliament is requisite for effecting the several Objects and Purposes aforesaid: 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, That all the Provisions, Matters, and Things contained in the several Acts relating to the *South-eastern* Railway, so far as the same are now unrepealed and in force, or would be in force but for Effluxion of Time, and are not inconsistent with or altered by the Provisions of this Act, and save in so far as the same may be inconsistent with the said Lands Clauses Consolidation Act, and with such of the Provisions of the said Railway Clauses Consolidation Act as relate to the Construction of the Railway as therein defined, or the temporary Use of Lands during the Construction thereof, or the taking of Lands for additional Stations, Works, and Conveniences, or the crossing and Protection of Roads and Construction of Bridges, or the Construction of Works for the Protection of Lands adjoining the Railway, or the working of any Mines under or near the same, shall extend to this Act and to the Maintenance and Use of the altered and extended Railway, Branch Railway, and Works by this Act authorized to be made, and the levying and Recovery of Tolls and Charges in respect thereof, and to the raising of the Capital by this Act authorized to be raised, and to the several other Purposes of this Act, as fully and effectually as if the same Provisions, Matters, and Things were repeated and re-enacted in this Act in reference to such Purposes; and the Railway, Branch Railway, and Works by this Act authorized to be made or purchased by the said *South-eastern* Railway Company, or such

8 & 9 Vict. c 18.

8 & 9 Vict. c. 20.

Powers of former Acts extended to this Act.

such Parts thereof as shall be so made or purchased by the said Company, shall, when so made or purchased, form Part of the Undertaking of the *South-eastern* Railway, and shall, as such, be subject to all the Provisions of the several Acts relating thereto, save as aforesaid.

Provisions of 8 & 9 Vict. cc. 18. and 20. incorporated with this Act.

II. And be it enacted, That the several Provisions of the said Lands Clauses Consolidation Act, and the several Provisions of the said Railway Clauses Consolidation Act so far as the said last-mentioned Provisions will be applicable to the Construction of the altered and extended Railway, Branch Railway, and Works by this Act authorized, and the temporary Use of Lands during the Construction thereof, and the taking of Lands for additional Stations, Works, and Conveniences, and the crossing of Roads and Construction of Bridges, and the Protection of Roads, and the Construction of Works for the Protection and Accommodation of Lands near the said altered and extended Railway, Branch Railway, and Works, and the working and Protection of Mines under or near the same, shall, so far as the same are not inconsistent with or modified by the Provisions of this Act, be incorporated with and form Part of this Act, and shall be applicable to the Purposes thereof.

Power to raise Money by new Shares.

III. And be it enacted, That it shall be lawful for the said Company to raise for the Purposes of this Act the Sum of One hundred and eighty-seven thousand Pounds by the Creation of new Shares or Stock, in addition to any Sums which they are already authorized to raise, upon such Terms and in such Manner as may be or may have been agreed upon at any General Meeting or Meetings of the Company specially convened for the Purpose; and the new Shares or Stock created by virtue of this Act shall be considered Part of the general Capital of the Company.

New Shares to form Part of general Capital.

Power to borrow on Mortgage.

IV. And be it enacted, That after One Half of the Capital in Shares or Stock by this and the several Acts relating to the said *South-eastern* Railway Company authorized to be raised shall have been paid up, it shall be lawful for the Company to borrow on Mortgage such Sums of Money as shall from Time to Time be authorized to be borrowed by order of a General Meeting of the Company, not exceeding in the whole, in addition to the Sums authorized to be borrowed by the said Acts, the Sum of Sixty-two thousand three hundred Pounds, and to secure the Payment of the Sum so to be borrowed, with Interest, by Mortgage of the Undertaking, subject to the same Provisions as by the said lastly recited Act, passed in the Session held in the Seventh and Eighth Years of the Reign of Her present Majesty, are made applicable to the Monies thereby authorized to be raised on Mortgage, and to the Securities thereby authorized to be granted in respect of the same.

Re-borrowing.

V. And be it enacted, That if after having borrowed any Part of the Money by this Act authorized to be borrowed the said Company shall pay off the same it shall be lawful for them again to borrow the Sum so paid off, or any Part thereof, and so from Time to Time.

VI. Pro-

Former Mortgages to have Priority.

VI. Provided always, and be it enacted, That all Mortgages granted by the Company before the passing of this Act, and which shall be in force at the Time of the passing of this Act, shall, during the Continuance thereof, have Priority over any Mortgages to be created by virtue of this Act.

Power to convert Loan into Capital.

VII. And be it enacted, That it shall be lawful for the Company, if they think fit, to raise the Sum by this Act authorized to be borrowed, or any Part thereof, by creating new Shares or Stock of the Company, instead of borrowing the same; or having borrowed the same, it shall be lawful for them to pay off such Loan, or any Part thereof, if they so think fit, by creating new Shares or Stock of the Company in manner aforesaid; but no such Augmentation of Capital shall take place without the previous Order of a General Meeting specially convened for that Purpose.

Power to alter and extend the South-eastern, Canterbury, Ramsgate, and Margate Railway, and to make a Branch to Deal.

VIII. And be it enacted, That it shall be lawful for the said Company to alter and extend the Line of the said Railway known as the *South-eastern, Canterbury, Ramsgate, and Margate* Railway, as authorized to be made by the said last-recited Act passed in the Session held in the Seventh and Eighth Years of the Reign of Her present Majesty, from a Field in the Parish of *Saint John Margate*, in the County of *Kent*, numbered 29 on the Plans of the said Railway referred to in the said last-mentioned Act, in or through the same Parish to or near to the *Marine Parade*, and between a certain Place called *Buenos Ayres* and a Public House called the *Cinque Port Arms*, in the said Parish, and to form a new Station, with proper Approaches and Conveniences connected therewith, at the said Termination; and it shall be lawful also for the said Company to make a Branch Railway from and out of the Line of the said *South-eastern, Canterbury, Ramsgate, and Margate* Railway, in the Parish of *Minster* in the County of *Kent*, passing thence in or through the Parishes of *Minster, Isle of Thanet, Ash next Sandwich, Saint Mary the Virgin Sandwich, Saint Clement Sandwich, Saint Peter the Apostle Sandwich, Woodnesborough, Worth, Sholden, and Saint Leonard Deal*, in the County of *Kent*, and terminating in the Parish of *Saint Leonard Deal* aforesaid at or near a Property numbered 66 on the Plans deposited as aforesaid.

Power to abandon Part of the Line, near Margate, and to alter Levels.

IX. And be it enacted, That it shall be lawful for the said Company to abandon the Formation of so much of the Line of the said *South-eastern, Canterbury, Ramsgate, and Margate* Railway as may be rendered unnecessary by the Alteration and Extension of the said Line herein-before authorized, and also to construct the said last-mentioned Railway within the Parishes of *Saint Laurence Ramsgate, Saint Peter and Saint John Margate*, in the County of *Kent*, according to the altered Levels shown on the Section of the said Line within the said Parishes deposited as herein-after mentioned.

Railway and Works to be made according to the Plan deposited.

X. And whereas a Map or Plan and Section, showing the Line or Situation and Levels of the altered and extended Railway and Branch Railway and other Works by this Act authorized to be made, and a Section also of certain proposed Alterations of the Levels of

Part of the said *South-eastern, Canterbury, Ramsgate, and Margate* Railway, together with a Book of Reference to the said Plan, containing the Names of the reputed Owners and Lessees and of the Occupiers of the Lands which may be required to be taken for the Purposes of the said altered and extended Railway, Branch Railway, and Works, have been deposited with the Clerk of the Peace of the County of *Kent;* be it therefore enacted, That, subject to the Powers of Deviation contained in the said Railway Clauses Consolidation Act, the said altered and extended Railway, Branch Railway, and other Works shall be made in the Line or Course and upon the Lands delineated on the said Plan, and described in the said Book of Reference, and according to the Levels defined on the said Section; and it shall be lawful for the said Company to enter upon, take, and use such of the said Lands as shall be necessary for the Purposes aforesaid.

Plan, &c. to be open to Inspection.

XI. And be it enacted, That it shall be lawful for all Persons interested, at all seasonable Times, to inspect such Plan, Section, and Book of Reference, and such Persons may require to be furnished by the said Clerk of the Peace with Copies thereof or Extracts therefrom; and such Clerk of the Peace shall give Access to such Documents, and if required shall furnish Copies thereof or Extracts therefrom respectively, in the like Manner, and upon the same Terms, and under the like Penalty for default, as is provided by an Act passed in the First Year of the Reign of Her present Majesty, intituled *An Act to compel Clerks of the Peace for Counties and other Persons to take the Custody of such Documents as shall be directed to be deposited with them under the Standing Orders of either House of Parliament.*

7 W. 4. & 1 Vict. c. 83

Corrections of Plan and certified Copies to be Evidence.

XII. And be it enacted, That in case of Inaccuracy in the said Plan or Book of Reference the same may be corrected in the Manner and subject to the Conditions contained in the said Railway Clauses Consolidation Act, in reference to any Omissions, Mis-statements, or erroneous Descriptions in the Plans or Books of Reference therein referred to; and true Copies of or Extracts from the said Plan and Book of Reference, or of any Correction thereof, certified to be such by the Clerk of the Peace in whose Custody the said Plan, Section, and Book of Reference deposited as aforesaid may be, and which Certificate such Clerk of the Peace shall give when required to all Persons interested, shall be received as Evidence in all Courts of Justice or elsewhere.

Certain Roads may be crossed on a Level.

XIII. And be it enacted, That, subject to the Provisions in the said Railway Clauses Consolidation Act contained in reference to the crossing of Roads on a Level, it shall be lawful for the Company, in the Construction of the altered and extended Railway and Branch Railway by this Act authorized to be made, to carry the same across the several Highways herein-after mentioned on the Level thereof; (that is to say,) Nos. 45^{a}_{m} in *Margate*, 29*a* in *Ash*, 6 and 25 in *Woodnesborough*, 10 in *Saint Mary Sandwich*, 11 in *Saint Clements*, 17 in *Worth*, 10 in *Saint Peter Sandwich*, 14 and 40*a* in *Saint Leonard Deal.*

Power to purchase additional Lands.

XIV. And be it enacted, That it shall be lawful for the Company, in addition to the Lands which they are at present authorized to purchase, and in addition also to the Lands herein-before authorized to be purchased by them for the Purposes of the Construction of the altered and extended Railway, Branch Railway, and Works by this Act authorized, to contract with any Party willing to sell the same for the Purchase of, and to purchase, under the Powers herein-before contained or referred to, any Land adjoining or near to the said Railway or Branch Railway or either of them, not exceeding in the whole Fifty Acres, for any of the Purposes specified in the said Railway Clauses Consolidation Act.

Limiting Period for compulsory Purchase of Lands.

XV. And be it enacted, That 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.

Railway and Works to be completed in Five Years.

XVI. And be it enacted, That the altered and extended Railway, Branch Railway, and other Works by this Act authorized shall be completed within Five Years from the passing of this Act, and on the Expiration of such Period the Powers by this or the said recited Acts granted to the Company for executing the same shall cease to be exercised, except as to so much of the said Works as shall then be completed.

Construction of Bridge across the River Stour.

XVII. And be it enacted, That the said Railway shall cross the River *Stour* by a Bridge to be constructed in such Manner as the Commissioners for executing the Office of Lord High Admiral may, in Writing under the Hand of the Secretary of the Admiralty, approve of; and in a suitable and proper Part of the said Bridge the said Company shall construct a Draw or Swing Bridge, with a clear Opening not less in Width than Forty Feet for the Passage of Vessels through the same; and the said Bridge shall be constructed at Right Angles to the Stream of the said River, and the Height of the under Side of the said Bridge above the High-water Level shall be not less than Eleven Feet, and the Track Path shall be carried round in front of the Abutments on both Sides of the said Bridge, and shall be not less than Six Feet in Breadth.

Company not to obstruct Navigation of River Stour.

XVIII. And be it enacted, That it shall not be lawful for the Company, or any Person or Persons acting under them, to detain any Vessel, Barge, or Boat navigating the River *Stour* for a longer Space of Time than may be sufficient to admit of any Carriages or Trains regularly traversing the said Railway and approaching the said Bridge to cross the said River *Stour*, and for opening the said Bridge to admit such Vessels, Barge, or Boat to pass; and in case the Company, or any Person or Persons acting under them, shall detain any Vessel, Barge, or Boat contrary to the Provisions of this Act, or demand any Toll for the Passage of any Vessel, Barge, or Boat, the Offender shall in every such Case forfeit and pay the Sum of Ten Pounds; but nothing in this Act contained shall prevent any Remedy for Damages which any Party may sustain in respect of any such Detention as aforesaid.

XIX. And

Providing for Safety of Navigation during Construction of Bridge, and Penalty in case Light not exhibited.

XIX. And be it enacted, That during such Time or Times as the Bridge intended to be erected for carrying the said Railway over the River *Stour* shall be building or repairing the said Company or their Successors shall and they are hereby required to keep the Navigation of the said River at and about the said Bridge free and clear, so that the Vessels navigating in and upon the said River may have sufficient and convenient Room to navigate and pass thereon; and that during the Construction and ever after the Completion of the said Bridge the said Company shall cause to be hung out or exhibited every Night, from Sunset to Sunrise, a sufficient Light, to be kept burning at the Company's Expence, on or immediately adjoining to the said Bridge, for the Navigation and safe Guidance of Vessels; and in case the said Company shall neglect to exhibit and keep such Light burning as aforesaid, they shall be liable to forfeit and pay for every such Neglect the Sum of Twenty Pounds

Company to deepen, &c. certain Parts of the River Stour.

XX. And be it enacted, That the Company shall deepen, straighten, and secure by Walls the main Stream, both above and below the said Bridge over the said River *Stour*, to such an Extent as the said Commissioners may, by Writing under the Hand of the Secretary of the Admiralty, determine as necessary to prevent the Navigation of the said River *Stour* being interrupted by reason of the Construction of the Railway; and the said Wall shall be for ever kept in repair by and at the Expence of the Company.

Provision as to crossing the River Stour and low Lands.

XXI. And whereas it is intended that the said Branch Railway hereby authorized to be made shall cross the River *Stour* and several Sewers in the Valley of *Minster* in part of certain low Lands commonly called the General Valleys, and in the Valleys of *North* and *South Polders* and *Lydden*, within a Commission of Sewers for several Limits in the Eastern Parts of the County of *Kent*; be it therefore enacted, That all Embankments to be made across the said Valleys and low Lands, or any of them, or any Part thereof, by which the River *Stour* or any Part thereof, or any Sewer or Part thereof, shall be liable to be affected, and all Arches and Bridges to be made over the said River *Stour*, and over every Sewer of the said Valleys and low Lands, and every Ditch or Watercourse to be made to carry the Water from the Ditches to be formed on the Sides of the said Branch Railway into the River *Stour*, or into any of the Sewers within the said Limits, shall be made and constructed to the Satisfaction of the Commissioners of Sewers acting in and for the said several Limits, and under the Inspection and to the Satisfaction of the Engineer or Surveyor for the Time being of the said Commissioners, and so as not to injure or obstruct the free Passage of the Water in the said River *Stour*, or in the said Sewers, or in any of them or any Part of them respectively.

Company not to alter the Course of the River Stour without Consent.

XXII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to authorize or enable the said *South-eastern* Railway Company, in making and constructing or maintaining the said Branch Railway, to alter the Course of Direction of the main River *Stour*, or of any Sewer within the said several Limits, without the Consent of the said Commissioners

missioners of Sewers first had and obtained at any General or Special Meeting of the said Commissioners: Provided nevertheless, that in case the said *South-eastern* Railway Company shall cause Notice in Writing of the Desire of the said Company to effect any such Alteration to be given to the said Commissioners of Sewers or their Clerk, and in such Notice shall fully set forth and particularize such desired Alteration, then, unless the said Commissioners or their Clerk shall, within Thirty Days after the Receipt of such Notice, give to the said Company or their Clerk or other Officer or known Agent Notice of the Objection of the said Commissioners to such Alteration, it shall be lawful for the said Company to effect the same without the express Consent of the said Commissioners.

For preserving the Rights of the Commissioners of Sewers for the County of Kent.

XXIII. And be it enacted, That nothing herein contained shall extend or be construed to extend to prejudice, lessen, alter, or take away any of the Rights, Privileges, Powers, or Authorities of the Commissioners of Sewers for the several Limits in the County of *Kent* by virtue of the general Laws relating to Sewers, but that such Rights, Privileges, Powers, and Authorities of the said Commissioners of Sewers shall remain, continue, and be in full Force and Effect.

Protecting Richboro Castle.

XXIV. And be it enacted, That the Company shall not carry the centre Line of the said Railway nearer to *Richboro Castle* than as shown on the deposited Plan, without the Consent in Writing of the Owner of such Castle first obtained.

Limiting Charges for Conveyance of Passengers.

XXV. And be it enacted, That it shall not be lawful for the Company to demand or receive any greater Sum in respect of the Carriage of Passengers conveyed on the Railway by this Act authorized than Three-pence *per* Passenger *per* Mile in respect of any Passenger travelling in a First Class Carriage, Two-pence *per* Passenger *per* Mile in respect of any Passenger travelling in a Second Class Carriage, and One Penny *per* Passenger *per* Mile in respect of any Passenger travelling in a Third Class Carriage, including the Charges for the Use of Carriages and locomotive Power, and all other Charges incidental to such Conveyance, unless in the Case of Passengers travelling by special Trains.

Limiting Charge for Conveyance of Goods and Cattle.

XXVI. And be it enacted, That it shall not be lawful for the said Company to charge in respect of the several Articles, Matters, and Things, and of the several Descriptions of Animals, herein-after mentioned, conveyed on the Railway by this Act authorized, any greater Sum, including the Charges for the Use of Carriages, Waggons, or Trucks, and for locomotive Power, and all other Charges incidental to such Conveyance (except a reasonable Charge for the Expence of loading and unloading, where such Service is performed by the Company), than the several Sums herein-after mentioned; (that is to say,)

For all Dung, Compost, and all Sorts of Manure, Lime, Chalk, and Limestone, and all undressed Materials for the Repair of public Roads or Highways, *per* Ton *per* Mile One Penny Halfpenny:

For

For all Coals, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, Sheet Iron, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandize, *per* Ton *per* Mile Two-pence:

For all Fish, Sugar, Grain, Corn, Flour, Dyewood, Earthenware, Timber, Staves, and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per* Ton *per* Mile Three-pence:

For all Cotton and other Wools, Hops, Drugs, manufactured Goods, and all other Wares, Merchandize, Articles, Matters, or Things, *per* Ton *per* Mile Four-pence:

And for every Carriage, of whatever Description, not being a Carriage adapted and used for travelling on a Railway, *per* Mile Seven-pence:

For every Horse, Mule, or Ass, *per* Mile Five-pence:

For every Ox, Cow, Bull, or Neat Cattle, *per* Mile Two-pence:

For every Calf or Pig, *per* Mile Three Farthings:

For every Sheep, Lamb, or other small Animal, *per* Mile One Halfpenny.

Restriction as to Charges for Passengers not to apply to special Trains.

XXVII. Provided always, and be it enacted, That the Restriction as to the Charges to be made for Passengers shall not extend to any special or extra Train, but shall apply only to the ordinary Trains appointed or to be appointed from Time to Time by the said Company for the Conveyance of Passengers and Goods upon the said Railway.

Company may take increased Charges by Agreement.

XXVIII. Provided further, and be it enacted, That nothing herein contained shall be held to prevent the said Company from taking any increased Charge over and above the Charges herein-before limited for the Conveyance of Goods of any Description, by Agreement with the Owners of or Persons in charge of such Goods, either in respect of the Conveyance thereof by Passenger Trains, or by reason of any other special Service performed by the said Company in relation thereto.

Power to purchase the Canterbury and Whitstable Railway

XXIX. And whereas by the said last-recited Act authorizing the making of a Railway from the *South-eastern* Railway to *Canterbury*, *Ramsgate*, and *Margate*, and to join the *Canterbury and Whitstable* Railway, the said Company is empowered to accept a Lease of the said *Canterbury and Whitstable* Railway, or of any Part thereof: And whereas the Company of Proprietors of the said last-mentioned Railway are desirous of selling the same to the said *South-eastern* Railway Company, and the said last-mentioned Company are willing to purchase the said Railway, which might be worked with more Advantage in their Hands, and in connexion with the said *South-eastern*, *Canterbury*, *Ramsgate*, *and Margate* Railway, than separately and in the Hands of the said Company of Proprietors to whom the same now belongs; be it therefore enacted, That it shall be lawful for the said Company of Proprietors, by and with the Consent of Three Fifths of the Shareholders therein, present, either

either in Person or by Proxy, at some General Meeting specially convened for the Purpose, to sell, and for the said *South-eastern* Railway Company, by and with the Consent of Three Fifths of the Shareholders in the said last-mentioned Railway Company who may be present, either personally or by Proxy, at any General Meeting of the said Company specially convened for the Purpose, to purchase, the said *Canterbury and Whitstable* Railway, with all Stations, Wharfs, Lands, Buildings, Machinery, Works, Rails, Engines, Carriages, and other Property of the said Company of Proprietors; and on the Payment of the Purchase Money to the Treasurer for the Time being of the said last-mentioned Company, and upon the Execution of a Deed of Conveyance duly stamped for denoting the Payment of the Stamp Duty on such Purchase Money, the said *Canterbury and Whitstable* Railway, and all Lands, Buildings, Works, Conveniences, Matters, and Things connected or used therewith, which may be the Subject of such Purchase, shall vest in the said *South-eastern* Railway Company, and the last-mentioned Railway and all Works and Conveniences connected therewith shall thereupon become Part of the Undertaking of the *South-eastern* Railway: Provided always, that nothing herein contained shall prevent or abate any Action, Suit, or other Proceeding of any Nature or Kind whatsoever which may have been commenced or instituted by or against the said Company of Proprietors of the *Canterbury and Whitstable* Railway prior to the Sale thereof to the said *South-eastern* Railway Company, but every such Action, Suit, or Proceeding may be prosecuted and carried into execution, and all Penalties, Costs, Charges, and Expences incurred before such Sale may be recovered by or against the said Company of Proprietors as fully and effectually as if this Act had not been passed: Provided also, that all Purchases, Sales, Contracts, Conveyances, Covenants, Mortgages, Bonds, Securities, Grants, Leases, or Agreements, made, entered into, or granted before such Sale as aforesaid, to or by or with or on behalf of the said Company of Proprietors of the *Canterbury and Whitstable* Railway, and in any Manner affecting or having relation to the said Railway or to the Tolls arising thereon, shall, after the Sale and Transfer of such Railway to the *South-eastern* Railway Company, operate and be in force, and may be sued upon and enforced by or against the said last-mentioned Company, as fully and effectually as if they had been entered into by the said last-mentioned Company in lieu of the said Company of Proprietors: Provided further, that, save as by this Act specifically provided, neither the Sale of the said *Canterbury and Whitstable* Railway to the said *South-eastern* Railway Company, nor any thing in this Act contained, shall extend in any way to defeat or prejudice any Rights, Privileges, Liberties, Powers, Easements, Accommodations, or Exemptions which under or by virtue of the Act or Acts relating to the said *Canterbury and Whitstable* Railway are given, granted, or reserved to or for the Benefit of any Persons or Corporations whose Estates, Properties, or Interests are, have been, or may be in anywise affected by the making and maintaining of the said Railway, or otherwise on account thereof, or to which such Persons or Corporations are or may be, or but for the Sale of the said Railway and the passing of this Act would be, entitled, but all such Rights, Privileges, Liberties, Powers, Easements, Accommodations, and Exemptions

Actions not to abate.

Contracts to remain in force.

Saving of Rights, &c.

Exemptions shall be and they are hereby declared to be as valid and effectual as if such Sale had not taken place, and as if this Act had not been passed, and such several Persons and Corporations shall be entitled to, and shall have, use, and enjoy, the same Rights, Privileges, Liberties, and Powers, Easements, Accommodations, and Exemptions, in respect of the said *Canterbury and Whitstable* Railway, as they would have been entitled to if the same had not been sold to the said *South-eastern* Railway Company, and if this Act had not been passed, and shall have and be entitled to such and the like Powers and Remedies against the said *South-eastern* Railway Company, for securing the Possession, Use, and Enjoyment of such Rights, Privileges, Easements, Accommodations, and Exemptions, as under the Provisions of any Act conferring the same they would have been entitled to against the said Company of Proprietors of the said *Canterbury and Whitstable* Railway if this Act had not been passed, and the said Railway had not been sold to the said *South-eastern* Railway Company.

For supplying casual Vacancies in the Direction.

XXX. And whereas by the said first-recited Act it was enacted, that when and so often as any Director of the said Company should die or resign, or become disqualified or incompetent to act as a Director, or should cease to be a Director by any other Cause than that of going out of Office by Ballot or Rotation, as therein mentioned, it should be lawful for the remaining Directors, if they should think proper so to do, to elect some other Proprietor duly qualified to be a Director, and that every such Proprietor so elected to fill up any such Vacancy should be a Member of the same Committee, and should continue in Office as a Director so long only as the Person in whose Place he might be elected would have been entitled to continue had he lived and remained in Office: And whereas it is expedient to amend the said Enactment so as to provide that any such Election by the Directors shall be subject to Confirmation by a General Meeting; be it therefore enacted, That any Director appointed to fill any such Vacancy as aforesaid by the other Directors of the Company shall remain in Office only until the next General Meeting of the Company for the Election of Directors, and at such General Meeting it shall be lawful for the said Company either to continue in Office the Director who may have been so appointed by the said other Directors, or to appoint another Shareholder duly qualified to be a Director in his Stead; and any Director so appointed shall, with reference to the Retirement therefrom by Rotation, occupy the same Position as the Director whose Death, Resignation, Disqualification, or Incompetency may have occasioned any such Vacancy as aforesaid.

Railway to be subject to the Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., and

XXXI. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for Conveyance of the Mails by Railway;* and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways;* and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops;* and another Act was passed in the Eighth Year of the Reign of Her said Majesty,

7 & 8 Vict. c. 85.

Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by an Act of the present or succeeding Sessions of Parliament; and for other Purposes in relation to Railways;* be it enacted, That nothing in this Act contained shall be held to exempt the said *South-eastern* Railway or the said Company from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railway and Company so far as the same shall be applicable thereto.

Expences of Act.

XXXII. And be it enacted, That all the Costs, Charges, and Expences of and attending the passing of this Act, or incidental thereto, shall be paid by the said Company, *pari passu* with the Costs, Charges, and Expences of any other Act of Parliament passed in the present Session to which they may be liable, out of the first Monies which shall come to their Hands, and in preference to any other Payment whatsoever.

Nothing herein to exempt the Railway from Provisions of any future general Act.

XXXIII. Provided always, and be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railways by this Act authorized to be made from the Provisions of any general Act relating to this Act, or of any general Act relating to Railways, which may hereafter pass during the present or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act.

Public Act.

XXXIV. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

SCHE-

SCHEDULE belonging to the foregoing Act.

Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
COUNTY OF KENT.			
Parish of Minster, Isle of Thanet.			
Gardens - -	Sir Charles Egleton Kent, Bart.	Stephen Collard -	William Hasler, Edward Golder, John Golder, Peter Young, Edward Kitchingman, Thomas Andrews, and John Hord.
Cottage, Sheds, Garden, and Orchard.	Marquis Conyngham -	Richard Harlow -	Richard Harlow.
Marsh, Pasture, Stack-yard, Sheds, and Willow Fence.	The same - -	Edward Gibbens -	Edward Gibbens.
Marsh, Pasture, Bullock's Lodge, and Stackyard.	The same - -	Lewis Wellard -	Lewis Wellard.
Lord of the Manor, the Marquis of Conyngham.			
Parish of Ash near Sandwich.			
Marsh, Pasture, Shed, and Stock-pound.	John Pemberton Plumptre.	- - - -	In hand.
Marsh, Pasture, and Bullock Shed.	Frances Denne, Frances Denne the younger, Thomas Denne, Henry Denne, William Denne and Lucy his Wife.	Frederick Collard -	Frederick Collard.
House and Garden -	The same and John Minet Fector.	The same -	Thomas Solley and Giles Chandler.
Marsh, Pasture, Bank, and Ruins.	John Minet Fector -	Thomas Solley -	Thomas Solley.
Marsh, Pasture, Garden, and Bank.	The same - -	The same -	Thomas Solley and Giles Chandler.
Wall, Ruins, and Boundary Cliff.	The same - -	The same -	Thomas Solley.
Garden and Arable -	John Minet Fector -	The same -	The same.
Marsh, Pasture, and Bank to Ruins.	The same - -	The same -	The same.
River Stour - -	Mayor, Aldermen, and Burgesses of the Town and Port and Borough of Sandwich, and Commissioners of Sewers.	—	—
Sir Henry Chudleigh Oxenden, Bart., Lord of the Manor of Wingham.			
John Birch, Esq., Lord of the Manor of Wingham Barton.			
Thomas Coleman, Esq., Lord of the Manors of Guston Fleet, Gosshall, Hill's Church Gate, and Liverrooks.			
The Reverend Nicholas Toke, Lord of the Manor of Goldstone.			

Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
	Parish of Saint Mary the Virgin Sandwich.		
Garden - -	James Wood - -	Thomas Durban -	Thomas Durban.
Garden - -	John De Bock, John Mourilyard, Trustees under the Will of William J. Goodwin.	- - -	Stephen Wanstall.
Shed - - -	James Wood - -	The same -	Thomas Durban.
Orchard, Garden, and Arable.	The same - -	John Lawrence -	John Lawrence.
Garden - -	The same - -	Thomas Durban -	Thomas Durban.
Barn, Two Lodges, and Stackyard.	William Burvill -	- - -	William Burvill.
Garden - - -	William Burvill -	- - -	William Burvill.
House and Lawn -	Trustees, Masters, Brethren, and Sisters of Saint Bartholomew's Charity.	Valyer Bean -	Valyer Bean.
Lords of the Manors, the Corporation of Sandwich and Captain George Hughes D'Aeth.			
	Parish of Saint Clement Sandwich.		
Gardens - -	Richard Simmons -	John Simmons -	John Simmons, and John Elgar, Joseph Bassett, John Smith, William Knoller, William Browning, John Castle, Henry Bentley, John Piddock, James Spicer, Samuel Revel, John Overy, and Thomas Ayers, Under-tenants.
Pasture, Shed, and Stackyard.	Queen's College, Oxford	John Marsh -	John Marsh.
Captain George William Hughes D'Aeth, Lord of the Manor of Sandown. The Corporation of Sandwich, Lords of the Manor of Denne Court.			
	Parish of Saint Peter the Apostle Sandwich.		
Bank, Pasture called the Butts, and Ropewalk.	Corporation of Sandwich.	- - -	Alfred Swoffer.
Ropewalk on Butts -	The same - -	Thomas Kettle -	Thomas Kettle.
Ropewalk, Bank, Sluice under Ropewalk.	The same and Commissioners of Sewers.	The same -	The same.
Lords of the Manor, the Corporation of Sandwich and Captain George Hughes D'Aeth.			
	Parish of Woodnesborough.		
Shed and Stockpound	William Harris -	Jennings Gibbs -	Jennings Gibbs.
House and Garden -	Stephen Martin -	- - -	In hand.
Garden - -	The same - -	- - -	The same.
Shed - - -	Thomas Wix Solly, George Solly, James Smith Solly, Joseph Solly, John Mourilyan, George Noakes Mourilyan, William Henry Solly Mourilyan, Walter Mourilyan, and Sarah Georgiana Allen.	- - -	George Solly.
Lords of the Manor of Grove otherwise Woodnesborough, Henry Denne and William Denne.			

Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.

Parish of Sholden.

Shed - - -	Representatives of the late Captain Fisher.	- - -	John Bedwell.
Pound - - -	The same -	- - -	The same.

Archbishop of Canterbury, Lord of the Manor of Hull, otherwise Longfarm.
Frederick Edward Morris, Lord of the Manor of Sholden and Northbourne.

Parish of Saint Leonard Deal.

Arable and Garden -	Montague Pennington -	- - -	Stephen Brown.
Garden and Arable -	Joseph Freeman and Benjamin Hulke, Trustees under Settlement of William Irvine Breslin and Emma his Wife, and Emma Breslin, a Minor.	- - -	Benjamin Hulke and George Mantle, Undertenants.
Arable and Garden -	Richard May Christian	- - -	Joseph Brown.
Arable and Garden -	Elizabeth Canney -	- - -	James Bushell.
Arable and Garden -	Sarah Spinner -	- - -	In hand.
Arable and Garden -	Archbishop of Canterbury.	Charles Thomas Hills	John Bedwell sen.
Shed, Stackyard, and Pasture.	The same - -	Edward Darby -	Sarah Spinner.
Pasture partly walled in	Edward Iggulden -	- - -	In hand.
Garden - -	The same - -	- - -	John Bedwell sen.
Cottage and Garden called Belsey's Cottage.	George Wellard -	- - -	In hand.
Garden - -	Richard Croft -	- - -	Amy Hayman.
Cottage - -	Valentine Follwell -	- - -	Richard Newing.
Cottage - -	The same - -	- - -	Thomas Ferrier.
Cottage - -	The same - -	- - -	Edmund Henry Spain.
Cottage - -	The same - -	- - -	Sarah Dunn.
Garden - -	Benjamin Eastes, Mary Ann Eastes, and Richard George Eastes, all Minors, William Kilkardy and Thomas Vincent Cavill, Devisees in Trust of the late Benjamin Eastes.	- - -	Thomas Ferrier.
Cottage - -	Valentine Follwell -	- - -	Richard Dadd.
Cottage - -	The same - -	- -	William Allen.
Cottage - -	Benjamin Eastes, Mary Ann Eastes, and Richard George Eastes, all Minors, William Kilkardy and Thomas Vincent Cavill, Devisees in Trust of the late Benjamin Eastes.	- - -	Sarah Marks.

Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
Cottage - -	Benjamin Eastes, Mary Ann Eastes, and Richard George Eastes, all Minors, William Kilkardy and Thomas Vincent Cavill, Devisees in Trust of the late Benjamin Eastes.	- - -	James Taylor Wratten.
Garden - -	Thomas Baily -	- - -	James Kelsey.
Cottage - -	Valentine Follwell -	- - -	David Ladd.
Cottage - -	The same - -	- - -	Rebecca Lemon.
Garden - -	Charles Thomas Hills -	- - -	John Cox.
Cottage - -	Richard Croft -	- - -	Amy Hayman.
Cottage and Garden -	Edward Iggulden -	- - -	Simon Marsh.
Garden - -	The same - -	- - -	George Hobday.
Garden - -	Thomas Iggulden and James Iggulden.	- - -	Edward Hobday.
Garden - -	Sarah Spinner - -	- - -	In hand.
Farmhouse, Stables, Cartlodges, Yard, and Premises.	The same - -	- - -	The same.
Wash-house and Yard -	The same - -	- - -	The same.
Dwelling House and Garden.	John Bedwell sen. -	- - -	George Brown Raggatt.
House and Garden -	The same - -	- - -	In hand.
Stables, Cowsheds, Yard, and Premises.	The same - -	- - -	In hand.
Garden and Pond -	The same - -	George Hobday -	George Hobday.
Two Stables, Cartlodges, Sheds, Yards, and Premises, and back Entrance to Mr. Bedwell's House.	The same - -	- - -	In hand.
Garden - -	Alice Bedwell - -	- - -	In hand.
Garden - -	John Bedwell sen. -	- - -	In hand.
House and Garden -	Admiral Sir Edward William Campbell and Richard Owen, Bart.	John Bedwell sen.	William Forster.
Garden - -	The same - -	The same -	John Bedwell, sen.
Public House, Garden, and Premises, called the Plough.	Alice Bedwell, Widow	- - -	In hand.
Garden - -	The same - -	- - -	The same.
Garden and Stackyard	The same - -	- - -	The same.
Garden - -	John Iggulden -	John Bedwell sen.	John Bedwell sen.
Garden and Summer House.	Admiral SirEdward William Campbell and Richard Owen, Bart.	William Cox -	William Cox.
Orchard - -	The same - -	The same -	The same.
Garden - -	The same - -	- - -	Alfred Ewell.
Cottage and Garden -	The same - -	- - -	The same.
Garden next Turnpike Road.	Admiral SirEdward William Campbell Richard Owen, Bart., and Captain Edward Cannon.	- - -	The same.
Barns, Sheds, Lodges, and Yards.	The same - -	George Hobday -	George Hobday.

Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
Garden - -	John Marks - -	- - -	John Friend.
House and Garden -	The same - -	- - -	In hand.
House, Garden, and Passage.	—— Waller - -	- - -	William Hutchinson.
House and Garden -	John Hutchinson -	- - -	In hand.
House and Garden -	The same - -	- - -	William Chandler.
Garden - -	Joseph Daniel Browning	- - -	In hand.
House and Garden -	David Ross - -	- - -	In hand.
House and Garden, Bakehouse, and Yard.	Elizabeth Stokes Brooksby.	- - -	John Brown Cavill.
Garden walled in -	Stephen Pritchard -	William Cox -	William Cox.
House and Garden -	William Betts - -	- - -	Unoccupied.
House and Garden -	The same - -	- - -	The same.
House and Garden -	The same - -	- - -	The same.
House and Garden -	The same - -	- - -	The same.
House and Garden -	The same - -	- - -	The same.
Garden - -	Stephen Pritchard -	- - -	William Humphrey.
House Cottage, Barn, Yard, and Garden.	The same - -	- -	In hand
Stable - - -	Benjamin Forster -	- - -	William Humphrey.
Garden - -	The same - -	- - -	The same.
House, Garden, and Yard	Thomas Gardener -	- - -	Richard Watkins.
House and Garden -	Captain William Thomas Roberts.	- - -	In hand.
House and Yard -	Benjamin Forster -	- - -	George Scurden.
Garden - -	John Bedwell sen. -	- - -	In hand.
Barns, Farmyard, and Premises.	The same - -	- - -	The same.
Garden and Arable -	—— Hatch - -	George Hobday -	George Hobday.
Cottage and Garden -	Ann Sayer - -	- - -	In hand.
Wash-house and Yard -	The same - -	- - -	The same.
House, Garden, and Premises.	Archbishop of Canterbury.	William Mills -	William Mills.
Yard - - -	The same - -	John Grandon -	Edward Wilds.
Garden - -	The same -	The same -	Benjamin Forster.
Brick Fields, Sheds, Brick-clamp and Grounds.	The same - -	William Munday -	William Munday.
Arable - - -	The same - -	The same -	Thomas Leach.
Arable and Garden -	The same - -	Charles Thomas Hills.	John Bedwell sen.
Arable and Garden -	The same - -	The same -	The same.
Arable and Garden -	The same - -	John Ruck -	Ambrose Weston.
House called Blenham Nursery, with Hothouses, Sheds, Greenhouse, Summer-house, Forcing Pits, Stables, Gardens, Nursery Grounds, and Premises, and Driftway.	The same - -	George Ricketts -	George Ricketts.
Barn, Lodge, and Yard	The same - -	John Woodruff, William Knight Woodruff, and Rose Woodruff.	Jarvis Smith.
Garden - -	The same - -	The same -	The same.
House and Premises -	The same - -	The same -	The same.

His Grace the Archbishop of Canterbury, Lord of the Manor of Deal and Deal Prebend.

Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
	Parish of Saint John Margate.		
Cottage and Garden -	John Stratford -	- - -	John Hurst.
Orchard, Garden, and Well.	The same - -	- - -	In hand.
Pound, Pond, Yard, Garden, Shed, and Windmill.	The Archbishop of Canterbury and the Earl of Guildford.	Richard Manger Smithett, and Mary Ann Finnis.	Richard Manger Smithett, and Mary Ann Finnis.
Barn, Stable, and Yard -	The same - -	The same -	The same.
Tivoli House, Stables, Shed, Yards, Pleasure Gardens, Lake, Pond, Arable, and Plantation.	Catherine Trotter, Widow, and —— Robinson as Mortgagee.	- - -	Catherine Trotter.

The Archbishop of Canterbury, the Duke of Wellington, and the Marquis of Conyngham, Lords of the Manor.

LONDON: Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1845.