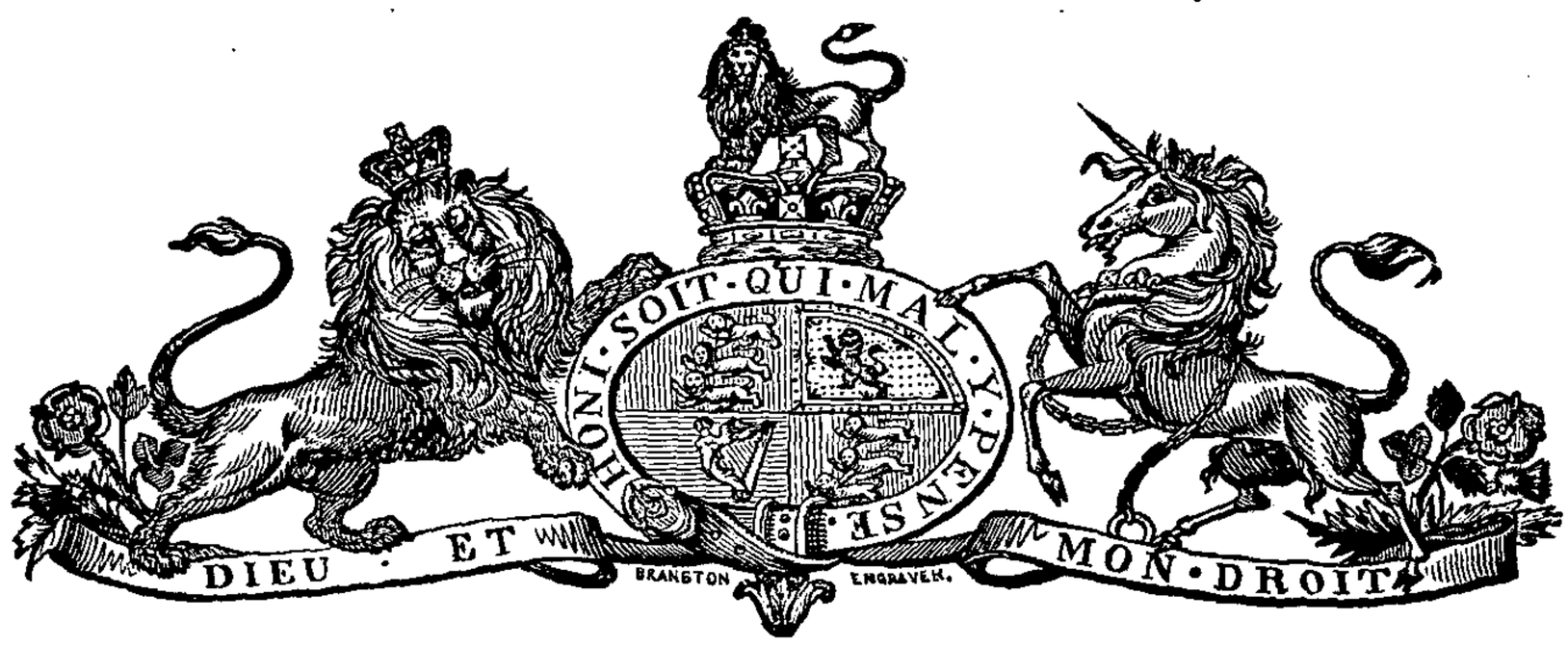


ANNO TERTIO

VICTORIÆ REGINÆ.

***

expedient to make another Deviation in the Line of the South-eastern Railway, which would materially improve the same; but such Object 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, That all the Powers, Authorities, Directions, Penalties, Forfeitures, Payments, Exemptions, Remedies, Regulations, Rules of Interpretation or Construction, Provisions, Clauses, Matters, and Things contained in the said recited Acts, so far as the same are now unrepealed, (except such of them or such Parts thereof respectively as are by this Act expressly repealed, altered, or otherwise provided for,) shall, when applicable to the Objects and Purposes of this Act, extend and be construed to extend thereto, and to the several Works and Things hereby authorized or required to be made and done, and shall operate and be in force in respect of such Objects and Purposes, Works and Things, as fully and effectually to all Intents and Purposes whatsoever as if the same Powers, Authorities, Directions, Penalties, Forfeitures, Payments, Exemptions, Remedies, Regulations, Rules, Provisions, Clauses, Matters, and Things were repeated and re-enacted in this Act, and had formed Part thereof, with reference to the Works and Things to be made and done hereunder.

Powers of recited Acts extended to this Act, except as hereby altered.

II. And be it further enacted, That it shall be lawful for the said Company to make the Alteration or Deviation herein-after mentioned in and from the Line of the said Railway as authorized by the said first-recited Act to be made, and to make and maintain the said Railway and Works according to the altered Line or Course, and upon, across, under, or over the Lands delineated on the Plans and described in the Books of Reference deposited as herein-after mentioned with the Clerk of the Peace for the County of *Kent*; that is to say, from or near to a certain Field in the Parish of *Sellinge* in the said County of *Kent*, numbered 40 on the said original Plans, passing thence from, in, through, or into the several Parishes of *Sellinge*, *Standford*, *Saltwood*, *Postling*, and *Newington*, or some of them, and terminating in a certain Field in the Parish of *Newington* in the said County, and numbered 34 on the Plans referred to in the said second-recited Act; and the said Company are hereby required to abandon such Parts of the said original Line of Railway as by reason of the making of the said Alteration or Deviation herein-before authorized will be rendered useless or unnecessary; and all the Powers, Authorities, Privileges, and Directions which, by the said recited Acts or any of them, are given for making and maintaining the Portion of the said original Line of Railway by this Act authorized to be abandoned shall, from and immediately after the passing of this Act, cease and determine.

Power to make Deviation.

III. And whereas Maps or Plans and Sections, describing the Line and Levels of the before-mentioned or altered or new Line of Railway, and the Lands in and through which the same will pass, together with Books of Reference to such Plans, containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occu-

Plans and Sections to remain with Clerks of the Peace.

piers of such Lands, have been deposited for public Inspection with the Clerk of the Peace for the County of *Kent*; be it therefore enacted, That the said last-mentioned Maps or Plans, Sections, and Books of Reference shall remain with and be kept by the said Clerk of the Peace; and all Persons interested in any Manner in the Lands described on the said Maps or Plans shall, at all seasonable Times, have Liberty to inspect and take Extracts from the said Maps or Plans, Sections, and Books of Reference respectively, paying to the said Clerk of the Peace the Sum of One Shilling for every such Inspection, and after the Rate of Sixpence for every One hundred Words copied therefrom; and true Copies of the same Plans, Sections, and Books of Reference respectively, or of so much thereof respectively as may relate to any Matter in question, certified by the said Clerk of the Peace, shall be and are hereby declared to be good Evidence in all Courts of Law and elsewhere.

Unintentional Errors in Plans, &c. deposited not to affect Execution of the Act.

IV. And be it further enacted, That it shall be lawful for the said Company to make the said altered or new Line of Railway and Works herein-before authorized in the Line or Course and in or through the Lands delineated on the said last-mentioned Plans, although such Lands, or any of them, or the Situation thereof respectively, or the Names of the respective Owners, Lessees, or Occupiers thereof, may happen to be omitted, mis-stated, or erroneously described in the Schedule to this Act annexed, or on the said Plans, or in the said Books of Reference thereto, if it shall appear to any Two Justices of the Peace for the County of *Kent*, in case of Dispute about the same, and be by them certified in Writing, that such Omission, Mis-statement, or erroneous Description proceeded from Inadvertence or Mistake, and the Certificate of such Justices shall be deposited with and be kept by the Clerk of the Peace for the said County of *Kent*.

Buildings, &c. not to be taken unless in Schedule.

V. Provided always, and be it further enacted, That nothing herein contained shall authorize the said Company, or any Person acting under their Authority, to take, injure, or damage, for the Purposes of this Act, any House or other Building which was erected on or before the Thirtieth Day of *November* One thousand eight hundred and thirty-nine, or any Ground which was then set apart and used as a Garden, Orchard, Yard, Park, Paddock, Plantation, planted Walk or Avenue to a House, or any inclosed Ground planted as an Ornament or Shelter to a House, or as a Nursery for Trees, without the Consent in Writing of the Owner and Occupier thereof respectively, other than and except such as are specified in the Schedule to this Act annexed, unless the Omission thereof in the said Schedule shall have proceeded from Mistake, and unless it shall be so certified in manner herein-before provided for in Cases of unintentional Errors therein.

Limiting Deviation from the Centre of the Line.

VI. And be it further enacted, That the said Company in making the said Alteration or Deviation hereby authorized, and other Works connected therewith, shall have full Power and Authority to deviate from the Centre of the Line thereof, as delineated on the said Plans relating

relating thereto, provided that no such Deviation shall extend to a greater Distance than One hundred Yards on either Side of such Line: Provided also, that no such Deviation shall extend into the Lands of any Person whose Name is not mentioned in the Books of Reference to the said Plans, or in the Schedule to this Act annexed, unless with the Consent of such Person, or unless the Name of such Person shall have been omitted by Mistake or Inadvertence, and the Fact of such Omission having proceeded from Mistake or Inadvertence shall have been certified in manner herein-before provided for in Cases of unintentional Errors in the said Books of Reference.

Limiting Deviations from Datum Line described on the Section.

VII. And be it further enacted, That in making the said altered or new Line of Railway it shall not be lawful for the said Company to deviate from the Levels thereof as referred to the common Datum Line described on the Section so deposited as aforesaid, and as marked on the same, to an Extent exceeding in any Place Five Feet, or in passing through Towns Two Feet, without the Consent of the Owners, Lessees, and Occupiers of the Land in, through, or over which such Deviation is intended to be made; or in case any Street or public Carriage Road shall be affected by such Deviation, then the same shall not be made without the Consent of the Trustees or Commissioners, or, if there be no such Trustees or Commissioners, without the Consent of Two or more Justices of the Peace in Petty Sessions assembled for that Purpose, and acting for the District in which such Street or public Carriage Road may be situate, or without the Consent of the Commissioners for any public Sewers, or the Proprietors of any Canal or Navigation affected by such Deviation; and that no Increase in the Inclination or Gradients of the said altered or new Line of Railway, as denoted by the said Section, shall be made in any Place to an Extent exceeding the Rate of Three Feet *per* Mile: Provided always, that Notice of every Petty Sessions to be holden for the Purpose of obtaining such Consent as aforesaid shall, Fourteen Days previous to the holding such Petty Sessions, be given in some Newspaper circulating in the County, and also be affixed upon the Church Door of the Parish in which such Deviation or Alteration is intended to be made, or, if there be no Church, on some other Place to which Notices are usually affixed: Provided also, that for the Purpose of consenting to any such Deviation from the said Section the Word "Owners" shall be deemed and taken to mean such Persons as are by this and the said recited Acts capacitated to agree for the Sale of and to convey Land for the making of the said Railway, and the Consent of such Persons, with or without the Consent of any other Person interested as Owners in the said Lands, shall be deemed and taken to be sufficient for that Purpose.

Limiting Alteration of Curves.

VIII. And be it further enacted, That in making the said altered or new Line of Railway it shall not be lawful to diminish the Radius of any Curve as described on the Plan so deposited with the Clerk of the Peace as aforesaid unless such Radius exceeds One Mile, nor to diminish it in any such Case so that it shall become less than One Mile, nor to diminish any greater Radius by more than Half a Mile, unless where it exceeds Three Miles on the said Plan.

IX. And

Railway not to cross Turnpike Roads and Highways on a Level.

IX. And be it further enacted, That when the said new or altered Line of Railway shall cross any Turnpike Road or public Highway, either such Turnpike Road or public Highway shall be carried over the said Railway, or the said Railway shall be carried over the said Turnpike Road or public Highway, at the Expence of the said Company, by means of a Bridge, where not otherwise provided for by this Act, of such Construction as is herein-after mentioned.

Regulations as to Width and Height of Bridges for carrying Railway over public Roads.

X. And be it further enacted, That where any Bridge shall be erected by the said Company for the Purpose of carrying the said Railway over or across any public Carriage Road, the Span of the Arch of such Bridge shall be formed and shall at all Times be and be continued of such Width as to leave a clear and open Space under every such Arch of not less than Twenty-five Feet in the Case of a Turnpike Road, and of not less than Eighteen Feet in all other Cases, and the Height of every such Arch from the Surface of such Road to the Centre of such Arch shall not be less than Sixteen Feet, and the Abutments of the Arch shall not be less than Ten Feet in Height; and in the Case of private Carriage Roads such Bridges shall be constructed so as to leave a clear Roadway underneath the same of not less than Fifteen Feet in Width, unless it be otherwise agreed between the Company and the Parties interested therein; and the Descent of the Road to and under any such Bridge shall in the Case of a Turnpike Road not exceed One Foot in Thirty Feet, and in the Case of any other public Carriage Road shall not exceed One Foot in Twenty Feet, and in the Case of any private Carriage Road shall not exceed One Foot in Sixteen Feet.

Regulating Ascent of Bridges for carrying Roads over Railway.

XI. And be it further enacted, That where any Bridge shall be erected for carrying any Carriage Road over the said Railway, the Road to and over such Bridge shall be formed and shall at all Times be continued of such Width as to leave a clear and open Space between the Fences of such Road of not less than Twenty-five Feet in the Case of a Turnpike Road, and of not less than Eighteen Feet in the Case of a public Carriage Road not being a Turnpike Road, and in the Case of a private Carriage Road such Space shall not be less than Fifteen Feet, unless it be otherwise agreed between the Company and the Parties interested therein; and the Ascent of every such Road and Bridge shall not, in the Case of a Turnpike Road, exceed One Foot in Thirty Feet, and in case of any other public Carriage Road shall not exceed One Foot in Twenty Feet, and in the Case of any private Carriage Road shall not exceed One Foot in Sixteen Feet, unless it be otherwise agreed as aforesaid; and a good and sufficient Fence shall be made on each Side of every such Bridge, which Fence shall not be less than Four Feet above the Surface of such Bridge.

After a Call made, no Share to be sold until Call paid up.

XII. And be it further enacted, That from and after the passing of this Act no Person or Corporation shall sell or transfer any Share which he or they shall possess in the said Undertaking after any Call shall have been made by the said Directors for any Sum of Money in respect of such Share, unless he or they at the Time of such Sale or Transfer shall have paid the full Sum of Money which shall have been

been called for in respect of each Share so to be sold or transferred; and until the Payment of such Money as aforesaid it shall not be lawful for any such Person or Corporation, or for the Clerk or Agent of such Corporation, to inspect any of the Books of the said Company, or to take or demand any Copies thereof or Extracts therefrom; any thing in the said recited Acts, or any or either of them, to the contrary notwithstanding.

Limiting Period for purchasing Lands.

XIII. And be it further enacted, That the Time during which the said Company shall have Power to purchase and take by Compulsion the Lands requisite for the Purposes by this Act authorized shall be and the same is hereby limited to the Space of Three Years from the passing of this Act.

Railway to be subject to the Provisions of any general Act.

XIV. And be it further enacted, That nothing herein contained shall be deemed or construed to exempt the Railway by this Act or the herein-before recited Acts authorized to be made from the Provisions of any general Act relating to Railways which may pass during the present or any future Session of Parliament.

For defraying the Expences of this Act.

XV. And be it further enacted, That all the Costs, Charges, and Expences of obtaining and passing of this Act, and all other Costs, Charges, and Expences in any way incident thereto, shall and may be paid and defrayed by the said Company out of the Money already raised and received by them, or out of the first Money to be raised or received by virtue of the said recited Acts, in preference to any other Payment whatever.

Public Act.

XVI. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

The

The SCHEDULE to which the foregoing Act refers.

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees.	Occupiers.

COUNTY OF KENT.

Parish of Sellinge.

40	Pasture and Stream -	Thomas Charles Burt	- - -	Thomas Hills.
41	Arable and Stream -	The same -	- - -	The same.
43	Pasture - - -	South-eastern Railway Company and Richard Hammon.	- - -	In hand.
44	Ditto - -	W. R. Hamilton -	- - -	George Crittall Cooper.
1 *a*	Turnpike Road leading from Hythe to Ashford.	Trustees of the same Road.		
2 *a*	Arable - -	Mr. and Mrs. Wade, Samuel Paull and James Ponsford, Trustees.	- - -	Thomas Hills.
4 *a*	Arable - - -	W. R. Hamilton -	- - -	George Crittall Cooper.
5 *a*	Pasture - -	The same -	- - -	The same.
6 *a*, 45 *a*	Brook, being the Boundary between the Parishes of Sellinge and Standford.			

Parish of Standford.

1 *a*	Brook, being the Boundary between the Parishes of Standford and Sellinge.			
2 *a*	Pasture - -	W. R. Hamilton -	- - -	George Crittall Cooper.
3 *a*	Ditto - -	The same -	- - -	The same.
4 *a*	Arable - - -	Viscount Strangford	- - -	John Kingsnorth.
5 *a*	Shaw - - -	The same -	- - -	The same.
6 *a*	Pasture - -	The same -	- - -	The same.
7 *a*	Homestead of Westenhanger.	The same -	- - -	The same.
8 *a*	Pasture - -	The same -	- - -	The same.
9 *a*	Ditto - -	The same -	- - -	The same.
10 *a*	Ditto - -	The same -	- - -	The same.
11 *a*	Arable - - -	The same -	- - -	The same.
12 *a*	Plantation - -	The same -	- - -	The same.
13 *a*	Arable - - -	The same -	- - -	The same.
14 *a*	Ditto - -	Richard Jones -	- - -	In hand.
15 *a*	Parish Road from Newin Green to Standford.	Surveyors of Highways.		

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees.	Occupiers.
16 *a*	Pasture - -	Dr. Truman Josiah Iles Wathen.	- - -	William Petts.
17 *a*	Ditto - -	The same -	- - -	The same.
18 *a*	Ditto - -	Archdeacon Croft -	- - -	Thomas Mount.
19 *a*	Ditto - -	William Deedes, Esq.	- - -	Elizabeth Shingleton.
20 *a*	Parish Boundary between Standford and Postling.			
3	Pasture - -	W. R. Hamilton -	- - -	George Crittall Cooper.
4	Willow Bed - -	The same -	- - -	The same.
5	Arable and Hop-grounds.	The same -	- - -	The same.
10	Pasture - -	Viscount Strangford	John Kingsnorth	John Kingsnorth.
11	Arable - - -	The same -	The same -	The same.
		Parish of Saltwood.		
1 *a*	Parish Boundary between Saltwood and Standford.			
2 *a*	Arable - -	William Deedes, Esq.	- - -	Elizabeth Shingleton.
3 *a*	Pasture - -	The same -	- - -	The same.
4 *a*	Ditto - -	Archdeacon Croft -	- - -	Thomas Mount.
5 *a*	Wood - - -	William Deedes, Esq.	- - -	Elizabeth Shingleton.
6 *a*	Arable - - -	The same -	- - -	The same.
7 *a*	Pasture - -	The same -	- - -	The same.
8 *a*	Hill-Hurst Homestead	The same -	- - -	The same.
9 *a*	Orchard - -	The same -	- - -	The same.
10 *a*	Pasture - -	The same -	- - -	The same.
11 *a*	Arable - - -	The same -	- - -	The same.
12 *a*	Pasture - -	The same -	- - -	Henry Clements.
13 *a*	Ditto - -	The same -	- - -	The same.
14 *a*	Wood - - -	The same -	- - -	In hand.
15 *a*	Pasture - -	The same -	- - -	The same.
16 *a*	Cottage and Garden -	The same -	- - -	George Cooke.
17 *a*	Pasture - -	The same -	- - -	James Barns.
18 *a*	Summer House -	The same -	- - -	In hand.
19 *a*	Stable and Offices -	The same -	- - -	The same.
20 *a*	Sandling House -	The same -	- - -	The same.
21 *a*	Pasture - -	The same -	- - -	James Barns.
22 *a*	Ditto - -	The same -	- - -	The same.
23 *a*	Plantation - -	The same -	- - -	In hand.
24 *a*	Parish Road - -	Surveyors of Highways.		
25 *a*	Pasture - - -	Wm. Deedes, Esq. -	- - -	James Barns.
26 *a*	Garden - -	The same -	- - -	The same.
27 *a*	Homestead - -	The same -	- - -	The same.
28 *a*	Private Road - -	The same -	- - -	The same.
29 *a*	Pasture - -	The same -	- - -	The same.
30 *a*	Plantation - -	The same -	- - -	In hand.
31 *a*	Arable - - -	The same -	- - -	James Barns.
32 *a*	Pasture - -	The same -	- - -	The same.
33 *a*	Ditto - -	The same -	- - -	The same.
34 *a*	Stream - - -	The same -	- - -	The same.
35 *a*	Plantation - -	The same -	- - -	In hand.
36 *a*	Pasture - -	The same -	- - -	James Barns.
37 *a*	Ditto and Two Sheds	The same -	- - -	The same.
38 *a*	Pasture - - -	The same -	- - -	The same.
39 *a*	Wood - - -	Archdeacon Croft -	- - -	In hand.
40 *a*	Pasture - - -	Richard Jinkings -	- - -	In hand.
41 *a*	Stream - - -	The same -	- - -	The same.
42 *a*	Arable - - -	The same -	- - -	The same.
43 *a*	Hayne Barn - -	The same -	- - -	The same.

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees.	Occupiers.
44 *a*	Pasture - -	Archdeacon Croft -	- - -	In hand.
45 *a*	Arable - -	Richard Jinkings -	- - -	In hand.
46 *a*	Ditto - -	The same -	- - -	William Deedes, Esq.
47 *a*	Ditto - -	William Deedes, Esq.	- - -	The same.
48 *a*	Pasture - -	Richard Jinkings -	- - -	In hand.
49 *a*	Ditto or Wood -	The same -	- - -	The same.
50 *a*	Dwelling House and Garden.	The same -	- - -	Thomas Austin.
51 *a*	Ditto - -	Rev. Wm. Brockman	Richard Jinkings	Ann Fisher.
52 *a*	Pasture - -	The same -	The same -	Richard Jinkings.
53 *a*	Arable - -	The same -	- - -	The same.
54 *a*	Parish Road - -	Surveyors of Highways.		
55 *a*	Arable - -	Rev. Wm. Brockman	- - -	The same.
56 *a*	Stone Farm Dwelling House and Garden -	The same -	- - -	The same.
57 *a*	Barns, Yard, and Stable	The same -	- - -	The same.
58 *a*	Pasture - -	The same -	- - -	The same.
59 *a*	Arable - -	The same -	- - -	The same.
60 *a*	Ditto - -	William Deedes, Esq.	- - -	William Avann.
61 *a*	Pasture - -	The same -	- - -	The same.
62 *a*	Ditto - -	The same -	- - -	The same.
63 *a*	Pasture - -	The same -	- - -	The same.
63 *b*	Arable - -	Rev. William Brockman	- - -	John Bean.
64 *a*	Alder Bed - -	The same -	- - -	In hand.
65 *a*	Ditto - -	William Deedes, Esq.	- - -	In hand.
66 *a*	Fir Plantation -	The same -	- - -	The same.
67 *a*	Rough Pasture -	The same -	- - -	Rev. William Brockman.
68 *a*	Parish Boundary between Saltwood and Newington.			

Parish of Postling.

1 *a*	Parish Boundary between Postling and Standford.			
2 *a*	Pasture - -	William Deedes, Esq.	- - -	Elizabeth Shingleton.
3 *a*	Arable - -	The same -	- - -	The same.
4 *a*	Pasture - -	The same -	- - -	The same.
5 *a*	Ditto - -	The same -	- - -	The same.
6 *a*	Ditto - -	Rev. Philip James Honeywood.	- - -	William Deedes, Esq.
7 *a*	Ditto - -	The same -	- - -	The same.
8 *a*	Ditto - -	William Deedes, Esq.	- - -	Elizabeth Shingleton.
9 *a*	Ditto - -	Rev. Philip James Honeywood.	- - -	William Deedes, Esq.
10 *a*	Ditto - -	The same -	- - -	The same.
11 *a*	Ditto - -	The same -	- - -	The same.
12 *a*	Oast-house and Sheep-pound.	The same -	- - -	The same.
13 *a*	Arable - -	William Deedes, Esq.	- - -	Elizabeth Shingleton.
14 *a*	Pasture - -	The same -	- - -	Henry Clements.
15 *a*	Arable - -	The same -	- - -	The same.
16 *a*	Pasture - -	The same -	- - -	The same.
17 *a*	Ditto - -	Rev. Philip James Honeywood.	- - -	William Deedes, Esq.
18 *a*	Orchard - -	The same -	- - -	The same.
19 *a*	Dwelling House and Garden.	The same -	- - -	George Hills, Bailiff.

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees.	Occupiers.
20 *a*	Barn-yard and Stable, Honeywood Farm.	Rev. Philip James Honeywood.	- - -	William Deedes, Esq.
21 *a*	Pasture - - -	The same -	- - -	The same.
22 *a*	Road, Parish Boundary between Postling and Saltwood.			

Parish of Newington.

1 *a*	Parish Boundary.			
2 *a*	Pasture - -	William Deedes, Esq.	- - -	William Avann.
3 *a*	Alder Plantation -	The same -	- - -	The same.
4 *a*	Fir and Alder ditto -	Rev. Wm. Brockman	- - -	In hand.
5 *a*	Stream - -	The same -	- - -	The same.
6 *a*	Broom Bank - -	Rev. Wm. Brockman	- - -	Thomas Keeler.
7 *a*	Fir Plantation -	The same -	- - -	In hand.
8 *a*	Chesnut ditto -	The same -	- - -	The same.
9 *a*	Arable - -	The same -	- - -	Thomas Keeler.
10 *a*	Ditto - -	The same -	- - -	John Bean.
11 *a*	Ditto - -	The same -	- - -	Robert Castle.
13 *a*	Pasture - -	The same -	- - -	John Bean.
14	Ditto - -	The same -	- - -	The same.
15	Occupation Road -	The same -	- - -	The same.
16	Arable - -	The same -	- - -	The same.
22	Pasture - -	The same -	- - -	Thomas Keeler.
23	Wood - -	The same -	- - -	In hand.
24	Pasture - -	The same -	- - -	Robert Castle.
25	Ditto - -	The same -	- - -	The same.
26	Public Footpath.			
27	Parish Road -	Surveyors of Highways.		
28	Arable - -	Rev. Wm. Brockman	- - -	Thomas Keeler.
29	Ditto - -	The same -	- - -	Robert Castle.
33	Public Footpath.			
34	Moor - -	The same -	- - -	Henry Dunn.
35	Mill Stream -	The same -	- - -	Richard Pain.
36	Plantation - -	The same -	- - -	In hand.

LONDON : Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1840.